

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a Supplemental Environmental Impact Statement (SEIS) will be prepared for the Kerens-to-Parsons portion of the proposed Appalachian Corridor H highway project.

FOR FURTHER INFORMATION CONTACT:

Henry E. Compton, Division Environmental Coordinator, Federal Highway Administration, West Virginia Division, Geary Plaza, Suite 200, 700 Washington Street East, Charleston, West Virginia 25301, Telephone: (304) 347-5268.

SUPPLEMENTARY INFORMATION: In accordance with a court approved settlement agreement, the FHWA in cooperating with the West Virginia Department of Transportation (WVDOH) will prepare a supplemental environmental impact statement (SEIS) to examine one or more potential alignment shifts for the Kerens-to-Parsons portion of the proposed Appalachian Corridor H highway in Randolph and Tucker Counties, West Virginia. A Record of Decision (ROD) for the entire Appalachian Corridor H Highway (FHWA-WV-EIS-92-01-F) from Aggregates to the WV/VA state line, a distance of approximately 100 miles, was approved on August 2, 1996. The proposed Kerens-to-Parsons project will provide a divided four-lane, partial control of access highway on new location for a distance of approximately 20 miles. The purpose of this project is to provide safe and efficient travel between the population centers of Randolph (Elkins/Kerens Area) and Tucker (Parsons Area) counties, while also contributing to the completion of Corridor H in West Virginia.

Alternates under consideration in the SEIS will be: (1) The no action alternative, (2) the preferred alternative that was approved in the 1996 ROD, and (3) one or more alternatives that avoid impacts to the Corricks Ford Battlefield. Based on preliminary studies, it is expected that the avoidance alternatives considered in the SEIS will include one or more alignments that would shift the project to the north, resulting in additional connections to US 219, WV Route 72, and County Route 17 in the vicinity of Parsons. However, final decisions on the scope of the SEIS will be made only after an opportunity for comment by interested agencies and the public during the scoping process, which will occur in early to mid-April 2000.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state, and local

agencies, and to private organizations and citizens who have expressed or are known to have an interest in this proposal.

To ensure the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities to this program)

Issued on: March 28, 2000.

Henry E. Compton,

Environmental Coordinator, Charleston, West Virginia.

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BILLING CODE 4910-22-M

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 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.

Aberdeen Carolina and Western Railway**[Docket Number FRA-1999-6067]**

The Aberdeen Carolina and Western Railway (ACWR) seeks a permanent waiver of compliance with the *Safety Glazing Standards*, 49 CFR 223.11(c), which requires certified glazing in all locomotive windows, except those locomotives used in yard service. ACWR seeks this waiver for locomotive number 1132. The owner states that the locomotive would be used one way (20 miles) as back-up power for a dinner/excursion train operating on weekends between Aberdeen and Pinehurst, North Carolina.

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 1999-6067) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW, Washington, DC 20590. 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://dms.dot.gov>.

Issued in Washington, DC on April 4, 2000.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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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 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.

Buffalo Southern Railroad, Inc.**Docket Number FRA-1999-6069**

The Buffalo Southern Railroad, Inc. (BSOR) seeks a permanent waiver of compliance with the *Safety Glazing Standards*, 49 CFR 223.11(c), which requires certified glazing in all locomotive windows, except those locomotives used in yard service. BSOR seeks this waiver for five locomotives, numbers 5010, 107, 100, 93 and 105. BSOR states that they operate on 30 miles of track at speeds not to exceed 20