



## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

### **Petition for Waiver of Compliance**

### **Docket Number FRA-2015-0126**

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 27, 2015, Union Pacific Railroad (UP) 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 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices. Specifically, UP requests a waiver of compliance from the requirements of 49 CFR 232.205, Class I brake test—initial terminal inspection, to permit a train to be split en route using the same initial terminal inspection. FRA assigned the petition Docket Number FRA-2015-0126.

In its petition, UP states that it is launching trains with multiple locomotive consists within the train so that the train can be split at an appropriate point en route, creating two separate trains bound for different destinations. A combined train of this type undergoes a Class 1 air brake test at departure pursuant to 49 CFR 232.205. At a location less than 1,000 miles from the departure point, the combined train is cut at the distributed power units. No new locomotive units are added to the resulting second train. The second train is equipped with an end-of-train device or equivalent device, linked to

what is now the lead locomotive in the consist. No cars are added to the second train. The cars on the second train were all part of the original train and have not been off air for more than 4 hours. These cars undergo a Class 3 air brake test pursuant to 49 CFR 232.211, Class III brake tests-trainline continuity inspection, before continuing to their destination.

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) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 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 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, SE., W12-140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Avenue, SE., Room W12-140, Washington,

DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by [INSERT DATE 30 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.). 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](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy). See also <http://www.regulations.gov/#!privacyNotice> for the privacy notice of [regulations.gov](http://www.regulations.gov).

Robert C. Lauby  
Associate Administrator for Railroad Safety  
Chief Safety Officer

[FR Doc. 2016-02776 Filed: 2/10/2016 8:45 am; Publication Date: 2/11/2016]