

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration**

[Docket No. FRA-2010-0043]

Northern Indiana Commuter Transportation District's Request To Amend Its Positive Train Control Safety Plan and Positive Train Control System

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of availability and request for comments.

SUMMARY: This document provides the public with notice that, on December 12, 2023, the Northern Indiana Commuter Transportation District (NICD) submitted a request for amendment (RFA) to its FRA-approved Positive Train Control Safety Plan (PTCSP). As this RFA requests FRA's approval of NICD's proposed material modifications to its FRA-certified positive train control (PTC) system, FRA is publishing this notice and inviting public comment on the railroad's RFA to its PTCSP.

DATES: FRA will consider comments received by January 10, 2024. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

ADDRESSES:

Comments: Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA-2010-0043. For convenience, all active PTC dockets are hyperlinked on FRA's website at <https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

FOR FURTHER INFORMATION CONTACT:

Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: Gabe.Neal@dot.gov.

SUPPLEMENTARY INFORMATION: In general, title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad's PTC system complies with title 49 Code of Federal

Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on December 12, 2023, NICD submitted an RFA to its PTCSP for its Interoperable Electronic Train Management System, which seeks FRA's approval to implement the Railcomm Back Office System and its new Computer Aided Dispatching program. That RFA is available in Docket No. FRA-2010-0043.

Interested parties are invited to comment on NICD's RFA to its PTCSP by submitting written comments or data. During FRA's review of this railroad's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. See 49 CFR 236.1021; see also 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA to its PTCSP at FRA's sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See <https://www.regulations.gov/privacy-notice> for the privacy notice of regulations.gov. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,
Director, Office of Railroad Systems and Technology.

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DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration**

[Docket Number FRA-2016-0086]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated December 13, 2022, Union Pacific Railroad Company (UPRR) and Canadian National Railway Co. (CN) petitioned the Federal Railroad Administration (FRA) to join an existing waiver of compliance in Docket Number FRA-2016-0086.¹ The existing relief in this docket provides CSX Transportation (CSX), BNSF Railway (BNSF), and Kansas City Southern Railway (now known as CPKC) conditional relief from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 232 (Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-Of-Train Devices), and 229 (Railroad Locomotive Safety Standards). Specifically, the existing relief allows the railroads to test extending the air flow method (AFM) test intervals from 92 days to 184 days on locomotives equipped with the New York Air Brake (NYAB) CCB-II and Fastbrake air brake systems.

UPRR and CN seek to form test waiver teams operating under the current test committee overseeing the relief in this docket to test UPRR's 2,113 NYAB CCBII-equipped and 660 Fastbrake-equipped locomotives and CN's 772 NYAB CCB-2 equipped locomotives.

This document also provides the public notice that BNSF, who is already a party to the relief in this docket, petitioned FRA to extend the existing relief and make the relief permanent.² Subsequently, however, BNSF recognized existing implementation issues that could impact the validity of data being gathered under the terms of the existing relief in this docket and

¹ UPRR's petition is available at <https://www.regulations.gov/document/FRA-2016-0086-0024>, and CN's petition is available at <https://www.regulations.gov/document/FRA-2016-0086-0022>. Notice of CN's petition was previously published on November 16, 2022. See <https://www.regulations.gov/document/FRA-2016-0086-0021>.

² <https://www.regulations.gov/document/FRA-2016-0086-0016>.