

landing. Harmonization on this issue is the goal.

A secondary issue for FAR 25.785:

FAR 25.785(b) states "Each seat and berth * * * must be designed so that a person making proper use of these facilities will not suffer serious injury in an emergency landing as a result of the inertial forces specified in 25.561 and 25.562." FAR 25.785(e) states "Berths must be free from corners and protuberances likely to cause injury to a person occupying the berth during emergency conditions." The subjective criteria used to determine "corners and protuberances likely to cause injury" and the test/analysis required to demonstrate compliance are different between regulatory bodies. The expectations for demonstrating compliance should be harmonized.

Three specific areas of passenger seat certification issues need to be addressed:

(a) In-Flight Entertainment (IFE) video arms which allow a video screen to rotate in front of the passenger during flight.

(b) Seat back mounted accessories such as telephones, video screens, etc.

(c) Definition of what design features are considered sharp edges or in appropriate corners when exposed to the passenger cabin.

Guidance on acceptable methods of compliance should be provided which are acceptable to both the FAA and the JAA. An advisory circular should be revised or newly issued to address the new guidance.

The FAA expects ARAC to submit its recommendation(s) by July 31, 2000.

The FAA requests that ARAC draft appropriate regulatory documents with supporting economic and other required analyses, and any other related guidance material or collateral documents to support its recommendations. If the resulting recommendation(s) are one or more notices of proposed rulemaking (NPRM) published by the FAA, the FAA may ask ARAC to recommend disposition of any substantive comments the FAA receives.

Working Group Activity

ARAC has accepted the task and has chosen to assign it to the existing Seat Testing Harmonization Working Group. As a result of the new task assigned to the working group and because the working group has been dormant for some time, membership is being reopened. The working group will serve as staff to ARAC to assist ARAC in the analysis of the assigned task. Working group recommendations must be reviewed and approved by ARAC. If ARAC accepts the working group's

recommendations, it forwards them to the FAA as ARAC recommendations.

The Seat Testing Harmonization Working Group is expected to comply with the procedures adopted by ARAC. As part of the procedures, the working group is expected to:

1. Recommend a work plan for completion of the tasks, including the rationale supporting such a plan, for consideration at the meeting of ARAC to consider transport airplane and engine issues held following publication of this notice.

2. Give a detailed conceptual presentation of the proposed recommendations, prior to proceeding with the work stated in item 3 below.

3. Draft appropriate regulatory documents with supporting economic and other required analyses, and/or any other related guidance material or collateral documents the working group determines to be appropriate; or, if new or revised requirements or compliance methods are not recommended, a draft report stating the rationale for not making such recommendations. If the resulting recommendation is one or more notices of proposed rulemaking (NPRM) published by the FAA, the FAA may ask ARAC to recommend disposition of any substantive comments the FAA receives.

4. Provide a status report at each meeting of ARAC held to consider transport airplane and engine issues.

Participation in the Working Group

The Seat Testing Harmonization Working Group will be composed of technical experts having an interest in the assigned task. A working group member need not be a representative of a member of the full committee.

An individual who has expertise in the subject matter and wishes to become a member of the working group should write to the person listed under the caption **FOR FURTHER INFORMATION CONTACT** expressing that desire, describing his or her interest in the tasks, and stating the expertise he or she would bring to the working group. All requests to participate must be received no later than October 1, 1998. The requests will be reviewed by the assistant chair, the assistant executive director, and the working group chair, and the individuals will be advised whether or not the request can be accommodated.

Individuals chosen for membership on the working group will be expected to represent their aviation community segment and participate actively in the working group (e.g., attend all meetings, provide written comments when requested to do so, etc.). They also will

be expected to devote the resources necessary to ensure the ability of the working group to meet any assigned deadline(s). Members are expected to keep their management chain advised of working group activities and decisions to ensure that the agreed technical solutions do not conflict with their sponsoring organization's position when the subject being negotiated is presented to ARAC for a vote.

Once the working group has begun deliberations, members will not be added or substituted without the approval of the assistant chair, the assistant executive director, and the working group chair.

The Secretary of Transportation has determined that the formation and use of ARAC are necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

Meetings of ARAC will be open to the public. Meetings of the Seat Testing Harmonization Working Group will not be open to the public, except to the extent that individuals with an interest and expertise are selected to participate. No public announcement of working group meetings will be made.

Issued in Washington, DC, on August 25, 1998.

Joseph A. Hawkins,

Executive Director, Aviation Rulemaking Advisory Committee.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Stillwater County, Montana

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Revised notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public of a revision to the southern limit for the proposed improvements to Montana Primary 78 (P-78) in Stillwater County, Montana. The southern terminus of the project has been changed from the junction of P-78 with Butcher Creek Road, to the P-78 junction with FAS 419, shortening the project by approximately 5 kilometers (3 miles). This revision represents a logical termini to the proposed improvements as the roadway volumes of P-78 decrease at its junction with FAS 419. An Environmental Impact Statement will be prepared for the proposed highway project in Stillwater County, Montana.

