

UNITED STATES GOVERNMENT

FRA = EO 3 - Amendment
DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

Memorandum

DATE: AUG 16 1973

In reply
refer to: TB-73-36A

TO : All Regional Directors

FROM : Associate Administrator for Safety

SUBJECT: FRA Emergency Order No. 3, Amendment

The Amendment to Emergency Order No. 3, effective August 16, 1973, provides that a car equipped with a continuous steel sub-floor and cast metal brake shoes may be used to transport Class A Explosives.

However, all brake shoes on the car must be of the cast metal type; they must be in a safe and suitable condition for service and within the recommended AAR wear limits.

A car so equipped may be used to transport Class A Explosives only in accordance with the provisions of Part (c) of Emergency Order No. 3.

This Amendment has an effective life of 30 days and expires September 16, 1973.

Mac E. Rogers
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Attachments

*Distribution made to all
Safety Inspectors 8-20-73.*

DEPARTMENT OF TRANSPORTATION
Federal Railroad Administration

[FRA E. O. No. 3, AMST. 1]

EMERGENCY ORDER REGARDING USE OF CARS
TRANSPORTING CLASS A EXPLOSIVES

Amendment

On August 9, 1973, the Federal Railroad Administration (FRA) issued an emergency order under the authority of Section 203 of the Federal Railroad Safety Act of 1970 (45 U.S.C. §432) which prohibited the further transportation of Class A explosives (49 C.F.R. 173.53) by any railroad except under the conditions contained in the order (38 FR 21952). It was concluded through investigations of recent railroad accidents involving explosions of Tritonal and other bombs that an emergency situation involving a hazard of death or injury to persons existed which necessitated issuance of the order.

The emergency order requires, among other things, that each car used to transport Class A explosives must be equipped with one of three types of brake shoes listed in subdivision (a) of the order. The use of cast iron brake shoes, except those which are characterized as "high phosphorous", is not permitted by the order because cast iron shoes are high sparking in nature.

Nevertheless, it has come to the attention of the FRA that since cast iron shoes are in common usage, railroads must be given some time within which to equip their cars with the requisite brake shoes, or else discontinue the transportation of Class A explosives on a regular schedule. Railroads will also need time to distribute an adequate supply of the requisite brake shoes to repair points.

The FRA believes that it is in the public interest to give the railroads an opportunity to adequately equip their cars with brake shoes required by the order so as not to unduly disrupt transportation service. At the same time, control must still be exercised over the emergency situation that is apparent from the recent accidents. Therefore, effective immediately, the emergency order concerning the transportation of Class A explosives issued on August 9, 1973, (FRA E. O. No. 3), is amended by adding the following exception:

Until September 16, 1973, a railroad may transport Class A explosives in a car equipped with cast iron brake shoes if --

- (1) all brake shoes on the car are cast iron;

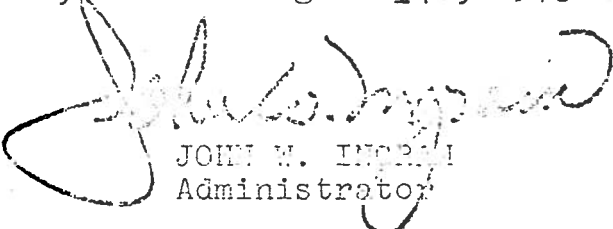
(2) the car has a continuous steel sub-floor; and

(3) the railroad complies with the provisions of subdivision (c)(1)-(3) of the emergency order governing inspection of the car and each car coupled to that car in a train.

A civil penalty of not less than \$250 nor more than \$2500 will be assessed for each violation of this amendment to the emergency order, and each day of such violation will constitute a separate offense.

(Sec. 203, 84 Stat. 972, 45 U.S.C. 432; and §1.49(n) of the regulations of the Office of Secretary of Transportation, 49 C.F.R. 1.49(n)).

Issued in Washington, D.C. on August 14, 1973.



JOHN W. INGRAM
Administrator