

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–2023–0051.

Specifically, TASI requests relief required to participate in FRA’s Confidential Close Call Reporting System (C<sup>3</sup>RS) Program. TASI seeks to shield reporting employees from mandatory punitive sanctions that would otherwise arise as provided in §§ 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 C<sup>3</sup>RS Program encourages certified operating crew members to report close calls and protects the employees and the railroad from discipline or sanctions arising from the incidents reported per the C<sup>3</sup>RS 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](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 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 at <http://www.regulations.gov>.

Follow the online instructions for submitting comments.

Communications received by October 10, 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), 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.*

[FR Doc. 2023–16950 Filed 8–7–23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2022–0056]

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

Under part 235 of title 49 Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by letters received on May 10, 2023, and June 8, 2023, the Buffalo & Pittsburgh Railroad, Inc. (BPRR) petitioned the Federal Railroad Administration (FRA) seeking approval to discontinue or modify a signal system. FRA assigned the petition Docket Number FRA–2022–0056.

Specifically, BPRR requests to discontinue the centralized traffic control (CTC) system on the BPRR mainline in three locations: (1) between the insulated joints at mileposts (MPs) 141.9 and 149.00, (2) between MP 162.10 and 169.80, and (3) between MP 199.9 and 206.28. Several block signals, power switches, and approach signals would be removed from service, and “power switches will be replaced with powered DTMF switches with simulated OS locking circuits.” In support of its application, BPRR states that “the CTC system is no longer essential for the safe movement of traffic as current train activity is reduced,” and removal of the CTC system will improve “efficient operations.” BPRR also states that “there are no opposing train movements or fleeted trains with following moves.”

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 October 10, 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.*

[FR Doc. 2023–16948 Filed 8–7–23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA–2023–0002–N–21]

#### Proposed Agency Information Collection Activities; Comment Request

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

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Request (ICR) summarized below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified in the ICR.

**DATES:** Interested persons are invited to submit comments on or before October 10, 2023.

**ADDRESSES:** Written comments and recommendations for the proposed ICR should be submitted on regulations.gov to the docket, Docket No. FRA-2023-0002. All comments received will be posted without change to the docket, including any personal information provided. Please refer to the assigned OMB control number for each ICR, 2130-0545 and 2130-0576, respectively, in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice, made available to the public, and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:** Ms. Joanne Swafford, Information Collection Clearance Officer, at email: [joanne.swafford@dot.gov](mailto:joanne.swafford@dot.gov) or telephone: (757) 897-9908, or Ms. Arlette Mussington, Information Collection Clearance Officer, at email: [arlette.mussington@dot.gov](mailto:arlette.mussington@dot.gov) or telephone: (571) 609-1285.

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501-3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days' notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. See 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through

1320.12. Specifically, FRA invites interested parties to comment on the following ICRs regarding: (1) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology. See 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations mandate. In summary, comments received will advance three objectives: (1) reduce reporting burdens; (2) organize information collection requirements in a "user-friendly" format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

The summary below describes the ICRs that FRA will submit for OMB clearance as the PRA requires:

*Title:* Passenger Train Emergency Procedures.

*OMB Control Number:* 2130-0545.

*Abstract:* The railroad passenger train emergency preparedness regulations under 49 CFR part 239, set forth FRA's requirements for railroads to meet Federal standards for the preparation, adoption, and implementation of emergency preparedness plans connected with the operation of passenger trains, including freight railroads hosting passenger rail service operations. Part 239 also requires each affected railroad to instruct its employees on the provisions of its plan. The information collected is necessary for compliance with the regulation.

In this 60-day notice, FRA made adjustments that increased the previously approved burden hours from 350 hours to 353 hours. This increase, after a thorough review, is the result of a more accurate estimate of the annual responses for debrief and critique sessions under § 239.105 and emergency preparedness plans under § 239.101/201/203.

*Type of Request:* Extension without change (with changes in estimates) of a currently approved collection.

*Affected Public:* Businesses.

*Form(s):* N/A.

*Respondent Universe:* 34 railroads.

*Frequency of Submission:* On occasion.

*Reporting Burden:*

CFR section	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C = A * B)	Total cost equivalent (D = C * wage rates) <sup>1</sup>
239.13—Penalties .....	FRA anticipates that there will be zero falsified records or reports during this 3-year ICR.				
239.13—Waivers .....	34 railroads .....	1 waiver petition .....	10 hours .....	10 hours .....	\$859.30
239.101/201/203—Emergency preparedness plan: amended plans. —Non-substantive changes to emergency preparedness plan. —Emergency preparedness plans for new/start-up railroads.	34 railroads .....	6 amended plans .....	16 hours .....	96 hours .....	\$8,249.28
	34 railroads .....	6 amended plans .....	1 hour .....	6 hours .....	\$515.58
	34 railroads .....	1 new plan .....	80 hours .....	80 hours .....	\$6,874.40
239.101(a)(1)(i)—Communication—Initial and on-board notification.	The requirement for initial on-board notification is routine and is covered by the economic cost.				
—(a)(1)(ii) RR designation of employees responsible for maintaining emergency phone numbers for use in contacting outside emergency responders and appropriate RR officials that a passenger emergency has occurred. —Commuter/intercity passenger RRs gathering/keeping emergency phone numbers.	34 railroads .....	34 designations .....	5 minutes .....	2.80 hours .....	\$240.60
	34 railroads .....	34 lists/updated records	1 hour .....	34 hours .....	\$2,921.62
—(a)(3) Coordinating applicable portions of emergency preparedness plan between each railroad hosting passenger service and each railroad that provides or operates such service.	The burden for this requirement is covered under § 239.101/201/203 —Emergency preparedness plan: amended plans.				
—(a)(5) Updating emergency responder liaison information and conducting emergency simulation.	The burden for this requirement is covered under § 239.101/201/203 —Emergency preparedness plan: amended plans.				

