

Norfolk Southern Corporation  
ATC Systems & Operations  
650 W Peachtree  
Atlanta, GA 30308

February 10, 2026

Mr. Karl Alexy  
Associate Administrator for Railroad Safety and Chief Safety Officer  
Federal Railroad Administration, United States Department of Transportation  
1200 New Jersey Avenue SE  
Washington, DC 20590

**Re: Petition for Waiver of Compliance to 49 CFR § 236.566; 2026 Heritage Excursion Tour**

Dear Mr. Alexy,

Norfolk Southern (NS) submits the attached Petition for Waiver of Compliance to Title 49 Code of Federal Regulations (CFR) Part 236, specifically 49 CFR § 236.566, which is a related to a similar filing made by Union Pacific Railroad for the 2026 Heritage Excursion Tour.

This petition is submitted pursuant to 49 CFR Part 211 and is intended to fully satisfy all applicable procedural and content requirements, including the three-month filing lead time (absent good cause) and docketing requirements of § 211.7. Consistent with § 211.9, NS has included the required elements: the specific relief sought, the basis and need for the request, identification of affected territory and equipment, and supporting information addressing safety considerations, cost/benefit impacts, and operational effects.

Because aspects of this request relate to signal-system requirements, NS has incorporated the content elements specified in 49 CFR § 235.10 to ensure that the petition is complete for matters that may be processed under Parts 235/236. In doing so, NS also recognizes the FRA's Guidance on Submitting Requests for Waivers, Block Signal Applications, and Other Approval Requests, and will provide supplemental information to facilitate a fully informed agency review.

NS understands that FRA's handling of this petition will follow the procedural steps described in 49 CFR § 211.7(b)(1), including written acknowledgment of receipt, assignment of a docket number, and FRA's initial completeness review within the timeframes specified.

We respectfully request FRA's consideration of this petition and stand ready to support the agency throughout its technical and safety review.

Sincerely,

/s/Daniel Gold

Daniel Gold – Sr. Director, ATC Systems & Operations  
[Daniel.Gold@NSCorp.com](mailto:Daniel.Gold@NSCorp.com)

**Attachments:** Petition for Waiver of Compliance

**CC:** JaQuinton Braswell, Norfolk Southern  
Jared Hopewell, Norfolk Southern

Carolyn Hayward-Williams, FRA  
Gabe Neal, FRA  
Richard Scott, FRA  
FRA Docket Clerk  
[FRAWaivers@dot.gov](mailto:FRAWaivers@dot.gov)



650 W Peachtree St. NW  
Atlanta, GA 30308  
www.norfolksouthern.com

Daniel Gold  
Sr. Director, ATC Systems & Operations  
Daniel.Gold@nscorp.com

## Petition for Waiver of Compliance

*This petition is submitted consistent with 49 CFR §211.9 content requirements and processed under 49 CFR 211 Subpart C Waivers.*

### **Petition Information (49 CFR §211.9(a)(b)):**

#### **Petitioner:**

Norfolk Southern Railway Company (NS)

#### **Authorized Officer(s) & Primary Contact(s):**

Daniel Gold – Sr. Director ATC Systems and Operations; [Daniel.Gold@nscorp.com](mailto:Daniel.Gold@nscorp.com)

JaQuinton Braswell – Sr. Manager System Safety and Regulatory Compliance; [JaQuinton.Braswell@nscorp.com](mailto:JaQuinton.Braswell@nscorp.com)

#### **Relief or waiver requested from:**

49 CFR § 236.566 – *Locomotive of each train operating in train stop, train control or cab signal territory; equipped*

#### **Interest of the Petitioner:**

NS owns and operates cab-signal territory over which Union Pacific Railroad's (UP) historic steam locomotive UP 4014 ("Big Boy") seeks to operate for special excursion. UP 4014 lacks a cab-signal apparatus and cannot be practicably outfitted without significant and irreversible modifications to the historic locomotive. Such modifications cannot be made with current space limitations in the locomotive cab or in time to support the planned excursion.

NS seeks a temporary waiver that is time-limited, subdivision specific, and locomotive consist necessary to host the tour safely without altering NS signal systems or otherwise diminishing protections. This application is a coordinated filing to one sought by UP for similar purposes.

