

appropriate docket number (e.g., Waiver Petition Docket Number FRA–2008–0088) 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 20 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 19477–78).

Issued in Washington, DC on July 29, 2008.

**Michael Logue,**

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

[FR Doc. E8–17705 Filed 7–31–08; 8:45 am]

BILLING CODE 4910–06–P

## 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) 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.

### Norfolk Southern Corporation

[Docket Number FRA–2008–0077]

The Norfolk Southern Corporation (NS) seeks a waiver of compliance from certain provisions of 49 CFR Part 232, *Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment*. Specifically, NS is requesting a waiver to increase the 4-hour off-air requirement, as prescribed in 49 CFR 232.205(a)(3), to 24 hours at certain locations on NS's Pocahontas Division in West Virginia.

NS has approximately 12 locations where they will park a train of approximately 100 cars that have received a Class I brake test. The locomotives will cut away from the cars and leave them in the siding without any means to maintain air. These cars will remain in the siding until another train arrives and attaches to the cars that have been left in the siding. Because these cars have been off-air for more than 4 hours (sometimes as much as 24 hours) § 205(a)(3) requires that they be given another Class I brake test, although they have only travelled a distance of approximately 150 miles. NS feels that these tests are unnecessary and subject their employees to performing these tests in less than desirable walking conditions. NS has tried to leave a locomotive attached to the cars in the siding to maintain air pressure. However, NS states that this is not cost effective, since the locomotive may be required to idle for 24 hours at a cost of \$57 an hour, in addition to the system average of \$750 per day for the locomotive out of service cost. The addition of yard air sources has been considered, but due to the geographic location and lack of available electrical power, the installation cost is estimated at \$707,397.

NS does not feel that safety will be compromised as a Class III brake test would be performed on the blocks left in the siding when added to trains. To date, NS states that there is no evidence of vandalism at any of the locations where they would invoke this waiver.

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–2008–0077) 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 19477–78).

Issued in Washington, DC on July 29, 2008.

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

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

[FR Doc. E8–17707 Filed 7–31–08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD–2008 0069]

#### 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 TRINITY.

**SUMMARY:** As authorized by Public Law 105–383 and Public Law 107–295, 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-2008-0069 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 Public Law 105-383 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 2, 2008.

**ADDRESSES:** Comments should refer to docket number MARAD-2008-0069. 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 TRINITY is:

*Intended Use:* "Sailing vessel instruction."

*Geographic Region:* "Southern California in the area outside of Ventura Harbor."

#### 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).

Dated: July 23, 2008.

By order of the Maritime Administrator.

**Leonard Sutter,**

*Secretary, Maritime Administration.*

[FR Doc. E8-17616 Filed 7-31-08; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-515 (Sub-No. 2)]

#### Central Oregon & Pacific Railroad, Inc.—Abandonment and Discontinuance of Service—in Coos, Douglas, and Lane Counties, OR

On July 14, 2008, the Central Oregon & Pacific Railroad, Inc. (CORP) filed an application under 49 U.S.C. 10903 for permission to abandon and discontinue service over portions of a line of railroad known as the Coos Bay Subdivision, which consists of (1) the Coos Bay Branch (which is owned by CORP), and (2) the Coquille Branch and the LPN Branch (which are leased by CORP).<sup>1</sup>

CORP seeks authority to abandon certain portions of the Coos Bay Subdivision that it owns, namely the line extending from milepost 669.0 near Vaughn to milepost 763.13 near Cordes, a distance of 94.13 miles in Coos, Douglas, and Lane Counties, OR. The line includes the stations of Richardson (milepost 685.0), Swisshome (milepost 697.1), Suislaw (milepost 697.8); Tide (milepost 699.2), Mapleton (milepost 705.3), Beck (milepost 709.0), Wendson (milepost 715.0), Cushman (milepost 716.0), Canary (milepost 721.3), Kroll (milepost 732.8), Gardiner Junction (milepost 738.8), Reedsport (milepost 740.4), Lakeside (milepost 752.1), Hauser (milepost 759.3), and Cordes

<sup>1</sup> The Coos Bay Subdivision also consists of CORP's line between Vaughn and Eugene, OR. CORP does not propose to abandon this additional segment. A feeder line application to purchase the Coos Bay Subdivision has been filed in STB Finance Docket No. 35160.

(milepost 763.0); and traverses through United States Postal Service ZIP Codes 97439, 97441, 97449, 97453, 97459, 97461, 97467, 97480, 97487, 97490, and 97493.

CORP also seeks authority to discontinue service over the portions of the Coos Bay Subdivision that it leases:<sup>2</sup> (1) The Coquille Branch extending from milepost 763.13 near Cordes to milepost 785.5 near Coquille, a distance of 22.37 miles, in Coos County, OR, including the stations of North Bend (milepost 765.6), Coos Bay (milepost 768.9), McCormac (milepost 770.5), Hayden (milepost 773.1), Chrome (milepost 781.2), and Coquille (milepost 785.6), and traversing through United States Postal Service ZIP Codes 97420, 97423, and 97459; and (2) the LPN Branch extending between CORP milepost 738.8 and LPN Branch milepost 2.0, a distance of 2.0 miles, in Douglas County, OR, including the station of Gardiner Junction (milepost 738.8), and traversing through United States Postal Service ZIP Code 97441.

The line does contain federally granted rights-of-way. Any documentation in CORP's possession will be made available promptly to those requesting it. CORP's entire case for abandonment and discontinuance was filed with the application.

This line of railroad has appeared on CORP's system diagram map or has been included in its narrative in category 1 since May 8, 2008.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

Any interested person may file with the Surface Transportation Board written comments concerning the proposed abandonment and discontinuance or protests (including the protestant's entire opposition case), by August 28, 2008. All interested persons should be aware that following any abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 U.S.C. 10905 (49 CFR 1152.28) and any request for a trail use condition under 16 U.S.C. 1247(d) (49 CFR 1152.29) must be filed by August 28, 2008. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27). Applicant's reply to any opposition statements and its response to trail use

<sup>2</sup> CORP leases the Coquille Branch from the Union Pacific Railroad Company and leases the LPN Branch from Longview, Portland & Northern Railway Company.