



***Federal Railroad Administration
Office of Safety
Headquarters Assigned
Accident Investigation Report
HQ-2008-19***

***New Orleans Public Belt RR (NOPB)
New Orleans, LA
February 12, 2008***

Note that 49 U.S.C. §20903 provides that no part of an accident or incident report made by the Secretary of Transportation/Federal Railroad Administration under 49 U.S.C. §20902 may be used in a civil action for damages resulting from a matter mentioned in the report.

1. Name of Railroad Operating Train #1 New Orleans Public Belt RR [NOPB]		1a. Alphabetic Code NOPB		1b. Railroad Accident/Incident No. P8576	
2. Name of Railroad Operating Train #2 New Orleans Public Belt RR [NOPB]		2a. Alphabetic Code NOPB		2b. Railroad Accident/Incident No. P8576	
3. Name of Railroad Operating Train #3 N/A		3a. Alphabetic Code N/A		3b. Railroad Accident/Incident No. N/A	
4. Name of Railroad Responsible for Track Maintenance: New Orleans Public Belt RR [NOPB]		4a. Alphabetic Code NOPB		4b. Railroad Accident/Incident No. P8576	
5. U.S. DOT_AAR Grade Crossing Identification Number 464686V		6. Date of Accident/Incident Month 02 Day 12 Year 2008		7. Time of Accident/Incident 07:43:13 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	
8. Type of Accident/Incident (single entry in code box) 1. Derailment 4. Side collision 7. Hwy-rail crossing 10. Explosion-detonation 13. Other Code 2. Head on collision 5. Raking collision 8. RR grade crossing 11. Fire/violent rupture (describe in narrative) 3. Rear end collision 6. Broken Train collision 9. Obstruction 12. Other impacts 02					
9. Cars Carrying HAZMAT 0		10. HAZMAT Cars Damaged/Derailed N/A		11. Cars Releasing HAZMAT N/A	
12. People Evacuated 0		13. Division System			
14. Nearest City/Town New Orleans		15. Milepost (to nearest tenth) 6.47		16. State Abbr Code N/A LA	
17. County ORLEANS					
18. Temperature (F) (specify if minus) 60 F		19. Visibility (single entry) Code 1. Dawn 3. Dusk 2. Day 4. Dark 4		20. Weather (single entry) Code 1. Clear 3. Rain 5. Sleet 2. Cloudy 4. Fog 6. Snow 3	
21. Type of Track Code 1. Main 3. Siding 2. Yard 4. Industry 1		22. Track Name/Number Mainline 1		23. FRA Track Code Class (1-9, X) 2	
24. Annual Track Density (gross tons in millions) N/A		25. Time Table Direction Code 1. North 3. East 2. South 4. West 4			
OPERATING TRAIN #1					
26. Type of Equipment Consist (single entry) 1. Freight train 4. Work train 7. Yard/switching 2. Passenger train 5. Single car 8. Light loco(s). 3. Commuter train 6. Cut of cars 9. Maint./inspect.car		A. Spec. MoW Equip. Code 1		27. Was Equipment Attended? Code 1. Yes 2. No 1	
28. Train Number/Symbol JOB# 204		29. Speed (recorded speed, if available) Code R - Recorded E - Estimated 18 MPH R		30. Trailing Tons (gross tonnage, excluding power units) 640	
31. Method(s) of Operation (enter code(s) that apply) a. ATCS g. Automatic block m. Special instructions b. Auto train control h. Current of traffic n. Other than main track c. Auto train stop i. Time table/train orders o. Positive train control d. Cab j. Track warrant control p. Other (Specify in narrative) e. Traffic k. Direct traffic control Code(s) f. Interlocking l. Yard limits 1 N/A N/A N/A N/A		31a. Remotely Controlled Locomotive? 0 = Not a remotely controlled 1 = Remote control portable 2 = Remote control tower 3 = Remote control transmitter - more than one remote control transmitter N/A			
32. Principal Car/Unit (1) First involved (derailed, struck, etc) NOPB 2001		a. Initial and Number 1		b. Position in Train 1	
(2) Causing (if mechanical cause reported) 0		c. Loaded (yes/no) yes		33. If railroad employee(s) tested for drug/alcohol use, enter the number that were positive in the appropriate box. Alcohol Drugs 0 0	
34. Was this consist transporting passengers? (Y/N) N		35. Locomotive Units a. Head End Mid Train Rear End b. Manual c. Remote d. Manual c. Remote		36. Cars a. Freight b. Pass. c. Freight d. Pass. e. Caboose	
(1) Total in Train 1		0 0 0 0		(1) Total in Equipment Consist 8 0 0 0 0	
(2) Total Derailed 1		0 0 0 0		(2) Total Derailed 2 0 0 0 0	
37. Equipment Damage This Consist \$200,000.00		38. Track, Signal, Way, & Structure Damage \$0.00		39. Primary Cause Code H607	
40. Contributing Cause Code H599		Number of Crew Members		Length of Time on Duty	
41. Engineer/Operators 1		42. Firemen 0		43. Conductors 1	
44. Brakemen 1		45. Engineer/Operator Hrs 4 Mi 43		46. Conductor Hrs 4 Mi 43	
Casualties to:		47. Railroad Employees 0		48. Train Passengers 0	
49. Other 0		50. EOT Device? 1. Yes 2. No 2		51. Was EOT Device Properly Armed? 1. Yes 2. No N/A	
52. Caboose Occupied by Crew? 1. Yes 2. No N/A					
OPERATING TRAIN #2					
53. Type of Equipment Consist (single entry) 1. Freight train 4. Work train 7. Yard/switching 2. Passenger train 5. Single car 8. Light loco(s). 3. Commuter train 6. Cut of cars 9. Maint./inspect.car		A. Spec. MoW Equip. Code 1		54. Was Equipment Attended? Code 1. Yes 2. No 2	
55. Train Number/Symbol N/A		56. Speed (recorded speed, if available) Code R - Recorded E - Estimated 0 MPH R		57. Method(s) of Operation (enter code(s) that apply) a. ATCS g. Automatic block m. Special instructions b. Auto train control h. Current of traffic n. Other than main track	
58a. Remotely Controlled Locomotive? 0 = Not a remotely controlled 1 = Remote control portable					