### **Evaluation of Impacts and Supporting Information (49 CFR §211.9(c)):**

#### **Costs:**

There are no resulting costs anticipated to consumers or to local and State governments related to the approval of this petition. NS suspects that costs to the Federal government are limited to those associated with normal FRA oversight. NS/UP will assume costs for the operation of this special excursion according to agreements between the two parties.

#### **Benefits:**

Approval of this waiver will benefit the public through education, community engagement, and patriotism as aligned with the mission and values expressed by the nonpartisan, U.S. Semiquincentennial Commission and its supporting nonprofit, America250.org, Inc.

#### **Other Supporting Information (49 CFR §211.9(c) & 49 CFR § 235.10):**

In addition to the information required by 49 CFR §211.9 for petition content, 49 CFR Part 211.53 also lays out the material that should accompany applications that request a waiver of a requirement in 49 CFR Part 236. In those cases, petitions are handled in accordance with procedures set forth in 49 CFR Part 235 or 49 CFR Part 236 accordingly.



650 W Peachtree St. NW  
 Atlanta, GA 30308  
 www.norfolksouthern.com

Daniel Gold  
 Sr. Director, ATC Systems & Operations  
 Daniel.Gold@nscorp.com

Thus, the following sections provide content require by 49 CFR 235.10 Contents of applications, including a description of changes to our operating practices and the effect on safety to underpin the relief requested in this petition.

**49 CFR 235.10 Contents of applications:**

**Corporate Name (49 CFR § 235.10(a)(1)):**

Norfolk Southern Railway Company (NS), the “applicant” on behalf of itself and its operating subsidiaries.

**Manner in which Applicant is Involved (49 CFR § 235.10(a)(2)):**

NS is the host railroad and owner of cab signal territory over where Union Pacific Railroad will operate the Heritage Excursion Tour train.

**Location of the Project (49 § 235.10(a)(3)):**

The 2026 Heritage Excursion Tour train is planned to traverse the following line segments which are designated as cab signal territory.

<b>SUBDIVISION / Line Segment</b>	<b>From Milepost</b>	<b>From Station</b>	<b>To Milepost</b>	<b>To Station</b>
LANCASTER / Royalton Branch	RY 0.0	CP Shocks	RY 21.9 / HP 112.4	CP Paxton
HARRISBURG ROAD / Harrisburg Line	HP 112.4 / RY 21.9	CP Paxton	HP 112.9 / PT 104.9	CP Harrisburg
HARRISBURG TERMINAL / Pittsburgh Line	PT 104.9 / HP 112.9	CP Harrisburg	PT 118.9	CP Cannon
ALTOONA / Pittsburgh Line	PT 118.9	CP Cannon	PT 290.6	CP Conpit
PITTSBURGH EAST / Pittsburgh Line	PT 290.6	CP Conpit	PT 353.35 / PC0.0	End of Pittsburgh Line
PITTSBURG EAST / Fort Wayne Line	PC 0.0	CP Penn	PC 24.5	CP West Conway
CONWAY WEST / Fort Wayne Line	PC 24.5	CP West Conway	PC 83.2	CP Alliance
CONWAY WEST / Cleveland Line	RD 66.9	CP Alliance	RD 85.9	CP 86
CLEVELAND TERMINAL / Cleveland Line	RD 85.9	CP 86	RD 123.6	Drawbridge

**Track or Tracks Involved (49 CFR § 235.10(a)(4)):**

All tracks operated as cab signal territory.

**Complete Description of Proposed Changes or the Section from which Relief is Sought (49 CFR § 235.10(a)(5)):**

There is no physical signal change proposed in this application to any part of NS’s signal and train control systems. This petition for waiver does not discontinue, decrease, or modify Norfolk Southern’s signal and train control systems.



650 W Peachtree St. NW  
Atlanta, GA 30308  
www.norfolksouthern.com

Daniel Gold  
Sr. Director, ATC Systems & Operations  
Daniel.Gold@nscorp.com

Relief is sought from the application of 49 CFR § 235.566 to this excursion train for the duration of the 2026 Heritage Excursion Tour train on NS's cab signal territory.

