

aviation community in implementing the Next Generation Air Transportation System (NextGen) modernization efforts across the National Airspace System. NAC membership is structured to maintain a deliberately balanced distribution of the aviation community representation in order for FAA to align its investments. Complete information regarding the NAC is available on the FAA website at [https://www.faa.gov/about/office\\_org/headquarters\\_offices/ang/nac/](https://www.faa.gov/about/office_org/headquarters_offices/ang/nac/).

Issued in Washington, DC, this 20th day of June 2024.

**Kimberly Noonan,**

*Manager, Stakeholder and Collaboration, Management Services Office, ANG-A, Office of the Assistant Administrator for NextGen, Federal Aviation Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2010-0152]

#### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated April 15, 2024, the National Railroad Passenger Corporation (Amtrak) petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 240 (Qualification and Certification of Locomotive Engineers) and part 242 (Qualification and Certification of Conductors). The relevant Docket Number is FRA-2010-0152.<sup>1</sup>

Specifically, Amtrak requests relief required to continue participation in FRA's C<sup>3</sup>RS Program. Amtrak seeks to continue shielding reporting employees from mandatory punitive sanctions that would otherwise arise as provided in §§ 240.117(e)(1)-(4); 240.305(a)(1)-(4) and (a)(6); 240.307; 242.403(b), (c), (e)(1)-(4), (e)(6)-(11), (f)(1)-(2); and 242.407. The C<sup>3</sup>RS Program encourages certified operating crew members to report close calls and protects the employees and the railroad from discipline or sanctions arising from the

incidents reported per the C<sup>3</sup>RS Implementing Memorandum of Understanding (IMOU). In support of its request, Amtrak states that "its employees are currently covered by three separate" MOUs (BLET and SMART-TD, ADTA and TCU, and Mechanical Crafts) that "cover all Amtrak owned or controlled property and the entire Northeast Corridor, provided the host railroad(s) is/are [C<sup>3</sup>RS] participants." Additionally, Amtrak states that it "remains confident that . . . the extension of these waivers are vital components of railroad safety and a symbol of [Amtrak's] continuing support of the [C<sup>3</sup>RS] program."

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).

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 parties desire 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 [www.regulations.gov](http://www.regulations.gov). Follow the online instructions for submitting comments.

Communications received by August 26, 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 the Department of Transportation's (DOT) 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.

Issued in Washington, DC.

**John Karl Alexy,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2022-0067]

#### Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letters received January 12, 2024, and May 22, 2024, Illinois Central Railroad Company, a subsidiary of Canadian National Railway Company (CN), 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). The relevant Docket Number is FRA-2022-0067.

Specifically, CN seeks relief from the requirements of 49 CFR 232.305(b)(2), *Single car air brake tests*, to "permit the replacement of non-FRA condemnable wheelsets on rail cars as part of an in-train wheelset replacement program without the need to also perform the [single car air brake test (SCABT)]" as required. The existing wheelset replacement program which "identifies and replaces wheel-sets with minor defects, which are condemnable under [Association of American Railroads] standards," operates under a waiver in Docket Number FRA-2019-0003 for a facility in Fulton, Kentucky. CN states that the program has been "a resounding success." CN seeks to add a new location, Memphis, Tennessee, to its wheelset replacement program. The Memphis location would be "an alternative location to perform repairs and wheel-set replacements under an SCABT waiver[,] so as to avoid trains queuing at Fulton for work pursuant to" the waiver in Docket Number FRA-2019-0003 granted for the Fulton location.

In support of its request, CN states that "the repairs conducted and wheels changed out under the SCABT waiver have made a huge contribution to preventing and reducing the number of wheel, bearing, impact, and broken rail-caused derailments, as well as associated injuries." CN adds that the program "will improve safety by

<sup>1</sup> Formerly, Amtrak received relief in separate docket numbers: FRA-2010-0152 (part 240) and FRA-2012-0054 (part 242). Henceforth, FRA will process Amtrak's request for relief from both parts 240 and 242 for the Confidential Close Call Reporting System (C<sup>3</sup>RS) in Docket Number FRA-2010-0152.