

noon and 1 p.m. to 4 p.m., Monday through Friday.

**Bruce Hirsh,**

*Acting Assistant United States Trade Representative for Monitoring and Enforcement.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2000-7257; Notice No. 27]

#### Railroad Safety Advisory Committee ("RSAC"); Working Group Activity Update

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Announcement of Railroad Safety Advisory Committee (RSAC) Working Group Activities.

**SUMMARY:** FRA is updating its announcement of RSAC's working group activities to reflect their current status.

#### FOR FURTHER INFORMATION CONTACT:

Trish Butera or Lydia Leeds, RSAC Coordinators, FRA, 1120 Vermont Avenue, NW., Mailstop 25, Washington, DC 20590, (202) 493-6213 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:** This notice serves to update FRA's last announcement of working group activities and status reports on January 17, 2002, (67 FR 2507). The eighteenth full Committee meeting was held February 13, 2002, at the Almas Temple in Washington, DC. The nineteenth meeting is scheduled for May 29, 2002.

Since its first meeting in April of 1996, the RSAC has accepted seventeen tasks. Status for each of the tasks is provided below:

*Task 96-1—(Completed) Revising the Freight Power Brake Regulations.* This Task was formally withdrawn from the RSAC on June 24, 1997. FRA published an NPRM on September 9, 1998, reflective of what FRA had learned through the collaborative process. Two public hearings were conducted and a technical conference was held. The date for submission of written comments was extended to March 1, 1999. The final rule was published on January 17, 2001 (66 FR 4104). An amendment extending the effective date of the final rule until May 31, 2001 was published on

February 12, 2001, (66 FR 9905). Amendments to Subpart D of the final rule were published August 1, 2001 (66 FR 36983). Amendments responding to the remaining issues raised in petitions for reconsideration were published in the **Federal Register** on April 10, 2002 (67 FR 17556). Contact: Thomas Hermann (202) 493-6036.

*Task 96-2—(Completed) Reviewing and recommending revisions to the Track Safety Standards (49 CFR Part 213).* This task was accepted April 2, 1996, and a Working Group was established. Consensus was reached on recommended revisions and an NPRM incorporating these recommendations was published in the **Federal Register** on July 3, 1997, (62 FR 36138). The final rule was published in the **Federal Register** on June 22, 1998 (63 FR 33991). The effective date of the rule was September 21, 1998. A task force was established to address Gage Restraint Measurement System (GRMS) technology applicability to the Track Safety Standards. A GRMS amendment to the Track Safety Standards was approved by the full RSAC in a mail ballot during August 2000. The GRMS final rule amendment was published January 10, 2001 (66 FR 1894). On January 31, 2001, FRA published a notice extending the effective date of the GRMS amendment to April 10, 2001 (66 FR 8372). On February 8, 2001, FRA published a notice delaying the effective date until June 9, 2001 in accordance with the Regulatory Review Plan (66 FR 9676). Contact: Al MacDowell (202) 493-6236.

*Task 96-3—(Completed) Reviewing and recommending revisions to the Radio Standards and Procedures (49 CFR Part 220).* This Task was accepted on April 2, 1996, and a Working Group was established. Consensus was reached on recommended revisions and an NPRM incorporating these recommendations was published in the **Federal Register** on June 26, 1997 (62 FR 34544). The final rule was published on September 4, 1998 (63 FR 47182), and was effective on January 2, 1999. Contact: Gene Cox (202) 493-6319.

*Task 96-4—Reviewing the appropriateness of the agency's current policy regarding the applicability of existing and proposed regulations to tourist, excursion, scenic, and historic railroads.* This Task was accepted on April 2, 1996, and a Working Group was established. The Working Group monitored the steam locomotive regulations task. Planned future activities involve the review of other regulations for possible adaptation to the safety needs of tourist and historic

railroads. Contact: Grady Cothen (202) 493-6302.

