

## FRA Voluntary Risk Reduction Program (RRP)

### *Frequently Asked Questions*

*The information below describes the voluntary components of FRA's Risk Reduction Program. Information on the regulatory requirements, as defined in the Railroad Improvement Safety Act of 2008, is not included here and will be issued soon.*

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#### GENERAL INFORMATION

##### ***What is the overall objective of the Voluntary RRP?***

FRA's RRP is an industry-wide initiative designed to improve safety and build strong safety cultures, by developing innovative methods, processes, and technologies to identify and correct safety risk factors using "upstream" predictive data. The RRP will allow better management and use of precursor (predictive) data, beyond the traditional accident and injury data currently used, and will lead to a safety learning culture that allows open disclosure about safety without the fear of adverse consequences. Although traditional rule-based systems have been effective at establishing minimum safety standards, we believe additional safety improvements can be made through safety enhancements such as risk reduction initiatives.

FRA holds a leadership position from which it can encourage the adoption of risk reduction initiatives, without minimizing its safety compliance and oversight role. With the cooperation of senior leaders in railroad industry – FRA, labor organizations, and railroads – we hope to significantly reduce accidents and injuries. FRA's long term objective in undertaking these efforts is to reduce reportable accidents and injuries by 50% within 10 years.

##### ***Why is the RRP important?***

Recognizing indicators of risk *before* an accident happens provides perhaps one of the greatest opportunities for improved safety and performance. In the past decade many different risk management programs have been implemented in various industries, with varying degrees of success. These programs, designed to systematically collect accident precursor data, reduce risk exposure through a corrective action program.

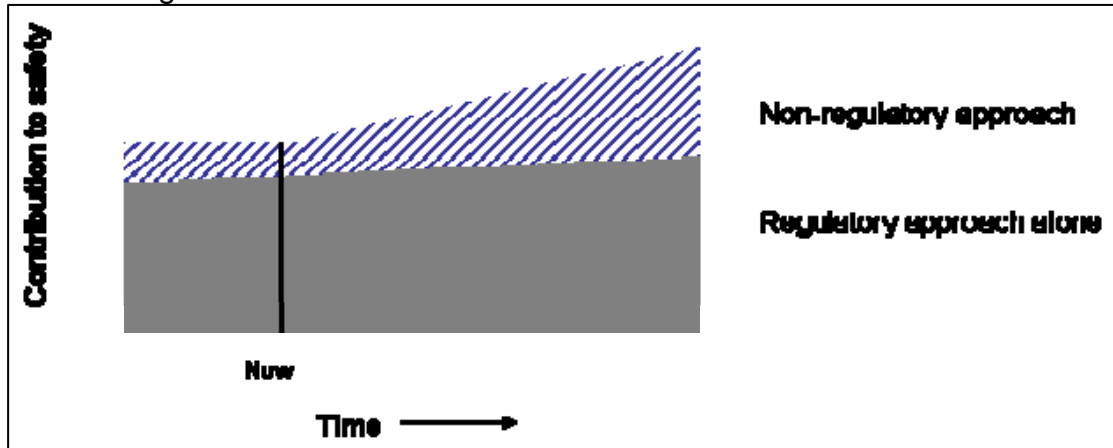
The RRP will provide a way for railroads, FRA, and labor organizations to learn about why unsafe events occur, without fear of blame or punishment. It is intended to provide a way for the railroad and its employees to identify the underlying conditions that contribute to the unsafe events rather than focusing only on the employee's actions. It will also provide methods for employees to report events or safety conditions that could have harmful consequences, but

didn't, without risk of disciplinary action. When fully implemented, the RRP will identify systemic factors that can address multiple problems, and will identify, track, and evaluate corrective actions, and will make information that was previously hidden from view or unknown available for analysis and problem solving.

## RELATIONSHIP OF RRP TO ENFORCEMENT AND COMPLIANCE

### ***How does RRP relate to the enforcement and compliance roles for the Office of Safety (RRS)?***

Current regulations, safety rules, regulatory compliance, operating rules compliance, and employee disciplinary policies are considered important cornerstones of the overall safety system in the U.S. rail industry. Enforcement and compliance efforts have led to recent successes in reducing the numbers of accidents and injuries, and are expected to continue providing a baseline level of safety throughout the industry. FRA has determined, however, that it could build upon the traditional approach. Non-regulatory risk-based approaches present an opportunity to enhance safety beyond the baseline created by the current process. As the figure below illustrates conceptually, encouraging the adoption of new non-regulatory approaches to supplement regulatory approaches creates the opportunity for accelerated improvement. The combination of these two approaches will allow FRA to increase its impact and make more rapid progress in achieving its mission.



### ***Will it be a voluntary or mandatory program?***

In January 2007, the General Accounting Office (GAO) published a report on rail safety, entitled *The Federal Railroad Administration Is Taking Steps to Better Target Its Oversight, but Assessment of Results Is Needed to Determine Impact*. In this report, the GAO recommended against the FRA adopting mandatory risk management approaches, saying that “the agency is currently pursuing various initiatives to reduce train accident rates. In our view, these initiatives need time to mature to demonstrate their effects and, subsequently, an informed assessment would need to be made about whether additional actions are warranted.” In the

Rail Safety Improvement Act of 2008, however, Congress requires the FRA to develop a regulation that requires certain railroads to develop risk reduction programs, and to submit Risk Reduction Program Plans for FRA review and approval. At this time, the regulation is under development and will not be implemented until 2012. For this reason, the RRP is currently being designed as a set of voluntary programs that will provide a variety of interventions for the industry to pilot and adopt if successful.

