

OMB Control Number: 2125-0033
(Expiration Date: November 30, 2000).

Title: Statement of Materials and Labor Used by Contractor on Highway Construction Involving Federal Funds.

Abstract: The Federal Highway Administration (FHWA) compiles data on Federal-aid highway construction contracts of \$1 million or more and located on the National Highway System to establish highway construction usage factors. These usage factors quantify materials used, such as cement and bitumen, and the amount of aggregates produced and purchased by the contractor. Also quantified are the total labor hours utilized and associated gross earnings. Provisions in 23 CFR 635.126 facilitate the FHWA's efforts to compile this data, which is submitted to the FHWA by contractors and State Departments of Transportation on Form FHWA-47, Statement of Materials and Labor Used by Contractors on Highway Construction Involving Federal Funds. FHWA's estimates of current material usage and cost distribution on Federal-aid highway construction contracts are used by materials suppliers, highway contractors, engineers, economists and others to plan for future needs of the highway construction program and to document information on the usage of materials and labor in highway construction.

Affected Public: Federal-aid highway construction contractors and Departments of Transportation for the 50 States, Puerto Rico and the District of Columbia.

Estimated Total Annual Burden Hours: 8,450. There are an estimated 1,300 required reports annually. Approximately 433 contractors submit an average of 3 forms per year which require an average of 5 hours to complete. The estimated burden hours for the contractors to complete Part B of the form is 6,500 (433 contractors \times 15 hours each) or (1,300 projects \times 5 hours each). In addition, 52 Transportation Departments, including Puerto Rico and the District of Columbia, complete Part A on an average of 25 forms annually, requiring approximately one and one half (1.5) hours each. The estimated burden hours for the Transportation Departments is 1,950 (52 \times 25 forms \times 1.5 hours each).

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued on: September 21, 2000.

James R. Kabel,

Chief, Management Programs and Analysis Division.

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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.

The New York, Susquehanna and Western Railway Corporation (Waiver Petition Docket Number FRA-2000-7414)

The New York, Susquehanna and Western Railway Corporation (NYSW) seeks a waiver of compliance from the provisions of the *Track Safety Standards*, 49 CFR 213.237(a), regarding the continuous search of rail for internal defects. The NYSW operates infrequent seasonal passenger excursion trains over portions of three separate low tonnage main lines which are classified as Class 3 track and therefore, due to the operation of passenger trains, require a yearly inspection for internal rail defects.

The NYSW is petitioning for a waiver which would allow them to schedule inspections for internal rail defects on a tonnage based frequency, which would be the requirement of the *Track Safety Standards* absent any passenger train operation over these specific portions of track. The petitioner cites the low volume of traffic, the virtual non-existent history of train derailments over these track segments, and the NYSW's policy of performing visual track inspections prior to the operation of each passenger excursion trains as arguments in favor of relief.

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 2000-7414) 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, D.C. on September 21, 2000.

Edward R. English,

Director, Office of Safety, Assurance and Compliance.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33407]

Dakota, Minnesota & Eastern Railroad Corporation Construction Into the Powder River Basin

AGENCY: Surface Transportation Board.

ACTION: Notice of availability of Draft Environmental Impact Statement and notice of public meetings.

SUMMARY: The Dakota, Minnesota & Eastern Railroad Corporation (DM&E) has filed an application with the Surface Transportation Board (Board) for authority to construct and operate new rail line facilities in east-central Wyoming, southwest South Dakota, and south-central Minnesota. The project, known as the Powder River Basin Expansion Project, involves approximately 280.9 miles of new rail line construction and would extend DM&E's existing rail line from Wall, South Dakota west to coal mines in Wyoming's Powder River Basin. Additionally, DM&E proposes to rebuild approximately 597.8 miles of existing rail line along its current system to standards acceptable for operation of unit coal trains. The project would require actions by a number of Federal agencies, including the Board, the U.S. Department of Agriculture Forest Service (USFS), the U.S. Department of the Interior Bureau of Land Management (BLM), the U.S. Army Corps of Engineers (COE), the U.S. Department of the Interior Bureau of Reclamation