

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.

Michigan Southern Railroad Company, Incorporated

[Waiver Petition Docket Number: RSGM-97-1]

Michigan Southern Railroad Company, Incorporated, seeks a permanent waiver of compliance from certain sections of 49 CFR Part 223.11(a), Safety Glazing Standards, for three locomotives. The locomotives, LN16, SW-8 type, built 1952 and placed in service November 21, 1995; MS 78, an Alco S-2, built 1950 and placed in service on July 25, 1994; and 7804, an Alco RS-3, built 1952 and placed in service on November 14, 1996, have had no accidents, incidents or injuries to employees since being placed in service.

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 RSGM-97-1] and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 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 (9:00 a.m.—5:00 p.m.) at FRA's temporary docket room located at 1120 Vermont Avenue, N.W., Room 7051, Washington, D.C. 20005.

Issued in Washington, D.C. on May 20, 1997.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 97-14246 Filed 5-30-97; 8:45 am]

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Northern Central Railway, Incorporated

[Waiver Petition Docket Number: RSGM-96-9]

Northern Central Railway, Incorporated, (NCR) seeks a permanent waiver of compliance with the Safety Glazing Standards, 49 CFR Part 223.9(a), certified glazing, for its ALCO locomotive, RSD-5, #1689, built in 1955. NCR is a Class III shortline railroad located in New Freedom, Pennsylvania, which operates dinner train passenger excursions from New Freedom to Hyde Siding, approximately three miles south of York, Pennsylvania. Currently, the maximum track speed on the line is 15 mph, but most trains are operated at substantially slower speeds of 3 to 7 mph for approximately three days per week. NCR states that its primary purpose of operation is for dinner train passenger excursions and some potential freight service. No vandalism has been 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 RSGM-96-9] and must be submitted in triplicate to

the Docket Clerk, Office of Chief Counsel, FRA, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 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 (9:00 a.m.—5:00 p.m.) at FRA's temporary docket room located at 1120 Vermont Avenue, N.W., Room 7051, Washington, D.C. 20005.

Issued in Washington, D.C. on May 20, 1997.

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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Southeastern Pennsylvania Transportation Authority

[Waiver Petition Docket Number H-97-2]

The Southeastern Pennsylvania Transportation Authority (SEPTA) seeks a waiver of compliance from certain provisions of the Railroad Locomotive Safety Standards, 49 CFR Section 229.29, for its 304 MU locomotives. Specifically, SEPTA wants to extend the required time intervals for cleaning, repairing, and testing of MU locomotive brake equipment from 736 days to 1104 days.

SEPTA believes that granting this waiver will in no way diminish the safety of its operations and base its opinion on the following declarations:

- All of the major components of (or components virtually identical to) SEPTA's MU brake systems are being used successfully with 3 or 4 year clean, oil, test, and stencil (COT&S) intervals on the National Railroad Passenger Corporation, New Jersey Transit, and freight railroads.

- The condition of the internal components of the brake valves at the 2 year COT&S interval is excellent.

- All of SEPTA's MU locomotives with air compressors are equipped with air dryers, as are all of its shop air supplies. (SEPTA has no yard air plants).

- SEPTA's MU fleet is confined to a small area. All air brake valves are rebuilt at one location, and failures are entered into a computer tracking system for monitoring of brake system performance to aid in quick identification of and reaction to any failure trends.

- Testing recently completed by Metro-North Railroad (Metro-North) demonstrating that extending COT&S to 1104 days could be accomplished without compromising brake system reliability and safety was successful. While SEPTA's equipment is not identical to Metro-North's, SEPTA feels the hardware and service requirements are very similar.

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 H-97-2] and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 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 (9:00 a.m.-5:00 p.m.) at FRA's temporary docket room located at 1120 Vermont Avenue, N.W., Room 7051, Washington, D.C. 20005.

Issued in Washington, D.C. on May 20, 1997.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 97-14247 Filed 5-30-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Environmental Impact Statement on the Mid-Harlem Third Track Project Between Mount Vernon West and Crestwood Stations, Westchester County, NY

AGENCY: Federal Transit Administration (DOT).

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: The Federal Transit Administration (FTA) and Metro-North Commuter Railroad Company (Metro-North) intend to prepare an environmental impact statement (EIS), in accordance with the National Environmental Policy Act of 1969, as amended (NEPA), on a proposal by Metro-North to undertake transportation improvements to its Harlem Line between Mount Vernon West and Crestwood Stations (the "Mid-Harlem Third Track Project" or the "Proposed Action").

Metro-North's Harlem Line, extending 76.6 miles from Grand Central Terminal in Manhattan north through the Bronx, Westchester, Putnam and Dutchess Counties, is the most densely traveled line in the Metro-North system. Metro-North is fast approaching capacity on the entire Harlem Line due to capacity constraints in the mid-Harlem section. The Mid-Harlem Third Track Project will allow Metro-North to maintain, improve and expand service for all Harlem Line customers, future users and the region well into the 21st Century.

The Mid-Harlem Third Track Project includes Build Alternatives which entail the upgrade of an existing third track between Mount Vernon West and Fleetwood and the construction of a 2.5 mile third track between Fleetwood and Crestwood Stations. The Proposed Action includes a Build Alternative preferred by Metro-North which will be identified throughout the NEPA process as the "Preferred Alternative." In addition to the Preferred Alternative, the EIS will evaluate the No-Build Alternative, three (3) Build Alternatives, and three (3) Operational Alternatives, as well as any other reasonable alternative(s) raised during the scoping process.

Scoping for the Mid-Harlem Third Track Project will be accomplished through correspondence with interested persons and organizations, as well as with federal, state and local agencies. One (1) public scoping meeting will be conducted. A draft Scoping Document will be made available to those persons

and agencies and may be obtained by contacting the person designated below.

DATES: *Comment Due Date:* Written comments on the scope of alternatives and impacts must be submitted by Friday, July 18, 1997. Written comments should be sent to Ms. Kim A. Smith, Assistant Director—Capital and Long Range Planning, Metro-North Commuter Railroad Company, 347 Madison Avenue—19th Floor, New York City, New York, 10017. Oral comments should be made at the scoping meeting scheduled below. (Oral comments made at the scoping meeting will be transcribed. Assistance will be provided for the hearing impaired.) *Scoping Meeting:* The public scoping meeting concerning the proposed Mid-Harlem Third Track Project will be held on: June 18, 1997, 7:30 p.m. to 10 p.m., Westchester County Center, White Plains, New York.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony Carr, Director, Office of Planning and Program Development, Federal Transit Administration at (212) 264-8162.

SUPPLEMENTARY INFORMATION:

I. Scoping

FTA and Metro-North invite all interested individuals and organizations, as well as federal, state, and local agencies, to participate in identifying the reasonable alternatives to be evaluated in the EIS and identifying any significant social, economic, and environmental issues related to the Mid-Harlem Third Track Project. A draft Scoping Document describing the purpose of the project, the proposed alternatives and the impact issues to be evaluated is being mailed to affected federal, state, and local agencies and to interested parties. Others may request the draft Scoping Document by contacting Ms. Smith at (212) 340-2693. Scoping comments may be made orally at the public scoping meeting or submitted in writing by Friday, July 18, 1997. (See the Scoping Meeting section above for the time and location.)

During the scoping process, comments should focus on identifying specific social, economic, and/or environmental issues to be evaluated and suggesting reasonable alternatives which may be less costly or less environmentally damaging, while achieving similar transportation objectives. Scoping is not the appropriate forum in which to indicate a preference for a particular alternative. Comments on preferences should be communicated after the draft EIS has been completed and issued for review