

**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.*

[FR Doc. 05-18483 Filed 9-15-05; 8:45 am]

**BILLING CODE 4910-06-P**

**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

Grimmer Boulevard in and near Fremont, Alameda County, CA (Milpitas line).<sup>1</sup> The lines traverse United States Zip Codes 94536, 94538, 94539, 95112, 95116 and 95122.

The lines do not contain federally granted rights-of-way. Any documentation in the possession of SCVTA will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by December 16, 2005.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after the service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,200 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than October 6, 2005. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-980X, and must be sent to: (1) Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001; and Charles A. Spitulnik, McLeod, Watkinson & Miller, One Massachusetts Avenue, NW., Suite 800, Washington,

<sup>1</sup> SCVTA filed a Notice of Exemption to acquire a line of railroad (which encompasses the two lines at issue here) from Union Pacific Railroad Company (UP) in 2002. See *Santa Clara Valley Transportation Authority—Acquisition Exemption—Union Pacific Railroad Company*, STB Finance Docket No. 34292 (STB served Dec. 26, 2002). SCVTA filed a Motion to Dismiss and Vacate the Notice of Exemption on December 31, 2002, arguing that it acquired only the physical assets of the line, and not UP's common carrier obligation. SCVTA subsequently filed a Notice of Withdrawal of its Motion to Dismiss and Vacate the Notice of Exemption on April 22, 2003.

UP has discontinued its trackage rights and abandoned its freight easements over these lines pursuant to the following exemptions: (1) over the Industrial line, in *Union Pacific Railroad Company—Abandonment Exemption—in Santa Clara County, CA*, STB Docket No. AB-33 (Sub-No. 221X) (STB served Nov. 26, 2004); and (2) over the Milpitas line, in *Union Pacific Railroad Company—Abandonment Exemption—in Alameda County, CA*, STB Docket No. AB-33 (Sub-No. 211X) (STB served Nov. 12, 2003).

DC 20001. Replies to the petition are due on or before October 6, 2005.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152.

Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: September 12, 2005.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 05-18570 Filed 9-15-05; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Release of Waybill Data

The Surface Transportation Board has received a request from Mayer, Brown, Rowe & Maw on behalf of The Burlington Northern and Santa Fe Railway Company (BNSF) (WB461-12-9/9/2005) for permission to use certain data from the Board's Carload Waybill Samples. A copy of this request may be obtained from the Office of Economics, Environmental Analysis, and Administration.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics, Environmental Analysis, and Administration within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

*Contact:* Mac Frampton, (202) 565-1541.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 05-18414 Filed 9-15-05; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 32299 (Sub-No. 1)]

#### Norfolk Southern Railway Company—Consolidation of Operations—CSX Transportation, Inc. (Petition for Supplemental Order)

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Decision No. 2 in STB Finance Docket No. 32299 (Sub-No. 1); Notice of Filing of Petition for Supplemental Order; Issuance of Procedural Schedule.

**SUMMARY:** On August 17, 2005, CSX Transportation, Inc. (CSXT) and Norfolk Southern Railway Company (NSR) filed with the Surface Transportation Board (Board) a petition (the Joint Petition) for a supplemental order authorizing the modification of one aspect of a series of transactions that the Board's predecessor, the Interstate Commerce Commission (ICC), approved in 1993. The contemplated modification is to have CSXT, rather than NSR, perform switching services for both carriers in the Newberry, SC area.

**DATES:** The effective date of this decision is September 16, 2005. Any person who wishes to file comments respecting the petition must do so by October 6, 2005. Petitioners will have until October 21, 2005, to reply to those comments.

**ADDRESSES:** Any filing submitted in this proceeding must be submitted either via the Board's e-filing format or in the traditional paper format. Any person using e-filing should comply with the instructions found on the Board's Web site at <http://www.stb.dot.gov> at the "E-FILING" link. Any person submitting a filing in the traditional paper format should send an original and 10 paper copies of the filing (and also an IBM-compatible floppy disk with any textual submission in any version of either Microsoft Word or WordPerfect) to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. Comments should also be served (one copy each) on: (1) John W. Humes, Jr., 4135 Lakeside Drive, Jacksonville, FL 32210 (CSXT's representative); and (2) Richard A. Allen, Zuckert, Scoutt &