

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****[Docket Number FRA–2021–0031]****Petition for Waiver of Compliance and Extension of Comment Period**

On April 22, 2021, the Federal Railroad Administration (FRA) published notice of its receipt of a petition dated March 9, 2021, from Union Pacific Railroad Company (UP) requesting 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 232 (Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-Of-Train Devices). FRA assigned the petition Docket Number FRA–2021–0031.<sup>1</sup>

As noted in FRA's April 22, 2021, notice, UP requested relief from 49 CFR 215.13, *Pre-departure inspection*, which requires an inspection when combining two separate consists including one or more cars and one or more locomotives that have been properly inspected and tested in compliance with all applicable regulations (*i.e.*, both consists have had a Class I brake test (§ 232.205), Class IA brake test (§ 232.207), or have been designated as extended haul trains and are compliant with all requirements of § 232.213). UP states that the requested relief will allow combining two existing and operating trains without additional inspections, besides a Class III brake test. It further states that the relief will allow subsequent separation of two trains without additional inspections, besides a Class III brake test, provided that a record of the original consist remains intact. Although not explicitly referenced in FRA's April 22, 2021, notice, FRA notes that to accomplish the combining and subsequent separation of two existing and operating trains without additional inspections (besides a Class III brake test), UP also requests

<sup>1</sup> FRA notes that UP submitted 3 separate petitions to the docket of this proceeding. The first petition was dated February 24, 2021 (available at <https://www.regulations.gov/document/FRA-2021-0031-0001>). UP submitted a revised petition dated March 9, 2021 (available at <https://www.regulations.gov/document/FRA-2021-0031-0002>). Finally, UP submitted a third petition (also dated March 9, 2021) (available at <https://www.regulations.gov/document/FRA-2021-0031-0004>). UP's third petition corrected minor errors in its earlier petitions as UP explained in separate correspondence. That correspondence is Document No. FRA–2021–0031–0005 in the docket to this proceeding (available at <https://www.regulations.gov/document/FRA-2021-0031-0005>). FRA is considering and will respond to UP's third petition (Document No. FRA–2021–0031–0004).

relief from the requirements of 49 CFR 215.13(b) (pre-departure inspection) and § 232.205 (class I brake test-initial terminal inspection) on the combined and subsequently separated trains.

FRA's April 22, 2021, notice provided a 45-day public comment period (ending June 7, 2021) on UP's request for relief. Subsequent to publication of that notice, in a letter dated May 21, 2021, the Transportation Trades Department, AFL–CIO (TTD) requested that FRA extend the comment period pending FRA's clarification of certain questions related to UP's request for relief. Specifically, TTD asked if UP's request affects end-of-train (EOT) device inspections and inspections related to positive train control. TTD asked if "there are any other pre-departure inspections/duties performed on a locomotive that will be included in this waiver, including 236.587 departure tests." In response to TTD's request for clarification, FRA notes that UP's request for relief is limited to two FRA regulatory requirements—the inspection and test requirements of 49 CFR 215.13 (pre-departure freight car inspection) and § 232.205 (Class I brake test-initial terminal inspection) for trains that have been combined and then subsequently separated as outlined in UP's petition. UP has not requested relief from, and FRA is not considering granting relief from, any other regulatory requirements other than §§ 215.13 and 232.205 under the specific circumstances outlined in UP's March 9, 2021, petition.

A copy of UP's petition, as well as all written communications concerning the petition, is available for review online at [www.regulations.gov](https://www.regulations.gov).

In response to TTD's request, FRA is extending the comment period in this waiver proceeding for an additional 30 days.

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 by any of the following methods:

- **Website:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202–493–2251.

- **Mail:** Docket Operations Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.

Communications received by July 7, 2021, 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.*

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**BILLING CODE 4910–06–P**

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****[Docket Number FRA–2010–0011]****Petition for Extension of Waiver of Compliance**

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on May 17, 2021, Norfolk Southern Corporation (NS) petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 236, Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of Signal and Train Control Systems, Devices, and Appliances. The relevant Docket Number is FRA–2010–0011.

