

January 30–31, 2007, April 10–11, 2007, June 27–28, 2007, August 15–16, 2007, and October 23–24, 2007, and the next meeting is scheduled for January, 8–9, 2008. Contact: Ken Rusk, (202) 493–6236.

**Task 06–03**—Medical Standards for Safety-Critical Personnel. This task was accepted on September 21, 2006, to enhance the safety of persons in the railroad operating environment and the public by establishing standards and procedures for determining the medical fitness of duty of personnel engaged in safety-critical functions. A working group was established and will report any planned activity to the full Committee at each scheduled full RSAC meeting, including milestones for completion of projects and progress toward completion. The first working group meeting was held December 12–13, 2006. The working group met on February 20–21, 2007, July 24–25, 2007, August 29–30, 2007, October 31–November 1, 2007, and December 4–5, 2007. A task force of physicians was established in May 2007 to work on specific medical exam-related issues. The task force had meetings or conference calls on July 24, 2007, August 20, 2007, October 15, 2007, and October 31, 2007. The next Medical Standards Working Group meeting is scheduled for February 13–14, 2008. Contact: Alan Misiaszek, (202) 493–6002.

**Task 07–01**—Track Safety Standards. This task was accepted on February 22, 2007, to consider specific improvements to the Track Safety Standards or other responsive actions, supplementing work already underway on CWR, specifically: review controls applied to the reuse of rail in CWR “plug rail,” review the issue of cracks emanating from bond wire attachments, consider improvements in the Track Safety Standards related to fastening of rail to concrete ties, and ensure a common understanding within the regulated community concerning requirements for internal rail flaw inspections. These tasks were assigned to the Track Safety Standards Working Group. The working group will report any planned activity to the full Committee at each scheduled full RSAC meeting, including milestones for completion of projects and progress toward completion. The first working group meeting was held on June 27–28, 2007, and the group met again on August 15–16, 2007, and October 23–24, 2007. Two task forces were created under the working group; the Concrete Ties Task Force and the Rail Integrity Task Force. The Concrete Ties Task Force first met on November 26–27, 2007, and the next meeting is scheduled

for February 13–14, 2008. The Rail Integrity Task Force first met on November 28–29, 2007, and the next meeting is scheduled for February 12–13, 2008. Contact: Ken Rusk, (202) 493–6236.

#### Completed Tasks

**Task 96–1**—(Completed) Revising the Freight Power Brake Regulations.

**Task 96–2**—(Completed) Reviewing and recommending revisions to the Track Safety Standards (49 CFR Part 213).

**Task 96–3**—(Completed) Reviewing and recommending revisions to the Radio Standards and Procedures (found under 49 CFR Part 220).

**Task 96–5**—(Completed) Reviewing and recommending revisions to the Steam Locomotive Inspection and Maintenance Standards (49 CFR Part 230).

**Task 96–6**—(Completed) Reviewing and recommending revisions to miscellaneous aspects of the regulations addressing Locomotive Engineer Certification (49 CFR Part 240).

**Task 96–7**—(Completed) Developing Roadway Maintenance Machines (On-Track Equipment) Safety Standards.

**Task 96–8**—(Completed) This planning task evaluated the need for action in response to recommendations contained in a report to Congress entitled, Locomotive Crashworthiness & Working Conditions.

**Task 97–1**—(Completed) Developing crashworthiness specifications (49 CFR Part 229) to promote the integrity of the locomotive cab in accidents resulting from collisions.

**Task 97–2**—(Completed) Evaluating the extent to which environmental, sanitary, and other working conditions in locomotive cabs affect the crew’s health and the safe operation of locomotives, proposing standards where appropriate.

**Task 97–3**—(Completed) Developing event recorder data survivability standards.

**Task 97–4** and **Task 97–5**—(Completed) Defining positive train control functionalities, describing available technologies, evaluating costs and benefits of potential systems, and considering implementation opportunities and challenges, including demonstration and deployment.

**Task 97–6**—(Completed) Revising various regulations to address the safety implications of processor-based signal and train control technologies, including communications-based operating systems.

**Task 97–7**—(Completed) Determining damages qualifying an event as a reportable train accident.

**Task 00–1**—(Completed—task withdrawn) Determining the need to amend regulations protecting persons who work on, under, or between rolling equipment and persons applying, removing, or inspecting rear end marking devices (Blue Signal Protection).

**Task 01–1**—(Completed) Developing conformity of FRA’s regulations for accident/incident reporting (49 CFR Part 225) to revised regulations of the Occupational Safety and Health Administration, U.S. Department of Labor, and to make appropriate revisions to the FRA Guide for Preparing Accident/Incident Reports (reporting guide).