49 CFR §236.566 requires the locomotive from which brakes are controlled of any train operating in automatic train stop, train control, or cab signal territory to be equipped with the corresponding operative device apparatus. In this case, Big Boy is not equipped with an onboard cab signal apparatus and therefore cannot satisfy the federal rule requirement.

The relief sought in this petition is train specific and time-limited for the dates that NS will host the excursion train.

**Reason for Proposed Changes or Justification for Relief (49 CFR § 235.10(a)(6)):**

Norfolk Southern has agreed to host UP Big Boy 4014 to honor the 250<sup>th</sup> anniversary of the United States through the celebration of our nation's proud railroading legacy with a coast-to-coast tour. The 2026 Heritage Tour will be led by UP Big Boy 4014 and other commemorative locomotives, including the new UP No. 1776 – America250. UP No. 1776 – America250 pays tribute to the signing of the Declaration of Independence and will feature the emblem of the America250 Semiquincentennial Commission, the nonpartisan organization established by Congress to lead observances for nation's 250<sup>th</sup> anniversary. This tour represents a unique and rare opportunity to deliver substantial educational and community benefit as planned through a multiple scheduled stops along the trip. Approval of this application will permit Norfolk Southern to support routes contemplated for the eastern leg of the 2026 Heritage Tour.

UP received approval to fully discontinue use of their cab signal system in 2022 which led to the sequent decommissioning and removal of cab signal equipment from all locomotives, including UP Big Boy 4014. At the same time, federal requirements levied in 49 CFR 236 Subpart I necessitated the installation of an interoperable Positive Train Control system for continued use on PTC mandated line segments. As such, UP Big Boy 4014 underwent a multi-year modernization effort to augment its cabin so that it could support a compliant onboard PTC system in place of its cab signal hardware.

In contrast, Norfolk Southern still maintains and operate tracks that feature a cab signal system where much of our cab signal territory does not include a complementary wayside signal. For the purposes of this application, the historic nature of UP Big Boy 4014 inhibits reinstallation of the cab signal apparatus without significant and impractical changes to the locomotive; certainly not in time to operate on the 2026 Heritage Excursion Tour.

With these concerns in mind, Norfolk Southern seeks relief from the requirement to equip the locomotive consist for the 2026 Heritage Excursion Tour with cab signal equipment for operation on our cab signal territory. To mitigate the risks associated with this request, Norfolk Southern will implement temporary changes to its operating practices as described in this application.

**Approximate Dates of Beginning and Completion (49 CFR § 235.10(a)(7)):**

The 2026 Heritage Excursion Tour is tentatively scheduled to take place between May 25 and July 29, 2026. Approval of this waiver will apply during the limited duration of the tour on Norfolk Southern's cab signal territory. Norfolk Southern will promptly notify the FRA with any changes to the dates anticipated by this application.

Union Pacific and Norfolk Southern will make public announcements related to tour dates, activities, and other details as we continue to finalize them to ensure the public as a chance to engage in the celebration of our nation's 250<sup>th</sup> anniversary through this unique opportunity.



650 W Peachtree St. NW  
Atlanta, GA 30308  
www.norfolksouthern.com

Daniel Gold  
Sr. Director, ATC Systems & Operations  
Daniel.Gold@nscorp.com

### **Changes in Operating Practices, temporary or permanent (49 CFR § 235.10(a)(8)):**

Norfolk Southern has experience supporting the movement of steam locomotives and other special movements on our network which has led to the adoption of operating rules, instructional notices, processes and procedures designed to bolster the safety of our operations. FRA has also approved for Norfolk Southern to make certain limited moves on cab signal territory without the requirement to equip lead locomotives with an onboard cab signal apparatus. While those waivers have a narrow application, they still inform our decision to submit this request.

NS will make temporary changes to its operating practices to implement the following operating conditions specific to movements with Big Boy as the lead locomotive on cab signal territory.

#### **1. Fully Functional and Operative PTC system**

- a. The train will depart on PTC equipped line segments with a fully operative and functioning onboard PTC system in compliance with 49 CFR 236 Subpart I.
- b. En route Failure of the PTC system will be handled consistent with existing operating rules and processes governing PTC system failures.

