area also contains stable and cohesive populations of minority and low-income residents, which will lead to the consideration of environmental justice impacts.

Alternatives under consideration include the no action, transportation system management (TSM)/travel demand management (TDM), new arterial roadway, existing arterial improvement, and transit alternatives. The mode, project type, location, and length of the alternatives evaluated will be identified based on the results of alternative studies.

The scoping process undertaken as part of this proposed project will include distribution of a scoping information packet, coordination with appropriate Federal, State and local agencies, including an agency scoping meeting to be held on September 7, 2005, at 1 p.m. at the St. Etienne Conference Room in the Armory Building at 602 Robert D. Ray Drive, Des Moines, Iowa 50309. A study group comprised of local officials, environmental organizations, and other community interest groups has been established to provide input during the development of the purpose and need and alternative analyses.

To help ensure that a full range of issues related to this proposed project are identified and all substantive issues are addressed, a comprehensive public involvement program has been devised. It includes meetings with advisory committees, resource agencies, local officials, and interest groups; public informational meetings and workshops; newsletters; and focus groups. Public notice will be given of the time and place of all public meetings and the public hearing. The Draft EIS will be available for public review and comments and suggestions are invited from all interested parties.

Comments or questions concerning this proposed project and the EIS should be directed to the FHWA, Iowa Department or Transportation, or City of Des Moines at the addresses provided above.

(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: June 15, 2005.

Gerald L. Kennedy,

Acting Division Administrator, FHWA, Iowa Division.

[FR Doc. 05–14377 Filed 7–20–05; 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) 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.

Burlington Northern Santa Fe (BNSF) Railway Company

[Docket Number FRA–2005–21359]

Burlington Northern Santa Fe (BNSF) Railway Company seeks a waiver of compliance from certain provisions of Title 49 of the CFR, part 213, Track Safety Standards. Specifically, BNSF seeks relief from the requirements of Section 213.121–Rail Joints, which prescribe the requirements for rail joints, including standard joints, insulated joints (IJ), and compromise joints.

BNSF, in conjunction with Omega Industries of Vancouver, WA, is developing a new generation of IJ, and seeks a waiver in order to permit field testing of this new design. This new design differs from typical accepted IJ construction because it does not utilize a continuous angle bar. Instead, the design calls for the running rail on each side being attached to a large interlocking bearing and shaft that is cast into an H-shaped concrete tie that uniformly distributes loads to the ballast. The principal advantage of this design is that it provides for a large bearing surface that uses the entire rail base resting on conventional concrete tie pads to distribute vertical loading. The manufacturer and BNSF offer other advantages of such a design to include: Delrin plastic in place of a traditional fiberglass endpost, vertical movement is further restricted by a vertically positioned bolt system, no need for messy and toxic epoxy/glue substances, rails can easily be replaced without removing the joint, allowing correction of a rail failure without necessarily replacing the entire IJ.

BNSF Railway Company offers the following testing plan:

1. The initial IJ will be installed in a yard location (FRA Class 1 speed) on a non-signaled track segment. Any design, construction, or installation shortcomings (in this case, current leakage from one rail to the next rail) will not result in a signal failure. This phase one test will remain in track for six months prior to moving to the next test phase.

Monitoring—During this test phase, the IJ will be monitored for rail movement (all three directions) and current isolation. If the IJ restrains the rail movement and current does not pass from one rail to the next rail, the next test phase will be initiated. This first test IJ will be left in the yard track and will continue to be monitored after the initial six-month period. The IJ will remain in-track until it fails, or if it performs successfully in service for a minimum of one year, BNSF and Omega may option to move it to a signaled track segment in FRA Class 1 or 2 track.

2. A second IJ will be installed in a Class 1 speed main track at a location that has a signalrequirement. This test IJ will remain in track for a minimum of six months prior to moving to a third test phase.

Monitoring—During this test phase the IJ will be monitored for rail movement (all three directions) and current isolation. If the IJ restrains the rail movement and current does not pass from one rail to the next rail, then the IJ would be graduated to the next test phase. This second IJ will remain in track and continue to be monitored after the initial minimum six-month period.

