

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Proposed Policy Statement on Establishing Supplemental Type Certificate (STC) Project Workload Priorities; PS-ACE100-2004-10028**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of availability of proposed policy statement and request for comments.

**SUMMARY:** This notice announces the availability of, and requests comments on, proposed policy statement PS-ACE100-2004-10028, which establishes workload priorities for incoming supplemental type certificate projects (STC). When new STC projects arrive, the Aircraft Certification Office engineer or supervisor must prioritize these projects. To avoid devoting excessive FAA resources to incomplete data packages, we are establishing a policy that will minimize delays to applicants who submit complete packages.

**DATES:** Comments must be received on or before July 26, 2004.

**ADDRESSES:** Send all comments on the proposed policy statement to: Federal Aviation Administration, Small Airplane Directorate, Aircraft Certification Service, Regulations and Policy (ACE-111), 901 Locust Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Mr. Taylor Martin, Standards Office, Small Airplane Directorate, Aircraft Certification Service, Kansas City, Missouri 64106, telephone (816) 329-4138, fax (816) 329-4090.

**SUPPLEMENTARY INFORMATION:** Any person may obtain a copy of this proposed policy statement by contacting the person named above under **FOR FURTHER INFORMATION CONTACT**. A copy of the policy statement will also be available on the internet at <http://www.airweb.faa.gov> within a few days.

**Comments Invited**

We invite interested parties to submit comments on the proposed policy statement. Commenters must identify PS-ACE100-2004-10028 and submit comments to the address specified above. The FAA will consider all communications received on or before the closing date for comments before issuing the final policy statement. The proposed policy statement and comments received may be inspected at the Standards Office (ACE-110), 901 Locust, Room 301, Kansas City, Missouri, between the hours of 8:30 and 4 p.m. weekdays, except Federal

holidays by making an appointment in advance with the person listed under **FOR FURTHER INFORMATION CONTACT**.

**Background**

Policy statement PS-ACE100-2004-10028, Establishing Supplemental Type Certificate (STC) Project Workload Priorities, has been drafted to aid both the applicant and the Aircraft Certification Offices in evaluating the priorities for STC projects. The FAA will give priority to projects that contain an application, a certification plan, and information about the intended use of FAA designees. Further details of the plan are contained in the proposed policy statement.

Issued in Kansas City, Missouri on May 12, 2004.

**David R. Showers,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-11784 Filed 5-24-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement: Salt Lake County, UT**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Withdrawal of Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that the effort to prepare an Environmental Impact Statement (EIS) will be terminated for transportation improvements in the corridor of Redwood Road (SR-68) in Salt Lake County, Utah.

**FOR FURTHER INFORMATION CONTACT:** Sandra Garcia-Aline, Environmental Engineer, FHWA, Utah Division, 2520 West 4700 South, Suite 9A, Salt Lake City, UT 84118, Telephone (801) 963-0182; or Rob Wight, Utah Department of Transportation (UDOT), 2010 South 2760 West, Salt Lake City, UT 84104, Telephone (801) 887-3438.

**SUPPLEMENTARY INFORMATION:** The FHWA is cooperation with the UDOT have elected to terminate efforts to prepare an EIS for transportation improvements in the corridor of Redwood Road (SR-68) from 10400 South in the city of South Jordan to Bangerter Highway (SR-172) in the city of Bluffdale, Salt Lake County, Utah. The original Notice of Intent was published on May 29, 2003, anticipating Utah Department of Transportation (UDOT) would request Federal funding for project construction. The UDOT has recently elected to fully fund the project

with State funds. No federal funds or federal action will be required for the project. The UDOT will prepare a State Environmental Study for the project. Comments or questions concerning this action should be directed to FHWA at the address provided above.

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

Issued on: May 19, 2004.

**Gregory S. Punske,**

*Environmental Program Manager, Utah Division, Federal Highway Administration, Salt Lake City, Utah.*

[FR Doc. 04-11813 Filed 5-24-04; 8:45 am]

**BILLING CODE 4910-22-M**

**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 of 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.

**Norfolk Southern Corporation**

[Docket Number FRA-2003-16203]

Norfolk Southern Corporation (NS) seeks to modify existing waiver FRA-2002-11896, which is a conditional waiver of compliance from certain provisions of the Safety Appliances Standards, 49 CFR part 231, and Power Brakes and Drawbars regulations, 49 CFR part 232, concerning the operation of RoadRailer equipment in Triple Crown Service over their railroad system. Specifically, NS requests that FRA modify the existing waiver to incorporate the use of "Railrunner" equipment in its RoadRailer operations.

