scarce capital would be much better spent on other lines with greater track density. Changing traffic patterns due to merger and track agreements have left this line with locals, rock trains, and only one manifest train daily. The manifest train trains will soon be rerouted over another Subdivision, and the traffic density does not justify the high cost of associated with rehabilitating the signal infrastructure.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI–401, Washington, DC 20590–0001. Communications received within 45 days of the date of this notice will be considered by the 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 PI–401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590–0001. 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.*

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on August 20, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–21923 Filed 8–27–02; 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.

Iowa Northwestern Railway

[Docket Number FRA–2002–12434]

The Iowa Northwestern Railway proposes to operates a diesel electric locomotive, number IANW 632, with laminated safety glass glazing which is non-compliant with current Federal Safety Regulations. This locomotive, Model C–420, built by the American Locomotive Company (Alco) of Schenectady, New York in 1966 is proposed to operate in limited regular service, less than once per week, on a new shortline railroad the Iowa Northwestern Railway. The locomotive would operate in a rural/suburban area between Allendorf and Superior, Iowa, a distance of 37.3 miles through Dickinson and Osceola Counties. Osceola County is a rural area, with only two out of 13 grade crossings protected by signal lights. Dickinson County is also primarily rural with three out of 27 grade crossings protected by signal lights. The first 32 miles of the IANW are operated as FRA Class II track, with a maximum speed of 25 mph. The remaining 5.3 miles of track are classified by FRA as ''Excepted Track'', and used for car storage.

The IANW requests relief from the requirements of Title 49 Code of Federal Regulations (CFR) § 223.11 Requirements for existing locomotives due to the infrequent use of the locomotive, the rural area of operation, and the cost of installing compliant glazing. Upon researching historical occurrences of vandalism to railway glazing on the branch now operated by the IANW, the Union Pacific Railroad, former owner, indicated to the IANW that no such acts were reported.

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–2002–12434) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room P1–401 (Plaza Level), 400 Seventh 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 August 20, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–21921 Filed 8–27–02; 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.

Mount Rainier Scenic Railroad

[Docket Number FRA–2001–12512]

The Mount Rainier Scenic Railroad seeks a waiver of compliance from the Inspection and Maintenance Standards for Steam Locomotives, 49 CFR Part 230, published November 17, 1999. Section 230.3(c) of the standards requires steam locomotives having flue tubes replaced prior to September 25, 1995, have a one thousand four hundred seventy-two service day inspection [49 CFR 230.17] performed prior to being allowed to operate under the requirements. The Mount Rainier Scenic Railroad seeks this waiver for one locomotive number HLC Number 17 which had the flue tubes replaced and was returned to service in January 1995. The Mount Rainier Scenic Railroad was not eligible to file a Petition for Special Consideration because their locomotive

was placed into service prior to the September 25, 1995 cutoff date.

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–2001–12512) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room Pl-401 (Plaza Level), 400 7th Street, SW., 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 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 August 20, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–21925 Filed 8–27–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) parts 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR Part 236 as detailed below.

[Docket Number FRA–2002–12838]

Applicant: New Jersey Transit, Mr. William R. Knapp, Vice President and General Manager, Rail Operations, One Penn Plaza East, Newark, New Jersey 07105–2246.

New Jersey Transit (NJT) seeks temporary relief from the requirements of Part 236, Section 236.566, of the Rules, Standard and Instructions, to the extent that NJT be permitted to operate non-equipped New York Susquehanna and Western (NYS&W) steam locomotive number 142, in automatic train control territory on NJT's Raritan Valley Line between Cranford, New Jersey, milepost 15.0 and High Bridge, New Jersey, milepost 52.2, on Saturday and Sunday, September 7 and 8, 2002, in celebration of the City of Dunellen, New Jersey's event, ''Dunellen Railroad Days.'' In addition, NJT seeks temporary relief from the requirements of Section 236.566 to the extent that NJT be permitted to operate non-equipped NYS&W steam locomotive number 142, in automatic train control territory, on NJT's Boonton and Morristown Lines between Jersey City, New Jersey, milepost 3.0 and Hackettstown, New Jersey, milepost 56.9, on Saturday and Sunday, September 28 and 29, 2002, in celebration of the Borough of Lincoln Park, New Jersey's event, ''Lincoln Park Days.''

Applicant's justification for relief: The three NJT lines are equipped with automatic block signals and operate under NORAC Rules 251 and 261, and the steam excursion train movements for each event would be limited to no more than four trips daily, would not exceed 50 mph, and would establish an absolute block ahead of each movement.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI–401, Washington, DC 20590–0001. Communications received within 30 days of the date of this notice will be considered by the 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 PI–401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590–0001. 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.*

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on August 20, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–21924 Filed 8–27–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) parts 235 and 49 U.S.C. App. 26, the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

[Docket No. FRA–2002–12435]

Applicant: Burlington Northern and Santa Fe Railway, Mr. William G. Peterson, Director Signal Engineering, 4515 Kansas Avenue, Kansas City, Kansas 66106.

Burlington Northern and Santa Fe Railway seeks approval of the proposed discontinuance and removal of the traffic control system on Main Track No. 1 between Jarales, milepost 894.8 and El Paso Junction, milepost 895.6, New Mexico, on the Southwest Division, Clovis Subdivision. The proposed changes include the establishment of ''restricted limits,'' with restricted aspects into Main Track No. 1 at Jarales and El Paso Junction, and the installation of a hand-operated switch from Main Track No. 1 to the yard.

The reason given for the proposed changes is that the installation of a hand-operated switch into Main Track No. 1 will provide a new route out of the yard as well as a switching lead, and when switching at East End of yard or fueling, access to the yard is closed with the switch in its present location.

Any interested party desiring to protest the granting of an application