#### **2. Absolute Block Protection**

- a. The tour will operate under the protection of an absolute block in advance of the train.

#### **3. Maximum Speed Restrictions**

- a. Maximum speed must not exceed 40 MPH, consistent with the speed limit identified in NS System Timetable General Speed Restriction SP-2 for steam locomotives and more restricted than prescribed in 49 CFR § 236.567(c) for a train operating with a failed/cut out cab apparatus with absolute block.
- b. Besides other permanent speed restrictions already identified in timetables, NS may impose lower speed limits in specific locations when deemed prudent.

#### **4. Wayside Signal Compliance**

- a. Interlocking and controlled point signal indications will govern movement within interlocking limits or through controlled points only.
- b. The train must observe existing NS Operating Rules for signal indications.

#### **5. Experienced Train Crew**

- a. UP Big Boy No 4014 must be operated by personnel qualified to do so by requirements provided in 49 CFR Part 230.
- b. NS will require that a qualified NS pilot or train crew ride in the controlling locomotive for this excursion tour train to supervise and observe the movement with a focus on territory familiarity, communications discipline, and rule compliance monitoring.

#### **6. Dispatcher and Route Mitigations**

- a. Dispatchers will ensure that the track to be used by the excursion tour train is clear and that there are no conflicting movements authorized until the excursion movement clears.
- b. Reverse movements must only be made with permission of the Train Dispatcher once they have determined it is safe to do so.

#### **7. Incident Reporting**

- a. Norfolk Southern will enforce existing operating rules and reporting protocol for issues related to signal and train control system.

Norfolk Southern will publish and distribute operating bulletins and/or special instructions to communicate these operating conditions to relevant personnel.



650 W Peachtree St. NW  
Atlanta, GA 30308  
www.norfolksouthern.com

Daniel Gold  
Sr. Director, ATC Systems & Operations  
Daniel.Gold@nscorp.com

### **Effect on Safety of Operations (49 CFR § 235.10(a)(9))**

NS takes its responsibility to safely operate train movements on its network. We have engaged in ongoing planning and coordination with stakeholders to ensure the relief sought in this application does not negatively impact safety. Inherent to our commitment to safety we have incorporated provisions in this application that we believe will limit our exposure to unsafe conditions upon approval. This application diminishes safety risks through the following methods.

**1. Time-Limited Relief**

The accommodations proposed in this application are temporary for period that is not expected to last for more than 65 days. Norfolk Southern commits to notifying the FRA when it suspects there will be changes to the tour dates and duration.

**2. Limited in Scope**

Approval of this waiver will only apply to the locomotive consist for the excursion train when traversing NS's cab signal territory. This waiver is not applicable to other trains on NS cab signal territory that are required to be equipped with an onboard cab signal apparatus.

**3. Risk Mitigations**

The operating conditions proposed in this document are designed to ensure safety protection equivalent to the intent of 49 CFR §236.566 and are comparable to the en route failure restrictions permissible under 49 CFR §236.567 (e.g. incident reporting, absolute block protection, speed restrictions). The proposed conditions also layer in additional mitigations for train operation and routing requirements (e.g. additional crew requirements and dispatcher-routing restrictions).

**4. Revocable for noncompliance**

We believe the 2026 Heritage Excursion Tour will provide a rare opportunity for substantial educational and community benefits in the public interest. We also believe the operating conditions proposed in this application will satisfy any concerns related to safety. Notwithstanding, we acknowledge FRAs power to impose additional or a different set of conditions when granting petitions for waiver of safety rules (49 CFR §211.41(c)). We also respect that FRA may reserve its right to modify or rescind waivers for reasons related to the safety of rail operations or noncompliance with conditions to the waiver's approval.

### **Conformance with FRA Rules and Regulations (49 CFR § 235.10(a)(10))**

NS confirms that there are no changes to its signal and train control systems; operations will conform to 49 CFR Part 236 requirements except for the specific relief requested from 49 CFR § 235.566 for the Heritage Excursion Tour train, subject to FRA approval and any imposed conditions.