

Task 07-01—(Completed)

Considering specific improvements to the Track Safety Standards or other responsive actions, supplementing work already underway on CWR specific to: reviewing controls applied to the reuse of rail in CWR “plug rail”; reviewing the issue of cracks emanating from bond wire attachments; considering improvements in the Track Safety Standards related to fastening of rail to concrete ties; and ensuring a common understanding within the regulated community concerning requirements for internal rail flaw inspections.

Task 08-01—(Completed) Reporting on the Nation’s railroad bridges. Reporting to FRA on the current state of railroad bridge safety management; updating the findings and conclusions of the 1993 Summary Report of the FRA Railroad Bridge Safety Survey.

Task No. 08-04—(Completed) Providing advice regarding development of implementing regulations for PTC systems and their deployment under the RSIA.

Task No. 08-05—(Completed) Developing a rule encompassing the requirements of Section 417 of the RSIA (Railroad Bridge Safety Assurance).

Task No. 08-06—(Completed) Developing revised recordkeeping and reporting requirements for hours of service of railroad employees.

Task No. 08-07—(Completed) Developing regulations for certification of railroad conductors, as required by the RSIA, and considering any appropriate related amendments to existing regulations and reporting recommendations for a proposed or interim final rule.

Task No. 09-01—(Completed) Providing advice regarding development of implementing regulations for the hours of service of operating employees of commuter and intercity passenger railroads under the RSIA.

Task No. 11-02—(Completed) Considering specific improvements to the Track Safety Standards or other responsive actions related to the Track Inspection Time Study required by Sections 403 (a)–(c) of the of the RSIA and other relevant studies and resources.

Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740), for more information about the RSAC.

Issued in Washington, DC, on September 17, 2012.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration**

[Docket Number FRA-2001-10654]

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 July 26, 2012, the Association of American Railroads (AAR) has petitioned the Federal Railroad Administration (FRA) for an extension and amendment of an existing waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 213.143 and 213.355. FRA assigned the petition Docket Number FRA-2001-10654.

The existing waiver was originally granted on April 22, 2003, and was extended by a letter dated February 25, 2008. The current waiver expires on February 1, 2013. AAR is petitioning for an additional extension of the waiver. The waiver permits the operation of trains at Class 5 speeds over “heavy-point” frog designs conforming to the standards for Class 4 track frogs guard check and face gage dimensions.

The heavy-point frog is a unique design, which has a thicker frog point. As proposed in the original waiver petition, AAR states that it offers safety benefits over a traditional frog because there is more mass to reduce metal fatigue from impact loading, greater durability, reduced susceptibility to point rollover, and better ability to guide the wheel flange toward the proper flangeway. Heavy-point frog insert design characteristics gradually widen to $3\frac{1}{32}$ (0.9688) inches overall, resulting in the heavy-point frog insert point being thicker at the actual $\frac{5}{8}$ (0.6250)-inch frog point gage lines. The gage line is actually $1\frac{1}{32}$ (0.3438) inches thicker than a traditional $\frac{5}{8}$ (0.6250)-inch rail bound manganese frog point. Heavy-point frogs reduce the standard guard check distance from 4 feet and $6\frac{3}{8}$ inches (54.6250 inches) to 4 feet $6\frac{29}{64}$ inches (54.4531 inches), which does not comply with minimum safety standards for Class 5 track.

AAR also seeks approval for the operation of trains at Class 6 speeds over heavy-point frog designs with guard check gages conforming to the standards for Class 4 track frogs guard check and face gage dimensions. AAR states that waiver denial would adversely affect proposed high-speed operations that have numerous existing heavy-point frog installations. AAR claims that since the requirements are the same for Class 5 and Class 6 (49 CFR

213.143 and 213.355), the waiver should be extended to Class 6.

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 October 22, 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 September 17, 2012.

Ron Hynes,

Director, Office of Safety Assurance and Compliance.

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