

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****[Docket Number FRA–2014–0093]****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 September 13, 2024, Long Island Rail Road (LIRR) 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–2014–0093.

Specifically, LIRR requests relief required to continue participation in FRA's Confidential Close Call Reporting System (C<sup>3</sup>RS) Program. LIRR 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, LIRR cited safety improvements related to the C<sup>3</sup>RS program, including new switch signage and ongoing scenario-based training. LIRR also stated that “all parties signatory to the IMOU and participating in the C<sup>3</sup>RS Program believe that granting this waiver petition is in the public interest and consistent with railroad safety.”

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 January 21, 2025 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–2024–0119]****Petition for Special Approval and Waiver of Compliance**

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letters dated October 15, 2024, and October 21, 2024, Michigan State Trust for Railway Preservation, Inc. (MSTRP), which operates The Steam Railroading Institute, petitioned the Federal Railroad Administration (FRA) for a special approval pursuant to 49 CFR part 215 (Railroad Freight Car Safety Standards), and a waiver of compliance from 49 CFR parts 215 and 224 (Reflectorization of Rail Freight Rolling Stock). FRA assigned the petition Docket Number FRA–2024–0119.

Specifically, MSTRP requests a special approval pursuant to § 215.203, *Restricted cars*, for 1 caboose (MSTX/

C&O 3674) that is more than 50 years from the date of original construction. MSTRP also seeks relief from § 215.303, *Stenciling of restricted cars*, and § 224.3, *Applicability*, for the caboose. The equipment has been used in historic tourist/excursion service or for photographers and filmmakers in the past, and MSTRP stated that it wishes to use the caboose on its “annual Christmastime trains between November and December.” MSTRP added that the caboose will currently operate only on Great Lakes Central Railroad, but may operate on other short line railroads in the future.

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). FRA reserves the right to issue a decision subject to consideration of any subsequently filed comments.

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

Communications received by January 21, 2025 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 U.S. 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-2020-0046]

#### 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 received September 26, 2024, The Everett Railroad Company (EV) petitioned the Federal Railroad Administration (FRA) to extend a special approval pursuant to 49 CFR part 215 (Railroad Freight Car Safety Standards), and to extend a waiver of compliance from parts 215 and 224 (Reflectorization of Rail Freight Rolling Stock). FRA assigned the petition Docket Number FRA-2020-0046.

Specifically, EV requested to extend the previous special approval pursuant to 49 CFR 215.203, *Restricted cars*, in this docket for 1 boxcar (PRR 77815), which is more than 50 years from the date of original construction. EV also seeks to extend relief from § 215.303, *Stenciling of restricted cars*, and part 224, to use the car as “a historic relic in conjunction with the company’s tourist and excursion trains.” In its petition, EV explained that the relief will help “maintain the car in its historic appearance and identity for photography, film and purposes of historic interpretation.”

In support of its request, EV stated that the car will operate under restricted speed rules (not exceeding 20 miles per hour) and that it will not be interchanged to any other railroad. EV added that the “railroad’s operating territory is generally rural in nature.”

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

Communications received by January 21, 2025 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 U.S. 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 [www.regulations.gov](http://www.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-2024-0102]

#### Petition for Special Approval

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated August 23, 2024, Southern California Regional Rail Authority (Metrolink) petitioned the Federal Railroad Administration (FRA) for a special approval pursuant to 49 CFR part 238 (Passenger Equipment Safety Standards). FRA assigned the petition Docket Number FRA-2024-0102.

Specifically, Metrolink requested a special approval of alternative standard per § 238.21, *Special approval procedure*, regarding § 238.309(b), *Periodic brake equipment maintenance—DMU and MU locomotives*, for three Stadler FLIRT

diesel multiple units (DMUs). Metrolink sought to extend the clean, oil, test, and stencil (COT&S) intervals from 736 days, as stated in § 238.309(b)(4) for “all other DMU or MU locomotives,” to 1,840 days, as permitted by § 238.309(b)(3) for DMUs “part of a fleet that is 100 percent equipped with air dryers and is equipped with KB-HL1, KB-HS1, or KBCT1.”

In support of the request, Metrolink explained that the manufacturer of the braking systems, Knorr, is experiencing delays in lead time for materials required to complete the brake overhaul. Metrolink noted that only after a quote and scope of work is received from Knorr will it be possible for Metrolink to establish a schedule for completing the COT&S.

Metrolink asserted that “[t]o ensure an equivalent level of safety for extending the COT&S intervals to an 1[,840 day] interval, Metrolink will: (1) perform “detailed periodic maintenance inspections of the air brake system,” and perform “all tasks outlined in § 238.309(b)(4)” (minus the replacement of actual brake components needing to be overhauled) on an annual basis; (2) perform “a Class I brake test” on all DMUs before daily service; (3) review the fault log daily; (4) review “Teloc downloads” weekly; and (5) provide FRA with a “quarterly report detailing any air brake component defects or faults that relate to going beyond the overhaul intervals along with the corrective actions/repairs.”

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

Communications received by January 21, 2025 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