

Johnson (IN), Kevan J. Larson (ID), Melvin D. Rolfe (MN), Gilbert M. Rosas (AZ), Kim A. Shaffer (PA), Larry W. Slinker (VA), Lonnie J. Supanchick (NV) and Gerald W. Warner (OH) from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: April 11, 2012.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2012-9160 Filed 4-16-12; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2012-0019]

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236, as detailed below. FRA assigned the petition Docket Number FRA-2012-0019.

#### Applicant

Norfolk Southern Corporation, Mr. B. L. Sykes, Chief Engineer, C&S Engineering, 1200 Peachtree Street NE., Atlanta, GA 30309.

The Norfolk Southern Railway (NS) seeks approval of the proposed modification of a traffic control system. The modifications consist of the replacement of a power-operated switch with a hand-operated switch and the shortening of the control point limits by replacing the 4E-1 and 4E-2 signals with the 4E signal, which will be moved east of the Horseheads Industrial Track at Control Point Horseheads on the

Southern Tier (Milepost SR-276.9 in Horseheads, NY). The reason given for the replacement is that the power-operated switch is no longer needed in today's operation.

Any interested party desiring to protest the granting of an application shall set forth, specifically, the grounds upon which the protest is made, and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

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 be identified by Docket Number FRA-2012-0019 and may be submitted by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the instructions for submitting comments on the DOT electronic site.
- **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 June 1, 2012 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the

docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477, or online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on April 11, 2012.

**Ron Hynes,**

*Acting Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2012-9138 Filed 4-16-12; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-1999-6135]

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards from New Jersey Transit (NJT). NJT seeks a modification to the original terms and conditions of its waiver of compliance that was granted in 1999. As part of NJT's construction of a future Pennsauken transfer station (allowing transfers between Atlantic City commuter trains and the River Line), NJT is lengthening the Pennsauken siding at Control Point (CP) 55 to now include Minson siding; incorporating trackwork improvements and changes to the signal and train control (S&TC) system. NJT submits that this request is consistent with the waiver process for shared use. (See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment, 65 FR 42529 (July 10, 2000); see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems, 65 FR 42626 (July 10, 2000).)

Specifically, in April 2007, FRA approved NJT's S&TC improvements between CP45 and CP70 (which includes CP Ross, Minson siding, and Pennsauken siding) along its River Line

rail fixed guideway light-rail transit system. NJT calls this 'scripted temporal separation,' which maintains the required temporal separation, but provides for superior use of the existing infrastructure by expanding the passenger period, and allowing Conrail some increased flexibility in and out of the Minson siding to Pavonia Yard. The addition of a future Pennsauken transfer station on the single track south of CP Ross at Milepost 4.9 will add time to trains operating northbound and southbound that meet at CP Ross, thus resulting in significant headway degradation. NJT claims that by lengthening Pennsauken siding to include Minson siding, headway degradation will be mitigated. This petition serves to notify FRA of NJT's plan to modify the trackwork, S&TC, and operational plans as part of this Pennsauken siding lengthening and Pennsauken transfer station construction.

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 (e.g., Waiver Petition Docket Number FRA-1999-6135) 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 June 1, 2012 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the

docket facility's Web site at <http://www.regulations.gov>.

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 comment, if submitted on behalf of an association, business, labor union, etc.). You may review the U.S. Department of Transportation's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Page 19477), or online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on April 11, 2012.

**Ron Hynes,**

*Acting Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2012-9127 Filed 4-16-12; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2011-0033]

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a document dated April 22, 2011, Columbia Star Dinner Train (CSDT) of Columbia, MO, 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 223. FRA assigned the petition Docket Number FRA-2011-0033.

CSDT has petitioned FRA for a permanent waiver of compliance for two locomotives, CESX 1950 and CESX 1951, from a portion of the railroad safety glazing standards, 49 CFR Section 223.11(b), which require FRA Type II material in all side-facing windows of the locomotive cab. CSDT states that both locomotives are currently equipped with fully compliant FRA Type I front-facing glazing per 49 CFR 223.11(a), and that the locomotives do not have rear-facing glazing. CSDT further states that these Electro-Motive Division F-7 locomotives, manufactured in 1950 (CESX 1950) and 1953 (CESX 1951), are of such design that impedes installation of thicker FRA Type II glass without significant modifications in the side and wing windows. As an alternative, the side-facing windows currently consist of safety type glass that is in good condition, clear and unscratched. Additionally, CSDT operates on

approximately 18 miles of the Columbia Terminal Railroad (COLT) trackage, through generally rural countryside, at speeds between 10 and 15 mph despite the fact that the maximum authorized speed on this COLT trackage is 25 mph for freight. CSDT states that there has been no known incident of broken windows as a result of vandalism on the COLT and, therefore, no worker has been injured in the past. CSDT is requesting this relief because of the prohibitive cost involved in retrofitting the two locomotives with certified glazing. CSDT believes that the retained funds can best be used for other maintenance projects on their railroad.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <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 June 1, 2012 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