Specifically, NS requests continued relief from 49 CFR 236.377, *Approach locking*; 236.378, *Time locking*; 236.379, *Route locking*; 236.380, *Indication locking*; and 236.381, *Traffic locking*. The relief would continue the extension of periodic testing schedules from at least once every two years to at least

once every four years at interlockings, control points, and other signal locations controlled by solid-state microprocessor-based equipment.

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 by any of the following methods:

- *Website:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Ave. SE, W12-140, Washington, DC 20590.

Communications received by July 23, 2021 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.*

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Elizabeth Betsy Pope d/b/a Eastgate Laboratory Testing and Mounir R. Khouri; Removal From the Public Interest Exclusion List

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice.

**SUMMARY:** The Department of Transportation (DOT) issued a decision and order under the Procedures for Transportation Workplace Drug and Alcohol Testing Programs excluding a service agent, Elizabeth “Betsy” Pope d/b/a Eastgate Laboratory Testing in Tennessee and all other places doing business, and all other individuals who are employees or all other individuals associated with Ms. Pope and Eastgate Laboratory Testing, from providing drug and alcohol testing services in any capacity to any DOT-regulated employer for a period of 5 years. Ms. Pope and her company provided Medical Review Officer services to DOT-regulated employers directly and through other service agents when Ms. Pope was not qualified to act as a Medical Review Officer. The 5-year period has ended and Ms. Pope, et al., have been removed from the list of excluded service agents.

**DATES:** This Notice is effective as of January 21, 2021.

**FOR FURTHER INFORMATION CONTACT:** Bohdan Baczara, Deputy Director, U.S. Department of Transportation, Office of Drug and Alcohol Policy and Compliance, 1200 New Jersey Avenue SE, Washington, DC 20590; (202) 366-3784 (voice), (202) 366-3897 (fax), or [Bohdan.Baczara@dot.gov](mailto:Bohdan.Baczara@dot.gov).

**SUPPLEMENTARY INFORMATION:** The Department of Transportation (DOT) issued a decision and order under the Procedures for Transportation Workplace Drug and Alcohol Testing Programs excluding a service agent, Mounir R. Khouri d/b/a Mobile Testing Services, Inc., in Vermont and all other places it is incorporated, franchised, or otherwise doing business, and all other individuals who are officers, employees, directors, shareholders, partners, or other individuals associated with Mr. Khouri and Mobile Testing Services, Inc., from providing drug and alcohol testing services in any capacity to any DOT-regulated employer for a period of 5 years. Mr. Khouri and his company provided Medical Review Officer services to DOT-regulated employers directly and through other service agents when Mr. Khouri was not qualified to act as a Medical Review Officer. The 5-year period has ended

and Mr. Khouri, et al., have been removed from the list of excluded service agents.

The Department published notice of the Public Interest Exclusion for Elizabeth Betsy Pope, et al., on August 24, 2015 (80 FR 51349) and for Mounir R. Khouri, et al., on January 27, 2016 (81 FR 4739). The exclusions were for 5-year periods, respectively, which have now run their term. We have removed Ms. Pope and Mr. Khouri from the DOT’s list of Public Interest Exclusions on our website at: <http://www.transportation.gov/odapc/pie>. We are also notifying the public of the removal by publishing this **Federal Register** notice as required by 49 CFR 40.401(d).

Issued on May 20, 2021, in Washington, DC.

**Bohdan Baczara,**

*Deputy Director, Office of Drug and Alcohol Policy Compliance.*

[FR Doc. 2021-11902 Filed 6-7-21; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### Notice of OFAC Sanctions Actions

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of the Treasury’s Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC’s Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC’s determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

**DATES:** See Supplementary Information section for effective date(s).

**FOR FURTHER INFORMATION CONTACT:** OFAC: Andrea Gacki, Director, tel.: 202-622-2490; Associate Director for Global Targeting, tel.: 202-622-2420; Assistant Director for Licensing, tel.: 202-622-2480; Assistant Director for Regulatory Affairs, tel.: 202-622-4855; or the Assistant Director for Sanctions Compliance & Evaluation, tel.: 202-622-2490.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Availability

The Specially Designated Nationals and Blocked Persons List and additional