

the assisted mode, a track authority is obtained from the system and electronically issued to the individual requesting the authority by a controller or dispatcher. In the autonomous mode, the authority is electronically obtained directly from TrackAccess by the individual requesting the authority, and no dispatcher is involved. TrackAccess is designed for low traffic shortline, branchline, and yard rail operations. In the view of the petitioner, TrackAccess protects train movements, it does not direct train movements.

According to SCPR, safety features of TrackAccess include: (1) protection against the issuance of overlapping permissions; (2) positive identification and verification of individuals requesting and receiving permissions; (3) verification of receipt of safety bulletins prior to issuance of permissions; and (4) required "three-part communication" procedures for telephony transactions.

Although the current petition is from the named party, FRA anticipates that, should relief be granted to the named petitioner, other petitioners may step forward. In order to avoid duplicative publications and filings related to this request for temporary relief, FRA also requests comments regarding whether, and under what conditions, FRA should permit other parties similarly situated to subscribe to any relief provided in this docket.

FRA notes that the instant petition was not accompanied by supporting safety data. However, FRA is advised that such data will be filed. Accordingly, potential commenters are requested to monitor the docket status and respond when such data is filed.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2008-0004) and may be submitted by one 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.

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.

Communications received within 30 days of the date of this notice or within 30 days following the filing of supporting safety data, whichever is later, will be considered by FRA before final action being taken. Comments received after this period 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 on behalf of an association, business, labor union, etc.). You may review the 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 February 8, 2008.

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

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

[FR Doc. E8-2660 Filed 2-12-08; 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 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 LB Railco

[Docket Number FRA-2007-28613]

The LB Railco (LBRR), seeks a waiver of compliance from certain provisions of Safety Glazing Standards, 49 CFR Part 223, that requires certified glazing for

two self-propelled switcher locomotives.

LBRR has been operating for the past several years as an industrial switcher for the Port of San Francisco. LBRR plans to expand its operation from currently four (4) miles to seven (7) miles of track as the primary shortline railroad operator for the Port of San Francisco once a new bridge is completed. LBRR plans to continue to use the Port's two historic ALCO S-2 switcher locomotives (LB 1 and LB 2) to service their current two customers and any customers that may require switching service at the Port in the future.

LBRR operates at a maximum speed of 20 mph with an average speed of 5 mph. The two ALCO S-2 switcher locomotives both have their original glass in the cabs, consisting of 13 separate windows in each cab. The glazing in these windows do not conform to 49 CFR Part 223 Safety Glazing Standards; however, the locomotives have been operating for the past 62 years in and around the same area of San Francisco, in which they currently operate and the glass has remained intact without damage.

LBRR requests a waiver from 49 CFR Part 223 requirements for these two locomotives because the locomotives operate at very slow speeds in a safe area. Both locomotives have historic significance and by replacing the glazing would diminish the historic value with an estimated cost of \$15,000.00 to modify the glazing in each locomotive which would be prohibitively expensive.

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-2007-28613) 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 February 8, 2008.

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

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

[FR Doc. E8–2686 Filed 2–12–08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD–2008 0006]

#### 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 KIPANY.

**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 0006 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 March 14, 2008.

**ADDRESSES:** Comments should refer to docket number MARAD–2008–0006. 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 KIPANY is:

*Intended Use:* “Uninspected passenger vessel/charter.”

*Geographic Region:* “Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, and the USVI.”

#### 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: January 28, 2008.

By order of the Maritime Administrator.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. E8–2643 Filed 2–12–08; 8:45 am]

**BILLING CODE 4910–81–P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Assistance to Small Shipyards Grant Program

**AGENCY:** Maritime Administration, Department of Transportation, Office of Shipyards and Marine Financing.

**ACTION:** Amendment to Notice of Establishment of New Grant Program.

*Catalog of Federal Domestic Assistance Number:* 20.814.

**FOR FURTHER INFORMATION CONTACT:** Jean E. McKeever, Associate Administrator for Business and Workforce Development, Maritime Administration, 1200 New Jersey Ave., SE., Washington, DC 20590; phone: (202) 366–5737; fax: (202) 366–3511; or e-mail: [jean.mckeever@dot.gov](mailto:jean.mckeever@dot.gov).

**Background:** By notice in the **Federal Register** dated January 10, 2008 (Vol. 73, No. 7, PP. 1912–1913), the Maritime Administration announced the establishment of a new grant program to provide assistance to small shipyards. The notice stated that the grants are for “\* \* \* capital improvements, and related infrastructure improvements at qualified shipyards that will facilitate the efficiency, cost-effectiveness, and quality of domestic ship construction for commercial and Federal Government use.” The notice also specified information that should be provided in a grant application. Item No. 4 asks in part for information as to how the proposed project “\* \* \* will facilitate the efficiency, cost-effectiveness, and quality of domestic ship construction for commercial and Federal Government use.” Item No. 7 asks for “most recent audited financial statements.”

**Amendment:** In order to properly reflect the scope of Congressional intent in authorizing the small shipyard assistance program in Section 3506 of the National Defense Authorization Act for Fiscal Year 2006 (Pub. L. 109–163), the description of the grant program set