

Interchange to South Dakota Border, July 1997.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A series of public meetings will be held throughout the study process. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing. A formal scoping meeting with resource agencies will be scheduled. Resource agencies will be notified 30 days prior to the meeting date.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed project and EIS should be directed to the FHWA or Iowa Department of Transportation at the address provided in the caption **FOR FURTHER INFORMATION CONTACT**.

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

(Authority: 23 U.S.C. 315; 49 CFR 1.48)

Dated: November 10, 2004.

**Phil Barnes,**

*Division Administrator, FHWA Iowa Division.*  
[FR Doc. 04-25544 Filed 11-17-04; 8:45 am]

**BILLING CODE 4910-22-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 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.

### The Valley Railroad Company

[Waiver Petition Docket Number FRA-2004-19259]

The Valley Railroad Company (VALE) of Essex, Connecticut, operator of a scenic railroad on leased track, seeks waivers from certain provisions of 49 CFR part 231, 49 CFR part 223, and 49 CFR part 229 for an 80-ton diesel-electric locomotive built by General Electric in 1937 and currently numbered VALE 0901.

The specific sections from which relief is requested and the justifications for such relief are as follows: (1) Switching steps of the type required by 49 CFR part 231.30(a)-(f) are not permitted by the frame construction of the locomotive. Instead, it is equipped with four side ladders which give access to the walkways near each corner of the locomotive. (2) Glazing in the locomotive is not compliant with 49 CFR part 223.11; however, the current glazing is automotive style safety glass, and VALE reports they operate in a rural area and have had few incidents of rocks being thrown at their trains, and no incidents of rocks being thrown at a locomotive. (3) The locomotive has never been equipped with a "slip/slide alarm" as required by 49 CFR part 229.115; however, VALE reports that it will be operating at speeds less than 20 mph and with trains weighing less than 500 tons. (4) This locomotive is equipped with a single headlamp on each end which does not meet the requirements of 49 CFR part 229.125(a) for road locomotives, but which does meet the requirements for locomotives used in switching service given in 49 CFR part 229.125(b). Again, VALE states that this is sufficient due to the speed limit of 20 miles per hour.

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-2004-19259) 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 30 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 November 5, 2004.

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

*Acting Associate Administrator for Safety.*

[FR Doc. 04-25561 Filed 11-17-04; 8:45 am]

**BILLING CODE 4910-06-P**

## 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-2004-19466

*Applicant:* Canadian National Railroad, Wisconsin Central Division, Mr. John P. Rath, Manager of Signal Installations, Signal and Communications, 1625 Depot Street, Stevens Point, Wisconsin, 54481.

The Canadian National Railroad seeks approval of the proposed discontinuance and removal of the power-operated derails at CP North Pokegema, milepost 14.7, and CP South Pokegema, milepost 16.9, on the Duluth, Missabe, Iron Range Railroad, Interstate Branch Subdivision, and on the former Duluth, Winnipeg and Pacific Railway,

at Pokegema Yard, near Superior, Wisconsin.

The reason given for the proposed changes is to simplify operations and the physical plant.

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 November 5, 2004.

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

*Acting Associate Administrator for Safety Standards.*

[FR Doc. 04-25560 Filed 11-17-04; 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-2004-19467

*Applicant:* Canadian National Railroad, Wisconsin Central Division, Mr. John P. Rath, Manager of Signal Installations, Signal and Communications, 1625 Depot Street, Stevens Point, Wisconsin, 54481.

The Canadian National Railroad (CN) seeks approval for the proposed temporary discontinuance of the interlocked signal system, on the single main track movable bridge, at milepost 182.3 on the Wisconsin Central Division, Manistique Subdivision, at Sault Ste. Marie, Michigan, during the winter for approximately three months. The proposal is to lock down the bridge for rail traffic, and take the signal system out of service on or about February 1 of each year, for approximately three months once the canal is closed to marine traffic. In the spring, prior to restoring the signal system to service, the signal system will be completely tested in accordance with Federal Regulations.

The reason given for the proposed changes is that CN currently does not have approval to temporarily take the signal system out of service during the winter months, when the canal is closed to marine traffic. Historically, it has been the practice to suspend the signal system on this bridge during the winter, ever since the installation of the bridge signal system in 1962. FRA took exception to this practice in 2004, and this request is being made to attain compliance.

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 November 5, 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.