

U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

**MAY 16 2017 Revised August 15 2017**

Mr. Gregory M. Richardson  
General Director-Train Control Systems Union  
Pacific Railroad Company  
1400 Douglas Street, Mail Stop 0480  
Omaha, NE 68179

**Re: Docket Number FRA-2016-0108**

Dear Mr. Richardson:

This reply is in reference to the Union Pacific Railroad's (UP) April 26, 2017, petition to the Federal Railroad Administration (FRA) seeking a modification to an existing waiver of compliance from Title 49 Code of Federal Regulations (CFR) § 236.566, *Locomotive of each train operating in train stop, train control or cab signal territory; equipped.*

UP requested that additional lines where Positive Train Control (PTC) will be implemented be added to this waiver. The relief will allow the operation of PTC in lieu of automatic cab signals (ACS), automatic train control (ATC), and automatic train stop (ATS).

The additional lines requested for inclusion in this waiver are attached as an enclosure.

FRA's Railroad Safety Board (Board) carefully reviewed the waiver request and supporting documentation, including UP's gap analysis, as well as FRA's technical staff findings.

As a result, the Board determined that the waiver request is in the public interest and consistent with railroad safety. Accordingly, the Board granted approval to the waiver under the following conditions:

1. A PTC system must be installed and operative before operations without ACS, ATC, or ATS may begin. The PTC system must be successfully initialized and a locomotive engineer trained and qualified in the operation of PTC must be present for operation of the train.
2. If the PTC system fails and/or is cut-out en route as a result of same, the train crew will cut-in the ACS, ATC, or ATS onboard system, perform a departure test, and if successful, continue the trip under ACS, ATC, or ATS operation.
3. **If the PTC must be cut out the ACS, ATC, ATS system must be placed back into service. If an ACS, ATC, ATS departure test cannot be performed i.e. due to being on the main track outside of a terminal, then the ACS, ATC, ATS system must be placed back in service and a departure test be performed at the next forward location”.**

This waiver expires December 31, 2018.

FRA reserves the right to modify or rescind this waiver upon receipt of public comments in response to the Federal Register notice which is being published concurrently with the issuance of this decision letter, or other information pertaining to the safety of rail operations or in the event of noncompliance with any condition of this waiver. Further, FRA reserves the right to take enforcement action under 49 U.S.C. § 20111 for noncompliance with any condition of this approval or applicable Federal regulations.

In any future correspondence regarding this letter, please refer to Docket Number FRA-2016- 0108.

If you have any questions regarding this letter, please contact Mr. Paul Weber, Railroad Safety Specialist, Signal and Train Control Division, at (202) 493-6258 or Paul.Weber@dot.gov.

Sincerely,

*aOp*

Robert C. Lauby  
Associate Administrator for Railroad Safety Chief  
Safety Officer

Enclosure

Enclosure

Subdivision	Cab Signal System	From MP	From Station	To MP	To Station
Blair	ATC	326.2	East Missouri Valley, IA		Missouri Valley, IA
Boone	ATC	202.2	Boone, IA		East Missouri Valley, IA
Clinton	ATC	2.1	Clinton, IA	202.2	Boone, IA
Columbus				144.5	East Grand Island, NE
Evanston		817.3	Green River, WY	977.5	Strawberry, UT
Geneva		0.8	Alsted, IL	138.9	Clinton, IA
Harvard			Harvard, IL	63.0	Harvard, IL
Hiawatha			Hiawatha, KS	143.0	Hiawatha, KS
Joliet			Joliet, IL	92.5	Pontiac, IL
Kansas		72.9	Wenonah, KS	143.0	Upland, KS
Kearney		144.5	East Grand Island, NE	82.0	Platte River, NE
Kenosha <sup>1</sup>	ACS1	30.2	Kenosha, IL	52.8	Kenosha, WI
Kenosha	ATS	2.7	CY (Clybourn), IL	52.8	Kenosha, WI
Laramie		510.8		682.8	Rawlins, WY
Laramie		519.1		519.7	West Speer, WY
Marysville		143.0		146.7	McLaughlin, KS
Marysville					Gibbon, NE
North Platte					North Platte, NE
Terminal					North Platte, NE
North Platte	ACS	291.0	Woodward, NE	291.9	Linman, NE
Terminal					North Council Bluffs, IA
Omaha		329.1	Missouri Valley, IA	348.5	North Council Bluffs, IA
Omaha		7.5		39.2	Remont, NE
Rawlins		682.8		815.1	Green River, WY
Sidney		291.9		509.3	Cheyenne, WY
South Morrill		300.4	O'Fallons, NE	157.0	Elton, NE

<sup>1</sup> ACS applicable for freight trains and UP business trains only