

• *Website:* <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 January 3, 2019 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can 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.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacyNotice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety, Chief Safety Officer.*

[FR Doc. 2018-26293 Filed 12-3-18; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2018-0075]

#### Petition for Waiver of Compliance

Under part 211 of Title 49 of the Code of Federal Regulations (CFR), this provides the public notice that on September 26, 2018, CSX Transportation (CSX) 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 232, *Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End of Train Devices*. Specifically, CSX requests relief for certain trains from the requirements of § 232.205, *Class I brake test-initial*

*terminal inspection*, and § 232.207, *Class IA brake tests—1,000-mile inspection*. FRA assigned the request docket number FRA-2018-0075.

CSX requests an extension of the mileage limits for certain trains listed in Attachment A of its petition from 1,000 miles, as specified in §§ 232.205 and 232.207, to (up to) 1,052 miles. CSX also requests that qualified persons (instead of qualified mechanical inspectors) be allowed to inspect these trains, and that these trains be allowed to make multiple pick-ups and set-outs. CSX states that allowing the identified trains to travel up to an additional 52 miles before completing the Class 1A brake test will not compromise the safety of CSX operations, does not increase the risk of an accident or incident, nor jeopardize employees or the general public.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://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 and a public hearing, 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:

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Issued in Washington, DC.

**Robert C. Lauby,**

*Associate Administrator for Safety Chief Safety Officer.*

[FR Doc. 2018-26292 Filed 12-3-18; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2018-0097]

#### Petition for Special Approval of Alternate Standard

Under part 238 of Title 49 of the Code of Federal Regulations (CFR), this provides the public notice that by a letter dated November 2, 2018, the American Public Transportation Association (APTA) petitioned the Federal Railroad Administration (FRA) for a Special Approval of an alternate standard for 49 CFR 238.311(a), *Single car test*, as prescribed in 49 CFR 238.21(b), *Special approval procedure*. FRA assigned the request docket number FRA-2018-0097.

APTA requests consideration for Special Approval of the submitted alternate standard identified as APTA PR-M-S-005-98, Rev. 4, "Code of Tests for Passenger Car Equipment Using Single Car Testing," as the latest update to APTA Standard SS-M-005-98, "Code of Tests for Passenger Car Equipment Using Single Car Testing Device," as specified in 49 CFR 238.311. APTA states the new revision updates procedures to assure uniform full-service reductions, the order of tests has been rearranged to facilitate the testing process, and provisions for testing electronic air brakes have been added. A summary of the changes made to the previous revisions can be found on page 26 of the proposed alternate standard,

which has been posted to the public docket for this proceeding. APTA further states that because no fundamental changes to the base air test requirements were made, no detailed analysis of safety equivalency with the previous approved standard is necessary.

Copies of these documents and the petition, as well as any written communications concerning the petition, are available for review online at [www.regulations.gov](http://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 and a public hearing, 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:

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Issued in Washington, DC.

**Robert C. Lauby,**

*Associate Administrator for Safety Chief Safety Officer.*

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**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Limitation on Claims Against Proposed Public Transportation Projects

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces final environmental action taken by the Federal Transit Administration (FTA) for a project in New York City, New York. The purpose of this notice is to announce publicly the environmental decision by FTA on the subject project and to activate the limitation on any claims that may challenge this final environmental action.

**DATES:** By this notice, FTA is advising the public of final agency actions subject to 23 U.S.C. 139(l). A claim seeking judicial review of FTA actions announced herein for the listed public transportation project will be barred unless the claim is filed on or before May 3, 2019.

**FOR FURTHER INFORMATION CONTACT:** Nancy-Ellen Zusman, Assistant Chief Counsel, Office of Chief Counsel, (312) 353-2577 or Juliet Bochicchio, Environmental Protection Specialist, Office of Environmental Programs, (202) 366-9348. FTA is located at 1200 New Jersey Avenue SE, Washington, DC 20590. Office hours are from 9:00 a.m. to 5:00 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FTA has taken final agency action by issuing certain approvals for the public transportation project listed below. The action on the project, as well as the laws under which such action was taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA) and in other documents in the FTA environmental project file for the project. Interested parties may contact either the project sponsor or the relevant

FTA Regional Office for more information. Contact information for FTA's Regional Offices may be found at <https://www.fta.dot.gov>.

This notice applies to all FTA decisions on the listed project as of the issuance date of this notice and all laws under which such action was taken, including, but not limited to, NEPA [42 U.S.C. 4321-4375], Section 4(f) requirements [23 U.S.C. 138, 49 U.S.C. 303], Section 106 of the National Historic Preservation Act [54 U.S.C. 306108], and the Clean Air Act [42 U.S.C. 7401-7671q]. This notice does not, however, alter or extend the limitation period for challenges of project decisions subject to previous notices published in the **Federal Register**. The project and action that is the subject of this notice follow:

*Project name and location:* The Metropolitan Transportation Authority (MTA) Second Avenue Subway Phase 2 Project, New York City, NY. *Project sponsor:* Metropolitan Transportation Authority. *Project description:* The Second Avenue Subway (SAS) Phase 2 Project includes the construction of the second phase of a new subway between 96th Street and 125th Street, in Manhattan, New York. SAS Phase 2 would connect to the recently completed Phase 1, which extended the existing Q subway service from 63rd Street to 96th Street. SAS Phase 2 will extend the Q subway service north to 125th Street. The MTA evaluated a modified design of Phase 2 in a supplemental environmental assessment (SEA) which evaluated environmental impact areas considered in the 2004 Final Environmental Impact Statement (FEIS) to determine whether the modified design would result in any new significant environmental impacts not disclosed in the FEIS or require mitigation measures not identified in the FEIS. Based on review of the SEA and consideration of public and agency comments, FTA issued a finding of no significant impact (FONSI) that the modified design will not result in new significant impacts on the environment and no new mitigation measures will be required; and therefore, the conclusions of the FEIS and ROD remain valid. This notice only applies to the discrete actions taken by FTA at this time, as described below. Nothing in this notice affects FTA's previous decisions, or notice thereof, for this project. *Final agency actions:* Finding of No Significant Impact for the Second Avenue Subway Phase 2 New York City, New York, dated November 15, 2018. *Supporting documentation:* Supplemental Environmental Assessment to the Second Avenue