3. A third IJ will be installed after successful completion of the first phase and second phase tests. The third phase test will be conducted at a signal location in Class 2 speed track. This test IJ will remain in track until the joint fails. If the third phase test joint exceeds what is deemed the average life of conventional insulated joints, currently approximately 250–350 MGT, BNSF and Omega will propose the installation of additional joints. When the test IJ are removed from track due to failure, they will be sent back to the manufacturer for examination to determine the cause of the failure.

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 communication concerning these proceedings should identify the appropriate docket number (*e.g.*, Waiver Petition Docket Number FRA–2005–21359) and must be submitted to the

Docket Clerk, DOT Docket Management Facility, Room PL–401 (Plaza Level), 400 7th Street, SW., Washington, D.C. 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.*

Issued in Washington, DC on July 13, 2005.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 05–14342 Filed 7–20–05; 8:45 am]

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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.

Hillsborough Area Regional Transit

[Docket Number FRA–2002–13398]

This notice supercedes the **Federal Register** notice, Vol. 70, No. 118, issued June 21, 2005, at 35771, concerning the above docket number which was issued in error.

In its decision letter dated May 2, 2005, the FRA Railroad Safety Board granted Hillsborough Area Regional Transit (HARTLine) a waiver extension to include the original terms and conditions of its Shared Use/ Limited Connection Waiver, and incorporated changes to the operating plan for a period of one year (for the duration of Phase 1 operating procedures). FRA will consider granting HARTLine a five year extension (with proposed Phase 2 procedures implemented) after reviewing the results of the Phase 1 operation. HARTLine now seeks a modification to this waiver and requests a change in the verbiage of the following paragraph of the May 2, 2005 Decision Letter:

''Phase 1: HARTLine will have its streetcars continue to be required to stop at the signal regardless of indication, with motorman announcing their intention to cross on a proceed (green) signal indication via radio to the HARTLine Rail Dispatcher in lieu of the CSXT flagman. The Rail Dispatcher, via newly installed Remote Monitoring System cameras, would then confirm the signal indication and grant permission to cross if the signal indication allows. The motorman would then recheck the signal; again confirm an appropriate signal indication to the Rail Dispatcher via radio, and cross the interlock. The HARTLine Rail Dispatcher would not control or communicate with CSXT train engineers or make any representations of the signals aspect. The HARTLine Rail Dispatcher will notify CSXT in Jacksonville, Florida, immediately by telephone of any irregularities in the signaling system.''

HARTLine requests that the paragraph be amended to read as follows:

''Phase 1: HARTLine will have its streetcars continue to be required to stop at the signal regardless of indication, with motorman announcing their intention to cross on a proceed (green) signal indication via radio to the HARTLine Rail Dispatcher in lieu of the CSXT flagman. The Rail Dispatcher then confirms the transmission from the motorman that he/she has checked the indication of the signal, and is following its instructions. The motorman would then recheck the signal; again confirm an appropriate signal indication to the Rail Dispatcher via radio, and cross the interlock. The HARTLine Rail Dispatcher would not control or communicate with CSXT train engineers or make any representations of the signals aspect. The HARTLine Rail Dispatcher will notify CSXT in Jacksonville, Florida, immediately by telephone of any irregularities in the signaling system.''

HARTLine is asking the FRA to modify the language of the waiver in order to reinforce the aspect of the failsafe CSXT signal only is used to control regular crossings, and ensure no misinterpretation that the Remote Monitoring System cameras or verbal permission from the Rail Dispatcher are approved crossing devices. Concurrently, HARTLine also is asking FRA to remove a minor typographic error that is present in the Decision Letter.

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 communication concerning these proceedings should identify the appropriate docket number (*e.g.,* Waiver Petition Docket Number FRA–2002–13398) 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.*

Issued in Washington, DC, on July 13, 2005.

Grady Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 05–14341 Filed 7–20–05; 8:45 am]

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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.

Hiwassee River Railroad Co.

[Waiver Petition Docket Number FRA–2001–21181]

The Hiwassee River Railroad Co. (HRRC), seeks a waiver of compliance from Certain provisions of the Safety Glazing Standards, title 49, CFR 223.11, Requirements for Existing Locomotives for one locomotive. The HRRC is located in Copperhill, TN. The HRRC states that they operate a non-common carrier between Copperhill, TN and Etowah, TN. Locomotive Number 108 will operate almost exclusively within yard and industrial plant at Copperhill, TN.

The HRRC claims that locomotive 108 is presently equipped with shatterproof glazing, similar to FRA glazing, of the