

lane expressway with partial access-controlled outer lanes. From Loop 1604 to Stone Oak Parkway, the expressway lanes would include two non-toll general purpose lanes with an auxiliary lane plus one managed lane in each direction. The expressway lanes would be situated between three partial access-controlled outer lanes in each direction, also known as frontage roads. From Stone Oak Parkway to Borgfeld Drive, US 281 would ultimately be expanded to a six-lane expressway (three managed lanes in each direction) with two non-toll outer lanes in each direction. The purpose of the project is to improve mobility and accessibility, enhance safety, and improve community quality of life.

The actions by TxDOT and the Federal agencies, and the laws under which such actions were taken, are described in the final Environmental Impact Statement (EIS) issued on May 8, 2015 for the project, for which a Record of Decision (ROD) was issued on July 17, 2015, and in other documents in the TxDOT administrative record. The EIS, ROD, and other documents in the administrative record file are available by contacting TxDOT at the address provided above. The EIS and ROD may also be viewed and downloaded from the project Web site at <http://www.411on281.com/us281eis/>.

This notice applies to all TxDOT decisions and Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. Air: Clean Air Act [42 U.S.C. 7401–7671(q)].
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers), 23 U.S.C. 319.
4. Wildlife: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703–712].
5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013].
6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious

Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

7. Wetlands and Water Resources: Clean Water Act [33 U.S.C. 1251–1377]; Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601–4604]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)–300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; TEA–21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001–4128].

8. Executive Orders: E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593, Protection and Enhancement of Cultural Resources; E.O. 13007, Indian Sacred Sites; E.O. 13287, Preserve America; E.O. 13175, Consultation and Coordination with Indian Tribal Governments; E.O. 11514, Protection and Enhancement of Environmental Quality; E.O. 13112, Invasive Species; E.O. 12372, Intergovernmental Review of Federal Programs.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: July 21, 2015.

**Michael T. Leary,**

*Director, Planning and Program Development, Federal Highway Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2015–0055]

#### Petition for Waiver of Compliance.

**AGENCY:** Federal Railroad Administration, DOT.

**ACTION:** Petition for Waiver of Compliance.

**SUMMARY:** This document provides the public notice that by a document dated May 14, 2015, the Pacific Railroad Preservation Association (PRPA) has petitioned the Federal Railroad

Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations.

**DATES:** Communications received by September 14, 2015 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

**ADDRESSES:** A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- **Web site:** [www.regulations.gov](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.

#### SUPPLEMENTARY INFORMATION:

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated May 14, 2015, the Pacific Railroad Preservation Association (PRPA) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 230—Steam Locomotive Inspection and Maintenance Standards. FRA assigned the petition Docket Number FRA–2015–0055.

PRPA is the operator of Spokane, Portland, and Seattle steam locomotive No. 700 (SP&S 700). PRPA is a member of the Oregon Rail Heritage Foundation (ORHF) in Portland, Oregon. SP&S 700 is a 4–8–4 “Northern” type of steam locomotive built by the Baldwin Locomotive Works in 1938. PRPA typically operates SP&S 700 for 31 service days or less per year, and expects to continue to do so in the future. PRPA requests a 138-calendar-day extension as it pertains to the 1,472 service-day inspection of the boiler as

required by 49 CFR 230.17. SP&S 700 entered service on August 5, 2000. PRPA will perform all other inspections as required by 49 CFR part 230. The extension would allow the locomotive to operate through the winter tourist holiday season until December 31, 2015.

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.

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 document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

See also <http://www.regulations.gov/#!privacyNotice> for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on July 22, 2015.

**Ron Hynes,**

*Director, Office of Technical Oversight.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2015-0072]

#### Petition for Waiver of Compliance

**AGENCY:** Federal Railroad Administration, DOT.

**ACTION:** Petition for Waiver of Compliance.

**SUMMARY:** This document provides the public notice that by a document dated November 21, 2014, Union Pacific Railroad Company (UP) has petitioned the Federal Railroad Administration

(FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations.

**DATES:** Communications received by August 31, 2015 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

**ADDRESSES:** A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

All communications concerning these proceedings should identify the appropriate docket number 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.

#### SUPPLEMENTARY INFORMATION:

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated November 21, 2014, Union Pacific Railroad Company (UP) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 236. FRA assigned the petition Docket Number FRA-2015-0072.

UP seeks a waiver from compliance with cab signal system requirements found in 49 CFR 236.566, *Locomotive of each train operating in train stop, train control, or cab signal territory; equipped*. Specifically, UP seeks relief to operate the following: Non-equipped engines used in switching and transfer service, with or without cars; work trains; wreck trains; ballast cleaners to and from work; and engines and rail diesel cars moving to and from shops at the following locations:

1. Operations on the Chicago Service Unit, Geneva Subdivision, from Control Point (CP) Y901 and Kedzie may be

made in accordance with signal indication and at restricted speed:

- With engines not equipped with Automatic Train Control (ATC) with or without cars; or
- To and from the CP Y901 with the ATC cut out and backup moves; or
- With the ATC cut out due to failure.

2. Operations on the Chicago Service Unit, Geneva Subdivision, from Kedzie and Park CP Y015: Engines not equipped with ATC and foreign crews operating UP trains may be operated at a speed not exceeding 40 mph when a block signal displays an indication more favorable than Approach. An Approach or more favorable indication establishes an absolute block to the next block signal. If the block signal displays a Stop, Restricted Proceed, or Restricting indication, the train must stop and not proceed until authorized by the train dispatcher. However, the train may pass a signal indicating Restricting to leave the main track immediately past the signal.

3. Operations on the Chicago Service Unit, Geneva Subdivision: Non-equipped engines in switching service may be operated on the main track between CP Y901 and Elmhurst; between Dixon and Nelson; between Nelson and Sterling; between East Clinton and Clinton; and at West Chicago, De Kalb, Dixon, Nelson, Sterling and Clinton within switching limits, in accordance with signal indication, not exceeding restricted speed.

4. Operations on the Chicago Service Unit, Harvard Subdivision: Engines not equipped with Automatic Train Stop may be operated:

(a) Between CP N001 and Milepost 25.0 west of Arlington Park in accordance with automatic block signals not exceeding restricted speed.

(b) Between Harvard and CP N002 for inspection and repairs not exceeding 40 mph. Such movements must be made in accordance with automatic block signals and an absolute block in advance of the movement.

5. Operations on the Chicago Service Unit, Kenosha Subdivision: Non-equipped engines may be operated:

(a) Between CP N001 and Evanston in accordance with automatic block signal indications not exceeding restricted speed.

(b) At Waukegan and Kenosha within yard limits at restricted speed.

(c) Between Waukegan and CP N001 for inspection and repairs not exceeding 40 mph. Such movement must be made in accordance with automatic block signal indications and with an absolute block in advance of movement.