DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2021-0019]

Petition for Waiver of Compliance

Under part 211 of title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that on January 26, 2021, Norfolk Southern Corporation (NS), 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 236, Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of Signal and Train Control Systems, Devices, and Appliances. FRA assigned the petition Docket Number FRA-2021-0019.

Specifically, NS requests relief from 49 CFR 236.566, Locomotive of each train operating in train stop, train control or cab signal territory; equipped. The relief is requested for the Fort Wayne Line in the Keystone Division, from milepost (MP) PC 0.0 to MP PC 28.1. NS seeks to operate positive train control (PTC) equipped locomotives, that are not equipped with cab signal system equipment, in cab signal system territory.

NS states that PTC-equipped locomotives are to be used in switching, transfer service, with or without cars, manifest trains, work trains, wreck trains, ballast cleaners to and from work, and engines and rail diesel cars moving to and from shops with all movements made at timetable speed. If a PTC-equipped locomotive experiences an en route failure, then 49 CFR 236.1029, PTC system use and failures, would apply.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at http://www.regulations.gov.

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 (DOT),
  1200 New Jersey Ave., SE, W12-140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Ave., 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 AFTER 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 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
Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety,

Chief Safety Officer.

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