

contained at 49 CFR Section 229.23 (which requires a periodic inspection every 92 days) and 49 CFR Section 229.25 (which requires specific tests to be done at every periodic inspection).

The SBG is asking for this testing interval to be extended to 184 days. SBG conducts rail switching operations for customers in the Midvale, UT, area. For this operation, SBG runs two locomotives for fewer hours than normal Class I railroads. This relief will help SBG to lower costs and thereby be able to pass those savings on to its customers. FRA assigned the petition Docket Number FRA-2012-0017.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at 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 May 14, 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 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>.

Issued in Washington, DC, on March 26, 2012.

Ron Hynes,

Acting Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2012-0011]

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. The petition has been assigned Docket Number FRA-2012-0011.

Farmrail System Inc. (Farmrail), located in Clinton, OK, hereby petitions FRA for a waiver from 49 CFR 213.4(e)(3) to allow more than five cars required to be placarded by the Hazardous Materials Regulations (49 CFR part 172) to operate in a single-unit train consist. Farmrail proposes that FRA grant Farmrail a waiver of compliance that will permit more than five tank cars carrying any quantity of crude oil moving from the Anadarko Basin to operate over designated "excepted track" segments. The basin is located between Clinton and Sayre, OK. The 17-mile segment between Elk City and Sayre is the former Rock Island Railroad main track and currently designated as excepted track. Under this proposal, outbound loads would be metered in maximum blocks of 10 cars, while up to 20 inbound empties could be moved as they arrive (without unnecessary delay and loss of velocity); thereby relieving severe track congestion at Elk City. Farmrail claims the relief would not only improve the increasing volume of outbound traffic, but also eliminate bunching of inbound empties at the Elk City bottleneck between Class 2 and excepted track, where longer strings must now be split

into five-car blocks for delivery to the different logistics customers.

Additionally, Farmrail states that a rail shipper in Sayre receives inbound loaded tank cars of methanol at a rate of approximately one or two cars per month. Methanol is a hazardous material. Under this proposal, a loaded car of methanol would displace one empty car of crude oil, and an empty tank car of methanol would displace one loaded car of crude oil. A train leaving Elk City for Sayre would be permitted to have up to 19 empty crude oil cars and one loaded methanol car. Similarly, a train leaving Sayre for Elk City could have 9 loaded crude oil cars and one empty methanol car.

Farmrail states that they have experienced no line-haul derailments between Elk City and Sayre on the 100-pound former mainline rail at 10 mph. Farmrail has installed new ties where there is curvature, so the safety risk for empty tank cars in this extremely rural environment is minimal. Public benefits from issuance of the requested regulatory waiver would include a potential 50-percent reduction in the number of train movements required to move available traffic and associated grade crossing accident exposure. Farmrail train crews have had emergency response and hazmat training, and their operating practices are randomly monitored by a field compliance supervisor. Farmrail proposes to conduct twice-weekly hi-rail inspections of the subject track segment until it can be reclassified.

Additionally, Farmrail states that they are the recipients of the Transportation Investment Generating Economic Recovery or TIGER III grant funds for the rehabilitation of 49 miles of rail line in western Oklahoma to sound Class 2 safety standards. The Clinton-to-Sayre segment is critical to the origination of rapidly growing volumes of crude oil produced from the Anadarko Basin oil and gas reserves. The \$8.4 million-track project, sponsored by the Oklahoma Department of Transportation (ODOT), includes 20 percent in local matching funds and an indicated benefit-cost factor of 56.8, as posted by ODOT on its Web site www.odot.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, 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-2012-0011) 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 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 the U.S. Department of Transportation'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>.

Dated: Issued in Washington, DC, on March 26, 2012.

Ron Hynes,

Acting Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2012-0021]

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 February 14, 2012, Columbia Business Center Railroad (CBCX) has petitioned

the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal hours of service laws contained at 49 U.S.C. 21103(a)(4). FRA assigned the petition docket number FRA-2012-0021.

In its petition, CBCX seeks relief from 49 U.S.C. 21103(a)(4), which, in part, requires a train employee to receive 48 hours off duty after initiating an on-duty period for 6 consecutive days. Specifically, CBCX seeks a waiver to allow a train employee to initiate an on-duty period for 6 consecutive days followed by 24 hours off-duty. In support of its request, CBCX submitted documents demonstrating employee support and a description of employee work schedules.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at 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 May 14, 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 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>.

Dated: Issued in Washington, DC, on March 26, 2012.

Ron Hynes,

Acting Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2012-0023]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated January 25, 2012, Union Pacific Railroad (UP) has petitioned the Federal Railroad Administration (FRA) for a permanent waiver of compliance from certain provisions of the *Locomotive Safety Standards*, found at 49 CFR 229.129(b) and (c), and which pertain to railroad locomotive horn testing. FRA assigned the petition Docket Number FRA-2012-0023.

UP seeks to use an automated sound measurement system (ASMS) to test locomotive horns as required in 49 CFR 229.129(b). The ASMS uses a Class 1 sound-level measuring instrument that is permanently mounted in a fixed test site and uses the same technology that is used to measure noise at airports nationwide. Due to the proven accuracy and reliability of the ASMS and the tight procedural control and concise documentation they provide (plus the fact that the frequency and duration of horn blasts and the resulting impact on the surrounding community and personnel is reduced), UP strongly believes that the ASMS is an improvement from the current testing scheme permitted under 49 CFR 229.129.

In addition, UP requests a waiver to extend the duration between acoustic calibrations (49 CFR 229.129(c)(9)) from immediately before and after each session of compliance tests, or no later than 8 hours, as clarified in 71 FR 47626, to a period of no more than 6 months.