

Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, D.C. 20590. Communications received within 30 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 July 13, 2005.

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

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.

Hillsborough Area Regional Transit

[Docket Number FRA-2002-13398]

This notice supercedes the **Federal Register** notice, Vol. 70, No. 118, issued June 21, 2005, at 35771, concerning the above docket number which was issued in error.

In its decision letter dated May 2, 2005, the FRA Railroad Safety Board granted Hillsborough Area Regional Transit (HARTLine) a waiver extension to include the original terms and conditions of its Shared Use/ Limited Connection Waiver, and incorporated changes to the operating plan for a period of one year (for the duration of Phase 1 operating procedures). FRA will consider granting HARTLine a five year extension (with proposed Phase 2 procedures implemented) after reviewing the results of the Phase 1 operation. HARTLine now seeks a modification to this waiver and requests a change in the verbiage of the following

paragraph of the May 2, 2005 Decision Letter:

"Phase 1: HARTLine will have its streetcars continue to be required to stop at the signal regardless of indication, with motorman announcing their intention to cross on a proceed (green) signal indication via radio to the HARTLine Rail Dispatcher in lieu of the CSXT flagman. The Rail Dispatcher, via newly installed Remote Monitoring System cameras, would then confirm the signal indication and grant permission to cross if the signal indication allows. The motorman would then recheck the signal; again confirm an appropriate signal indication to the Rail Dispatcher via radio, and cross the interlock. The HARTLine Rail Dispatcher would not control or communicate with CSXT train engineers or make any representations of the signals aspect. The HARTLine Rail Dispatcher will notify CSXT in Jacksonville, Florida, immediately by telephone of any irregularities in the signaling system."

HARTLine requests that the paragraph be amended to read as follows:

"Phase 1: HARTLine will have its streetcars continue to be required to stop at the signal regardless of indication, with motorman announcing their intention to cross on a proceed (green) signal indication via radio to the HARTLine Rail Dispatcher in lieu of the CSXT flagman. The Rail Dispatcher then confirms the transmission from the motorman that he/she has checked the indication of the signal, and is following its instructions. The motorman would then recheck the signal; again confirm an appropriate signal indication to the Rail Dispatcher via radio, and cross the interlock. The HARTLine Rail Dispatcher would not control or communicate with CSXT train engineers or make any representations of the signals aspect. The HARTLine Rail Dispatcher will notify CSXT in Jacksonville, Florida, immediately by telephone of any irregularities in the signaling system."

HARTLine is asking the FRA to modify the language of the waiver in order to reinforce the aspect of the failsafe CSXT signal only is used to control regular crossings, and ensure no misinterpretation that the Remote Monitoring System cameras or verbal permission from the Rail Dispatcher are approved crossing devices.

Concurrently, HARTLine also is asking FRA to remove a minor typographic error that is present in the Decision Letter.

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 communication concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2002-13398) 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 30 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 July 13, 2005.

Grady Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

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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.

Hiwassee River Railroad Co.

[Waiver Petition Docket Number FRA-2001-21181]

The Hiwassee River Railroad Co. (HRRCo), seeks a waiver of compliance from Certain provisions of the Safety Glazing Standards, title 49, CFR 223.11, Requirements for Existing Locomotives for one locomotive. The HRRCo is located in Copperhill, TN. The HRRCo states that they operate a non-common carrier between Copperhill, TN and Etowah, TN. Locomotive Number 108 will operate almost exclusively within yard and industrial plant at Copperhill, TN.

The HRRCo claims that locomotive 108 is presently equipped with shatterproof glazing, similar to FRA glazing, of the

type used before 49 CFR 223.11 was in effect.

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 2005-21181) 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 July 13, 2005.

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

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.

Illinois Railway Museum

[Docket Number FRA-2005-21271]

The Illinois Railway Museum (IRM), a standard gage railroad and electric traction museum, seeks a waiver of compliance from the requirements of title 49 Code of Federal Regulations (CFR) 230.17 One thousand four hundred seventy-two (1472) service day inspection for their locomotive number (IRM) 428. Locomotive number 428, is a former Union Pacific steam locomotive, built by the Baldwin Locomotive Works in 1901 (Boiler Number 18303) with a wheel arrangement of 2-8-0.

The IRM is not engaged in general railroad transportation, and provides only railroad/electric railway tourist excursions on a limited schedule. The IRM currently consists of approximately 26 acres of display area, with 1.5 miles of track under cover for display purposes. In addition, they operate a segment of track on the former Elgin & Belvidere electric railway right-of-way, between Kishwaukee Grove and East Union, Illinois, in McHenry County.

This waiver specifically requests relief from the requirements of 49 CFR 230.17(a) General that states: "In the case of a new locomotive or a locomotive being brought out of retirement, the initial 15 year period shall begin on the day that the locomotive is placed in service or 365 days after the first flue tube is installed in the locomotive, which ever comes first." The IRM initiated restoration of the number 428 in January 1984, underwent a successful interior boiler inspection by FRA in October 1999, and passed a hydrostatic test in early 2000. The locomotive has been stored dry, and indoors since the initiation of the restoration project. Relief is sought by IRM to begin the 1,472 service days, and the corresponding 15 year period on the day of the first steam test, not the day the first tube was installed, as they installed the tubes in October 1999, and FRA published the revised 49 CFR part 230 Inspection and Maintenance Standards for Steam Locomotives on November 17, 1999.

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-2005-21271) 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. 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>.

Issued in Washington, DC, on July 13, 2005.

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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