

workers or train crew members by excluding the possibility of electronic issuance of conflicting track occupancy authorities. TrackAccess aims to reduce the potential for human errors associated with issuance of track occupancy authorities to roadway workers and train crews by the dispatcher. In its autonomous mode of operation, the TrackAccess System assumes electronic delivery of track occupancy authorities to roadway workers and train crews.

The Marquette Rail, LLC desires to commence field testing of the product on or about March 1, 2010, or as soon thereafter as practicable, contingent upon FRA acceptance and approval of their informational filing.

Interested parties are invited to review the informational filing and associated documents at DOT's Docket Management Facility during regular business hours (9 a.m.–5 p.m.) at 1200 New Jersey Avenue, SE., Room W12–140, Washington DC 20590. All documents in the public docket are available for inspection and copying on the Internet at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications received into any of our dockets by name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, number 70; Pages 19477–78).

Issued in Washington, DC on February 25, 2010.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety, Standards and Program Development.

[FR Doc. 2010–4334 Filed 3–2–10; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2010–03]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and

participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before March 23, 2010.

ADDRESSES: You may send comments identified by Docket Number FAA–2010–0010 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.
- *Fax:* Fax comments to the Docket Management Facility at 202–493–2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for 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 19477–78).

Docket: To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Anna Bruse, 202–267–9655, or Laverne Brunache, 202–267–3133, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on February 25, 2010.

Pamela Hamilton-Powell,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2010–0010.

Petitioner: Federal Aviation Administration, Air Traffic Organization's Administration & Talent Management Directorate.

Section of SFAR Affected: SFAR 103(5)(b)(vii).

Description of Relief Sought

Federal Aviation Administration, Air Traffic Organization's Administration & Talent Management Directorate seeks an exemption from SFAR 103(5)(b)(vii) to forgo inclusion of a statement identifying any operational error, operational deviation or runway incursion in the last 5 years while working a control position for Air Traffic Controllers reaching the age of 56 through December 31, 2011.

[FR Doc. 2010–4357 Filed 3–2–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

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. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

S&S Shortline Railroad, LLC

[Waiver Petition Docket Number FRA–2010–0002]

The S&S Shortline Railroad, LLC (SSR) of Farmington, Utah, has petitioned for a permanent waiver of compliance for one locomotive (SSR 4501) and one cabooses (SSR 1469) from the requirements of the Railroad Safety Glazing Standards, 49 CFR part 223, which require certified glazing in all windows. SSR is a small railroad in Northern Nevada. The railroad is located in a very remote and isolated portion of the state and has been free of vandalism and other incidents. Because of the remoteness and isolation, SSR does not anticipate any vandalism problems.

The subject locomotive, SSR 4501, is a 1940's era GE 45-ton 300-hp switching

locomotive. The front, rear and side glazing does not conform to 49 CFR 223.11 glazing requirements; however, these windows are glazed with ¼" laminated safety glass that is in good condition with no discoloration. The locomotive is primarily used as a backup locomotive. The subject caboose, SSR 1469, is an ex D&RGW steel caboose with cupola that is used primarily as a "shoving platform." This caboose was acquired with the original glazing in good condition with no discoloration, but does not meet the 49 CFR 223.13 glazing requirements.

SSR states that they operate primarily in the Bureau of Land Management open range and agricultural environment. They do not experience any rock throwing or shooting at their equipment, and operate at a maximum speed of 10 mph. SSR states that the expenses of retrofitting the subject locomotive and caboose to comply with FRA glazing safety standards will impose an undue financial burden on their small railroad to protect from situations they do not encounter.

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-2010-0002) 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 within 45 days of the date of this notice 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 document (or signing the document, 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 at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on February 25, 2010.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 2010-4332 Filed 3-2-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

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. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Burlington Junction Railway

[Waiver Petition Docket Number FRA-2010-0017]

The Burlington Junction Railway (BJRY) of Burlington, Iowa, has petitioned for a permanent waiver of compliance for one Baldwin RS-4-TC locomotive built in 1953, and rebuilt in 1988, numbered BJRY 3238, from the requirements of the Railroad Safety Glazing Standards, Title 49 CFR Part 223, which require certified glazing in all windows. The railroad indicates that the locomotive is used to switch an industrial park next to the City of Rochelle, Illinois, over an approximately 3.0-mile long track surrounded by warehouses and undeveloped rural agriculture fields. The locomotive is used as a stand-by for the primary unit, and is used two to three times a month. The top speed of operations is 10 mph. BJRY has provided an estimate of \$5,914.26 for

material and assembly that does not include installation costs.

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-2010-0017) 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 within 45 days of the date of this notice 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 document (or signing the document, 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 at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC on February 26, 2010.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 2010-4376 Filed 3-2-10; 8:45 am]

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