

manually operated switches. Yard movement is controlled by a yardmaster. Due to the configuration and service demands, the yard cannot facilitate the placement of a derail at the 150-foot interval as prescribed in § 218.29. Additionally, LIRR believes that lining and locking the manual switches increases potential error of proper switch alignment, and is a safety concern for all employees working in the area. Therefore, LIRR requests that employees at these two facilities be allowed to place derails at a distance of 50-feet from the equipment. LIRR states that they will post signage to reinforce the 5 mph speed restriction, as well as paint physical clearance lines denoting the 50-foot distance.

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-2005-21964) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room Pl-401, Washington, DC 20590-0001. 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 DOT Central Docket Management Facility, Room Pl-401 (Plaza Level), 400 Seventh Street SW., Washington. 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 19377-78). The statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on September 12, 2005.

**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 favour of relief.

#### Strategic Transportation Services

[Docket Number FRA-2005-21961]

Strategic Transportation Services, on behalf of EXEL Switching Services, seeks a waiver of compliance with the Safety Glazing Standards 49 CFR 223.9(a), which requires Locomotives, including yard locomotives, built or rebuilt after June 30, 1980, must be equipped with certified glazing in all locomotive cab windows, and with the requirements of the Safety Appliance Standards 49 CFR 231.3(c)(1) & (c)(4), which requires Each locomotive used in switching service must have four (4) switching steps & Switching steps must be supported by a bracket at each end and fastened to the bracket by two bolts or rivets of at least one-half (1/2) inch diameter or by a weldment of at least twice the strength of a bolted attachment. Strategic Transportation Services requests the waiver for a "Rail King" mobile railcar mover that they intend to utilize to switch railcars inside the Exel facility, business park, in Houston, TX. The Rail King mobile railcar mover described in the waiver request is not equipped with FRA Type I & II certified glazing material and only has two switching steps that are attached to the vehicle by weldment.

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-2005-21961) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room Pl-401, Washington, DC 20590-0001. 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 September 12, 2005.

**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 the rule. 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 Railroad Company**

Waiver Petition Docket Number FRA-2005-21013

The Union Railroad Company (URC), further herein identified as the railroad, seeks approval for a waiver of compliance with the requirements of Reflectorization of Rail Freight Rolling Stock contained in 49 CFR part 224. Specifically, URC seeks a waiver from the requirements of 49 CFR part 224 for 154 slab rack cars, 238 coke rack hopper cars and 283 gondola cars. The railroad asserts that these cars travel exclusively on their property at speeds of 20 mph or less and that there are only three public road crossings over which the cars traverse. The railroad has requested that it be exempt from applying the required retro-reflective material tape to the sides of these freight cars.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. Each comment shall set forth specifically the basis upon which it is made, and contain a concise statement of the interest of the commenter in the proceeding. 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-2005-21013) 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. 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 September 12, 2005.

**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. 37]

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

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

**ACTION:** Notice of the 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 RSAC meeting topics include a briefing on the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; the National Rail Safety Action Plan; the new process for rail safety oversight; Congressional reports; and the railroad industry's response to natural disasters. Status reports will be given on the Passenger Safety, Railroad Operating Rules, Roadway Worker, and other active working groups. The Committee will be asked to vote on the Passenger Safety Working Group (1) Emergency Preparedness recommendations for a proposed rescue window access time line, (2) Mechanical recommendations and (3) Crashworthiness recommendations for the notice of proposed rulemaking.

**DATES:** The meeting of the RSAC is scheduled to commence at 9:30 a.m., and conclude at 4 p.m., on Tuesday, October 11, 2005.

**ADDRESSES:** The meeting of the RSAC will be held at the Almas Temple Sphinx Grand Ballroom, 1315 K Street, NW., Washington, DC 20005, (202) 898-1688. The meeting is open to the public on a first-come, first-serve 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:** Patricia Butera, RSAC Coordinator, FRA, 1120 Vermont Avenue, NW., Stop 25, Washington, DC 20590, (202) 493-6212 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 RSAC. The meeting is scheduled to begin at 9:30 a.m., and conclude at 4 p.m., on Tuesday, October 11, 2005. The meeting of the RSAC will be held at the Almas Temple Sphinx Grand Ballroom, 1315 K Street, NW., Washington, DC 20005, (202) 898-1688.

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 30 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 the Federal Transit Administration also participate in an advisory capacity.

See the RSAC Web site for details on pending tasks at: <http://rsac.fra.dot.gov/>. 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 September 12, 2005.

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

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

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**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Docket No. AB-980X]

**Santa Clara Valley Transportation Authority—Abandonment Exemption—in Santa Clara and Alameda Counties, CA**

On August 29, 2005, Santa Clara Valley Transportation Authority (SCVTA), a noncarrier, filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903. SCVTA seeks to abandon all common carrier obligations over a 1.19-mile line of railroad, extending from milepost 16.30 to milepost 17.49 in Santa Clara County, CA (Industrial line), and a 2.77-mile line of railroad, extending from milepost 2.61 near Paseo Padre Drive to milepost 5.38 near