*Task 96-5—(Completed) Reviewing and recommending revisions to Steam Locomotive Inspection Standards (49 CFR Part 230).* This Task was assigned to the Tourist and Historic Working Group on July 24, 1996. Consensus was reached and an NPRM was published on September 25, 1998 (63 FR 51404). A public hearing was held on February 4, 1999, and recommendations were developed in response to comments received. The final rule was published on November 17, 1999 (64 FR 62828). The final rule became effective January 18, 2000. Contact: George Scerbo (202) 493-6349.

*Task 96-6—(Completed) Reviewing and recommending revisions to miscellaneous aspects of the regulations addressing Locomotive Engineer Certification (49 CFR Part 240).* This Task was accepted on October 31, 1996, and a Working Group was established. Consensus was reached and an NPRM was published on September 22, 1998. The Working Group met to resolve issues presented in public comments. The RSAC recommended issuance of a final rule with the Working Group modifications. The final rule was published November 8, 1999 (64 FR 60966). Contact: John Conklin (202) 493-6318.

*Task 96-7—Developing Roadway Maintenance Machine (On-Track Equipment) Safety Standards.* This task was assigned to the existing Track Standards Working Group on October 31, 1996, and a Task Force was established. The Task Force finalized a proposed rule which was approved by the full RSAC in a mail ballot in August 2000. The NPRM was published January 10, 2001 (66 FR 1930). The Task Force met to review comments on February 27-March 1, 2002, and agreed to the disposition of the comments for the final rule. Next actions are clearance by the Working Group and approval at the full RSAC meeting on May 29, 2002. Contact: Al MacDowell (202) 493-6236.

*Task 96-8—(Completed) This Planning Task evaluated the need for action responsive to recommendations contained in a report to Congress entitled, Locomotive Crashworthiness & Working Conditions.* This Planning Task was accepted on October 31, 1996. A Planning Group was formed and reviewed the report, grouping issues into categories, and prepared drafts of the task statements for Tasks 97-1 and 97-2.

*Task 97-1—Developing crashworthiness specifications to promote the integrity of the locomotive cab in accidents resulting from*

*collisions.* This Task was accepted on June 24, 1997. A Task Force on engineering issues was established by the Working Group on Locomotive Crashworthiness to review collision history and design options and additional research was commissioned. The Working Group reviewed results of the research and is drafting performance-based standards for freight and passenger locomotives to present to the RSAC for consideration. An accident review task force has evaluated the potential effectiveness of suggested improvements. An NPRM has been prepared and circulated, and the Working Group met to review and refine drafts on October 9–10, 2001, and January 17–18, 2002. The full RSAC will review after approval of the Working Group. Contact: Sean Mehrvazi (202) 493–6237.

*Task 97–2—Evaluating the extent to which environmental, sanitary, and other working conditions in locomotive cabs affect the crew's health and the safe operation of locomotives, proposing standards where appropriate.* This Task was accepted June 24, 1997.

*(Sanitation).* A draft sanitation NPRM was circulated to the Working Group on Cab Working Conditions with ballot requested by November 3, 2000. The NPRM on sanitation was discussed during the full RSAC meeting on September 14, 2000 and published January 2, 2001 (66 FR 136). A public hearing was held April 2, 2001. A meeting was held on August 21, 2001, to discuss comments in response to the NPRM on sanitation. Agreement was reached on resolution of the comments to the NPRM. The Working Group gave concurrence to send the recommendations to the full RSAC for mail ballot vote. The recommendations were approved by the full Committee in December 2001. The final rule was published on April 4, 2002, with an effective date of July 3, 2002 (67 FR 16032).

*(Noise exposure.)* A Task Force has assisted in identifying options for strengthening the occupational noise exposure standard, and the Cab Working Group met in October and November 2000, and April 2001, and reached tentative agreement on most of the significant issues related to the noise NPRM. The Cab Working Group held a meeting April 3–5, 2001, to discuss noise exposure standards. Refinement and substantive changes were incorporated into the rule language. A full draft NPRM will be circulated to the working group for consideration at meeting scheduled for July 24 and 25, 2002.

The Cab Working Group has also considered issues related to cab temperature, and is expected to consider additional issues (such as vibration) in the future. Contact: Jeffrey Horn (202) 493–6283.

