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Issued in Washington, DC, on April 2, 2001.

**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 from certain requirements of its safety regulations. 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.

#### Wabtec Railway Electronics

[Docket Number FRA-2001-9270]

Wabtec Railway Electronics (Wabtec) seeks a permanent waiver of compliance from certain provisions of the *Railroad Power Brake and Drawbars* regulations, 49 CFR 232, regarding two-way end-of-train devices. Specifically, section 232.23(f)(2) requires:

The rear unit batteries shall be sufficiently charged at the initial terminal or other points where the device is installed and throughout the train's trip to ensure that the end-of-train device will remain operative until the train reaches its destination.

Wabtec has recently developed an air generator for its TrainLink II End-of-Train units and plans to market the product under the trade name of TrainLink II-ATX. Wabtec states that this new product eliminates the need for separate battery packs by using brake pipe pressure to drive an air turbine and associated electrical generator. The generator provides sufficient electrical power for the EOT to perform all EOT functions and to charge a small backup battery with brake pipe pressure as low as 55 psi. Below 55 psi, the backup battery provides power for at least 5 hours from a fully charged condition. Air flow to the generator is filtered for particulates and water to prevent clogging of the turbine nozzle. At 90 psi, the air flow is about 1.3 SCFM and decreases to 1.0 SCFM at 55 psi. Wabtec tested the product on a 150-car air brake test rack at their facility in Germantown,

Maryland, and provided the following summarized results:

(1) With the brakes released and brake pipe pressure at 90 psi, air flow from the generator causes a 0.2-psi pressure drop at the rear of the train. This incremental 0.2-psi drop is the same regardless of the amount of gradient caused by other leaks. For example, a 15-psi gradient was simulated by introducing a leak at car 145. When the air motor is cut-in, the pressure at car 150 drops by an additional 0.2 psi.

(2) Although Wabtec believes a sudden blockage of the air nozzle is unlikely, tests were performed to ensure that a sudden drop in air flow to the turbine would not cause the brakes to release. With the air generator cut-in, no additional simulated leaks, and brakes released at 90 psi, a minimum application was initiated. Pressure was monitored every 20 cars along the rack. Thirty seconds after the minimum application was initiated, the air motor was cut-out. Brakes did not release.

(3) The test in item 2 was repeated with delay times of 60 and 90 seconds after the minimum brake application was initiated. The brakes did not release in any case.

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-2001-9270) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, 3 Washington, DC 20590-0001. Communications received within 35 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 DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh Street SW., Washington, DC. 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 April 2, 2001.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2000-7257, Notice No. 24]

#### Railroad Safety Advisory Committee; Notice of Meeting

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Railroad Safety Advisory Committee ("RSAC") meeting.

**SUMMARY:** FRA announces the next meeting of the RSAC, a Federal Advisory Committee that develops railroad safety regulations through a consensus process. The meeting will address a wide range of topics, including possible adoption of specific recommendations for regulatory action.

**DATES:** The meeting of the RSAC is scheduled to commence at 9:30 a.m. and conclude at 4 p.m. on Monday, April 23, 2001.

**ADDRESSES:** The meeting of the RSAC will be held at the Mayflower, a Renaissance Hotel, in the Colonial Room, 1127 Connecticut Avenue, NW., Washington, DC 20036, (202) 347-2000. The meeting is open to the public on a first-come, first-served basis and is accessible to individuals with disabilities. Sign and oral interpretation can be made available if requested 10 calendar days before the meeting.

**FOR FURTHER INFORMATION CONTACT:** Trish Paoletta, or Lydia Leeds, RSAC Coordinators, FRA, 1120 Vermont Avenue, NW., Stop 25, Washington, DC 20590, (202) 493-6212/6213 or Grady Cothen, Deputy Associate Administrator for Safety Standards and Program Development, FRA, 1120 Vermont Avenue, NW., Mailstop 25, Washington, DC 20590, (202) 493-6302.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), FRA is giving notice of a meeting of the Railroad Safety Advisory Committee ("RSAC"). The meeting is scheduled to begin at 9:30 a.m. and conclude at 4 p.m. on Monday, April 23, 2001. The meeting of the RSAC will be held at the Mayflower Hotel in the Colonial Room, 1127 Connecticut Avenue, NW., Washington, DC 20036,

(202) 347-7000. All times noted are Eastern Standard Time.

RSAC was established to provide advice and recommendations to the FRA on railroad safety matters. The Committee consists of 48 individual voting representatives and five associate representatives drawn from among 32 organizations representing various rail industry perspectives, two associate representatives from the agencies with railroad safety regulatory responsibility in Canada and Mexico and other diverse groups. Staffs of the National Transportation Safety Board and Federal Transit Administration also participate in an advisory capacity.

The RSAC will be briefed on the current status of activities of RSAC working groups and task forces responsible for carrying out tasks the RSAC has accepted involving blue signal protection, cab working conditions, and the definition of reportable "train accident."

There will be discussion about Training and Qualification of Safety Critical personnel, a presentation of a proposed task to conform the accident and incident regulations to new Occupational Safety and Health Act requirements and to make necessary revisions to the reporting guide, and a review and discussion of pending rule making petitions and pending tasks.

