

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.

#### Canadian National Railway Company

[Waiver Petition Docket Number FRA-2007-27410]

The Canadian National Railway Company (CN), on behalf of its wholly owned subsidiaries, Illinois Central Railroad Company, Wisconsin Central, Grand Trunk and Western Railroad Company, Chicago Central & Pacific Railroad Company, Duluth, Winnipeg & Pacific Railroad Company, Bessemer & Lake Erie Railroad Company, and the Duluth Missabe & Iron Range Railroad Company, seeks a waiver of compliance with the Locomotive Safety Standards, 49 CFR 229.25(b), as it pertains to the 92-day periodic requirement to inspect electrical devices and visible insulation. CN requests to remove DC traction motor covers and inspect the interior of the motor during the second and fourth periodic inspection. According to the petitioner, CN requires all traction motor brushes be replaced during the locomotive's annual inspection.

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 (FRA-2007-27410) 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>.

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). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on April 9, 2007.

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

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2007-27556]

#### 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 favour of relief.

#### SMS Lines

[Docket Number FRA-2007-27556]

The SMS Lines, a Class III railroad, seeks a waiver of compliance from the requirements of Title 49 CFR 223.11. SMS has operated within the Pureland Industrial Park in Bridgeport, Gloucester County, New Jersey since June, 1994. The petitioner proposes to use Locomotive Number 412, on a limited basis only at this location for yard and local switching service.

Locomotive Number 412, model VO-1000, was built by the Baldwin Locomotive Works (BLW) in 1945, and is owned by the United Railroad Historical Society (URHS), a non-profit organization. SMS is assisting the URHS in the restoration of this locomotive and upon completion, would operate it over approximately 5 miles of track with three grade crossings within the industrial park. The current operations average 1 train per day, 6 days per week, year-round throughout the park at restricted speed. All track is FRA Class I (10 mph).

The petitioner believes that this locomotive can be safely operated throughout the industrial park with the current non-compliant safety-type

glazing. The cost to the URHS for installation of all new window frames and compliant FRA Types I & II glazing is significant with only a marginal increase in safety due to the low speed. Historically, there has been no vandalism of railroad glazing within the Pureland Industrial Park, and there are no overhead bridges nor tunnels.

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-2007-27556) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, Washington, DC 20590-0001. 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 DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh Street, SW., Washington, DC. 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>.

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 19377-78). The statement may also be found at <http://dms.dot.gov>.

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

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

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