57. Trailing Tons (gross tonnage, excluding power units)	607	c. Auto train stop d. Cab e. Traffic f. Interlocking	i. Time table/train orders j. Track warrant control k. Direct traffic control l. Yard limits	o. Positive train control p. Other (Specify in narrative) Code(s)	2 = Remote control tower 3 = Remote control transmitter - more than one remote control transmitter
				1 N/A N/A N/A N/A	0

59. Principal Car/Unit	a. Initial and Number	b. Position in Train	c. Loaded(yes/no)	60. If railroad employee(s) tested for drug/alcohol use, enter the number that were positive in the appropriate box.
(1) First involved (derailed, struck, etc)	NOPB 151	1	no	Alcohol N/A Drugs N/A
(2) Causing (if mechanical cause reported)	0	0	N/A	61. Was this consist transporting passengers? (Y/N)
				N

62. Locomotive Units	a. Head End	Mid Train	Rear End	63. Cars	Loaded	Empty	e. Caboose
		b. Manual c. Remote	d. Manual c. Remote		a. Freight b. Pass. c. Freight d. Pass.		
(1) Total in Train	2	0 0	0 0	(1) Total in Equipment Consist	14 0 76 0		0
(2) Total Derailed	2	0 0	0 0	(2) Total Derailed	1 0 0 0		0

64. Equipment Damage This Consist	\$45,000.00	65. Track, Signal, Way, & Structure Damage	\$0.00	66. Primary Cause Code	NA	67. Contributing Cause Code	N/A
Number of Crew Members				Length of Time on Duty			