Informational status briefings concerning the Safety Assurance Compliance Program efforts and the new RSAC website will be presented.

Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740) for more information about the RSAC.

Issued in Washington, DC on March 25, 2001.

**George A. Gavalla,**

*Associate Administrator for Safety.*

[FR Doc. 01-8436 Filed 4-5-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2000-7257, Notice No. 25]

#### Railroad Safety Advisory Committee ("RSAC"); Working Group Activity Update

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Announcement of Railroad Safety Advisory Committee (RSAC) working group activities.

**SUMMARY:** FRA is updating its announcement of RSAC's working

group activities to reflect the current status of working group activities.

#### FOR FURTHER INFORMATION CONTACT:

Trish Paoletta or Lydia Leeds, RSAC Coordinators, FRA, 1120 Vermont Avenue, NW., Mailstop 25, Washington, DC 20590, (202) 493-6213 or Grady Cothen, Deputy Associate Administrator for Safety Standards and Program Development, FRA, 1120 Vermont Avenue, NW., Mailstop 25, Washington, DC 20590, (202) 493-6302.

**SUPPLEMENTARY INFORMATION:** This notice serves to update FRA's last announcement of working group activities and status reports on December 17, 1999 (64 FR 70756). The sixteenth full Committee meeting was held December 7, 2000, at the Wyndham Hotel in the Vista Ballroom in Washington, DC.

Since its first meeting in April of 1996, the RSAC has accepted sixteen tasks. Status for each of the tasks is provided below:

**Task 96-1—Revising the Freight Power Brake Regulations.** This Task was formally withdrawn from the RSAC on June 24, 1997. FRA published an NPRM on September 9, 1998, reflective of what FRA had learned through the collaborative process. Two public hearings were conducted and a technical conference was held. The date for submission of written comments was extended to March 1, 1999. The final rule was published on 1/17/01 (66 FR 4104). An amendment extending the effective date of the final rule until May 31, 2001 was published on February 12, 2001, (66 FR 9905). In addition, the AAR has requested that OMB re-open the Paperwork approval on the rule. *Contact:* Thomas Hermann (202) 493-6036.

**Task 96-2—Reviewing and recommending revisions to the Track Safety Standards (49 CFR Part 213).** This task was accepted April 2, 1996, and a Working Group was established. Consensus was reached on recommended revisions and an NPRM incorporating these recommendations was published in the **Federal Register** on July 3, 1997, (62 FR 36138). The final rule was published in the **Federal Register** on June 22, 1998 (63 FR 33991). The effective date of the rule was September 21, 1998. A task force was established to address Gage Restraint Measurement System (GRMS) technology applicability to the Track Safety Standards. A GRMS amendment to the Track Safety Standards was approved by the full RSAC in a mail ballot during August. The GRMS final rule amendment was published 1/10/01 (66 FR 1894) and Roadway Maintenance

Machines NPRM was published 1/10/01 (66 FR 1930). On January 31, 2001, FRA published a notice extending the effective date of the GRMS amendment to April 10, 2001 (66 FR 8372). On February 8, 2001, FRA published a notice delaying the effective date until June 9, 2001 in accordance with the Regulatory Review Plan (66 FR 9676). *Contact:* Al MacDowell (202) 493-6236.

**Task 96-3—Reviewing and recommending revisions to the Radio Standards and Procedures (49 CFR Part 220).** This Task was accepted on April 2, 1996, and a Working Group was established. Consensus was reached on recommended revisions and an NPRM incorporating these recommendations was published in the **Federal Register** on June 26, 1997 (62 FR 34544). The final rule was published on September 4, 1998 (63 FR 47182), and was effective on January 2, 1999. *Contact:* Gene Cox (202) 493-6319.

**Task 96-4—Reviewing the appropriateness of the agency's current policy regarding the applicability of existing and proposed regulations to tourist, excursion, scenic, and historic railroads.** This Task was accepted on April 2, 1996, and a Working Group was established. The Working Group monitored the steam locomotive regulations task. Planned future activities involve the review of other regulations for possible adaptation to the safety needs of tourist and historic railroads. *Contact:* Grady Cothen (202) 493-6302.

**Task 96-5—Reviewing and recommending revisions to Steam Locomotive Inspection Standards (49 CFR Part 230).** This Task was assigned to the Tourist and Historic Working Group on July 24, 1996. Consensus was reached and an NPRM was published on September 25, 1998 (63 FR 51404). A public hearing was held on February 4, 1999, and recommendations were developed in response to comments received. The final rule was published on November 17, 1999 (64 FR 62828). *Contact:* George Scerbo (202) 493-6349.

**Task 96-6—Reviewing and recommending revisions to miscellaneous aspects of the regulations addressing Locomotive Engineer Certification (49 CFR Part 240).** This Task was accepted on October 31, 1996, and a Working Group was established. Consensus was reached and an NPRM was published on September 22, 1998. The Working Group met to resolve issues presented in public comments. The RSAC recommended issuance of a final rule with the Working Group modifications. The final rule was published November 8, 1999 (64 FR