

problematic valves were identified, the SA 26 independent brake valve, the 26C brake valve, the P2A brake application valve, and the A1 charging valve. Due to the problems, it was recommended that these components stay on a 36 month interval until further testing was accomplished and evaluated. Further controlled evaluation of the four problematic valves was performed on a group of ten locomotives. At the conclusion of this testing, it was determined that due to reliable filtration and expulsion of contaminants from the air system, along with improved trouble shooting methods, all exceptions to these valves have been corrected.

Based on all of the test programs, Transport Canada, in a letter dated May 11, 1999, approved CP's request to extend the inspection interval from 36 to 48 months for 26L type brake equipment with the following provisions:

- ◆ Air compressors be maintained in accordance with recommended practices;
- ◆ There are effective inspections in place to oversee that the compressor is functioning effectively;
- ◆ Employees are trained and qualified to carry out their specific tasks effectively;
- ◆ Systems for the discharge or removal of moisture such as automatic drain valves and air dryers are maintained to function effectively.

CP would like approval for this request to harmonize regulatory standards and permit the continued interchange of locomotives and railway commerce between Canada and the United States as contemplated by the NAFTA accord.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling public hearings in connection with these proceedings since the facts do not appear to warrant hearings. 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 1999-5894) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th 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 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 December 9, 1999.

**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

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.

#### **Long Island Rail Road Company (Waiver Petition Docket Number FRA-1999-6372)**

The Long Island Rail Road Company (LIRR) is seeking a temporary waiver of compliance with the Passenger Equipment Safety Standards, 49 CFR Part 238.113, which requires that effective November 8, 1999, each passenger car have a minimum of four emergency window exits.

LIRR requests a time extension until December 31, 2001, to bring its M-1 fleet into compliance. They state that the remainder of 1999 will be used to prototype the three different types of windows that will be needed. LIRR also states that the retrofitting will be accomplished on a three year cycle with one third of the fleet being modified per year.

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 1999-6372) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th 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 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>.

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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.

#### **Northeast Illinois Railroad Corporation (Metra); (Waiver Petition Docket Number FRA-1999-6363)**

Metra seeks a permanent waiver of compliance with the Passenger Equipment Safety Standards, 49 CFR Part 238.235, which requires that by December 31, 1999, each power operated door that is partitioned from the passenger compartment shall be equipped with a manual override adjacent to that door. Metra requests that the waiver be granted for 165 electric multiple unit passenger cars (EMU's) equipped with double leaf power operated side doors. Metra states that one of each of the double leaf

power operated side doors is equipped with a manual override. They indicate that these EMU's will be retired and replaced within the next ten years.

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 1999-6363) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, S.W., Washington, D.C. 20590. Communications received by December 27, 1999, 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>.

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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.

#### Northeast Illinois Railroad Corporation (Metra) (Waiver Petition Docket Number FRA-1999-6361)

Metra is seeking a permanent waiver of compliance with the Passenger Equipment Safety Standards, 49 CFR Part 238.307(d)(5), which requires that each coupler be inspected not less frequently than every 184 days. Metra states that they currently inspect these couplers on an annual basis using contour maintenance gage No. 31000, aligning wing gage No. 32600 and free slack gage No. 34100-1. Metra contends that this inspection process is more restrictive than that required by 49 CFR Part 238. They further state that the failure rate of couplers for any defect is less than one percent per year. Therefore, they request the inspection interval be extended to 365 days.

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 1999-6361) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th 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 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>.

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**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

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.

#### Northeast Illinois Railroad Corporation (Metra); (Waiver Petition Docket Number FRA-1999-6364)

Metra seeks a permanent waiver of compliance with the Passenger Equipment Safety Standards, 49 CFR Part 238.303, which requires exterior calendar day inspection and 49 CFR 238.313, which requires a class one brake test be performed by a qualified maintenance person. Metra requests that on weekends (Saturday and Sunday) and holidays these tests be performed by a qualified person, not a qualified maintenance person required in the Passenger Equipment Safety Standards. Metra states that in many cases a qualified person can be a member of the train crew.

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 1999-6364) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th 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 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for