68. Engineer/Operators	69. Firemen	70. Conductors	71. Brakemen	72. Engineer/Operator	73. Conductor
0	0	0	0	Hrs 0 Mi 0	Hrs 0 Mi 0
Casualties to:	74. Railroad Employees	75. Train Passengers	76. Other	77. EOT Device?	78. Was EOT Device Properly Armed?
Fatal	0	0	0	1. Yes 2. No 2	1. Yes 2. No N/A
Nonfatal	0	0	0	79. Caboose Occupied by Crew?	
				1. Yes 2. No	N/A

OPERATING TRAIN #3

80. Type of Equipment Consist (single entry)	1. Freight train	4. Work train	7. Yard/switching	A. Spec. MoW Equip.	Code	81. Was Equipment Attended?	Code	82. Train Number/Symbol
	2. Passenger train	5. Single car	8. Light loco(s).		N/A	1. Yes 2. No	N/A	N/A
	3. Commuter train	6. Cut of cars	9. Maint./inspect.car					

83. Speed (recorded speed, if available)	Code	85. Method(s) of Operation (enter code(s) that apply)	85a. Remotely Controlled Locomotive?
R - Recorded E - Estimated	N/A MPH 0	a. ATCS b. Auto train control c. Auto train stop d. Cab e. Traffic f. Interlocking	0 = Not a remotely controlled 1 = Remote control portable 2 = Remote control tower 3 = Remote control transmitter - more than one remote control transmitter
84. Trailing Tons (gross tonnage, excluding power units)	N/A	g. Automatic block h. Current of traffic i. Time table/train orders j. Track warrant control k. Direct traffic control l. Yard limits	
		m. Special instructions n. Other than main track o. Positive train control p. Other (Specify in narrative) Code(s)	
		N/A N/A N/A N/A N/A	N/A

86. Principal Car/Unit	a. Initial and Number	b. Position in Train	c. Loaded(yes/no)	87. If railroad employee(s) tested for drug/alcohol use, enter the number that were positive in the appropriate box.
(1) First involved (derailed, struck, etc)	0	0	N/A	Alcohol N/A Drugs N/A
(2) Causing (if mechanical cause reported)	0	0	N/A	88. Was this consist transporting passengers? (Y/N)
				N/A

89. Locomotive Units	a. Head End	Mid Train	Rear End	90. Cars	Loaded	Empty	e. Caboose
		b. Manual c. Remote	d. Manual c. Remote		a. Freight b. Pass. c. Freight d. Pass.		
(1) Total in Train	0	0 0	0 0	(1) Total in Equipment Consist	0 0 0 0		0
(2) Total Derailed	0	0 0	0 0	(2) Total Derailed	0 0 0 0		0

