

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****[Docket Number FRA–2008–0065]****Petition for Extension of Special Approval**

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on July 24, 2021, the Maryland Department of Transportation Maryland Transit Administration MARC Train Service (MACZ) petitioned the Federal Railroad Administration (FRA) to extend a special approval of an alternate standard for periodic brake equipment maintenance, pursuant to 49 CFR 238.309(a)(2). The relevant FRA Docket Number is FRA–2008–0065.

Specifically, MACZ requests to continuing applying alternate standards for the CCB–KE–3.9 air brake system of the MARC HHP–8 locomotive fleet. This alternate standard to 49 CFR 229.29(e) and 238.309(a)(2) is to allow for the level two and level three maintenance intervals to be 2,944 days (8 years). MACZ explains its request is based on the successful history of the special approval, as well as the results of an age exploration study for the HHP–8 air brake system as outlined in Docket Numbers FRA–2008–0065 and FRA–2001–10596. The locomotives are expected to continue in passenger service for MACZ, operated and maintained by Amtrak on the Northeast Corridor, for the foreseeable future.

A copy of the petition, as well as any written communications concerning the petition, is 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 by any of the following methods:

- **Website:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202–493–2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation

(DOT), 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.

Communications received by September 27, 2021 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), 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 www.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 Railroad Administration****[Docket Number FRA–2021–0079]****Petition for Waiver of Compliance**

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on July 14, 2021, St. Mary's Railway West LLC. (SMW), 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 240 (Qualification and Certification of Locomotive Engineers), and part 242 (Qualification and Certification of Conductors). FRA assigned the petition Docket Number FRA–2021–0079.

Specifically, SMW requests relief as part of its proposed implementation of and participation in FRA's Confidential Close Call Reporting System (C³RS) Program. SMW seeks to shield reporting employees and the railroad from mandatory punitive sanctions that would otherwise arise as provided in 49 CFR 240.117(e)(1)–(4); 240.305(a)(1)–(4) and (a)(6); 240.307; 242.403(b), (c), (e)(1)–(4), (e)(6)–(11), (f)(1)–(2); and 242.407. The C³RS Program encourages certified operating crew members to

report close calls and protect the employees and the railroad from discipline or sanctions arising from the incidents reported per the C³RS Implementing Memorandum of Understanding.

A copy of the petition, as well as any written communications concerning the petition, is 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 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.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- **Website:** <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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