



October 21, 2013

Joseph C. Szabo  
Administrator  
Federal Railroad Administration  
1200 New Jersey Avenue SE  
Washington, DC 20590

Dear Administrator Szabo:

In your letter dated September 30, 2013, you asked the American Public Transportation Association (APTA) to summarize the steps that our commuter railroad members have taken to implement Safety Advisory 2013-006.

We have asked our members to provide this information, and we have received responses from 22 commuter railroads to date, including one railroad that is under construction and not yet operational. As additional responses are received, we would be happy to update the summary below.

As you know, our nation's commuter railroads are quite varied as to the methods used to provide service. A significant number are contract operated, where the public agency that funds and oversees the contract has minimal or no staff directly involved in train operations. Many operate as tenants on a railroad line(s) dispatched and maintained by another entity. Some have no freight operations on their line(s), and several have no trains that transport hazardous materials. Some do not permit unattended equipment on main track. Therefore there are several parts of the safety advisory that do not directly apply to every APTA member railroad.

### **Review with Their Employees the Circumstances of the Lac-Me'Gantic Accident**

- Each responding APTA member indicates that such a review was accomplished, either with its own employees, or in coordination with its contractors, guest operations, or host railroads as applicable. For some smaller commuter operations, safety sensitive employees were briefed in face-to-face meetings and job briefings, for larger operations, this information most often was provided to employees by way of bulletin orders. Many also indicated that follow-up training on EO 28 has been held or is scheduled to be incorporated into upcoming recertification, rules classes or other training (for those for which EO 28 applies).
- As an example, Metrolink included information on the Lac-Me'gantic accident, as well as other recent transportation accidents, in its Summer Safety Retreat which was held in July 2013, well before the issuance of EO 28 and the safety advisory. Participating in this safety retreat was: Metrolink CEO, COO, members of the

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*Rosa Navejar*  
*Keith T. Parker*  
*Thomas F. Prendergast*

*President & CEO*  
*Michael P. Melaniphy*

safety, engineering, and dispatch staff and representatives of Metrolink's contractors for operations and maintenance.

#### **Review Crew Staffing for Trains Transporting Hazardous Materials as Specified in Safety Advisory 2013-06**

- Generally, this portion of the Safety Advisory does not apply to our members; only one railroad that has responded to date directly operates freight service, or otherwise controls how freight trains operating on its lines are staffed. The one railroad mentioned above has no train crews of less than two persons.
- Some commuter railroads that share lines with freight operations that transport hazardous materials have reported that such a review was conducted jointly with the freight operator, or the freight railroad has shared the results of its own review, or the commuter railroad has requested this information from the freight operator.

#### **Removal of Reverser Levers to Prevent Unintended Movement of any Train**

- In almost all cases, those who have responded to date indicate that their operating rules require this; or that all unattended equipment is required to be locked; or that unattended trains and equipment are not permitted on mainline track or mainline sidings outside of a yard or terminal. One railroad that is not required to address this under EO 28 is, however, evaluating the feasibility of installing a location within the locomotive cab where the reverser lever can be secured after being removed.
- As an example, Metra reports that employees are required to remove the reverser lever whenever the cab is unoccupied. Additionally, all cabs must be secured when not occupied.

#### **Evaluation of Operational Testing Programs Pertaining to Procedures Governing Securement of Unattended Equipment**

- Those responding to date have indicated that such a review has been completed, if applicable to their operation.
- Most found that amendments were not required at this time; in one case, amendments were made.
- As an example, Long Island Rail Road (LIRR) reports that its efficiency testing system incorporates testing on the securement of all unattended equipment. Additionally, LIRR conducts observations on employees of the freight operator when operating over joint territory.

**Conduct System-Wide Evaluations of Locations with Securement and Other Risks to Unattended Trains Exist**

- Our members report that such evaluations have been accomplished, as applicable.

**Review of the Emergency Directives and Orders Issued by Transport Canada and Make Necessary Adjustments to Operating Rules**

- Our members report that such reviews and rules adjustments have been accomplished, as applicable.

**Reexamination and Updating of Safety and Security Plans for Transporting Hazardous Materials**

- Our members report that such reviews and updates have been accomplished, as applicable.

**Other Actions**

- North County Transit District (NCTD) reports that it has made a presentation on the circumstances of the Lac-Me´gantic accident and actions that the commuter railroad has taken in response to EO 28 and Safety Advisory 2013-06; this presentation was made to the NCTD Board of Directors in the public portion of its meeting. Trinity Railway Express (TRE) reports that it is scheduled to make a similar presentation to the TRE Management Committee (comprised of board members of the two owning transit authorities).
- One railroad that is not yet in operation reports that it is utilizing the recommendations of the safety advisory in its development of operating rules and practices.

APTA hopes that this information is useful to the FRA and to the public, and again requests to update this summary as additional responses are received from our members.

Sincerely,



Michael P. Melaniphy  
President & CEO