

impose requirements on the thirteen individuals consistent with the grandfathering provisions applied to drivers who participated in the Agency's vision waiver program.

Those requirements are found at 49 CFR 391.64(b) and include the following: (1) That each individual be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirement in 49 CFR 391.41(b)(10) and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

Discussion of Comments

FMCSA received one comment in this proceeding. The Pennsylvania Department of Transportation has reviewed the driving histories for David L. Schachle, Richard D. Sparkman, and Joshua A. Wheaton and is in favor of granting Federal vision exemptions to them.

Conclusion

Based upon its evaluation of the thirteen exemption applications, FMCSA exempts Juan Castanon (NM), Donald F. Erke (MI), Ronald D. Flanery (KY), Mark G. Kleinheider (MO), Joseph C. Powell (VA), David L. Schachle (PA), Michael E. See (NY), James A. Settlemire (IN), Steven K. Simone (KS), Mark J. Sobczyk (WI), Richard D. Sparkman (PA), Joshua A. Wheaton (PA) and John K. Wright (MT) from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: May 16, 2012.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2012-12763 Filed 5-24-12; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2012-0046]

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

In accordance with Part 235 of Title 49 Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated February 23, 2012, the Elgin, Joliet and Eastern Railway (EJ&E) has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA-2012-0046.

Applicant: Elgin, Joliet and Eastern Railway Company, Mr. Thomas W. Hilliard, Senior Manager S&C Construction, 17641 South Ashland Avenue, Homewood, Illinois 60430.

EJ&E seeks approval of the proposed discontinuance of an automatic block signal (ABS) system and a traffic control signal (TCS) system on the Lakefront Subdivision in Gary, IN. The discontinuance consists of the removal of the ABS from Milepost (MP) 9.8 (approach to Michigan Avenue) to MP 11.1 (Stockton 1); the removal of the TCS from MP 11.1 (Stockton 1) to MP 12.2 (Kirk Yard Junction), including removal of the Stockton 1 control point; and the removal of the TCS on the Stockton Lead at MP 12.2 to Kirk Yard Junction and Clark Road Lead at MP 11.9.

The reason given for the proposed changes is that, due to the lack of traffic on the Lakefront Line, the cost of maintenance on the signal systems is no longer feasible.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at 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.

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 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 by July 9, 2012 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

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), or online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on May 21, 2012.

Ron Hynes,

Acting Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2012-12785 Filed 5-24-12; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2012-0032]

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) has

received a request for a waiver of compliance from certain requirements of its safety standards. The South Carolina Railroad Museum (SCRM) 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 213. FRA assigned the petition Docket Number FRA–2012–0032.

In its waiver request, SCRM petitioned FRA for a waiver from 49 CFR Section 213.233(c), which requires twice-weekly track inspections with at least 1 calendar day interval between inspections if the track carries passenger trains or more than 10 million gross tons of traffic during the preceding calendar year.

The petitioner is a volunteer, nonprofit 501(c)(3) Class III railroad museum that is located in Fairfield County near Winnsboro, SC, and is listed on the National Register of Historic Places. SCRM operates passenger trains on approximately 5 miles of the 11½-mile former Rockton and Rion Railroad. The passenger trains operate from the Norfolk Southern junction, generally westward from Rockton, SC, through the community of Rion, SC, to the Anderson Quarry. SCRM states that it schedules two passenger excursions each Saturday from Memorial Day through Labor Day; for a total of 30 roundtrips.

Additionally, SCRM states that it charters passenger trains on an as-needed basis; usually, no more than three passenger trains are operated overall per week. The petitioner seeks relief from the twice weekly track inspections and requests to conduct one track inspection each week. SCRM states, “* * * one track inspection each week would allow the museum to insure the safety of the track for the average of 3 trips or less that are operated during our summer and fall operating seasons.”

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 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 by July 9, 2012 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

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), or online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on May 21, 2012.

Ron Hynes,

Acting Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2012–12784 Filed 5–24–12; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2012–0043]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated April 13, 2012, the Massachusetts Bay Commuter Railroad (MBCR) and Massachusetts Bay Transit Authority (MBTA) jointly petitioned the Federal Railroad Administration (FRA) for a temporary 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–2012–0043.

MBCR and MBTA seek relief from the requirements of 49 CFR 236.301, *Where signals shall be provided*. Relief is sought at two interlockings located on drawbridges on the Gloucester Branch. The Manchester Draw, Milepost (MP)

25.30 in Manchester-by-the-Sea; and the Gloucester Draw, MP 31.0, in Gloucester, Essex County, MA. The Gloucester Branch is a line of railroad owned by MBTA and operated and maintained by MBCR. There are two main tracks over both bridges, with the trackage through the subject area signaled with the current of traffic (in only one direction on either track). Currently, signals at both bridges that govern movements against the current of traffic are set to display “stop” aspects only. The signal control wires for those signals are disconnected. Only the light wires are active, keeping the subject signals displaying a red aspect and constantly lit. Relief is requested until such time as the signals at the Manchester Draw and Gloucester Draw are upgraded in conjunction with Positive Train Control (PTC) implementation pursuant to the *MBTA PTC Implementation Plan (Revision 3)* (September 2010), filed at FRA–2010–0030 as Document Number 0003 (filed on November 17, 2010).

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation’s (DOT) Docket Operations Facility, 1200 New Jersey Ave. 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.

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 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.