



<NOTICE>

<PREAMB>

<AGENCY TYPE='S'>DEPARTMENT OF TRANSPORTATION

<SUBAGY>Federal Railroad Administration

<DEPDOC>[Docket Number FRA-2007-29238]

<SUBJECT>Petition for Waiver of Compliance

Under part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that on September 19, 2017, Mount Vernon Terminal Railway (MVT) 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 223. FRA assigned the petition Docket Number FRA-2007-29238.

Specifically, MVT seeks an extension of its existing waiver of compliance from the glazing requirements of 49 CFR § 223.11, for one of its locomotives, MVT 1200. MVT states that locomotive MVT 1200 is used two to three times per week for a total of approximately two hours per week at speeds not exceeding 10 miles per hour. MVT 1200 is used exclusively for switching operations within yard limits, which includes about 0.5 miles of main track and 0.5 miles of side tracks and spurs.

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, 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 November 27, 2017 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, 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 regulations.gov.

<SIG><NAME>Robert C. Lauby,
<TITLE>Associate Administrator for Railroad Safety,
Chief Safety Officer.</SIG>

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