



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

AUG 3 1 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 additional locations 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, 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, or 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, or 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, other information pertaining to the safety of rail operations or noncompliance with any condition of this waiver. Further, FRA reserves the right to take enforcement action under 49 USC §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,



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

Enclosure