

SUMMARY: This document provides the public with notice that, on July 14, 2023, the National Railroad Passenger Corporation (Amtrak) submitted two requests for amendment (RFA). The first RFA is to Amtrak's FRA-approved Positive Train Control Safety Plan (PTCSP) and its Advanced Civil Speed Enforcement System II (ACSES II), which seeks FRA's approval to introduce modified safety server software to address a known defect and updates to type approval documentation. The second RFA is to Amtrak's FRA-certified positive train control (PTC) system for its ACSES II system, which seeks FRA's approval to install Construction Zone (CZ) transponders to support cutover activities on the Philadelphia to Washington (PW) line. As these RFAs may involve requests for FRA's approval of proposed material modifications to an FRA-certified PTC system, FRA is publishing this notice and inviting public comment on Amtrak's RFAs to its PTCSP and PTC system.

DATES: FRA will consider comments received by August 22, 2023. 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-2010-0029. 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 or discontinuance of a signal and train control system. Accordingly, this notice informs the public that, on July 14, 2023, Amtrak submitted an RFA to its PTCSP and ACSES II PTC system, which seeks FRA's approval to introduce modified safety server software to address a known defect and updates to type approval documentation, and an RFA to its FRA-certified PTC system for its ACSES II system, which seeks FRA's approval to install CZ transponders to support cutover activities on the Philadelphia to Washington line. These RFAs are both available in Docket No. FRA-2010-0029.

Interested parties are invited to comment on Amtrak's RFAs to its PTCSP and PTC system by submitting written comments or data. During FRA's review of Amtrak's RFAs, 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 www.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-2010-0031]

Long Island Rail Road's Request to Amend Its 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 July 20, 2023, the Long Island Rail Road (LIRR) submitted a request for amendment (RFA) to its FRA-certified positive train control (PTC) system in order to establish an Advanced Civil Speed Enforcement System II (ACSES II) Construction Zone (CZ) to support the construction of an extension of the Patchogue Siding and associated signal system changes for LIRR's modification of the current track infrastructure. FRA is publishing this notice and inviting public comment on the railroad's RFA to its PTC system.

DATES: FRA will consider comments received by August 22, 2023. 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-2010-0031. 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 PTC Safety Plan (PTCSP), a host railroad must submit, and obtain FRA's approval of, an RFA to its PTC system or 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 and train control system. Accordingly, this notice informs the public that, on July 20, 2023, LIRR submitted an RFA to its ACSES II PTC system which seeks FRA's approval for a three-month outage from September 15, 2023, to December 15, 2023, to support the construction of an extension of the Patchogue Siding and associated signal system changes. That RFA is available in Docket No. FRA-2010-0031.

Interested parties are invited to comment on LIRR's RFA to its PTC system by submitting written comments or data. During FRA's review of LIRR'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 PTC system 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-2023-0031]

Petition for Waiver of Compliance; Reopening of Comment Period

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by communication received July 7, 2023, Amtrak requested that the Federal Railroad Administration (FRA) re-open the period for public comment on Amtrak's request for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 215 (Railroad Freight Car Safety Standards), 229 (Railroad Locomotive Safety Standards), 232 (Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices), and 238 (Passenger Equipment Safety Standards). The relevant Docket Number is FRA-2023-0031.

Specifically, Amtrak requests to re-open the comment period regarding its petition to use virtual reality simulation assessments to satisfy the "hands-on" portion of periodic refresher training to remain qualified per § 215.11(b), § 229.5, § 232.203(b)(8), and § 238.109. Amtrak requested that FRA re-open the comment period for an additional 45 days "to allow Amtrak more time to address some of the concerns the labor organizations outline in their comments." Previously, FRA had published a notice establishing a comment period open until July 5, 2023 (88 FR 29176, May 5, 2023).¹ By this notice, FRA grants Amtrak's request to re-open the comment period for 45 days.

A copy of the communication, the petition, as well as any written communications concerning the petition, are available for review online at www.regulations.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 and a public hearing, 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 at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by September 18, 2023 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can 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.). Under 5 U.S.C. 553(c), U.S. Department of Transportation (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, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of regulations.gov.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

FY 2023 Emergency Relief Grants for Public Transportation Systems Affected by Major Declared Disasters in Calendar Years 2017, 2020, 2021, and 2022

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

ACTION: Notice of re-opening application submissions and revised requirements.

SUMMARY: The Federal Transit Administration (FTA) is re-opening the application period for grants under the Public Transportation Emergency Relief

¹ See <https://www.regulations.gov/document/FRA-2023-0031-0002>.