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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.

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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 document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy). See also <http://www.regulations.gov/#!privacyNotice> for the privacy notice of regulations.gov.

Issued in Washington, DC, on January 28, 2015.

**Ron Hynes,**

*Director, Office of Technical Oversight.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2015-0003]

#### 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 6, 2015, Union Pacific Railroad (UP) 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 part 213, Track Safety Standards. FRA assigned the petition Docket Number FRA-2015-0003.

Pursuant to 49 CFR 213.113(a), UP requests a waiver from the accepted practice of stop/start rail testing to start a pilot test process for nonstop continuous testing. The projected starting date for implementing the test process would be June 1, 2015, and the test process would continue for a period of 2 years. The test process would occur on two separate locations within the UP system: the Marysville Subdivision main tracks between Gibbon Junction, NE., and Marysville, KS, and the Baird Subdivision main tracks between Fort Worth and Sweetwater, TX.

For this pilot test, the process would be similar to the waivers granted to CSX Transportation in Docket Number FRA-2011-0107 and the Illinois Central Railroad as prescribed in Docket Number FRA-2014-0029. UP would not have parallel or redundant stop/start testing on the segments being tested in a nonstop process. UP would produce a progress report on a bimonthly basis for review by FRA's Rail Integrity Office. This report would include the in-service rail failure ratios per 49 CFR part 213, a report on the miles tested, and the frequency of testing.

UP currently tests the Marysville Subdivision every 30 days and the Baird Subdivision approximately every 90-120 days. UP plans to increase the frequency on the Marysville Subdivision to every 15-20 days and the frequency on the Baird Subdivision to approximately every 60 days with this process. The nonstop continuous high-speed rail test vehicle will be a self-propelled ultrasonic/induction rail flaw detection vehicle operating at test speeds of up to 25 mph. Upon completion of each daily run, data will be analyzed offline, at a remote location, by technical experts with experience on another Class I railroad with this process. The offline analysts will categorize and prioritize suspect

locations for posttest field verifications and hand tests. Field verification will be conducted within an FRA-prescribed timeframe by UP qualified/certified rail test professionals with recordable field validation equipment based on Global Positioning System locations. All suspect locations will be validated for 30 feet on either side of the suspect GPS locations. Remedial actions will be applied based on the verification results per 49 CFR 213.113, Defective Rails for confirmed rail defect locations.

UP believes nonstop continuous rail testing will provide the capability to test track more quickly and frequently, and minimize the risk of rail service failures.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://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.

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Issued in Washington, DC, on January 28, 2015.

**Ron Hynes,**

*Director, Office of Technical Oversight.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2014-0125]

#### 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 December 10, 2014, Western New York & Pennsylvania Railroad (WNYP) 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 part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Caboose. FRA assigned the petition Docket Number FRA-2014-0125.

Specifically, WNYP requests a waiver from the glazing requirements at 49 CFR 223.9, *Requirements for new or rebuilt equipment*, for a steel bay window caboose, identified as Car Number WNYP 300.

WNYP states that this caboose will be used infrequently for such things as special occasions, historical events, and Santa trains. This caboose would not be used in regular freight operations or in interchange service. Although many of the original side windows have been blanked over with steel sheeting, the bay and end windows remain. These windows are equipped with tempered glass, which is not of FRA Type II standards.

WNYP further states that this caboose will be serviced, inspected, and maintained in compliance with other applicable regulations. The caboose was upgraded sometime during its life with modern 70-ton roller bearing trucks. The

caboose is currently housed in Olean, NY.

In addition, WNYP states that the Caboose WNYP 300 was built in 1960 and is more than 50 years of age from its original construction date and, therefore, is restricted per 49 CFR 215.203(a). WNYP's petition also includes a request for Special Approval in accordance with 49 CFR 215.203(c).

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://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.

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Issued in Washington, DC, on January 28, 2015.

**Ron Hynes,**

*Director, Office of Technical Oversight.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA-2015-0002]

#### Emergency Relief Program: Proposed Guidance

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Availability of Guidance for FTA's Emergency Relief Program and Request for Comments.

**SUMMARY:** The Federal Transit Administration (FTA) has placed in the docket and on its Web site proposed guidance on FTA's Emergency Relief (ER) Program for states and transit agencies that may be affected by a declared emergency or disaster and that may seek funding under FTA's ER Program. The proposed guidance is contained in the newly revised *Reference Manual for States & Transit Agencies on Response and Recovery from Declared Disasters and FTA's Emergency Relief Program*, which replaces "Response and Recovery from Declared Emergencies and Disasters: A Reference for Transit Agencies," last updated in June 2013. In addition to proposed guidance on the ER Program, this document provides information on other disaster relief resources available through FTA and from the Federal Emergency Management Agency (FEMA). By this notice, FTA seeks public comment on the proposed ER Program guidance.

**DATES:** Comments must be submitted by April 6, 2015. Late-filed comments will be considered to the extent practicable.

**ADDRESSES:** Please submit your comments by only one of the following methods, identifying your submission by docket number FTA-2015-0002. All electronic submissions must be made to the U.S. Government electronic site at <http://www.regulations.gov>.

(1) *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow