



4910-06-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

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

### **Docket Number FRA-2017-0036**

Under part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that on May 2, 2017, the Steelton and Highspire Railroad (SH) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 229.123, Pilots snowplows, and end plates. FRA assigned the petition Docket Number FRA-2017-0036.

SH requests relief from the requirement to equip locomotives with a pilot, snowplow, or end plate that measures 3 to 6 inches above the rail per the requirements of 49 CFR 229.123. SH is a terminal and switching railroad serving the ArcelorMittal steel plant located in Steelton, PA, performing yard switching service and interchange service with Norfolk Southern (NS) Railway. SH operates within the confines of the steel plant except for the interchange of cars with NS in a yard immediately adjacent to the plant boundary. Locomotive movements are limited to a maximum speed of 10 mph. SH operates six switcher locomotives, and has operated with such a waiver since February 1981. During that time, there have been no incidents related to the absence of end plates.

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 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 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 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 if practicable.

Anyone can 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.). 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/privacyNotice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

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

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