

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration**

[Docket No. FRA-2010-0043]

**Northern Indiana Commuter Transportation District's Request To Amend Its Positive Train Control Safety Plan and Positive Train Control System**

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

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** This document provides the public with notice that, on December 12, 2023, the Northern Indiana Commuter Transportation District (NICD) submitted a request for amendment (RFA) to its FRA-approved Positive Train Control Safety Plan (PTCSP). As this RFA requests FRA's approval of NICD's proposed material modifications to its FRA-certified positive train control (PTC) system, FRA is publishing this notice and inviting public comment on the railroad's RFA to its PTCSP.

**DATES:** FRA will consider comments received by January 10, 2024. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

**ADDRESSES:**

*Comments:* Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA-2010-0043. For convenience, all active PTC dockets are hyperlinked on FRA's website at <https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

**FOR FURTHER INFORMATION CONTACT:**

Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: [Gabe.Neal@dot.gov](mailto:Gabe.Neal@dot.gov).

**SUPPLEMENTARY INFORMATION:** In general, title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad's PTC system complies with title 49 Code of Federal

Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on December 12, 2023, NICD submitted an RFA to its PTCSP for its Interoperable Electronic Train Management System, which seeks FRA's approval to implement the Railcomm Back Office System and its new Computer Aided Dispatching program. That RFA is available in Docket No. FRA-2010-0043.

Interested parties are invited to comment on NICD's RFA to its PTCSP by submitting written comments or data. During FRA's review of this railroad's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. See 49 CFR 236.1021; see also 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA to its PTCSP at FRA's sole discretion.

**Privacy Act Notice**

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://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 <https://www.regulations.gov/privacy-notice> for the privacy notice of regulations.gov. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

**Carolyn R. Hayward-Williams,**  
*Director, Office of Railroad Systems and Technology.*

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**BILLING CODE 4910-06-P**

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration**

[Docket Number FRA-2016-0086]

**Petition for Waiver of Compliance**

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated December 13, 2022, Union Pacific Railroad Company (UPRR) and Canadian National Railway Co. (CN) petitioned the Federal Railroad Administration (FRA) to join an existing waiver of compliance in Docket Number FRA-2016-0086.<sup>1</sup> The existing relief in this docket provides CSX Transportation (CSX), BNSF Railway (BNSF), and Kansas City Southern Railway (now known as CPKC) conditional relief from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 232 (Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-Of-Train Devices), and 229 (Railroad Locomotive Safety Standards). Specifically, the existing relief allows the railroads to test extending the air flow method (AFM) test intervals from 92 days to 184 days on locomotives equipped with the New York Air Brake (NYAB) CCB-II and Fastbrake air brake systems.

UPRR and CN seek to form test waiver teams operating under the current test committee overseeing the relief in this docket to test UPRR's 2,113 NYAB CCBII-equipped and 660 Fastbrake-equipped locomotives and CN's 772 NYAB CCB-2 equipped locomotives.

This document also provides the public notice that BNSF, who is already a party to the relief in this docket, petitioned FRA to extend the existing relief and make the relief permanent.<sup>2</sup> Subsequently, however, BNSF recognized existing implementation issues that could impact the validity of data being gathered under the terms of the existing relief in this docket and

<sup>1</sup> UPRR's petition is available at <https://www.regulations.gov/document/FRA-2016-0086-0024>, and CN's petition is available at <https://www.regulations.gov/document/FRA-2016-0086-0022>. Notice of CN's petition was previously published on November 16, 2022. See <https://www.regulations.gov/document/FRA-2016-0086-0021>.

<sup>2</sup> <https://www.regulations.gov/document/FRA-2016-0086-0016>.

asked FRA to suspend its field investigation of BNSF's extension request until the railroad reviewed and addressed the issues through the Test Committee established per the terms of the existing relief in this docket.<sup>3</sup> Given BNSF's request, on October 6, 2022, FRA dismissed BNSF's petition to allow the railroad time to correct the identified issues.<sup>4</sup> In a letter dated June 14, 2023, BNSF notified FRA that it had addressed the issues identified and BNSF reiterated its requests to extend and make permanent the existing relief in this docket.<sup>5</sup>

A copy of the petitions from UPRR, CN, and BNSF, as well as any written communications concerning the petitions, are available for review online at [www.regulations.gov](http://www.regulations.gov).

