

Maps submitted by Monroe County for the Key West International Airport under the provisions of the Aviation Safety and Noise Abatement Act are in compliance with applicable requirements.

**DATES:** The effective date of the FAA's determination on the Noise Exposure Maps is April 4, 2023.

**FOR FURTHER INFORMATION CONTACT:** Peter Green, Federal Aviation Administration, Orlando Airports District Office, 8427 SouthPark Circle, Suite 524, Orlando, Florida 32819, (407) 487-7296.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the Noise Exposure Maps submitted for the Key West International Airport are in compliance with applicable requirements of title 14 Code of Federal Regulations (CFR) part 150, effective April 4, 2023. Under 49 U.S.C. 47503 of the Aviation Safety and Noise Abatement Act ("the Act"), an airport operator may submit to the FAA Noise Exposure Maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport. An airport operator who has submitted Noise Exposure Maps that are found by FAA to be in compliance with the requirements of 14 CFR part 150, promulgated pursuant to the Act, may submit a Noise Compatibility Program for FAA approval, which sets forth the measures the airport operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The FAA has completed its review of the Noise Exposure Maps and accompanying documentation submitted by Monroe County. The documentation that constitutes the "Noise Exposure Maps" as defined in 14 CFR 150.7 includes: 2022 Existing Condition Noise Exposure Map, 2028 Future Condition Noise Exposure Map, East Flow Flight Tracks map, West Flow Flight Tracks map, and the Final Noise Exposure Maps and Supporting Documentation Report. The FAA has determined that these Noise Exposure Maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on April 4, 2023.

FAA's determination on the airport operator's Noise Exposure Maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of 14 CFR part 150. Such determination does not constitute approval of the airport operator's data, information or plans, or a commitment to approve a Noise Compatibility Program or to fund the implementation of that Program. If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a Noise Exposure Map submitted under section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise exposure contours, or in interpreting the Noise Exposure Maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under 14 CFR part 150 or through FAA's review of the Noise Exposure Maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 47503 of the Act. The FAA has relied on the certification by the airport operator, under 14 CFR 150.21, that the statutorily required consultation has been accomplished.

Copies of the full Noise Exposure Maps and report are available for examination by appointment at the following location: Federal Aviation Administration, Orlando Airports District Office, 8427 SouthPark Circle, 5th Floor, Orlando, Florida 32819. The Noise Exposure Maps and report are also available for viewing and download at the airport's website (<https://eyw.com/noise-concerns>).

To arrange an appointment to review the Noise Exposure Maps and report, contact Peter Green, Federal Aviation Administration, Southern Region/Orlando Airports District Office, 8427 SouthPark Circle, Suite 524, Orlando, FL 32819, (407) 487-7296. Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT.**

Issued in Orlando Airports District Office, Orlando, FL, on April 4, 2021.

**Bartholomew Vernace,**  
Manager, FAA/Orlando Airports District Office.

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2008-0063]

#### 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 dated March 16, 2023, Memphis Area Transit Authority (MATA) petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 210 (Railroad Noise Emission Compliance Regulations); 215 (Railroad Freight Car Safety Standards); 218 (Railroad Operating Practices); 219 (Control of Alcohol and Drug Use); 221 (Rear End Marking Device—Passenger, Commuter and Freight Trains); 223 (Safety Glazing Standards—Locomotives, Passenger Cars and Caboose); 225 (Railroad Accidents/Incidents: Reports Classification, and Investigations);<sup>1</sup> 228 (Passenger Train Employee Hours of Service; Recordkeeping and Reporting; Sleeping Quarters); 229 (Railroad Locomotive Safety Standards); 231 (Railroad Safety Appliance Standards); 238 (Passenger Equipment Safety Standards); 239 (Passenger Train Emergency Preparedness); 240 (Qualification and Certification of Locomotive Engineers); and 242 (Qualification and Certification of Conductors). The relevant Docket Number is FRA-2008-0063.

