



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2003-15513]

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 received on April 16, 2014, Sunflour Railroad Inc./Denver Rock Island Railroad has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 223.11, *Requirements for existing locomotives*. FRA assigned the petition Docket Number FRA-2003-15513.

The Sunflour Railroad Inc./Denver Rock Island Railroad (SNR) of Commerce City, Colorado, petitioned for a permanent waiver of compliance for one locomotive (SNR 61) from 49 CFR 223.11(c), which requires certified glazing in all windows. The locomotive is equipped with automotive-type safety glass that is in good condition with no discoloration. SNR operates over 26.3 miles of excepted track in primarily rural territory at speeds not exceeding 10 mph. There has been no instance of vandalism from the time the original waiver was granted in 2003. As stated in the original petition for waiver in 2003, SNR considers that the expense of retrofitting the locomotive to comply with FRA safety glazing standards would impose an undue financial burden on the company to protect against situations it does not encounter.

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, S.E., W12-140, Washington, D.C. 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, S.E., W12-140, Washington, D.C. 20590.
- Hand Delivery: 1200 New Jersey Avenue, S.E., Room W12-140, Washington, D.C. 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by [INSERT DATE 45 DAYS FROM PUBLICATION OF THIS NOTICE] 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 August 20, 2014.

Ron Hynes,
Director, Office of Safety Assurance and Compliance.

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