

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****[Docket Number FRA-2012-0099]****Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System**

In accordance with Part 235 of Title 49 Code of Federal Regulations and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated November 30, 2012, the Norfolk Southern Corporation (NS) has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA-2012-0099.

Applicant: Norfolk Southern Corporation, Mr. Brian Sykes, Chief Engineer C&S Engineering, 1200 Peachtree Street NE., Atlanta, GA 30309.

NS seeks approval of the proposed discontinuance and removal of the existing control points and crossover switches at Spring Lane, Milepost (MP) N 607.5, and Vera, MP N 603.9, on the Kenova District in Portsmouth, OH. A new traffic control system control point with two crossovers will be created near MP N 608.0. The remaining single switch from each retired control point will remain as a hand-throw switch. NS seeks to make these proposed changes to modernize its signal equipment and install Positive Train Control.

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 Ave. 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 March 25, 2013 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 document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#/privacyNotice> for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on February 4, 2013.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****[Docket Number FRA-2000-8267]****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 October 15, 2012, the Oil Creek and Titusville Lines (OCTL) has petitioned the Federal Railroad Administration (FRA) for an extension of Waiver Docket Number FRA-2000-8267.

Specifically, OCTL seeks to extend a waiver for its ALCO Model S-2 locomotive, Number OCTL 85, from 49 CFR 223.11—*Requirements for existing locomotives*, which requires safety glazing for existing locomotives.

FRA issued the initial waiver that granted OCTL relief on June 18, 2002, and FRA extended the waiver on October 12, 2007. OCTL 85 has been out of service since March 2012. The type of service in which the subject

locomotive will be used has not changed since the original waiver. Additionally, OCTL states that OCTL 85's operations will continue to remain limited to Titusville, PA.

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.

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Communications received by March 25, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

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