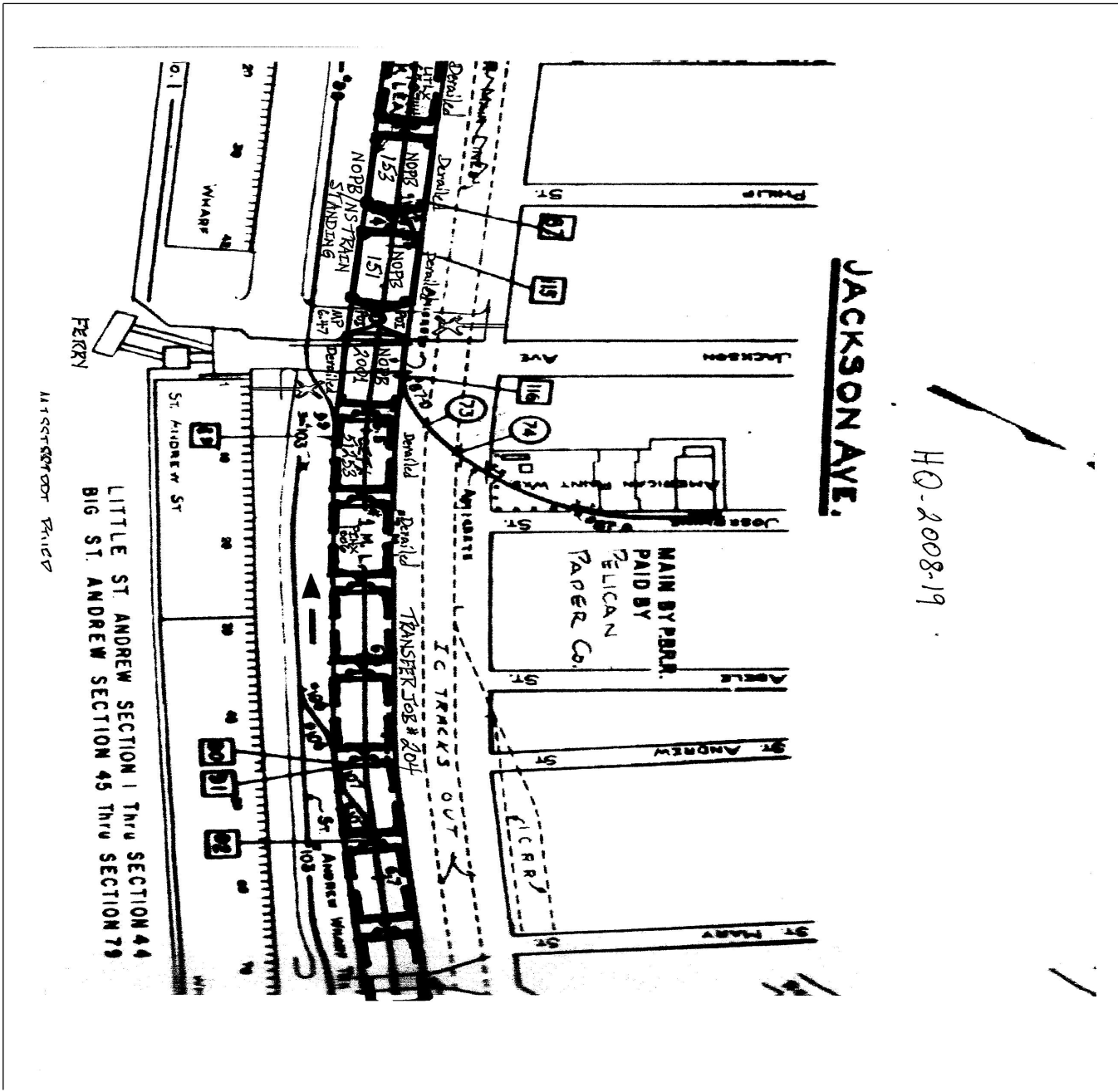
91. Equipment Damage This Consist	\$0.00	92. Track, Signal, Way, & Structure Damage	\$0.00	93. Primary Cause Code	N/A	94. Contributing Cause Code	N/A
Number of Crew Members				Length of Time on Duty			

95. Engineer/Operators	96. Firemen	97. Conductors	98. Brakemen	99. Engineer/Operator	100. Conductor
0	0	0	0	Hrs 0 Mi 0	Hrs 0 Mi 0
Casualties to:	101. Railroad Employees	102. Train	103. Other	104. EOT	105. Was EOT Device Properly
Fatal	0	0	0	1. Yes 2. No N/A	1. Yes 2. No N/A
Nonfatal	0	0	0	106. Caboose Occupied by Crew?	
				1. Yes 2. No	N/A

Highway User Involved	Rail Equipment Involved
107. C. Truck-Trailer. F. Bus. J. Other Motor Vehicle. Code A. Auto D. Pick-Up Truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (spec. in narrative) N/A	111. Equipment 3. Train (standing) 6. Light Loco(s) (moving) Code 1. Train(units pulling) 4. Car(s) (moving) 7. Light(s) (standing) 2. Train(units pushing) 5. Car(s) (standing) 8. Other (specify in narrative) N/A
108. Vehicle Speed (est. MPH at impact) N/A	109. geographical Code 1. North 2. South 3. East 4. West N/A
	112. Position of Car Unit in 0

