

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

Issued on: April 20, 2004

Sandra L. Otto,

Division Administrator, FHWA Little Rock, Arkansas.

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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.

Union Pacific Railroad Company (Waiver Petition Docket Number FRA-2004-17308)

The Union Pacific Railroad Company (UPRR) seek a waiver of compliance with the *Locomotive Safety Standards*, 49 CFR 229.23, 229.27, and 229.29, as they pertain to the requirement to maintain the locomotive repair record form FRA 6180.49A, commonly referred to as the Blue Card, in the cab of their locomotives. If granted, UPRR would maintain locomotive inspection information in a secure data base. The data base would be maintained as the required office copy of form FRA 6180.49A. A computer generated form, which contains all information currently contained on the required FRA 6180.49A, would be maintained on board the locomotive. In place of required signatures of persons performing inspections and tests, UPRR employees would be provided a unique login identification number and a secure password to access the system and verify performance of inspections. In place of signatures, computer generated reports would block print the name of the employee performing a required inspection and block print the employee's supervisor who is certifying that all inspections have been made and all repairs were completed. Required filing of the previous inspection record

will be maintained through the data base.

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 (FRA-2004-17308) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th 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>.

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). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC, on April 21, 2004.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 04-9435 Filed 4-23-04; 8:45 am]

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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) part 235 and 49

U.S.C. 20502(a), the following railroad has 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-2004-17445

Applicant: Canadian National-Illinois Central Railroad, Mr. Leon Winn, Manager, Signals & Communications, 2921 Hornlake Road, Memphis, Tennessee 38109.

The Canadian National-Illinois Central Railroad seeks approval of the proposed modification of the manual interlocking at Southport Junction, milepost 908.6, on the McComb Subdivision, Gulf Division, near Southport, Louisiana. The proposed changes consist of the conversion of the No. 5 power-operated switch at Shell Lube to hand operation, removal of the 4LB absolute signal for northward movement from the Shell Lube track, and relocation of the 4LA absolute signal approximately 400 feet north of its present location on the switching track.

The reason given for the proposed changes is that the frequency of switching operation at this location does not justify the need for a power-operated switch.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include 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 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 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 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>.

FRA wishes to inform all potential commenters that 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) or you may visit <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 April 21, 2004.

Grady C. Cothen, Jr.,

Acting Associate Administrator for Safety Standards.

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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) part 235 and 49 U.S.C. 20502(a), the following railroad has 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-2004-17444

Applicant: Canadian National-Illinois Central Railroad, Mr. Leon Winn, Manager, Signals & Communications, 2921 Hornlake Road, Memphis, Tennessee 38109.

The Canadian National-Illinois Central Railroad seeks approval of the proposed discontinuance and removal of the automatic block signal system, on the single main track, between milepost 394.7 and milepost 397.5 on the Memphis Subdivision and between milepost 397.5 and milepost 398.2 on the Grenada Subdivision, Gulf Division, near Memphis, Tennessee, and operation of train movements under the direction of the Memphis Yardmaster.

The reason given for the proposed changes is that the signal arrangement is no longer necessary; the signal arrangement is now located wholly within the Memphis Terminal Yard

Limits, where all movements must be coordinated with the person in charge of the yard at Memphis.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include 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 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 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 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>.

FRA wishes to inform all potential commenters that 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) or you may visit <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 April 21, 2004.

Grady C. Cothen, Jr.,

Acting Associate Administrator for Safety Standards.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Preparation of an Environmental Impact Statement on the Proposed Peninsula Rail Transit Project in the Cities of Hampton and Newport News, VA

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

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

SUMMARY: The Federal Transit Administration (FTA) and Hampton Roads Transit (HRT) intend to prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) of 1969 for the proposed Peninsula Rail Transit Project to provide rail service to the Peninsula region of Hampton Roads. In addition to meeting the requirements of NEPA, the NEPA process will be used to comply with the requirements of the 1990 Clean Air Act Amendments; the National Historic Preservation Act of 1966, as amended; section 4(f) of the 1966 U.S. Department of Transportation Act; the Executive Order 12898 on Environmental Justice; and all other applicable laws, regulations, and executive orders.

A Major Investment Study (MIS) for the Peninsula Corridor was completed in 1997, adopting Light Rail Transit as the Preferred Alternative. In 2001, Hampton Roads Transit (HRT) initiated an Alternatives Analysis study (AA) to update the MIS by evaluating a range of transit alignments and potential transit system extensions. HRT, with extensive coordination from the Hampton Roads Planning District Commission (HRPDC) serving as the Metropolitan Planning Organization (MPO), municipalities, local and State agencies, community and business stakeholders, and the public, identified ten potential alignments and two rail technologies (Light Rail Vehicles [LRV] and Diesel Multiple Units [DMU]) for further evaluation. The evaluation recommended a Locally Preferred Alternative (LPA) that was formally adopted in Spring 2003 by the HRPDC serving as the MPO, York County, James City County, and the Cities of Williamsburg, Newport News, and Hampton. The LPA consisted of a rail transit corridor between Williamsburg and downtown Newport News (including the Southeast Community of Newport News) generally along the CSX railroad right-of-way, including and connecting with a rail transit corridor