The "Railrunner" equipment is essentially a set of highway trailer chassis and intermediate and transition rail bogies that allows the transport of ship containers by both highway and rail modes. The ship containers are placed on a highway "Railrunner" chassis at the shipping terminal where they can be transported by highway to a rail terminal. Upon arrival at a rail terminal, the chassis and container

combinations are coupled to and made an integral part of a "Railrunner" rail bogie combination. Once the highway "Railrunner" chassis has been converted to rail mode by use of the rail bogies, the "Railrunner" units can then be assembled behind a RoadRailer train for shipment to another terminal on the NS system. NS would introduce the "Railrunner" equipment into their service using existing RoadRailer trains and routes on its system network.

Norfolk Southern requests the following amendments to the existing RoadRailer waiver: (1) The waiver will apply to Norfolk Southern rail operations handling RoadRailer and Railrunner equipment; (2) Interchange of RoadRailer-Railrunner equipment will only be permitted with a railroad that has a comparable waiver to operate the RoadRailer-Railrunner equipment; and (3) RoadRailer-Railrunner equipment will not be handled with conventional railroad rolling equipment and will only be operated in trains consisting exclusively of RoadRailer-Railrunner units.

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 the 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-2003-16203) and must be submitted in triplicate to the Docket Clerk, DOT Central Document Management Facility, Room PL-401, Washington, DC 20590-0001. 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 (9a.m.-5p.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>.

Anyone is able to search the electronic form of all comments received into any of our dockets by 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 May 19, 2004.

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

*Acting Associate Administrator for Safety.*

[FR Doc. 04-11698 Filed 5-24-04; 8:45 am]

**BILLING CODE 4910-06-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 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.

#### Union Pacific Railroad Company

[Docket Number FRA-2004-17565]

Union Pacific Railroad Company (UP) seeks to obtain a waiver of certain provisions of the Safety Appliance Standards, 49 CFR part 231, and Power Brakes and Drawbars regulations, 49 CFR part 232, concerning the operation of RoadRailer equipment in Triple Crown Service over their railroad system. Specifically, the UP requests that it be allowed to operate RoadRailer trains from Chicago, IL to Minneapolis, MN and return. The UP requests FRA to grant approval to operate the RoadRailer equipment to include the following conditions:

1. This waiver applies only to the UPRR Roadrailer equipment operation.
2. Interchange will only be permitted with a railroad that has a comparable waiver to operate RoadRailer equipment.
3. RoadRailer equipment shall not be commingled with conventional railroad rolling equipment. RoadRailer units shall only be operated in trains consisting exclusively of RoadRailer units and locomotives.
4. RoadRailer trains shall be limited to a maximum trailing tonnage of 5,200 tons and will be further limited by RoadRailer total gross rail load, track grade and curvatures.

5. At no time shall the train length exceed the equivalent of 150 Mark V RoadRailer units.

6. An adapter unit (couplermate bogie) must be used between the hauling locomotive and the first RoadRailer unit in the train.

7. Each adapter unit (couplermate bogie) shall be equipped with a tool box containing appropriate instructions, job aids, and the necessary tools and equipment required to address problems that may be encountered in route by the train crew.

8. Trains will only be permitted to pick-up or set-out RoadRailer units at locations specifically designed to perform these functions with mechanical personnel that are trained and on duty for the purpose of assembly and disassembly of RoadRailer units unless a defective condition develops in route that would require a RoadRailer unit to be set-out of the train.

9. Hazardous materials are permitted to be hauled in RoadRailer units provided: (1) The particular commodities are limited to those listed in Table 2 of 49 CFR 172.504; (2) the shipment complies with other relevant provisions of the hazardous materials regulations; (3) placarding provisions of 49 CFR subpart F of part 172 shall apply during rail movements; and (4) cargo tanks, multi-unit tank car tanks, portable tanks and intermodal (1M) portable tanks handling hazardous materials are not permitted in this service.

10. Each RoadRailer-43 adapter unit (couplermate bogie) that does not have safety appliances that are compliant with current federal regulations (with the exception of the handbrake), must be stenciled on each side, in clearly legible letters not less than 6 inches high, "NO SAFETY APPLIANCES" and "DO NOT RIDE", at a location that is visible to a person walking at track level beside the unit.

11. UPRR shall have instructions that prohibits anyone from riding RoadRailer equipment unless it is an adapter unit (couplermate bogie) specifically designed to be ridden and is not stenciled as required in condition #10. Strict enforcement of this rule is required.

12. New terminal facilities for RoadRailer equipment shall, to the extent feasible, be designed to limit the frequency and length of reverse movements. Reverse movements of RoadRailer equipment, with personnel riding couplermates equipped with compliant safety appliances, shall not exceed 10 miles per hour.

13. Whenever a shoving move of RoadRailer equipment is required, the