FOR FURTHER INFORMATION CONTACT:

Dale Paulson, Program Development Engineer, Federal Highway Administration, 2880 Skyway Drive, Helena, MT 59602; Telephone: (406) 449-5306; or Joel M. Marshik, Manager—Environmental Services, Montana Department of Transportation, 2701 Prospect Street, Helena, MT 59620; Telephone: (406) 444-7632.

SUPPLEMENTARY INFORMATION:**Electronic Access**

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

Background

On January 7, 1993, at 58 FR 3063, the FHWA issued a notice of intent that an environmental impact statement for Stillwater County, Montana would be prepared for a proposal to improve the Montana Highway Route 78 corridor from the East Rosebud Creek Bridge South of Absarokee, Montana to the Yellowstone River Bridge south of Columbus, Montana.

The notice published today revises the 1993 notice of intent by revising the southern limit. The southern terminus of the project has been changed from the junction of P-78 with Butcher Creek Road, to the P-78 junction with FAS 419, shortening the project by approximately 5 kilometers (3 miles). This revision represents a logical termini as the roadway volumes decrease at its junction with FAS 419.

The FHWA, in cooperation with the Montana Department of Transportation (MDT), is preparing an Environmental Impact Statement for a proposal to improve the Montana Highway Route 78 corridor from the FAS 419 junction with P-78 south of Absarokee, Montana, to the Yellowstone River Bridge south of Columbus, Montana.

Comments are being solicited from appropriate Federal, State, and local agencies and from private organizations and citizens who have previously expressed or are known to have interest in this proposal. A public informational meeting as well as two public scoping meetings have been held on the proposed project improvements. Additional public meetings will be held in the project area to discuss recent alignment revisions as well as the new project termini. The draft EIS will be available for public and agency review,

and a public hearing will be held to receive comments. Public notice will be given of the time and place of the meetings and public hearing.

Comments and/or suggestions from all interested parties are requested, to ensure that the full range of all issues, and significant environmental issues in particular, are identified and reviewed. Comments or questions concerning this proposed action and/or its EIS should be directed to the FHWA or the MDT at the addresses listed previously.

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

Authority: 23 U.S.C. 315; 49 CFR 1.48.

Issued on: August 25, 1998.

Darrin Grenfell,

Operations Engineer, Montana Division, Helena.

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DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****Petition for Waiver of Compliance**

In accordance with Title 49, Code of Federal Regulations (CFR), Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance from certain requirements of Federal railroad safety regulations. 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.

**CSX Transportation, Incorporated
(Waiver Petition Docket Number
H-98-6)**

CSX Transportation, Incorporated (CSXT) seeks a waiver of compliance from certain sections of 49 CFR Parts 216, Special Notice and Emergency Order Procedures: Railroad Track, Locomotive and Equipment; 217, Railroad Operating Rules; 218, Railroad Operating Practices; 229, Railroad Locomotive Safety Standards; 233, Signal Systems Reporting Requirements; 235, Instructions Governing Applications for Approval of a Discontinuance or Material Modification of a Signal System or Relief from the Requirements of Part 236; 236, Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of

Signal and Train Control Systems, Devices, and Appliances; and 240, Qualification and Certification of Locomotive Engineers, under Part 211.51, Tests, to allow them to develop, implement, and test technology designed to prevent train collisions and overspeed violations and to protect track maintenance personnel from trains. The program will enable CSXT to demonstrate and validate the technology, referred to as CBTM (for Communications Based Train Management), before it is implemented on a larger scale.

CBTM is a non-vital safety overlay that works in conjunction with the existing method of operation in DTC (Direct Traffic Control) territory to protect against the consequences of human error. This approach provides a "safety net" for train operations while retaining the existing method of operation as the primary means of control.

CBTM's safety enhancements are achieved through a distributed, communication-based system that enforces movement authority and speed restrictions for CBTM-equipped trains. Five CBTM segments work together to provide this enforcement: office server, zone logic controller, wayside, locomotive, and communications. The office server receives the DTC authority and train message information from CADS (Computer Aided Dispatching System). This information is passed down to the appropriate zone logic controller. The zone logic controller sends this information through the communications segment down to the locomotive, as targets. The locomotive segment enforces a train's movement and speed limits by monitoring the train's location and speed in relation to the targets. The system will apply a penalty brake application to stop the train, if necessary, to prevent a violation. The wayside segment will communicate switch position information to the zone logic controller and the locomotive. Two Differential Global Positioning System sites will be utilized to provide train location information, one being at Savannah Beach, Georgia, and the other located at either Knoxville, Tennessee, or Greensboro, North Carolina.

The CBTM pilot is designed to develop, test and demonstrate PTS (Positive Train Separation) technology. As a pilot program, it will focus on proving the CBTM concepts and technology and on laying the groundwork for a production system. While the purpose of CBTM is to enhance safety, the pilot program itself is not expected to yield immediate