

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 parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

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Communications received by October 7, 2024 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

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Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety,  
Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2024-0068]

#### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter received May 24, 2024, a private owner, Tierney Foster Abel (Mr. Abel), petitioned the Federal Railroad Administration (FRA) to extend a

waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 223 (Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses) and 231 (Railroad Safety Appliance Standards). FRA assigned the petition Docket Number FRA-2024-0068.<sup>1</sup>

Specifically, Mr. Abel requests relief for steam locomotive HLLR 331 from the safety glazing standards in part 223, as well as § 231.15(b) and (d), *Steam locomotives used in road service—pilot sill-steps, side handholds*, which give requirements for certain safety appliances. The locomotive is operated on 4,500 feet of standard-gage track and only used during special events on the Stone Gables Estate property for a total of about 40 days of service. The petition states that HLLR 331 is used “to educate the public concerning early American railroad history” and will not be used for freight or passenger service. However, it “will occasionally pull some cars appropriate for its historic and educational mission.”

The relief is requested because installation of FRA safety glazing will “substantially change the historic configuration and appearance of the cab” and thereby “ruin the historical appearance.” Additionally, Mr. Abel states that HLLR 331 will not be used for coupling but instead, the locomotive and tender will be “connected by a draw bar that is . . . secured in place so it cannot be removed or otherwise come apart.” Therefore, the “step requirements are unnecessary” and the handholds would “substantially detract from the historic appearance” as the locomotive cab and tender are substantially different heights.

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).

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All communications concerning these proceedings should identify the appropriate docket number and may be

<sup>1</sup> Relief for this locomotive, with marking Leviathan 63, was previously granted in Docket Number FRA-2011-0011.

submitted at [www.regulations.gov](http://www.regulations.gov). Follow the online instructions for submitting comments.

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Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety  
Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2016-0086]

#### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter received June 3, 2024, BNSF Railway Company (BNSF) petitioned the Federal Railroad Administration (FRA) to extend the existing test waiver of compliance in Docket Number FRA-2016-0086. The existing relief in this docket provides BNSF, CSX Transportation (CSX), 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.

In support of its request, BNSF states that “throughout the life of th[e] waiver, the data collected and reported to the FRA has conclusively established that the AFM indicator can successfully and safely maintain calibration setting for a period of at least 184 days,” citing that in a period measured from June to December 2023, “98% of BNSF’s AFM indicators have tested as in-calibration at the 184-day mark.” BNSF also notes that the relief “has crucially enabled alignment between the AFM indicator-calibration interval and the interval for federally mandated periodic locomotive inspections,” as well as additional safety benefits described in the request.

In this petition, BNSF notes that it also seeks to transition this waiver to a permanent waiver in the future, but at this time, is requesting a five-year extension.

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).

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Issued in Washington, DC.

**John Karl Alexy**,  
*Associate Administrator for Railroad Safety  
Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

**[Docket Number FRA–2018–0084]**

#### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter received June 3, 2024, Texas State Railroad/Texas & Eastern Railroad (Petitioner) petitioned the Federal Railroad Administration (FRA) to extend the existing waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 240 (Qualification and Certification of Locomotive Engineers). The relevant Docket Number is FRA–2018–0084.

Specifically, Petitioner requests continued relief from § 240.201, *Implementation*, which requires that only certified persons operate locomotives and trains. The relief would allow noncertified persons to operate a historic locomotive as part of a visitor experience or “Hand on the Throttle” program. In support of its petition, Petitioner notes that the relief would only apply to persons participating in the program, and that participants would be 18 years of age or older and under the direct supervision of a certified and qualified locomotive engineer. Further, all movements would take place during daylight hours and at restricted speed with no opposing train movements, and no public grade crossings will be occupied. Additionally, derail protection will be in place at each end of the track limits.

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).

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Issued in Washington, DC.

**John Karl Alexy**,  
*Associate Administrator for Railroad Safety  
Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### U.S. Merchant Marine Academy Advisory Council; Public Meeting

**AGENCY:** Maritime Administration, DOT.  
**ACTION:** Notice of public meeting.

**SUMMARY:** The U.S. Department of Transportation, Maritime Administration (MARAD) announces a meeting of the U.S. Merchant Marine Academy (USMMA) Advisory Council (Council). During the meeting, the USMMA leadership will provide an update on programs and priorities, including governance, sexual assault and sexual harassment, academics, culture and diversity, and facilities and infrastructure.