



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-1999-5102]

Petition for Extension of 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 February 1, 2012, the Southeastern Pennsylvania Transportation Authority (SEPTA) has 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 213, Track Safety Standards. The docket number associated with this petition is FRA-1999-5102.

Specifically, SEPTA seeks to extend a waiver from 49 CFR 213.233(c), relating to the frequency of the required visual track inspections. FRA issued the initial waiver that granted SEPTA relief on July 24, 2000, and FRA extended the waiver on August 4, 2003, and February 28, 2008.

SEPTA requests an extension of approval to reduce the frequency of required, visual track inspections for certain tracks that carry passenger traffic, specifically only those tracks that are constructed with continuous welded rail. SEPTA proposes to conduct one visual track inspection per week, instead of the two inspections per week that are required in 49 CFR Part 213, and to supplement its visual inspections with the operation of an automated track geometry measuring vehicle over the affected main

tracks and sidings four times per year. SEPTA has owned and operated such a measuring vehicle since 1990.

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 Ave., S.E., W12-140, Washington, D.C. 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 parties desire an opportunity for oral comments, 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, S.E., W12-140, Washington, D.C. 20590.
- Hand Delivery: 1200 New Jersey Avenue, S.E., Room W12-140, Washington, D.C. 20590, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal Holidays.

Communications received by [INSERT DATE **45 DAYS FROM PUBLICATION OF THIS NOTICE**] 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 February 20, 2013

Robert C. Lauby
Deputy Associate Administrator
for Regulatory and Legislative Operations

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