CFR section	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C = A * B)	Total cost equivalent (D = C * wage rates) <sup>1</sup>
—(a)(6)(iii)—(iv) On-board emergency lighting, Maintenance and marking of emergency exits.	The burden for this requirement is covered under OMB Control No. 2130–0576, § 238.113 (d)(1–3) and § 238.112(d)(1–2).				
—(a)(7) RR dissemination of information regarding emergency procedures/instructions.	1 new railroad .....	350 cards + 1 safety messages.	5 minutes .....	29.30 hours ...	\$2,517.75
	34 railroads .....	1000 cards +100 safety messages.	5 minutes .....	91.70 hours ...	\$7,879.78
239.105—Debrief and critique sessions .....	34 railroads .....	39 debrief/critique sessions.	5 minutes .....	3.30 hours .....	\$283.57
239.301(b)(c)—Maintenance and retention of operational tests/inspection records.	This burden is covered under OMB Control No. 2130–0035 under § 217.9(d)(1).				
—(d) RR retention of 1 copy of operational testing & inspection program.	This burden is covered under OMB Control No. 2130–0035 under § 217.9(d)(2).				
—(e) RR six-month review of tests/inspections and adjustments to program of operational tests/inspections.	This burden is covered under OMB Control No. 2130–0035 under § 217.9(e).				
—(f) RR annual summary of tests/inspections & record of each summary.	This burden is covered under OMB Control No. 2130–0035 under § 217.9(f).				
<b>Total .....</b>	<b>34 railroads .....</b>	<b>1,572 .....</b>	<b>.....</b>	<b>353 hours .....</b>	<b><sup>2</sup>\$30,342</b>

*Total Estimated Annual Responses:* 1,572.  
*Total Estimated Annual Burden:* 353 hours.  
*Total Estimated Annual Burden Hour Dollar Cost Equivalent:* \$30,342.  
*Title:* Passenger Train Emergency Systems.  
*OMB Control Number:* 2130–0576.  
*Abstract:* This information collection is due to passenger train emergency systems regulations under 49 CFR part 238. The purpose of this part is to prevent collisions, derailments, and other occurrences involving railroad passenger equipment that cause injury or death to railroad employees, railroad passengers, or the general public, and to mitigate the consequences of such

occurrences to the extent they cannot be prevented. FRA further added requirements for emergency passage through vestibule and other interior passageway doors and enhanced emergency egress and rescue signage requirements.<sup>3</sup>  
 FRA also established requirements for low-location emergency exit path markings to assist occupants in reaching and operating emergency exits, particularly under conditions of limited visibility. Moreover, FRA added standards to ensure emergency lighting systems are provided in all passenger cars and enhanced requirements for the survivability of emergency lighting systems in new passenger cars.

In this 60-day notice, FRA has made adjustments that decreased the burden hours from 859 hours in the current inventory to 755 hours in the requested inventory. This decrease is more in line with the anticipated annual reporting of legible markings and instruction in passenger cars under § 238.123(e).  
*Type of Request:* Extension without change (with changes in estimates) of a currently approved collection.  
*Affected Public:* Businesses (railroads).  
*Form(s):* N/A.  
*Respondent Universe:* 34 railroads.  
*Frequency of Submission:* On occasion.  
*Reporting Burden:*

CFR Section	Respondent universe	Total annual responses (A)	Average time per responses (B)	Total annual burden hours (C = A * B)	Total cost equivalent in U.S. dollar (D = C * wage rates) <sup>4</sup>
238.112—Door emergency egress and rescue access systems: Markings, signage, instructions.	34 railroads .....	2,250 markings/signs/instructions.	5 minutes .....	187.50 hours ..	\$16,111.88
—(e) Passenger car exterior doors intended for emergency access by responders marked with retro-reflective material and instructions provided for their use.	34 railroads .....	2,250 exterior door markings.	5 minutes .....	187.50 hours ..	\$16,111.88
—(f)(5) Markings and instructions—interior doors/removable panels or windows.	34 railroads .....	1,500 marked panels/windows.	5 minutes .....	125.00 hours ..	\$10,741.25
—(f)(6) Testing of car door removable panels, removable windows, manual override devices, & door retention mechanisms as part of periodic mechanical inspection. The sampling method must conform with a formalized statistical test method..	The burden for this requirement is covered under OMB Control No. 2130–0544 under § 238.307(e)(1).				