110. Position 1. Stalled on Crossing 2. Stopped on Crossing 3. Moving Over Crossing 4. Trapped				Code N/A	113. Circumstance 1. Rail Equipment Struck Highway User 2. Rail Equipment Struck by Highway User				Code N/A		
114a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither				Code N/A	114b. Was there a hazardous materials release 1. Highway User 2. Rail Equipment 3. Both 4. Neither				Code N/A		
114c. State here the name and quantity of the hazardous materials released, if any. N/A											
115. Type Crossing 1. Gates 2. Cantilever FLS 3. Standard FLS 4. Wigs 5. Hwy. traffic signals 6. Audible Warning 7. Crossbucks 8. Stop signs 9. Watchman 10. Flagged by crew 11. Other (spec. in narr.) 12. None				Code N/A	116. Signaled Crossing (See instructions for codes)				Code N/A	117. Whistle Ban 1. Yes 2. No 3. Unknown	
Code(s)				N/A	N/A	N/A	N/A	N/A	N/A	N/A	
118. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach				Code N/A	119. Crossing Warning with Highway Signals 1. Yes 2. No 3. Unknown				Code N/A	120. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown	
121. Age 0		122. Driver's Gender 1. Male 2. Female		Code N/A	123. Driver Drove Behind or in Front of and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown				Code N/A	124. Driver 1. Drove around or thru the Gate 2. Stopped and then Proceeded 3. Did not Stop	
125. Driver Passed Highway Vehicle 1. Yes 2. No 3. Unknown				Code N/A	126. View of Track Obscured by (primary obstruction) 1. Permanent Structure 2. Standing Railroad Equipment 3. Passing Train 4. Topography 5. Vegetation 6. Highway Vehicle 7. Other (specify in narrative) 8. Not obstructed				Code N/A		
Casualties to:			Killed	Injured	127. Driver 1. Killed 2. Injured 3. Uninjured				Code N/A	128. Was Driver in the Vehicle? 1. Yes 2. No	
129. Highway-Rail Crossing Users			0	0	130. Highway Vehicle Property Damage (est. dollar damage)				0	131. Total Number of Highway-Rail Crossing Users (include driver)	
132. Locomotive Auxiliary Lights? 1. Yes 2. No				Code N/A	133. Locomotive Auxiliary Lights Operational? 1. Yes 2. No				Code N/A		
134. Locomotive Headlight Illuminated? 1. Yes 2. No				Code N/A	135. Locomotive Audible Warning Sounded? 1. Yes 2. No				Code N/A		

136. DRAW A SKETCH OF ACCIDENT AREA INCLUDING ALL TRACKS, SIGNALS, SWITCHES, STRUCTURES, OBJECTS, ETC., INVOLVED.



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137. SYNOPSIS OF THE ACCIDENT

On 02-12-08, the evening-shift yardmaster instructed westbound New Orleans Public Belt Railway (NOPB) Transfer Job # 204 to proceed to Felicity Street, and not pass that location without his permission. About 7:30 p.m., the yardmaster instructed the crew to proceed on the mainline to Cotton Warehouse Yard, their final destination, advising the route was clear. In the vicinity of Felicity Street, the mainline curves to the right, is then tangent for 1/4 mile, and again curves to the right at Jackson Ave., the next crossing. At the time, an unattended NOPB/NS train was standing clear of the west side of the Jackson Ave. crossing.

The engineer of NOPB Job # 204 was operating a locomotive with the long-hood forward, which placed the locomotive control stand on the left side of the cab. This configuration obscured the engineer's vision in the curve. The foreman and switchman were seated on the right side of the cab. When the engineer negotiated the curve at Jackson Ave., the NOPB/NS train became visible 5 car lengths [250 feet] prior to collision.

Locomotive event recorder data documented train speed as 18 mph at Point of Impact [POI]. Emergency application of the train air brake system occurred 3-4 seconds prior to POI.

The cause of the collision was attributed to excessive speed and failure of the crew to observe Rule 49 CFR 218.35 (a)(2) and control their train.

