

**New Jersey Transit Rail Operations (NJTR) (Waiver Petition Docket Number LI-94-11)**

The NJTR seeks a temporary waiver of compliance with certain provisions of the Locomotive Safety Standards (49 CFR Part 229) for their locomotives. NJTR is seeking relief from the requirements of Section 229.135 that all trains operating over 30 mph shall be equipped with an event recorder by May 5, 1995. NJTR requests an extension of 24-months. The Locomotive Safety Standards were revised on July 8, 1993, to require each lead locomotive of trains operating over 30 mph to be equipped with an event recorder by May 5, 1995. NJTR operates 300 electric MU cars, 15 electric locomotives, 83 diesel-electric locomotives and 84 push pull control cars, all of which are equipped with various event recording systems. However, not all systems meet the requirements of Section 229.5 in recording steps of braking. Existing systems will require extensive upgrades or replacement of the entire system to be in compliance. Due to the competitive bid process, vendor's ability to deliver and installation of the systems, NJTR will be unable to comply with the May 5, 1995, date and have requested an extension.

**Napa Valley Wine Train, Incorporated (NVR) (Waiver Petition Docket Number RSGM-94-16)**

The NVR seeks a permanent waiver of compliance with certain provisions of the Safety Glazing Standards (49 CFR Part 223) for one locomotive. The locomotive NVR 52, a 65-ton center cab switcher built by General Electric Company is used primarily for yard switching of passenger cars and locomotives and an occasional work train transporting Maintenance of Way materials. The Napa Valley Railroad has operated three locomotives on the same tracks under waiver RSGM-89-15 with no incidents or injuries.

**Denver Railway Car Company (DRCX) (Waiver Petition Docket Number RSGM-94-17)**

The DRCX seeks a permanent waiver of compliance with certain provisions of the Safety Glazing Standards (49 CFR Part 223) for all of their passenger cars with a side exit door. Section 223.9(c) and 223.15(c) require that all passenger cars built or rebuilt prior to July 1, 1980, shall be equipped with four emergency opening windows. DRCX considers the non-locking side doors provide faster emergency access than the emergency opening windows.

**Buckeye Central Scenic Railroad (BCRR) (Waiver Petition Docket Number RSGM-94-18)**

The BCRR, seeks a permanent waiver of compliance with certain provisions of the Safety Glazing Standards (49 CFR Part 223) for one locomotive and five passenger cars. The BCRR is a non-profit tourist railroad operating on 5.5 miles of former Baltimore & Ohio Railroad tracks at Hebron, Ohio. The passenger cars, having been built prior to 1945 and used in excursion service are exempt from the requirements of Part 223. The locomotive is an EMD Model SW-1 switcher built in 1948. The BCRR states that there have been no incidents of injury due to rock throwing nor of broken windows in 11 years of operation.

**Delaware Valley Railway Company, Incorporated (DV) (Waiver Petition Docket Number RSGM 94-19)**

The DV seeks a permanent waiver of compliance with certain provisions of the Safety Glazing Standards (49 CFR Part 223) for three locomotives. The locomotives, OCTR 4118 an ALCO RS-3 built in 1952, W&W 3 an ALCO S-2 built in 1949 and NFD 2 an ALCO RS36 built in 1962, operate on the former Octorara Railway Company (OCTR) in rural New Castle County, Delaware and Chester County, Pennsylvania. The railroad states there have been no accidents or incidents involving glazing on the DV or predecessor OCTR.

**Batten Kill Railroad Company, Incorporated (BKRR) (Waiver Petition Docket Number RSGM-94-20)**

The BKRR seeks a permanent waiver of compliance with certain provisions of the Safety Glazing Standards (49 CFR Part 223) for one passenger car. M-403, an RDC car built in 1951, has been restored by the Northeastern New York Railroad Preservation Group (NE-Rail) who will operate it in excursion service on 16 miles of track between Salem and Shushan, New York. Future plans include operation of the car over the entire 35 miles of the BKRR. The railroad states their have been no problems with vandalism. Average train speed is 15 mph and maximum speed is 20 mph.

**Westinghouse Air Brake Company (WABCO) (Waiver Petition Docket Number H-92-3)**

In 1992 and 1993, WABCO was granted a test waiver for their EPIC microprocessor locomotive brake equipment. Specifically, the waiver excludes a total of 150 locomotives from the requirements of 49 CFR 229.29 for a test period of five years. In their

required quarterly report on service experience to the FRA, WABCO states that over 100 systems are now in service with 50 additional units to be delivered this year. Anticipated sales in 1995 total approximately 500. Based on their satisfactory performance to date, WABCO has requested that the test allotment be increased to at least 750 locomotives.

Issued in Washington, DC on January 11, 1995.

**Phil Olekszyk,**

*Acting Deputy Associate Administrator for Safety Compliance and Program Implementation.*

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**Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of 49 CFR Part 236**

Pursuant to 49 CFR Part 235 and 49 U.S.C. App. 26, the following railroads have 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.

[Block Signal Application BS-AP-No. 3338]

*Applicant:* Wheeling & Lake Erie Railway Company, Mr. John Bell, Senior Signal Technician, 100 East 1st Street, Brewster, Ohio 44613.

The Wheeling & Lake Erie Railway Company seeks approval of the proposed discontinuance and removal of the traffic control system on the single main track of the Bellevue Line between Spencer, Ohio, milepost 92.0 and Bellevue, Ohio, milepost 54.5, a distance of approximately 37.5 miles; including the retention of the interlocking and associated approach signals at Wellington, Ohio, and installation of track defect detector signals at mileposts 63.8 and 68.7 at Norwalk, Ohio.

The reason given for the proposed changes is to retire facilities no longer required for present operations.

[BS-AP-No. 3339]

*Applicant:* Chicago and Central Pacific Railroad, Mr. Mark H. Thompson, Engineer—Communications and Signals, 1006 East Fourth Street, P.O. Box 1800, Waterloo, Iowa 50704.

The Chicago and Central Pacific Railroad seeks approval of the proposed modification of the automatic block signal system, on the single main track, between milepost 51.5 and 55.2, near Burlington, Illinois, associated with the installation of electronic coded track