



## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2011-0009]

### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on October 4, 2023, Nevada Northern Railway (NNRX) petitioned the Federal Railroad Administration (FRA) to extend a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 215 (Railroad Freight Car Safety Standards) and 224 (Reflectorization of Rail Freight Rolling Stock). FRA assigned the petition Docket Number FRA-2011-0009.

Specifically, NNRX requests to extend its existing special approval pursuant to 49 CFR 215.203, *Restricted cars*, for a total of 13 cars (NN 3, NN 22, NN 23, NN 100, NN 1021, NN 1023, NN 1024, NN 1025, WSOR 102, WSOR 128, WSOR 134, WSOR 158, and WSOR 159) that are more than 50 years from the date of original construction. NNRX also seeks relief from § 215.303, *Stenciling of restricted cars*, and § 224.101, *General requirements*, to operate the cars in tourist/excursion service. In support of its request, NNRX states that the cars will be used as mobile storage and in occasional tourist photographic events. NNRX explains the relief will “maintain the historic integrity of this [non-insular tourist] railroad” and that “the cars always remain on [NNRX] track.”

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).

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 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 at [www.regulations.gov](http://www.regulations.gov). Follow the online instructions for submitting comments.

Communications received by **[INSERT DATE 60 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), the U.S. Department of Transportation (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/privacy-notice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety,*

*Chief Safety Officer.*

