

discipline or sanctions arising from the incidents reported pursuant to the Implementing Memorandum of Understanding (IMOU).

The proposed amendment extends the boundaries of inclusion under Article 3 of the IMOU to all Amtrak-owned or -controlled properties nationwide. The additional locations include: the Northeast Corridor (all main track operations); the Hudson Line; the Michigan Line in New Orleans, LA; and yards and facilities owned by Amtrak that are connected to other carriers' tracks.

Further, the amendment proposes changing the applicability parameters under Article 3.1 of the Amtrak IMOU, affording C3RS protection to NJ Transit train and engine service employees working in Sunnyside Yard.

Finally, the amendment proposes amending Article 6.4 of the Amtrak IMOU pertaining to special additional criteria for close call event reporting to allow coverage for events involving damage or derailment below the FRA monetary reporting threshold.

A copy of the petition, as well as any written communications concerning the petition available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's 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. If you do not have access to the Internet, please contact FRA's Docket Clerk at 202-493-6030, who will provide necessary information concerning the contents of the petition.

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 within April 29, 2013 of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as is 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 document, if submitted on behalf of an association, business, labor union, etc.). See <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 April 3, 2013.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2004-19999]

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 received on January 18, 2013, the Fayette Central Railroad (FCRV) has petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance in Docket Number FRA-2004-19999. FCRV seeks to extend a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at Title 49 Code of Federal Regulations (CFR) Part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Caboose, which requires certified glazing in locomotive and caboose windows. FRA issued the initial waiver that granted FCRV relief on September 6, 2005, and FRA extended the waiver on June 12, 2008. The existing waiver will expire on June 11, 2013.

Specifically, FCRV seeks to extend a waiver of compliance for two cabooses, Car Numbers PC 18086 (built in 1946) and P&LE 504 (built in 1956), as well as

one locomotive, Locomotive Number 9061 (built in 1948).

FCRV states that it operates in a rural area and does not operate through any intercity areas. Additionally, FCRV's operations are temporally separated from freight operations. There is no location or time where another train will be passing a FCRV train; therefore, there is no danger of a rock or debris being thrown up from a passing train. The maximum speed on the track over which FCRV operates is 15 mph. Finally, there have never been any incidents of people shooting at FCRV's trains.

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 May 24, 2013 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 document, if submitted on behalf of an association,

business, labor union, etc.). See <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 April 3, 2013.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2009-0015]

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 September 6, 2012, Ritron, Incorporated (Ritron) has petitioned the Federal Railroad Administration (FRA) for an amendment of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices.

By a letter dated March 30, 2010, Ritron submitted its original petition for a waiver of compliance from 49 CFR 232.409(d), which pertains to the inspection and testing of end-of-train devices, as applied to its DTX-445 and DTX-454 radio transceivers. The provision requires that telemetry equipment be tested for accuracy and calibrated, if necessary, at least every 368 days. The provision also requires that the date and location of the last calibration or test, as well as the name of the person performing the calibration or test, be legibly displayed on a weather-resistant sticker or other marking device affixed to the outside of both the front and the rear unit. On June 21, 2010, FRA's Railroad Safety Board (Board) granted Ritron's petition for a waiver of compliance, subject to certain conditions, in Docket Number FRA-2009-0015.

The proposed amendment sought by Ritron would add its new radio transceiver model, the DTX-460, to the subject waiver. The DTX-460 is a follow-on to the DTX-454, which is already included in the subject waiver. Ritron states that the DTX-454 has been redesigned to remove obsolete parts and to improve its performance. The DTX-

460 is, however, a form, fit, and functional equivalent to the DTX-454. A copy of the Federal Communications Commission certificate and test report can be found in the docket. Additional materials that were provided to the Board include schematics, the alignment procedure, the theory of operation, and the changes from the DTX-454 to the DTX-460.

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 May 24, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as is 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 document, if submitted on behalf of an association, business, labor union, etc.). See <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 April 3, 2013.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2013-0021]

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 January 11, 2013, the City of Superior, Wisconsin (City) 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 222, Use of Locomotive Horns at Public Highway-Rail Grade Crossings, for the highway-rail grade crossing at 28th Street (DOT #061459A) in Superior, WI. FRA assigned the petition Docket Number FRA-2013-0021.

The City seeks a waiver of compliance from the requirement of 49 CFR 222.41(c)(3), which provides that locomotive horn restrictions may continue until June 24, 2013, for a pre-rule quiet zone that was not able to be established by automatic approval, had been continued under the provisions of 49 CFR 222.31(c)(1) and 222.31(c)(2), and the State agency had provided a comprehensive statewide implementation plan. Specifically, the City requests that it be granted permission to retain its present locomotive horn restriction as trains approach the public highway-rail grade crossing at 28th Street. The City states that it has retained the services of a consultant with quiet zone experience and credentials and is prepared to move forward with the quiet zone continuation process.

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 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