***Will a waiver be part of the process, or required?***

The need for a waiver will depend upon the RRP pilot project in question. For example, in the Confidential Close Calls Reporting System, the railroads have requested waivers from specific portions of CFR Part 240. The waiver requests were tailored to the needs of the participating labor organizations so they could report unsafe events and still receive protection from discipline and FRA sanctions. This protection also extended to railroads. However, another pilot program, which involves peer observation and feedback of at-risk behavior, does not involve a waiver request in order for the project to proceed.

***What types of projects are considered?***

Beyond the human factors projects already mentioned, FRA envisions a wide variety of other projects that could fit under the RRP umbrella. Examples include the Collision Hazard Analysis currently in place on some commuter railroads, use of the Track Quality Index for predictive maintenance or capital investment, or use of trending data from hotbox detectors or other sensors. Any innovative use of predictive data could be seen as a potential pilot.

## **RELATIONSHIP OF RRP TO OTHER PROGRAMS AND PILOT PROJECTS**

***How will the Voluntary RRP be managed in FRA?***

The Voluntary RRP, due to the nature of its accident reduction goals and the direct relationship to the overall promotion of rail safety the program, will be managed by the Risk Reduction Program Division in the Office of Safety Analysis. The Risk Reduction Program Division will assist the rail industry in establishing programs that identify and address risk and that include measurable goals and corrective action processes. By working with railroad, labor, and other interested organizations on a voluntary basis, the Risk Reduction Division will oversee projects that target operations, equipment, or systems that pose a risk to operational and personnel safety, and will establish projects that effectively prevent an accident or incident. It will be supported closely and in partnership with FRA's Office of Railroad Development

***How does RRP compare to the work accomplished by the Switching Operations Fatality Analysis (SOFA) group and the Collision Analysis Working Group (CAWG)?***

The RRP shares two common elements with SOFA and CAWG. Like the RRP,

both programs involve industry partnerships between labor, management, and the FRA. They also involve objective data analysis to systematically identify safety risk factors, and recommendations to prevent or mitigate those identified risk factors in the future. RRP is different from SOFA and CAWG in that it seeks information about unsafe events or at-risk behaviors that have not yet resulted in harm to people, equipment or the environment. The RRP uses “upstream” or predictive risk-related data, whereas SOFA and CAWG use past accidents to identify risk. Using information about events that have not resulted in harm creates a more open and trusting environment in which to learn why unwanted consequences occur. RRP seeks to proactively improve safety by providing a “safe” environment in which to learn from at-risk behaviors, events, and conditions.

***How does RRP relate to other pilot projects, such as the Confidential Close Calls Reporting System (C3RS), Changing At-Risk Behaviors (C.A.B.), and Safety Through Employees Exercising Leadership (S.T.E.E.L.)?***

RRP evolved from pilot programs such as these into an industry-wide initiative to encourage the adoption of proactive risk-based safety initiatives more broadly. C3RS, C.A.B. and S.T.E.E.L. are voluntary pilot programs involving partnerships between labor, management, and the FRA. Each of the pilot projects contains many of the key elements we expect to include in the RRP, such as:

- involvement and commitment from all key stakeholder groups;
- confidential, systematic and objective data gathering, analysis, and reporting;
- employee protection;
- problem solving and corrective actions; and
- long-term sustainability mechanisms.

The RRP effort will combine pilot projects like these into a broader safety program to be developed with support from the industry stakeholders.

***Will RRP be implemented through pilot projects?***

Yes. When the RRP process is more clearly defined and is ready for implementation, FRA will support pilot implementations at selected sites in the industry where interest lies. As the benefits of the process become better documented, it is expected that more interest may grow to expand these pilots and add new ones.

***How will the RRP identify safety risks that are pertinent to the industry and to individual railroads respectively?***

The purpose of the RRP is to establish successful innovative risk reduction projects at selected pilot sites, and to document measurable outcomes from the programs. It will be up to individual railroads to implement these programs beyond the pilot sites selected, and up to the industry as a whole to implement a specific risk-reduction program industry-wide.

## INVOLVEMENT OF FRA OFFICE OF SAFETY INSPECTORS

### ***What does the RRP mean for the FRA Safety Inspector?***

Basic inspection and enforcement responsibilities will not change. FRA will begin engaging key stakeholder groups to help design the program. As a critical stakeholder group, some Office of Safety (RRS) Inspectors, along with Regional management, will be called upon to share their insight and expertise to help in the design, implementation and evaluation of the Program.

Regular inspections will remain the primary focus of Inspector's routine duties. Violations, consistent with the guidance in 49 CFR Part 209 Appendix A; will remain a frequently used tool to achieve compliance. Inspectors will continue to have the same level of access to all the traditional enforcement tools, including Individual Liability actions, Special Notice for Repairs, Compliance Orders and Emergency Orders.

More information on RRP is available at <http://www.fra.dot.gov/us/content/2029>. Should you have any questions, issues, or concerns, please contact Miriam Kloeppe, RRP Division Staff Director at 202-493-6224 or [Miriam.Kloeppel@dot.gov](mailto:Miriam.Kloeppel@dot.gov).