



4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2015-0019]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this provides the public notice that by a document dated February 27, 2015, Norfolk Southern Corporation (NS) has 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 213. FRA assigned the petition Docket Number FRA-2015-0019.

Pursuant to 49 CFR 213.113(a), NS requests a waiver from the accepted practice of stop/start rail testing to start a pilot test process for nonstop continuous testing. The projected starting date for implementing the test process would be May 1, 2015, for a period of 3 years. The test process will commence initially on the main tracks of the Dearborn Division Chicago Line (Cleveland, OH, to Chicago, IL, Milepost (MP) CD 181.2–523.3). Once this district has been completed, NS will expand to the following locations: (1) Dearborn Division Cleveland Line (Ravenna to Drawbridge, MP RD 85.9–123.2), Chicago District (Chicago, IL, to Hobart, IN, MP B 518.7–486.5), Lake Erie District (Euclid to Bay Village B 172.0–197.3); (2) Lake Division Chicago, Fostoria, &

Cleveland Districts (Hobart, IN, to Bay Village, OH, MP B 486.5–197.3);
(3) Pittsburgh Division Fort Wayne Line (Pittsburgh, PA, to Crestline, OH, MP PC 0.0–188.7), Pittsburgh Line (Pittsburgh, PA, to CP Cannon, MP PT 353.5 - 119.1),
Conemaugh Line (CP Conpit to CP Penn, MP LC 0.0–77.9), Lake Erie District (Euclid to Ashtabula, B 172.0–129.2), Cleveland Line (Ravenna to Alliance, MP RD 85.9–67.2);
and (4) Harrisburg Division Pittsburgh Line (Harris to CP Cannon, MP PT 104.9–119.1),
Harrisburg Line (Falls to Harrisburg, PA, MP HP 5.2–112.9), Port Road Branch (Port to Banks, MP EP 33.7–76.1 & Perryville to Port, MP PD 0.3–39.7).

The nonstop continuous rail test vehicle will be a self-propelled ultrasonic/induction rail flaw detection vehicle operating at test speeds up to 30 mph. Upon completion of each daily run, data will be analyzed offline by technical experts experienced with the process on other Class I railroads. The analysis will categorize and prioritize suspect locations for post-test field verification and hand tests. Field verification will be conducted by qualified and certified rail test professionals with recordable field validation equipment based on GPS location and known track features identified within the flaw detection electronic record. Remedial actions will be applied based on the findings per 49 CFR 213.113 for confirmed rail defect locations.

NS plans to test the Dearborn Division Chicago Line approximately every 30 to 45 days and the extended territories within a similar timeframe. The NS Engineering Department will also provide the FRA Rail Integrity Office with rail test reports for review as required. NS believes nonstop continuous rail testing will provide the capability to test track more quickly and frequently, and minimize the risk of rail service failures.

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 (DOT) Docket Operations Facility, 1200 New Jersey Avenue, 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 party desires an opportunity for oral comment, 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 (e.g., Waiver Petition Docket Number FRA-2015-0019) 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 Federal holidays.

Communications received by [INSERT DATE 45 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER] 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.). In accordance with 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, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy. See also <http://www.regulations.gov/#!privacyNotice> for the privacy notice of regulations.gov.

Issued in Washington, DC, on March 27, 2015

Ron Hynes,
Director, Office of Technical Oversight.

[FR Doc. 2015-07617 Filed: 4/2/2015 08:45 am; Publication Date: 4/3/2015]