

Rail Transit Systems, 65 FR 42626 (July 10, 2000).) FRA assigned the petition Docket Number FRA–2002–11809.

NCTD operates its SPINTER light rail transit system (SPINTER) between Oceanside and Escondido, CA. On June 24, 2003, FRA issued the initial waiver that granted NCTD conditional relief from certain Federal railroad safety regulations, provided that NCTD maintains temporal separation on track that is shared between SPINTER and freight railroads so that each would operate at separate and distinct portions of the day and would not operate on the shared track at the same time. Since 2003, NCTD has requested and been granted additional relief from FRA.

NCTD's SPINTER also falls under the safety oversight of the California Public Utilities Commission (CPUC) as authorized by the Federal Transit Administration.

NCTD's requested modification to its existing Shared Use waiver seeks relief from the hours of service requirements for its light rail transit (LRT) operators. In its petition, NCTD states that SPINTER operates with an engineer-only train crew. Additionally, NCTD's operator training and qualification program for SPINTER is approved and monitored by the CPUC. NCTD's program complies with CPUC's General Order 143-B, Section 12.04, which provides that LRT systems shall not allow any safety sensitive employees to remain on duty for more than 12 consecutive hours or more than an aggregate of 12 hours distributed over a period of 16 hours. Finally, NCTD states that the dispatch and signal employees for SPINTER will continue to meet all of the requirements of 49 CFR Part 228.

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 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 April 12, 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 21, 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–2001–9717]

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 February 22, 2011, the Little Kanawha River Railroad (LKRR), a division of Marietta Industrial Enterprises, Inc., has petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations regarding safety glazing contained at 49 CFR Part 223. FRA assigned the petition Docket Number FRA–2001–9717.

LKRR seeks to extend a waiver of compliance for one locomotive, specifically, one 1955 General Motors'

Electro-Motive Division Model SW–1200, Number LKRR 1205, from 49 CFR Section 223.11, Requirements for existing locomotives. FRA issued the initial waiver that granted LKRR relief on May 20, 2002, and FRA extended the waiver on August 7, 2006.

The current glazing that is installed in the locomotive has no identifying marks. LKRR states that it operates on 1.75 miles of level track at speeds not exceeding 10 mph, as a yard-type system. LKRR interchanges directly with the CSX Corporation (CSX), and it is a shortline operation that only moves CSX cars for loading and unloading. LKRR states that it operates in a secure area and there have been no known incidents of broken windows as a result of vandalism and, therefore, no resulting worker injuries have occurred due to broken glass from the locomotive's windows. LKRR is requesting an extension of relief on account of the prohibitive cost involved in retrofitting the locomotive with certified glazing.

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 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.

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before final action is taken. Comments received after that date will be considered as far as practicable.

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Issued in Washington, DC, on February 21, 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-2008-0010]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations, this document provides the public notice that by a document dated January 18, 2013, the Northwestern Pacific Railroad Company (NWP), the National Railroad Passenger Corporation, and the Capitol Corridor Joint Powers Authority (Petitioners) have jointly petitioned the Federal Railroad Administration (FRA) for an exception to a condition in a previously granted application for an approval of the discontinuance and removal of NWP's interlocking signal system on three drawbridges—including the Brazos Drawbridge—in Docket Number FRA-2008-0010. By letter dated April 3, 2009, FRA had approved NWP's block signal application subject to certain conditions, including the condition that the approval was for freight movements only and should be revisited prior to any passenger operations over the three drawbridges.

Petitioners request this exception for a one-time, one-day, roundtrip, chartered passenger train movement on June 23, 2013, over the Brazos Drawbridge. The charter train will operate from Sacramento to the Sears Point Raceway in Sonoma, CA, and then back to Sacramento.

Petitioners have agreed to a service operating plan for this charter train movement that includes the safety of train operations, equipment, passenger

boarding/alighting, staffing, access/egress considerations, dispatching, and all relevant safety precautions that have been established for freight train movements. NWP's general manager will be responsible for the charter train's operations over NWP track between Brazos Junction and the Sears Point Raceway, including across the Brazos Drawbridge.

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.

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Federal Register published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on February 21, 2013.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. EP 670 (Sub-No. 1)]

Notice of Rail Energy Transportation Advisory Committee Meeting

AGENCY: Surface Transportation Board, Transportation.

ACTION: Notice of Rail Energy Transportation Advisory Committee meeting.

SUMMARY: Notice is hereby given of a meeting of the Rail Energy Transportation Advisory Committee (RETAC), pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, as amended (5 U.S.C., App. 2).

DATES: The meeting will be held on Thursday, March 14, 2013, at 9:00 a.m., E.D.T.

ADDRESSES: The meeting will be held in the Hearing Room on the first floor of the Board's headquarters at 395 E Street SW., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Scott M. Zimmerman (202) 245-0386. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339].

SUPPLEMENTARY INFORMATION: RETAC arose from a proceeding instituted by the Board, in *Establishment of a Rail Energy Transportation Advisory Committee*, Docket No. EP 670. RETAC was formed to provide advice and guidance to the Board, and to serve as a forum for discussion of emerging issues regarding the transportation by rail of energy resources, particularly, but not necessarily limited to, coal, ethanol, and other biofuels. The purpose of this meeting is to continue discussions regarding issues such as rail performance, capacity constraints, infrastructure planning and development, and effective coordination among suppliers, carriers, and users of energy resources. Potential agenda items include introduction of new members; a review of applicable rules; a performance measures review; discussion of domestic oil production