DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration
[Docket Number FRA–2011–0009]

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 21, 2011, the Nevada Northern Railway Museum 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 215.303. FRA assigned the petition Docket Number FRA–2011–0009.

The Nevada Northern Railway Museum seeks a waiver of compliance from certain provisions of the Railroad Freight Car Safety Standards, 49 CFR 215.303, which requires stenciling.

This request is for the following 11 cars:

- 3 Cabooses (NN 3, 5, and 22)
- 3 Flat Cars (NN 23, 100, and SP 78177)
- 5 Hopper Cars (WSOR 102, 128, 134, 138, and 159)

The Nevada Northern Railway Museum states that these cars are operated in irregular “photo” freights. Specifically, these cars operate on the Nevada Northern Railway Museum’s 30 miles of track which is isolated from the general railroad system and they never leave the petitioner’s property.

The Nevada Northern Railway Museum states that these cars are completely restored with a sound car body. The cars will not be interchanged with any other railroad, and will be operated at a speed limit of 25 miles per hour.

These cars are painted and stenciled to reflect its historic appearance.

Stenciling the car to meet Section 215.303 requirements would detract from the historical and educational impression these cars are intended to preserve.

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 Department of Transportation’s Docket Operations Facility, 1200 New Jersey Ave., 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.

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 August 22, 2011 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 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 (Volume 65, Number 70; Pages 19477–78) or online at http://www.dot.gov/privacy.html.