Specifically, MATA requests to extend its relief from the above listed CFR parts, as pertaining to its vintage streetcar rapid transit operation, which includes a 1.5-mile corridor shared with both Canadian National Railway Company and Amtrak comprising 11 shared highway-rail grade crossings and one diamond at-grade rail crossing. In support of its request, MATA states that, since FRA last granted an extension of relief, by letter dated September 17,

<sup>1</sup> With MATA complying with the Federal Transit Administration and the Occupational Safety and Health Administration's rules pertaining to injury reporting, MATA seeks continued relief from the requirements of part 225 regarding the reporting of employee injuries.

2018,<sup>2</sup> “there have been no changes to the training and operations that affect the terms and conditions of the waiver.” MATA states that since the relief was granted in 2008, “there has not been a reportable ‘accident/incident’ . . . on the line.”

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).

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 June 6, 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), the 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](http://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](http://www.regulations.gov).

Issued in Washington, DC.

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

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**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2022-0058, Notice No. 1]

#### Review of Quiet Zone in Deerfield Beach, Pompano Beach, Fort Lauderdale, Oakland Park, Wilton Manors, Dania Beach, Hollywood, and Hallandale Beach, Florida

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

**ACTION:** Notice of quiet zone review.

**SUMMARY:** FRA is providing notice of its intent to review a quiet zone located in Deerfield Beach, Pompano Beach, Fort Lauderdale, Oakland Park, Wilton Manors, Dania Beach, Hollywood, and Hallandale Beach, Florida (Cities). Based on a high rate of reported accidents/incidents and related injuries and fatalities that occurred between January and December 2022, FRA has made a preliminary determination that the safety systems and measures implemented within the quiet zone do not fully compensate for the absence of routine sounding of locomotive horns due to a substantial increase in risk. In addition, FRA has made a preliminary determination of significant risk with respect to loss of life or serious personal injury within the quiet zone. Therefore, FRA intends to review existing conditions within the quiet zone to determine whether the quiet zone should be terminated or whether additional safety measures may be necessary to ensure motorist and pedestrian safety.

**DATES:** Written comments must be received on or before May 8, 2023. FRA will consider comments filed after this date to the extent practicable.

**ADDRESSES:** *Comments:* Comments related to this notice 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 docket number (FRA-2022-0058). Please note that comments submitted online via [www.regulations.gov](http://www.regulations.gov) are not immediately posted to the docket. Several business days may elapse after a comment has been submitted online before it is posted to the docket.

*Privacy Act:* DOT solicits comments from the public to better inform its regulatory process. DOT posts these comments, without edit, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). To facilitate comment tracking and response, commenters are encouraged to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

*Docket:* For access to the docket to read comments received, please visit <https://www.regulations.gov> and follow the online instructions for accessing the docket.

#### FOR FURTHER INFORMATION CONTACT:

James Payne, Staff Director, Highway-Rail Crossing and Trespasser Programs Division (telephone: 202-441-2787, email: [james.payne@dot.gov](mailto:james.payne@dot.gov)); or Kathryn Gresham, Attorney-Adviser, Office of the Chief Counsel (telephone: 202-577-7142, email: [kathryn.gresham@dot.gov](mailto:kathryn.gresham@dot.gov)).

#### SUPPLEMENTARY INFORMATION:

##### Background

FRA's amended final rule on the Use of Locomotive Horns at Public Highway-Rail Grade Crossings, which was issued on August 17, 2006,<sup>1</sup> permits a jurisdiction to establish a quiet zone by designation, if the jurisdiction attests that they have implemented safety measures that reduce the risk of accidents/incidents and fatalities at public highway-rail grade crossings within the quiet zone to the Risk Index With Horns (RIWH).<sup>2</sup> Through issuance of a Notice of Quiet Zone Establishment, dated April 24, 2019, the Cities established a multi-jurisdictional quiet zone in Broward County, Florida (THR-000001420003) that includes the following highway-rail grade crossings:

<sup>2</sup> See <https://www.regulations.gov/document/FRA-2008-0063-0012>.

<sup>1</sup> 71 FR 47613, codified at 49 CFR parts 222 and 229.

<sup>2</sup> The RIWH is the level of risk to the motoring public when locomotive horns are routinely sounded at every public highway-rail grade crossing within the quiet zone.