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 at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by February 20, 2024 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/privacy-notice> for the privacy notice of [regulations.gov](http://www.regulations.gov).

<sup>3</sup> <https://www.regulations.gov/document/FRA-2016-0086-0019>.

<sup>4</sup> <https://www.regulations.gov/document/FRA-2016-0086-0020>.

<sup>5</sup> <https://www.regulations.gov/document/FRA-2016-0086-0025>.

Issued in Washington, DC.

**John Karl Alexy,**

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

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Decommissioning and Disposition of the National Historic Landmark Nuclear Ship Savannah; Notice of Public Meeting

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** The Maritime Administration (MARAD) announces a public meeting of the Peer Review Group (PRG). The PRG was established pursuant to the requirements of the National Historic Preservation Act (NHPA) and its implementing regulations to plan for the decommissioning and disposition of the Nuclear Ship Savannah (NSS). PRG membership is comprised of officials from the U.S. Department of Transportation, MARAD, the U.S. Nuclear Regulatory Commission (NRC), the Advisory Council on Historic Preservation (ACHP), and the Maryland State Historic Preservation Officer (SHPO) and other consulting parties. The public meeting affords the public an opportunity to participate in PRG activities, including reviewing and providing comments on draft deliverables. MARAD encourages public participation and provides the PRG meeting information below.

**DATES:** The meeting will be held on Tuesday, January 16, 2024, from 2:30 p.m. to 4:00 p.m. Eastern Standard Time (EST). Requests to attend the meeting must be received by 5:00 p.m. EST one week before the meeting, Tuesday, January 9, 2024, to facilitate entry or to receive instructions to participate online. Requests for accommodations for a disability must also be received one week before the meeting, Tuesday, January 9, 2024.

**ADDRESSES:** The meeting will be held onboard the NSS, online, or by phone. The NSS is located at Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21124. To attend onboard the NSS or attend the meeting online, members of the public must submit a request to attend as described in the Public Participation section below. Online information will be provided to members of the public in response to their requests to attend.

Members of the public may call-in using the following number: 312-600-3163 and entering conference ID: 930 866 814#.

#### FOR FURTHER INFORMATION CONTACT:

Erhard W. Koehler, (202) 680-2066 or via email at [marad.history@dot.gov](mailto:marad.history@dot.gov). You may send mail to N.S. Savannah/Savannah Technical Staff, Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21224, ATTN: Erhard Koehler.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The decommissioning and disposition of the NSS is an Undertaking under Section 106 of the NHPA. Section 106 requires that federal agencies consider views of the public regarding their Undertakings; therefore, in 2020, MARAD established a Federal docket at <https://www.regulations.gov/docket/MARAD-2020-0133> to provide public notice about the NSS Undertaking. The federal docket was also used in 2021 to solicit public comments on the future uses of the NSS. MARAD is continuing to use this same docket to take in public comment, share information, and post agency actions.

The NHPA Programmatic Agreement (PA) for the Decommissioning and Disposition of the NSS is available on the MARAD docket located at [www.regulations.gov](http://www.regulations.gov) under docket id "MARAD-2020-0133." The PA stipulates a deliberative process by which MARAD will consider the disposition of the NSS. This process requires MARAD to make an affirmative, good-faith effort to preserve the NSS. The PA also establishes the PRG in Stipulation II. The PRG is the mechanism for continuing consultation during the effective period of the PA and its members consist of the signatories and concurring parties to the PA, as well as other consulting parties. The PRG members will provide individual input and guidance to MARAD regarding the implementation of stipulations in the PA. PRG members and members of the public are invited to provide input by attending bi-monthly meetings and reviewing and commenting on deliverables developed as part of the PA.

##### II. Agenda

The agenda will include (1) welcome and introductions; (2) program update; (3) status of PA stipulations; (4) other business; and (5) date of next meeting. The agenda topic titled PA stipulations involves deliverables identified in the PA. MARAD will provide status updates for the following items: the Disposition