*Task 97–3—Developing event recorder data survivability standards.* This Task was accepted on June 24, 1997. The Event Recorder Working Group is completing preparation of an NPRM. The NPRM went to the Working Group on May 21, 2001, for comments, and FRA has reviewed the comments. A revised draft was provided on March 28, 2002. The next meeting of the Working Group is scheduled for May 30–31, 2002 with a goal of reaching consensus on the NPRM. Contact: Edward Pritchard (202) 493–6247.

*Task 97–4 and Task 97–5—Defining Positive Train Control (PTC) functionalities, describing available technologies, evaluating costs and benefits of potential systems, and considering implementation opportunities and challenges, including demonstration and deployment. Task 97–6—Revising various regulations to address the safety implications of processor-based signal and train control technologies, including communications-based operating systems.* These three tasks were accepted on September 30, 1997, and assigned to a single Working Group.

*(Report to the Administrator.)* A Data and Implementation Task Force, formed to address issues such as assessment of costs and benefits and technical readiness, completed a report on the future of PTC systems. The report was accepted as RSAC's Report to the Administrator at the September 8, 1999, meeting.

*(Regulatory development.)* The Standards Task Force, formed to develop PTC standards assisted in developing draft recommendations for performance-based standards for processor-based signal and train control systems. The NPRM was approved by consensus at the full RSAC meeting held on September 14, 2000. The NPRM was published in the **Federal Register** on August 10, 2001. A meeting of the Working Group was held December 4–6, 2001, in San Antonio, Texas to formulate recommendations for resolution of issues raised in the public comments. Agreement was reached on most issues raised in the comments. Consultations continue to complete that activity, after which recommendations will be submitted to the full committee for consideration on May 29, 2002. Monitoring of implementation continues.

*(Other program development activities.)* Task forces on Human Factors and the Axiomatic Safety-Critical Assessment Process (risk assessment) continue to work toward development of a risk assessment toolkit, and the Working Group continues to meet to monitor the implementation of PTC and related projects. Contact: Grady Cothen (202) 493–6302.

*Task 97–7—(Completed) Determining damages qualifying an event as a reportable train accident.* This Task was accepted on September 30, 1997. A working group was formed to address this task and conducted their initial meeting on February 8, 1999. The working group designed a survey form to collect specific data about damages to railroad equipment. The survey started on August 1 and ended January 31, 2001. A statistical analysis, using the survey data, was done to see if the method could be used to calculate property damages. The report was complete by the last week of April, 2001. A meeting was held May 21–23, 2001 to review the report. The Working Group agreed to terminate action on this task after reviewing the options. The Working Group reviewed a draft close-out report which was approved by the full RSAC on February 13, 2002, terminating this task. Contact: Robert Finkelstein (202) 493–6280.

*Task 00–1—Determining the need to amend regulations protecting persons who work on, under, or between rolling equipment and persons applying, removing or inspecting rear end marking devices (Blue Signal Protection).* The working group held its first meeting on October 16–18, 2000. Meetings have been held: February 27–March 1, 2001, March 19–21, 2001, May 1–3, 2001, June 19–21, 2001, October 23–25, 2001, and January 28–31, 2002. The Working Group has reached tentative consensus on several issues. FRA is preparing documents in an effort to assist in moving toward resolution of several remaining issues. Contact: Doug Taylor (202) 493–6255.

*Task 01–1—Developing conformity of FRA's regulations for accident/incident reporting (49 CFR Part 225) to revised regulations of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, and to make appropriate revisions to the FRA Guide for Preparing Accident/Incident Reports (Reporting Guide).* This task was accepted April 23, 2001, by the full RSAC and assigned to the Accident/Incident Working Group. A target of September 15, 2001, was set for reporting the recommended changes. At a meeting of the Working Group, held

May 21–23, 2001, the task was discussed, and four task forces were set up to review changes and/or modifications. These task forces identified a series of modifications to the Reporting Guide/regulations for consideration. The Working Group met September 11, 2001; meeting was dismissed due to national emergency. A meeting was held November 14–15, 2001 in St. Louis, Missouri. A Task Force on Remote Control met on December 11, 2001. The working group met January 23–24, 2002, in Baltimore, Maryland, and March 12–13, 2002, in New Orleans, Louisiana. A final meeting was held April 24–25, 2002 in Washington, DC. The Working Group recommendations on the NPRM will be presented to the full RSAC on May 29, 2002. Contact: Robert Finkelstein (202) 493–6280.

Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740) for more information about the RSAC.

**George A. Gavalla,**

*Associate Administrator for Safety.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have 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–2002–12157]

*Applicant:* CSX Transportation, Incorporated, Mr. Eric G. Peterson, Assistant Chief Engineer, Signal Design and Construction, 4901 Belfort Road, Suite 130 (S/C J–370), Jacksonville, Florida 32256.

CSX Transportation, Incorporated seeks approval of the proposed modification of the signal system on the two main tracks, between milepost CK–4.49 and Parsons Yard, milepost CK–4.54, on the Columbus Subdivision, C&O Division, near Columbus. The proposed changes consist of the discontinuance and removal of Signals H46, HA45, and HB45, and conversion of the method of operation from Rule

D251 to Rule 105 between milepost CK–4.49 and milepost CK–4.54. The proposed changes are associated with the conversion of the automatic block signal system, westward from milepost CK–4.49, to a traffic control system.

The reason given for the proposed changes is to eliminate facilities no longer needed in present day operation.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and 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 this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI–401, Washington, DC 20590–0001.

Communications received within 45 days of the date of this notice will be considered by the 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 DOT Central Docket Management Facility, Room PI–401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590–0001. 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>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on May 13, 2002.

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

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

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**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket NHTSA–99–5087]

#### Safety Performance Standards Program Meeting

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of NHTSA rulemaking status meeting.

**SUMMARY:** This notice announces a public meeting at which NHTSA will answer questions from the public and the automobile industry regarding the agency's vehicle regulatory program.

**DATES:** The Agency's regular public meeting relating to its vehicle regulatory program will be held on Thursday, July 18, 2002, beginning at 9:45 a.m. and ending at approximately 12 p.m. at the Hyatt Regency Baltimore, on the Inner Harbor, 300 Light Street, Baltimore, Maryland 21202. Questions relating to the vehicle regulatory program must be submitted in writing with a diskette (Microsoft Word) by Thursday, June 20, 2002, to the address shown below or by e-mail. If sufficient time is available, questions received after June 20, may be answered at the meeting. The individual, group or company submitting a question(s) does not have to be present for the question(s) to be answered. A consolidated list of the questions submitted by June 20, 2002, and the issues to be discussed will be posted on NHTSA's web site ([www.nhtsa.dot.gov](http://www.nhtsa.dot.gov)) by Monday, July 15, 2002, and also will be available at the meeting. The agency will hold a second public meeting on July 18, devoted exclusively to a presentation of research and development programs. This meeting will begin at 1:30 p.m. and end at approximately 5 p.m. This meeting is described more fully in a separate announcement. The next NHTSA Public Meeting will take place on Thursday, November 21, 2002, at the Best Western Gateway International Hotel, Romulus, Michigan.

**ADDRESSES:** Questions for the July 18, NHTSA Rulemaking Status Meeting, relating to the agency's vehicle regulatory program, should be submitted to Delia Lopez, NPS–01, National Highway Traffic Safety Administration, Room 5401, 400 Seventh Street, SW., Washington, DC 20590, Fax Number 202–366–4329, e-mail [dlopez@nhtsa.dot.gov](mailto:dlopez@nhtsa.dot.gov). The meeting will be held at the Hyatt Regency Baltimore, on the Inner Harbor, 300 Light Street, Baltimore, Maryland 21202. If you need specific directions to the Hyatt Regency Baltimore, the telephone number is 410–528–1234.

**FOR FURTHER INFORMATION CONTACT:** Delia Lopez, (202) 366–1810.

**SUPPLEMENTARY INFORMATION:** NHTSA holds regular public meetings to answer questions from the public and the regulated industries regarding the agency's vehicle regulatory program. Questions on aspects of the agency's