

the public notice that on June 28, 2022, Illinois Central Railroad Company, for itself and on behalf of the U.S. railroad subsidiaries operating under the Canadian National Railway Company (CN), resubmitted a petition to the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 232, *Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices*. The relevant FRA Docket Number is FRA–2020–0087.

Specifically, CN resubmits a request to use software technology to implement a virtual three-dimensional simulation as an alternative to satisfy the “hands-on” portion of periodic refresher training required by 49 CFR 232.203(b)(8). Refresher training is required at intervals not to exceed 3 years, and must consist of classroom and hands-on training, as well as testing. CN cites FRA’s January 10, 2022, denial¹ of its previous petition and states that its June 28, 2022, resubmission addresses the concerns raised in FRA’s decision letter. In support of its petition, CN explains that the proposed “systematic, blended training curriculum” “exceeds the training objectives” required by the regulation “and is designed to increase user proficiency” and “reduc[e] air brake defects across the CN network.” CN notes that it “only plans to use this requested waiver for refresher training of employees in train and engine service,” and not for any other craft.

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

Communications received by September 8, 2022 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), 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, 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.

Issued in Washington, DC.

John Karl Alexy,

*Associate Administrator for Railroad Safety,
Chief Safety Officer.*

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2007–28700]

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 June 10, 2022, Kansas City Southern Railway Company (KCSR), jointly with its affiliate Kansas City Southern de Mexico (KCSM), petitioned the Federal Railroad Administration (FRA) for an extension of 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 232 (Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices (EOTDs)). The relevant FRA Docket Number is FRA–2007–28700.

Specifically, KCSR requested an extension of its relief from 49 CFR 232.205, *Class I brake test-initial terminal inspection*, and certain provisions of 49 CFR part 215, for freight cars received in interchange from KCSM at the U.S./Mexico border crossing and international bridge in Laredo, Texas, to permit required inspections to be conducted in KCSR’s

Laredo Yard, approximately 9 miles north of the bridge.

The petition notes that KCSM operates some trains over KCSR’s line from the international rail bridge crossing to KCSR’s Laredo Yard for purposes of interchange. KCSR asks that this waiver also be applied explicitly to trains operated by KCSM. The petition notes that “[w]hether a train is labeled as a KCSR train or a KCSM train” once it “crosses the border, it is still the same train—same locomotives, same EOTDs, and same cars inspected by the same KCSM mechanical forces.” KCSR and KCSM “are commonly owned by their parent company, Kansas City Southern,” and “have substantial overlap in their administrative and operational management, operate according to similar procedures and rules, and utilize the same or similar equipment.” KCSM operates trains to KCSR’s Laredo Yard “pursuant to an interchange agreement with KCSR.”

The petition seeks to continue moving trains from the rail bridge to KCSR’s Laredo Yard after performing a Class III brake test at the bridge, rather than performing a Class I initial terminal inspection. KCSR explains that a full Class I initial terminal inspection will be performed at Laredo Yard on every train before it is moved beyond the yard. In support of its petition, KCSR states that the waiver contributes to border security and that no incidents have been attributed to this relief in the past fourteen years.

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

Communications received by September 8, 2022 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

¹ <https://www.regulations.gov/document/FRA-2020-0087-0006>.

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, 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.

Issued in Washington, DC.

John Karl Alexy,

*Associate Administrator for Railroad Safety,
Chief Safety Officer.*

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2022-0002-N-14]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).
ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, this notice announces that FRA is forwarding the Information Collection Request (ICR) abstracted below to the Office of Management and Budget (OMB) for review and comment. The ICR describes the information collection and its expected burden. On April 28, 2022, FRA published a notice providing a 60-day period for public comment on the ICR.

DATES: Interested persons are invited to submit comments on or before August 24, 2022.

ADDRESSES: Written comments and recommendations for the proposed ICR should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find the particular ICR by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Ms. Hodan Wells, Information Collection

Clearance Officer, at email: Hodan.Wells@dot.gov or telephone: (202) 868-9412.

SUPPLEMENTARY INFORMATION: The PRA, 44 U.S.C. 3501-3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. See 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. On April 28, 2022, FRA published a 60-day notice in the **Federal Register** soliciting comment on the ICR for which it is now seeking OMB approval. See 87 FR 25346. FRA received no comments related to the proposed collection of information.

Before OMB decides whether to approve the proposed collection of information, it must provide 30 days for public comment. Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(a); *see also* 60 FR 44978, 44983 (Aug. 29, 1995). OMB believes the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983 (Aug. 29, 1995). Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect.

Comments are invited on the following ICR regarding: (1) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the information will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

Title: Positive Train Control (PTC) and Other Signal Systems.

OMB Control Number: 2130-0553.

Abstract: On November 15, 2021, President Joseph R. Biden signed into law the Infrastructure Investment and

Jobs Act (IIJA).¹ Section 22414 of the IIJA impacts FRA's existing Form FRA F 6180.152, the Biannual Report of PTC System Performance, which is one part of the existing information collection request under OMB Control No. 2130-0553. Section 22414 of the IIJA establishes the same reporting requirement as FRA's existing regulations, using the same FRA form number (Form FRA F 6180.152) and content requirements. 49 U.S.C. 20157(m); 49 CFR 236.1029(h). However, the statutory reporting cadence is quarterly, not biannual as FRA's regulations currently require.

During a recent rulemaking, FRA collected public comment on this FRA reporting requirement. See 85 FR 82400 (Dec. 18, 2020) (Notice of Proposed Rulemaking); 86 FR 40154 (July 27, 2021) (Final Rule) (amending 49 CFR 236.1029(h) and creating Form FRA F 6180.152). During the comment period, FRA received comments from the following entities and two individuals, which were all generally supportive: the American Public Transportation Association; the Association of American Railroads and the American Short Line and Regional Railroad Association (jointly filed); the National Railroad Passenger Corporation (Amtrak); and New Jersey Transit.

Feedback from the public and industry has already been incorporated into the existing Form FRA F 6180.152 that OMB approved in October 2021. See 49 CFR 236.1029(h). The substance of the form remains unchanged in light of the statutory requirements IIJA imposes, as the content required by FRA's existing regulations and Section 22414 of the IIJA is identical in substance. To implement Section 22414 of the IIJA, as codified at 49 U.S.C. 20157(m), the existing OMB-approved Form FRA F 6180.152 would need to be modified only to refer to the new quarterly reporting frequency.

Accordingly, FRA is hereby proposing to modify Form FRA F 6180.152 to align with the statutory quarterly framework under 49 U.S.C. 20157(m). The modified form would refer to the following quarterly reporting deadlines under 49 U.S.C. 20157(m)(3): April 30 (covering the period from January 1 to March 31), July 31 (covering the period from April 1 to June 30), October 31 (covering the period from July 1 to September 30), and January 31 (covering the period from October 1 to December 31 of the prior calendar year). See 49 U.S.C.

¹ Infrastructure Investment and Jobs Act, Public Law 117-58, 135 Stat. 429 (Nov. 15, 2021). The IIJA was funded in relevant part by the Consolidated Appropriations Act of 2022, which was signed into law on March 15, 2022.