

IV. Probable Effects

The FRA, NJ TRANSIT, and AMTRAK will evaluate both project-specific and cumulative changes to the social, economic and physical environment—including land use and socioeconomic conditions, ecology, water resources, historic and archaeological resources, visual character and aesthetics, contaminated and hazardous materials, transportation, air quality, noise and vibration, environmental justice, and cumulative and secondary effects. The analysis will be undertaken consistent with NEPA, Council on Environmental Quality regulations, Section 106 of the National Historic Preservation Act, FRA guidance, FTA regulations, DOT guidance, and Section 4(f) of the DOT Act, along with other applicable Federal and State regulations.

V. Scoping Process

FRA invites all interested individuals, organizations, and Federal, State, and local agencies to comment on the scope of the EIS. Comments are encouraged on specific social, economic, or environmental issues to be evaluated, and on reasonable alternatives that may be less costly, more cost effective or have fewer environmental impacts while achieving similar transportation objectives.

NJ TRANSIT will be leading the outreach activities during the public scoping process, beginning with the scoping meeting identified under **DATES** above. Following the public scoping process, public outreach activities will include meetings with the Regional Citizens' Liaison Committee (RCLC) established for the study, as well as meetings with interested parties or small groups. Those wishing to participate in the RCLC may do so by registering on the project Web site at <http://www.portalbridgenec.com>. As part of the study process, the project Web site listed will be periodically updated to reflect the project's status. In addition, newsletters will be circulated to a broad constituency to ensure people are informed about the project. Additional opportunities for public participation will be announced through mailings, notices, advertisements and press releases.

Issued in Washington, DC, on December 5, 2006.

Mark E. Yachmetz,

Associate Administrator for Railroad Development.

[FR Doc. E6-21015 Filed 12-11-06; 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.

Canadian National Railway Company

[Docket Number FRA-2006-26178]

The Canadian National Railway Company (CN) requests a waiver of compliance from certain provisions of Title 49 Code of Federal Regulations (CFR) Part 228.9(a)(1), Hours of Service of Railroad Employees, for CN to utilize a computerized system of recording hours of duty data. The CFR requires that records maintained under Part 228.9(a)(1) be signed by the employee whose time is being recorded, or in the case of train and engine crews, signed by the ranking crewmember. CN seeks to utilize a computerized system of recording hours of duty information which would not comply with the above requirements for a "signature" of the employee or ranking crewmember. CN proposes that each employee will have his or her own identification number (ID) and personal identification number (PIN). The PIN will remain confidential to the employee. The employee ID and PIN will be used to restrict access to jobs or train reporting screens to only the employee or ranking crew member of that specific job or train. When an employee accesses his or her reporting screens for input of the hours of service record required by CFR Part 228.11, the employee's PIN will not appear on the computer screen. After entering the appropriate data, the employee will be asked to "certify" his or her entries. When certified, the data entered by the employee will be date- and time-stamped by the computer. The employee's certified record will then be available through the FRA Inspection Screen and will display the employee's ID Number along with the date and time of certification. CN proposes to replace the current manually signed paper record with a printable copy of the employee's program-entered data showing the date, time and ID of entering employee.

CN warrants that FRA will be able to access each employee's certified records through agency-approved selection criteria. This criteria makes all CN employee hours of service records in the program available for review and printing by an inspector.

CN maintains that the change is in the best interests of all parties because it will reduce unnecessary paperwork and the costs associated therewith while providing the railroad, its employees, and the FRA with a superior level of information on a more timely basis than is currently available.

Interested parties are invited to participate in these proceedings by submitting written 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 (FR-2006-26178) and may be submitted by one of the following methods:

- *Web site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic site;

- *Fax:* 202-493-2251;

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001; or

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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 December 6, 2006.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E6–21022 Filed 12–11–06; 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 Federal railroad 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–2006–25706]

The Norfolk Southern Corporation (NS) seeks a waiver of compliance from certain provisions of 49 CFR part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment. Specifically, it seeks a waiver from 49 CFR 232.205(a)(3), which requires a Class I air brake inspection whenever a train is “off-air” for a period of more than 4 hours on certain trains on NS's Pocahontas Division in West Virginia.

NS currently departs Gilbert Yard, West Virginia, and Weller Yard, Lee Town, West Virginia, with trains approximately 100 cars in length. These trains have a Class I brake test performed when assembled. The trains are moved to Buck main line siding where the locomotives are removed and the cars are left without means of charging air for a period of up to 24 hours. This practice also happens to trains from Weller Yard to Luke main line siding, and from Gilbert Yard to Lindsey main line siding. In each instance, another block of approximately 100 cars (previously Class I tested) are brought to the siding, where the two blocks are combined and a Class I brake inspection is performed on the first block of cars that have been sitting in the siding “off-air” for more

than 4 hours. The train then departs to Portsmouth, Ohio.

NS requests relief from performing another Class I inspection on the block of cars that have been sitting in the siding “off-air” for more than 4 hours. The train travels less than 150 miles before being placed in the siding and NS contends that this waiver would reduce the exposure of their employees while performing a redundant walking inspection. NS would perform a Class III test on the cars in the sidings, when combined with the second train. NS also states that there have been no incidences of vandalism at these locations.

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 this petition should identify the appropriate docket number (FRA–2006–25706) and may be submitted by one of the following methods:

- Web site: <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic site;

- Fax: 202–493–2251;
- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001; or
- Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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 December 6, 2006.

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) 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.

Santa Clara Valley Transportation Authority

[Docket Number FRA–1999–6254]

As a second supplement to Santa Clara Valley Transportation Authority's (VTA) existing Shared Use/Temporal Separation waiver for its Tasman West Line originally granted by the FRA on July 7, 2000 (a 5-year extension was granted on September 26, 2005), VTA requests that the FRA consider reclassifying the 1.6-mile shared segment (called the Moffett Drill Track) as a “Plant Railroad” not part of the General Railroad System. VTA is also requesting a waiver from the FRA Locomotive Horn Rule, 49 CFR parts 222 and 229, at all highway grade crossings along the 1.6-mile Moffett Drill Track as long as this track is considered part of the General Railroad System. VTA seeks a permanent waiver of compliance from all sections of Title 49 of the CFR if the FRA agrees that the Moffett Drill Track should not be classified as part of the General Railroad System. (See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment, 65 FR 42529. See also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General