

acres of non-aeronautical airport property. The land was acquired by the Cities of Dallas and Fort Worth for use as an airport. The funds generated by the release will be used to improve the Airport's roadway system.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents relevant to the application in person at the Dallas/Fort Worth International Airport, telephone number (972) 973-5200.

Issued in Fort Worth, Texas, on March 2, 2010.

**Joseph G. Washington,**

*Acting Manager, Airports Division.*

[FR Doc. 2010-5538 Filed 3-16-10; 8:45 am]

**BILLING CODE 4910-13-M**

## 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.

#### Marquette Rail, LLC

[Docket Number FRA-2008-0081]

The Marquette Rail, LLC, has submitted a waiver request to permit field testing of the software-based dispatch system for low density lines identified as TrackAccess System. The waiver request addresses the requirements under 49 CFR 211.51.

TrackAccess is an electronic track occupancy system similar to the conventional block register. It is designed to protect the area of exclusive track occupancy given to roadway 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.

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's acceptance and approval of this waiver request. Marquette Rail, LLC, is requesting a petition of regulatory relief from the following Federal regulation: 49 CFR 214.321(a)(1) Exclusive Track Occupancy.

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-2008-0081) 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 30 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 March 10, 2010.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 2010-5752 Filed 3-16-10; 8:45 am]

**BILLING CODE 4910-06-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.

#### Morton Buildings, Inc.

[Waiver Petition Docket Number FRA-2010-0015]

The Morton Buildings, Inc. (MBI) has petitioned FRA for a waiver of compliance from the requirements of 49 CFR 223.11 Safety Glazing Standards for Locomotives, 49 CFR 231.30 Locomotives used in Switching Service, 49 CFR Part 224 Reflectorization of Rail Freight Rolling Stock, and 49 CFR Part 229 Locomotive Safety Standards, for one Whiting Trackmobile. MBI is a manufacturer of steel clad buildings and the company is located in Morton, IL, with six other manufacturing locations. One of the six locations in Spencer, IA, is not served by rail and MBI provides for switching of approximately one hundred cars a year, utilizing a "Whiting Trackmobile" a self-propelled highway/rail vehicle.

MBI states in their request that they operate over 3.2 miles of former Soo Line track known as the North Railroad Spur Track, which they lease from the city of Spencer. MBI only provides service to itself, switching of cars is done in daylight hours, and they do not operate the trackmobile during inclement weather. The trackmobile is always operated in the lead position at speeds not to exceed 10 miles per hour. The approval of this request would allow for continued use of the Whiting Trackmobile for MBI operations.

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-2010-0015) 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 March 10, 2010.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 2010-5753 Filed 3-16-10; 8:45 am]

**BILLING CODE 4910-06-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 with 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 from the requirements of 49 CFR part 236, as detailed below.

#### Norfolk Southern Corporation

[Docket Number FRA-2010-0011]

The Norfolk Southern Corporation (NS) seeks relief from the requirements of the Rules, Standards, and Instructions, Title 49 CFR 236.377 Approach Locking, 236.378 Time Locking, 236.379 Route Locking, 236.380 Indication Locking, and 236.381 Traffic Locking, regarding performance of locking test at intervals not to exceed 2 years, on processor-based solid-state systems to the extent that only the following be required every 4 years after initial testing or program change:

1. Performing appropriate test on equipment external to the solid-state interlocking at the interlocking site to verify integrity of this equipment, including verifying the integrity of underground cable connecting the solid-state interlocking to the external equipment. Equipment that would be verified to the processor inputs would include power switch control and indication, track circuit indication, signal aspect control, and if used, searchlight signal control and indication.

2. Verifying that the executive and application software has not changed since the previous locking test was made. This verification includes verifying accuracy of the check sum and CRC values of all programmable elements used in the solid-state interlocking equipment at the interlocking, as well as verifying the correct version and revision levels of the software being used. This verification is done by comparing the parameters found on all programmable elements at the location with those parameters found in the Software Management System (SMS) for the location.

3. Verifying the run time of variable run time elements employed at the

solid-state interlocking and ensuring that the run times of these are in accordance with timings specified on the design plans.

*Applicant's justification for relief:* NS feels that tests being performed on a 2-year interval provide no real safety benefit since the equipment operates using programmed logic that once installed does not change. FRA's Subpart H rule-making has resulted in the invoking of a strict software change and revision control process for application and executive software of solid-state systems, with the underlying premise of this rule-making being that safety is maintained when software revision levels and software changes are controlled and managed. NS believes that architectural features inherent to solid-state interlockings permit them to consistently deliver enhanced safety as compared to their relay-based counterparts. The dual microprocessor design of these systems where identical processes are executed in parallel and where these systems are able to continuously monitor operational status as well as status of ancillary components enables solid-state systems to deliver an overall superior level of safety as compared to relay-based counterparts. NS believes that these attributes have contributed to the solid-state's successful delivery of an unparalleled track record in the areas of safety and reliability. NS currently employs 650 solid-state interlocking systems, many of which have been in service approaching 25 years. In the years since first deployed, there have been no recorded instances of these systems experiencing unsafe-side failure attributed to undetected system hardware or executive software malfunction.

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-2010-0011) 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