Please refer to the notice published in the **Federal Register** on March 11, 1996, (61 FR 9740) for more information about the RSAC.

Issued in Washington, DC on January 28, 2008.

**Michael J. Logue,**

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR) Part 211, notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner’s arguments in favor of relief.

#### New Jersey Transit Corporation

[Supplement and Modification To Waiver Petition Docket Number FRA–1999–6135, with New Docket Number FRA–2007–0030]

As a supplement and modification to New Jersey Transit Corporation’s (NJ Transit) petition for approval of shared use and waiver of certain FRA regulations (the original Shared Use Waiver was granted by the FRA Railroad Safety Board on December 3, 1999, a 5-year extension and decision regarding relief from the FRA Horn Rule was granted by the Safety Board on November 9, 2006), NJ Transit is seeking permission from FRA to modify the temporal separation operating plan to reflect new Burlington and Camden Subdivisions. Also, NJ Transit is asking

FRA to modify the terms and conditions of FRA's November 9, 2006, decision letter seeking a permanent waiver of compliance from requirements of the FRA Horn Rule for continued safe operation of its Southern New Jersey Light Rail Transit (SNJLRT) River Line at seven specific highway-rail grade crossings in the Palmyra and Riverton, NJ, communities. NJ Transit submits that this request is consistent with the waiver process for shared use. (See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment, 65 FR 42529 (July 10, 2000); also see Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems, 65 FR 42526 (July 10, 2000).)

On April 27, 2005, FRA issued the Final Rule on Use of Locomotive Horns at Highway-Rail Grade Crossings, 70 FR 21844 (2005), with an effective date of June 24, 2005. NJ Transit claimed that although its audible warning operating practices on the River Line are generally in compliance with the rules contained in 49 CFR Parts 222 and 229, Use of Locomotive Horns at Highway Rail Grade Crossings; Final Rule, it needed relief from the requirements of the rule because of the unique operating characteristics of the SNJLRT River Line—particularly the close proximity of highway-rail grade crossings in the communities of Riverton and Palmyra, NJ. As noted and explained in the FRA decision letter dated November 9, 2006, FRA denied NJ Transit relief from the Horn Rule requirements, except at certain locations outlined in the decision letter, including four near-side station stops in the Riverton-Palmyra single track corridor at Cinnaminson Avenue, Morgan Avenue, Thomas Avenue, and Main Street.

With this petition submitted in lieu of instituting quiet zones, NJ Transit again is seeking relief from the requirements of the FRA Horn Rule (use of 83 dB bell in lieu of 86dB horn) at seven of nine actively warned highway-rail grade crossings along this 1.4-mile Riverton-Palmyra single track corridor. The driving force behind this request is that the SNJLRT River Line operates 91 weekday trips through this corridor, generating over 800 audible warnings between 6 a.m. and 10 p.m., causing quality of life issues and noise complaints from nearby residents.

Also with this petition, NJ Transit is seeking permission from FRA to modify the temporal separation operating plan

to reflect new Burlington and Camden Subdivisions. The creation of these subdivisions will allow SNJLRT light rail vehicles in a particular subdivision to operate concurrently when Conrail freight trains are either late in clearing tracks in the other subdivision or they report clear for the remainder of the freight window. The subdivisions will be delineated where switches can be reversed and blocked to prevent movements outside each respective subdivision.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2007-0030) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–19478).

Issued in Washington, DC on January 28, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

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#### Village of Elmwood Park, Illinois

[Waiver Petition Docket Number FRA-2007-0022]

The Village of Elmwood Park, Illinois (Village) and the Northeastern Illinois Commuter Rail Corporation (Metra) seek a permanent waiver of compliance from a certain provision of the *Use of Locomotive Horns at Highway-Rail Grade Crossings*, 49 CFR Part 222. The Village intends to establish a new partial quiet zone consisting of four public highway-rail at-grade crossings and two pedestrian at-grade crossings. The Village and Metra are seeking a waiver to modify the hours of a new partial quiet zone as provided in 49 CFR Part 222.9, definition of a new partial quiet zone that states that locomotive horns are not routinely sounded between the hours of 10 p.m. and 7 a.m. The waiver petition requests that the time period for the new partial quiet zone is between 10 p.m. and 6 a.m. as recommended by the Illinois Commerce Commission (ICC) to better reflect the existing traffic conditions. The ICC made these comments during a diagnostic team meeting on September 5, 2007, and in a letter to the Village dated September 11, 2007.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2007-0022) and may be submitted by any of the following methods: