

Transportation, 125 East 11th Street, Austin, Texas 78701-2483 Telephone: (512) 416-2734.

SUPPLEMENTARY INFORMATION: The project was initially planned to be studied in a single EIS with limits from Interstate Highway 35 West (IH 35W) in Fort Worth, Tarrant County, to State Highway 174 (SH 174) in Johnson County. A first Notice of Intent (NOI) was published in the August 4, 1988, Federal Register with the SH 121 EIS limits being proposed for the South Section of the project. A second NOI was published in the April 5, 1990, Federal Register with the SH 121 EIS limits being proposed for the North Section of the project. This third NOI will change the scope of the EIS. The result will be a change of the limits and scope of the freeway project with portions that are proposed to be developed as a toll road where it is determined to be economically feasible. The limits of the EIS for the proposed project are now portions of the North and the South Sections of SH 121 and will extend from Interstate Highway 30 (IH 30) in Fort Worth to Farm-to-Market Road 1187 (FM 1187), all within Tarrant County. The previous documentation was subdivided into a Draft Environmental Impact Statement (DEIS) for the North Section with another DEIS for the South Section. The DEIS for South Section was completed and a public hearing was held but a Record of Decision was not issued. The DEIS for the North Section was not completed and work was suspended. The new EIS for the proposed facility will cover a part of the South Section from IH 20 to FM 1187 and part of the North Section from IH 30 to IH 20. Companion documentation is being prepared separately for the remainder of the North Section of the proposed facility from IH 35W to IH 30 in Fort Worth, Tarrant County, as well as the remainder of the South Section of the proposed facility from FM 1187 in Tarrant County to U.S. Highway 67 (US 67) in Cleburne; Johnson County.

Numerous public involvement activities have taken place during the development of the proposed project and will continue until a general consensus is reached on a preferred alternative. Many alternatives and routes have been considered. Among the alternatives considered for a proposed project are build nothing, freeway development, and toll road development.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions

are invited from all interested parties. Comments or questions concerning the proposed action and the EIS should be directed to the FHWA or TxDOT at the address provided.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Walter C. Waidelich,
District Engineer.

[FR Doc. 98-12876 Filed 5-13-98; 8:45 am]
BILLING CODE 4910-22-M

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) received from the Burlington Northern Santa Fe Railroad (BNSF) a request for a waiver of compliance with certain requirements of the Code of Federal Regulations. The petition is described below, including the regulatory provisions involved, and the nature of the relief being requested.

Burlington Northern Santa Fe Railroad, Docket Number RST-97-6

This notice covers the request of the BNSF to be relieved of compliance with Section 213.57(b) of the Federal Track Safety Standards (49 CFR 213) for the operation of National Passenger Corporation (Amtrak) trains at up to five (5) inches of unbalance on the former Santa Fe Railroad. Since 1994, Amtrak trains have been operating at up to 4 inches of unbalance or cant deficiency on the former Burlington Northern Railroad. This petition would extend the waiver to the former Santa Fe Railroad and increase the level of unbalance from 4 inches to 5 inches.

Section 213.57(b) refers to the maximum allowable train operating speeds on non-tangent track as a function of existing curvature and superelevation and, further, introduces the concept of unbalanced superelevation (cant deficiency) in particular modes of train operation. The idea of trains negotiating curved track at speeds producing either positive or negative unbalance was discussed previously in the **Federal Register** (52 FR 38035 on October 13, 1987).

Currently, Section 213.57(b) permits a maximum of 3 inches to be used as the underbalance term in the formulation of curve/speed tables by track maintenance

engineers defining intermediate train speeds and curved track superelevations for any route between two points.

BNSF petitioned for permission to substitute the value of 5 inches instead of 3 inches in determining maximum train speeds on track owned by the railroad and used under contract by Amtrak in the provision of transcontinental passenger train service. BNSF is requesting the waiver to assist Amtrak in improving its operating efficiency.

Interested parties may submit written views, data, or comments on this petition. 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 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 RST-97-6), and must be submitted in triplicate to the Docket Clerk, Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW, Washington, DC 20590.

Communications received within 30 days from the publication 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 FRA's offices at 1120 Vermont Avenue, NW, Room 7051, Washington, DC 20005.

Issued in Washington, DC on May 4, 1998.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 98-12767 Filed 5-13-98; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA Docket No. RST-97-5]

Petition for Exemption or Waiver of Compliance With the Requirements of Section 213.233(c) of the Federal Track Safety Standards; New Jersey Transit Rail Operations, Inc.

In accordance with 49 CFR 211.41, notice is hereby given that the New Jersey Transit Rail Operations, Incorporated, (NJTR) has submitted a petition, dated December 3, 1997, for a

waiver of compliance with certain requirements of Title 49, Code of Federal Regulations, Part 213: Track Safety Standards.

The purpose of the petition is to request of the Federal Railroad Administration (FRA) relief from compliance with the provisions of 49 CFR 213.233(c) of the Federal Track Safety Standards. The petitioner requests approval to eliminate one of two weekly visual track inspections required by this section for track carrying passenger traffic. Petitioner proposes, in the interest of equivalent safety, to substitute for the eliminated visual inspection the operation of a track geometry measuring vehicle over the affected main track and sidings on a quarterly basis. Such equipment does not operate over the tracks of the petitioner today.

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 Number RST-97-5 and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590. Communications received within 30 days of publication 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. to 5:00 p.m.) in Room 7051, 1120 Vermont Avenue, NW, Washington, DC, 20005.

Issued in Washington, D.C. on May 4, 1998.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 98-12768 Filed 5-13-98; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket Nos. AB-32 (Sub-No. 86X) and AB-355 (Sub-No. 24X)]

Boston and Maine Corporation— Abandonment Exemption—in Middlesex County, MA and Springfield Terminal Railway Company— Discontinuance of Service Exemption—in Middlesex County, MA

Boston & Maine Corporation (B&M) and Springfield Terminal Railway Company (ST) have filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments and Discontinuances* for B&M to abandon and ST to discontinue service over a 1.82-mile line of railroad known as the Watertown Branch from milepost 5.85 (Engineering Station 87+90) to milepost 7.67 (Engineering Station 184+25) in Middlesex County, MA. The line traverses United States Postal Service Zip Code 02172.¹

B&M and ST have certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic has been rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on June 13, 1998, unless stayed pending reconsideration. Petitions to stay that do not involve environmental

issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29 must be filed by May 26, 1998. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 3, 1998, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant representative: John R. Nadolny, Esq., Boston and Maine Corporation, Law Department, Iron Horse Park, North Billerica, MA 01862.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

B&M and ST have filed an environmental report which addresses the effects of the abandonment and discontinuance, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by May 19, 1998. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1545. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), B&M shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by B&M's filing of a notice of consummation by May 14, 1999, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Decided: May 6, 1998.

² The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

³ Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1,000. See 49 CFR 1002.2(f)(25).

¹ On May 1, 1998, B&M informed the Board of the actual mileposts in addition to the Engineering Stations identified in its verified notice.