

**Burlington Northern Santa Fe Railway  
(Docket Number FRA-1999-5429)**

The Burlington Northern Santa Fe Railway (BNSF) seeks a permanent waiver of compliance with the Locomotive Safety Standards, 49 CFR 229.21, which requires each locomotive in use be inspected once during each calendar day. BNSF seeks this waiver for locomotives utilized to haul loaded coal trains through Alliance, Nebraska. BNSF states that these locomotives are inspected before the empty coal trains are hauled to the mine. The round trip from the Alliance service track to the mine takes 24 to 36 hours. BNSF states that on the return trip, the locomotives are removed from their train and placed on the service track for a second inspection which at a minimum takes three hours. BNSF indicates that this second inspection is unwarranted and causes undue congestion in the terminal.

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-1999-5429) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, Washington, DC 20590-001. 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 (9:00 a.m.-5:00 p.m.) at the DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW, Washington, DC 20590. 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 April 15, 1999.

**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 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance with certain requirements of the Federal safety laws and regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favour of relief.

**Mid-Continent Railway Historical Society, Inc., Docket Number FRA-1999-5106**

The Mid-Continent Railway Historical Society, Inc. (MCRY) seeks a waiver of compliance from 49 CFR 230.116(h)—which requires that oil burning steam locomotives taking air for combustion through the fire door opening be equipped with a suitable conduit extending from the fire door to the outside of the cab which will prevent air being drawn into the fire box from the interior of the cab. This is required within the specified territory during the period from November 1 to April 1. MCRY is asking that the requirement be waived for steam locomotive number MCRY 2. MCRY indicates that they operate the steam locomotive a total of six days from November 1 to April 1.

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-1999-5106) 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 (9:00 a.m.-5:00 p.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>.

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**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 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance with certain requirements of the Federal safety laws and regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

**Middletown & Hummelstown Railroad Company (Docket Number FRA-1999-4989)**

The Middletown & Hummelstown Railroad Company (MH) seeks a permanent waiver of compliance with the *Safety Glazing Standards*, 49 CFR Part 223.11(c), which requires certified glazing in all locomotive windows, except those locomotives used in yard service. The MH seeks this waiver for two locomotives, number 1016 built in 1969, and number 151 built in 1956. The owner states the locomotives are equipped with automotive type safety glazing and were never equipped with FRA certified glazing. The MH operates 6.5 miles of track through rural country side with a maximum speed of 10 mph freight and 15 mph passenger. All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-1999-4989) 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