<sup>1</sup> The dollar equivalent cost is derived from the 2022 Surface Transportation Board Full Year Wage A&B data series using the employee group 200 (Professional & Administrative) hourly wage rate of \$49.10. The total burden wage rate (Straight time

plus 75%) used in the table is \$85.93 (\$49.10 × 1.75 = \$85.93).  
<sup>2</sup> Totals may not add up due to rounding.  
<sup>3</sup> 78 FR 71785 (Nov. 29, 2013).  
<sup>4</sup> Totals may not add due to rounding. The dollar equivalent cost is derived from the 2022 Surface

Transportation Board Full Year Wage A&B data series using the employee group 200 (Professional & Administrative) hourly wage rate of \$49.10. The total burden wage rate (Straight time plus 75%) used in the table is \$85.93 (\$49.10 × 1.75 = \$85.93).

CFR Section	Respondent universe	Total annual responses (A)	Average time per responses (B)	Total annual burden hours (C = A * B)	Total cost equivalent in U.S. dollar (D = C * wage rates) <sup>4</sup>
238.113(d)—Emergency window exits—Markings/and instructions.  —(e) Periodic Testing of representative sample of car emergency exit windows as part of periodic mechanical inspection. The sampling method must conform with a formalized statistical test method..	34 railroads .....	60 window markings .....	15 minutes .....	15.00 hours .....	\$1,288.95
The paperwork burden for this requirement is covered under OMB Control No. 2130–0544 under §238.307(e)(1).					
238.114(d)—Rescue access windows—Markings with retro-reflective material on each exterior car.	34 railroads .....	1,500 access window markings.	5 minutes .....	125.00 hours .....	\$10,741.25
238.121(b)—Emergency communications—Marking of each intercom intended for passenger use on new Tier I & Tier II passenger cars.	34 railroads .....	375 marked intercom locations.	5 minutes .....	31.25 hours .....	\$2,685.31
238.123(e)—Marked emergency roof access locations .....	34 railroads .....	150 marked emergency roof access locations.	30 minutes .....	75.00 hours .....	\$6,444.75
238.303—Exterior calendar day mechanical inspection of passenger equipment: Replacement of missing, illegible, or inconspicuous markings, signage, & instructions.  —Record of Non-complying marking, signage, or instruction.	The burden for this requirement is covered under OMB Control No. 2130–0544 under §238.303(e)(15).				
The burden for this requirement is covered under OMB Control No. 2130–0544 under §238.303(g).					
238.305—Interior calendar day mechanical inspection of passenger cars:  —(c)(10), (12), and (13) Written notification to train crew of non-complying condition.  —(c)(13)(i) Written procedures for mitigating hazards of non-complying condition..	The burden for this requirement is covered under OMB Control No. 2130–0544 under §238.305.				
	34 railroads .....	250 notices .....	2 minutes .....	8.33 hours .....	\$715.80
The burden for this requirement is covered under OMB Control No. 2130–0599 under §270.103.					
238.307—Records of inspection, testing, and maintenance of passenger car emergency window exits.	The burden for this requirement is covered under OMB Control No. 2130–0544 under §238.307(e)(1).				
238.311—Single Car Test: RR Copy of American Public Transportation Association (APTA) Standard (SS–M–005–98) for RR Head Trainer.  —Other RR copies of APTA Standard .....	All the members have the option to obtain a copy of APTA’s Standard on APTA’s website for free.				
	All the members have the option to obtain a copy of APTA’s Standard on APTA’s website for free.				
<b>Total .....</b>	34 railroads .....	8,335 responses .....	NA .....	755 hours .....	\$64,841

*Total Estimated Annual Responses:* 8,335.  
*Total Estimated Annual Burden:* 755.  
*Total Estimated Annual Burden Hour Dollar Cost Equivalent:* \$64,841.  
 FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information that does not display a currently valid OMB control number.

(Authority: 44 U.S.C. 3501–3520)

**Christopher S. Van Nostrand,**  
*Acting Deputy Chief Counsel.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket Number FRA–2023–0047]

**Petition for Waiver of Compliance**

Under part 211 of title 49 Code of Federal Regulations (CFR), this

document provides the public notice that on June 25, 2023, Whitewater Valley Railroad (WVRR) petitioned the Federal Railroad Administration (FRA) 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) and 224 (Reflectorization of Rail Freight Rolling Stock). FRA assigned the petition Docket Number FRA–2023–0047.

Specifically, WVRR requested a special approval pursuant to 49 CFR 215.203, *Restricted cars*, for a total of 6 cars, comprised of 1 side dump car (CN 56752) and 5 cabooses (B&O C–2125, Erie 04946, NKP 759, EJ&E 521, and C&O 90299) that are more than 50 years from the date of original construction. WVRR also requests relief from § 215.303, *Stenciling of restricted cars*, and § 224.101, *General requirements*, to operate the cars in tourist/excursion service. In support of its request, WVRR states that the cars will not be

interchanged and will be operated at a maximum speed of 15 miles per hour.

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 October 10, 2023 will be considered by FRA