same report will be maintained in the cab of the locomotive.

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–2009–0121) and may be submitted by any of the following methods:

1. *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.

2. *Fax:* 202–493–2251.

3. *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12–140, Washington, DC 20590.

4. *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 document (or signing the document, 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 (65 FR 19477) or at *http://www.dot.gov/privacy.html.*

Issued in Washington, DC on December 28, 2009.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E9–31109 Filed 12–31–09; 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) has received a request for a waiver of compliance from 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.

Ashtabula, Carson & Jefferson Railroad

[Waiver Petition Docket Number FRA–2009–0089]

The Ashtabula, Carson & Jefferson Railroad (ACJR) of Jefferson City, Ohio, has petitioned for a permanent waiver of compliance for one locomotive (ACJR 7371) from the requirements of the Railroad Safety Glazing Standards, Title 49 CFR Part 223, which require certified glazing in all windows. The locomotive is equipped with Plexiglas-type safety glazing that is in good condition, clear and un-scratched.

ACJR operates over 6.3 miles of track running from the industrial area of an Ohio village through level farm lands and wooded areas to its interchange, which is also located in a rural area at speeds not exceeding ten miles per hour. ACJR states that there has been no instance of vandalism in 25 years of its operations. ACJR further states that the expense of retrofitting the locomotive to comply with FRA Safety Glazing Standards would impose an undue financial burden that ACJR cannot bear at this time. 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–2009–0089) 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 document (or signing the document, 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 (65 FR 19477) or at *http://www.dot.gov/privacy.html.*

Issued in Washington, DC on December 28, 2009.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E9–31112 Filed 12–31–09; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2009–0111]

Notice of Petition for Waiver of Compliance and Scheduling of Public Hearing Association of American Railroads

In accordance with part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides notice that the Association of American Railroads (AAR) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain requirements of 49 CFR parts 234 and 236, as detailed below. FRA has assigned the petition Docket Number FRA–2009–0111.

AAR seeks a waiver on behalf of its member railroads from the monthly inspections and test requirements for signal systems set forth at 49 CFR 234.249, 234.251, 234.253, 234.255,

234.257, 234.261, 236.382, and 236.576. AAR seeks explicit authorization for its members to conduct the inspections and tests required by these regulatory provisions at intervals of up to 35 days, as opposed to at least once each month. A copy of AAR's full petition is available for review online at *http://www.regulations.gov.*

Because the time frames for conducting various inspections and tests required by 49 CFR parts 234 and 236 (including the sections at issue in AAR's waiver petition) have been the subject of much discussion in the industry over the last several years and also the subject of previous waiver requests, FRA believes holding a public hearing on the issues presented by AAR's petition would be beneficial. Accordingly, FRA invites all interested persons to participate in a public hearing addressing the time frames of the tests and inspections that are the subject of AAR's request.

DATES: (1) *Public Hearing:* A public hearing will be held on February 10, 2010, at 9:30 a.m. in Washington DC.

(2) *Comments:* Interested parties may submit comments relevant to this waiver request and/or issues discussed at the hearing to the address noted below. Such written material should be submitted by March 12, 2010. Comments submitted after that date will be considered to the extent possible.

ADDRESSES: (1) *Public Hearing:* The public hearing will be held at the Marriott Washington Wardman Park, 2660 Woodley Road, NW., Washington, DC, 20008.

(2) *Attendance:* Any persons wishing to make a statement at the hearing should notify FRA's Docket Clerk, Michelle Silva, by telephone, e-mail, or in writing, at least 5 business days before the date of the hearing. Ms. Silva's contact information is as follows: FRA, Office of Chief Counsel, Mail Stop 10, 1200 New Jersey Avenue, SE., Washington, DC 20590; telephone 202–493–6030; e-mail *michelle.silva@dot.gov.* For information on facilities or services for persons with disabilities or to request special assistance at the meeting, contact Ms. Silva by telephone or e-mail as soon as possible.

(3) *Comments:* Anyone wishing to file a comment related to this waiver petition or issues raised at the hearing should refer to FRA Docket Number FRA–2009–0111. You may submit your comments and related material by any of the following methods:

- *Internet: 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:* Docket Operations Facility, U.S. Department of Transportation, 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.

All written communications submitted in response to this notice will be available for examination at the above-facility during regular business hours (9 a.m. to 5 p.m.), Monday through Friday, except Federal holidays. All documents in the public docket are also available for inspection and download 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 December 28, 2009.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E9–31110 Filed 12–31–09; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2009–0040]

Notice of Public Hearing; Western New York & Pennsylvania Railroad

The Western New York & Pennsylvania Railroad (WNYP) has petitioned the Federal Railroad Administration (FRA) seeking approval of the proposed discontinuance and removal of the traffic control signal system between milepost (MP) BR134.0 at North Driftwood, PA, and MP BR44.5 at Machias, NY, on the WNYP Buffalo Line.

This proceeding is identified as FRA block signal application Docket Number FRA–2009–0040. A copy of WNYP's full petition is available for review online at *http://www.regulations.gov* under the docket number identified above.

FRA has conducted a field investigation in this matter and has issued a public notice seeking comments from interested parties. *See* 74 FR 23466 (May 19, 2009). After examining the carrier's proposal and the available facts, FRA has determined that a public hearing is necessary before a final decision is made on this proposal. Accordingly, FRA invites all interested persons to participate in a public hearing on February 3, 2010. The hearing will be conducted at the Allegany Community Center and Firemen's Park, 188 West Main Street, Allegany, New York 14706. The hearing will begin at 9 a.m. Interested parties are invited to present oral statements at the hearing. For information on facilities or services for persons with disabilities or to request special assistance at the hearing, contact FRA's Docket Clerk, Michelle Silva, by telephone, e-mail, or in writing, at least 5 business days before the date of the hearing. Ms. Silva's contact information is as follows: FRA, Office of Chief Counsel, Mail Stop 10, 1200 New Jersey Avenue, SE., Washington, DC 20590; telephone: 202–493–6030; e-mail: *michelle.silva@dot.gov.*

The hearing will be informal and conducted in accordance with Rule 25 of the FRA Rules of Practice (49 CFR 211.25) by a representative designated by FRA. The hearing will be a non-adversary proceeding; therefore, there will be no cross-examination of persons presenting statements. An FRA representative will make an opening statement outlining the scope of the hearing. After all initial statements have been completed, those persons wishing to make brief rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures, if necessary for the conduct of the hearing, will be announced at the hearing.

Issued in Washington, DC on December 28, 2009.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E9–31111 Filed 12–31–09; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Release of Waybill Data

The Surface Transportation Board has received a request from Baker & Miller PLLC on behalf of the Kansas City Southern (WB595–7—11/12/09), for