

provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

**Walden's Ridge Railroad Company;  
Heritage Railroad; Southern  
Appalachia Railway Museum**

[Waiver Petition Docket Number FRA-2010-0118]

The Walden's Ridge Railroad Company (WRRRC), Heritage Railroad (HR), and Southern Appalachia Railway Museum (SARM) of Roane County, Tennessee, seeks a waiver of compliance from *Control of Alcohol and Drug Use*, 49 CFR part 219 subparts D through G, which require a railroad to conduct reasonable suspicion alcohol and/or drug testing, pre-employment drug testing, random alcohol and drug testing, and to have voluntary referral and co-worker report policies. The three railroads combined have less than 16 hours of service employees, and the waiver is sought until such time as they jointly have 16 or more hours of service employees.

HR has contracted its freight operations out to WRRRC, which has 3 part-time employees and historically handles 500 or fewer annual carloads. SARM has 6 hours of service employees who are part-time volunteers and who operate a passenger train on the HR, transporting about 5,000 passengers each year. The employees and volunteers are used interchangeably among the freight and passenger operations.

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-2010-0118) 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 document (or signing the document, 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; Page 19477) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on August 9, 2010.

**Robert C. Lauby,**

*Deputy Associate Administrator for  
Regulatory and Legislative Operations.*

[FR Doc. 2010-19997 Filed 8-12-10; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with part 211 of title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from 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.

#### **Bluewater Michigan Chapter, Inc.**

[Docket Number FRA-2009-0081]

The Bluewater Michigan Chapter, Inc. National Railway Historical Society (Bluewater), requests a waiver from compliance from the requirements related to the glazing installed on seven passenger cars used in tourist/excursion service. The cars covered by this petition were built between 1947 and 1957, and all carry the same reporting mark, BMCX. They are numbered: 857—

52-seat passenger coach, 829—52-seat passenger coach, 832—52-seat passenger coach, 899—40-seat dining car, 9486—14-roomette sleeping/baggage car, 6604—48-seat round-end passenger car, and 9646—baggage car.

Specifically, the petitioner requests this relief from the requirements of 49 CFR 223.15(c), *Requirements for existing passenger cars*, including the requirement to install at least four emergency windows. Bluewater offers these passenger cars for occasional tourist/excursions over several host railroads: The Lake State Railroad, Great Lakes Central Railroad, Rail America, The Chesapeake and Indiana Railroad Company, Saginaw Bay Southern Railroad, and the Ohio Central Railroad. These cars will operate over mostly single-track railroad lines in rural areas, and at speeds less than 45 mph.

Bluewater believes that the operation of these cars in tourist/excursion service are exposed to a low potential for damage to the existing glazing from debris from surrounding structures, or from track-side vandals. Further, they are not aware of any incidents of broken windows, or any other passenger safety issues caused by the windows in the above listed cars while in operation over their host railroads. As a Chapter of the National Railroad Historical Society, a non-profit organization dedicated to the preservation of railroad history, most of the society's annual revenue is derived from the operation of these cars in tourist/excursion service. As stated in their petition, Bluewater's cost estimate to replace all the current windows, thus bringing the glazing into compliance with the CFR's requirements, would meet or exceed the total value of the cars. A requirement to replace all the windows in all the cars will result in their permanent retirement, as the Chapter does not have the financial ability to replace the glazing on all cars. The loss of revenue from tourist/excursion use of these cars would cause severe harm to the Bluewater organization and to neighboring organizations who also benefit from their excursions.

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-2009-0081) 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 document (or signing the document, 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 (65 FR 19477) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on August 9, 2010.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2010-19996 Filed 8-12-10; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2010-0072]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel ENDLESS SUMMER.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD-2010-0072 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

**DATES:** Submit comments on or before September 13, 2010.

**ADDRESSES:** Comments should refer to docket number MARAD-2010-0072. Written comments may be submitted by

hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue, SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979.

#### SUPPLEMENTARY INFORMATION:

As described by the applicant the intended service of the vessel ENDLESS SUMMER is:

*Intended Commercial Use of Vessel:* "Sightseeing harbor and coastal cruises for 12 passengers or less."

*Geographic Region:* "California."

#### Privacy Act

Anyone is able to search the electronic form of all 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 19477-78).

By Order of the Maritime Administrator.

Dated: August 4, 2010.

**Christine Gurland,**

*Secretary, Maritime Administration.*

[FR Doc. 2010-19968 Filed 8-12-10; 8:45 am]

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