

the requirements of Federal Aviation Regulations (FAR) Part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The FAA has formally received the noise compatibility program for LAS, effective on June 9, 2008. The airport operator has requested that the FAA review this material and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 47504 of the Act. Preliminary review of the submitted material indicates that it conforms to FAR Part 150 requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before December 6, 2008.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR Part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety or create an undue burden on interstate or foreign commerce, and whether they are reasonably consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments relating to these factors, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration,  
National Headquarters, Planning and  
Environmental Division, APP-400,  
800 Independence Avenue, SW.,  
Room 615E, Washington, DC 20591;  
Federal Aviation Administration,  
Western-Pacific Region Office,  
Airports Division, Room 3012, 15000  
Aviation Boulevard, Hawthorne,  
California 90261;  
Federal Aviation Administration,  
Western Pacific Region, San Francisco  
Airports District Office, 831 Mitten

Road, Suite 210, Burlingame,  
California 94010;

Randall H. Walker, Director of Aviation,  
Clark County Department of Aviation,  
P.O. Box 11005, Las Vegas, Nevada  
89111-1005.

Questions may be directed to the  
individual named above under the  
heading, **FOR FURTHER INFORMATION  
CONTACT.**

Issued in Hawthorne, California on June 9,  
2008.

**Winsome A. Lenfert,**

*Acting Manager, Airports Division, AWP-600,  
Western-Pacific Region.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Bristol County, MA

**AGENCY:** Federal Highway  
Administration (FHWA), DOT.

**ACTION:** Cancellation of the Notice of  
Intent.

**SUMMARY:** This notice rescinds the  
previous Notice of Intent (issued  
October 9, 1985) to prepare an  
Environmental Impact Statement for a  
proposed bridge replacement project—  
the Elm St and Center St (Berkley-  
Dighton) Bridge over the Taunton  
River—in Bristol County,  
Massachusetts.

**FOR FURTHER INFORMATION CONTACT:** John  
McVann, Field Operations Team Leader,  
Federal Highway Administration,  
Massachusetts Division Office, 55  
Broadway, 10th floor, Cambridge, MA  
02142, Telephone: (617) 494-2521—  
or—Diane Madden, Sr. Project Manager,  
Massachusetts Highway Department,  
Environmental Services, 10 Park Plaza,  
Room 4260, Boston, MA 02116,  
Telephone (617) 973-7477.

**SUPPLEMENTARY INFORMATION:** The  
proposed project has changed  
dramatically from the mid-1980s when  
FHWA determined that except for the  
historical aspects of the project the  
proposed action would be classified as  
a categorical exclusion. Early proposals  
including new fixed bridges over 20' in  
height on northern or southern  
alignment, negatively impacting the  
adjacent Bridge Village National  
Register-eligible Historic District. In  
2000, noting extensive changes in the  
district close to the bridge, FHWA  
concurred with a MassHighway petition  
to de-list the district, which was later  
redrawn, retaining the bridge as a

contributing element. Early in 2006,  
MassHighway presented its current  
proposal to acclaim, proposing to  
replace the bridge on its existing  
alignment, providing a Temporary  
Bridge on southern alignment to allow  
public safety mutual aid and vehicular  
travel. The proposed fixed bridge will  
be 7 feet taller than the existing movable  
bridge in closed position. This proposal  
reduces impacts to the surrounding  
area, including the re-drawn Bridge  
Village National Register-eligible  
Historic District. For these reasons,  
FHWA believes that the proper class of  
action for the current proposal is a  
Categorical Exclusion.

**Richard J. Marquis,**

*Assistant FHWA Division Administrator,  
Cambridge, MA.*

[FR Doc. E8-13495 Filed 6-18-08; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal  
Regulations (CFR) Part 235 and 49  
U.S.C. 20502(a), the following railroad  
has 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.

[Docket Number FRA-2008-0064]

**Applicant:** Portland and Western  
Railroad, Inc., Mr. Paul A. Zalec, Vice  
President Passenger Operations, 650  
Hawthorne Avenue, SE., Suite 220,  
Salem, Oregon 97301.

The Portland and Western Railroad,  
Inc. (PWRR) seeks relief from the  
requirements of the Rules, Standards,  
and Instructions, Title 49 CFR, Part 236,  
Section 236.513(a), Audible Indicator,  
for its planned Wilsonville to Beaverton  
commuter rail project, to the extent that  
PWRR be permitted to utilize a cab  
signal system that does not contain any  
onboard acknowledgment device  
beyond the acknowledgment received  
from movement of brake control(s). The  
location of the request is from  
Wilsonville, Oregon, on the former  
Oregon Electric Railway, Oregon  
Electric Subdivision milepost (MP) 42.8  
to Beaverton, OR, Tillamook District,  
MP 755.50, a distance of approximately  
15.3 route miles.

*Applicant's justification for relief:* It is proposed to provide a momentary audible indication when a more restrictive aspect is received, but not require a manual acknowledgement of that audible indication. The onboard automatic train control system continually monitors the operator's adherence to the existing speed limit, provides an alarm if the speed limit is being violated, and applies an irrevocable penalty brake application if the operator does not act appropriately to safely bring the speed of the train below the speed limit. Eliminating the need for acknowledgement in favor of continuous speed enforcement eliminates confusion on the part of the operator.

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.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and it shall contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning these proceedings should be identified by Docket Number FRA-2008-0064 and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.

- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, 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://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and 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).

Issued in Washington, DC, on June 16, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E8-13892 Filed 6-18-08; 8:45 am]

**BILLING CODE 4910-06-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.

#### National Railroad Passenger Corporation

[Waiver Petition Docket Number FRA-2008-0065]

The National Railroad Passenger Corporation (Amtrak) seeks a waiver of compliance from the *Passenger Equipment Safety Standards*, 49 CFR Part 238.309, and the *Locomotive Safety Standards*, 49 CFR Parts 229.27 and 229.29, as they pertain to the requirements to clean, repair and test airbrake equipment associated with twenty-one HHP-8 electric locomotives equipped with Computer Controlled Brake (CCB-KE-3.9) manufactured by Knorr Brake Corporation.

The twenty-one locomotives are operated over Amtrak's North East Corridor and maintained by Amtrak, fifteen of these locomotives are owned by Amtrak, and five are owned by the Maryland Transit Administration (MTA). Amtrak requests allowing the brake system periodic maintenance to go beyond the 5-year period (1,840 days)

previously granted by waiver for Amtrak (FRA-2001-10596) and for MTA (FRA-2007-28611). Amtrak feels that because the KE-3.9 brake system employs real time self monitoring of the locomotive brake performance, age exploration for periodic brake valve maintenance is appropriate.

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 2008-0065) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.

- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, 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://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and 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).