138. NARRATIVE

CIRCUMSTANCES PRIOR TO THE ACCIDENT

New Orleans Public Belt Railway (NOPB) entire operating system is Yard Limits, governed by the Yard Limit Rule and GCOR Rule 6.27-Restricted speed, not to exceed 20 mph on the mainline.

On 02/12/08, the evening-shift NOPB Yardmaster instructed the crew of NOPB Job # 204 to contact him prior to leaving the work assignment at NOPB France Yard in East New Orleans. By 7:00 p.m., the crew was ready to depart France Yard. At that time, the yardmaster instructed the crew to proceed westbound on the NOPB Mainline, and not pass Esplanade Avenue, without permission. When NOPB Job # 204 reached that location, the yardmaster instructed the crew to proceed to Felicity Street, at this location the crew was unable to reach the yardmaster via radio and stopped their train. During the exchange, the yardmaster overlooked an unoccupied NOPB/NS delivery train, standing on the mainline, with head train's end at Jackson Avenue.

On 2-12-08, at 5:40 p.m., the Yardmaster assigned the crew of NOPB Job # R101 to NOPB Locomotives 151 -153, with instructions to double Track # 211 to # 221, and take the cars to Felicity Street for an air brake test. The train was mixed-freight, destined for the Norfolk Southern (NS) Railroad in New Orleans. After doubling the tracks and pulling the cars onto the mainline, the crew was able to clear the main yard, Cotton Warehouse Yard, and stopped the head end of the train at Jackson Avenue, in lieu of Felicity Street. The crew secured the locomotives and cars at that location and resumed other duties.

At 7:00 p.m. NOPB Job # 204 completed classifying plastic cars in NOPB's France Yard, thereby contacting the Yardmaster for permission to return to the Cotton Warehouse Yard. The yardmaster permitted the job to return, however, instructed the crew to contact him when they reached Esplanade Avenue. At that location, the engineer was again instructed to proceed to Felicity Street. Upon leaving Felicity Street the yardmaster instructed the crew to proceed west to Louisiana Avenue, take whichever route was lined, and proceed to Napoleon Avenue, and into the yard. During this time, thunder storms and wind gusts of 50-60mph prevailed. Visibility was limited. At 7:43 p.m. NOPB Job # 204 collided with the standing NS train at Jackson Avenue.

The Trainmaster was the first officer on site. The officer stated none of the employees complained of injuries; however, he transported the crew to Ocshner Hospital for examination. In turn, doctors recommended 2 days bed rest for the employees, and prescribed medication for pain or muscle soreness. The Trainmaster and Claim Agent completed company accident forms for the employees during their examinations. Upon return to their off-duty point, Cotton Warehouse Yard, the employees refused to sign the documents.

On 2-13-08, the Chief Operating Officer removed the three employees from service pending an investigation to determine the cause of the accident. The engineer and foreman waived their investigations on 2-15-08 and 2-19-08, respectively, accepting responsibility for violating Restricted Speed Rule, resulting in the Head-End collision on 2-12-08. The employees both received 30-day suspensions from duty, as discipline. The three employees did not returned to duty after the accident, claiming 'Injured-on-Duty' medical conditions.

Since the accident, each of the employees has retained the services of attorneys, who have advised their clients not to provide statements, or any information pertinent to this accident, nor speak to anyone in regards to this accident. The employees have not responded to calls from the NOPB or the FRA. On-site investigation and railroad documentation has provided sufficient information to complete an FRA accident report.

ANALYSIS:

FRA obtained fatigue related information, for the 10-day period preceding this incident including the 10-day work history (on duty/off duty cycles) for all of the employees involved.

CONCLUSION:

Upon analysis of that information FRA concluded fatigue was not probable for any of the employees.

On 2-12-08, the employees were required to provide breath and urine samples for toxicological testing, under NOPB Reasonable Cause policy. Results were negative.

FRA cited 49 CFR Part 218.35 (a) (2) - Yard Limits, as an infraction. The crew did not exceed 20 mph as a maximum authorized speed, however, they did violate 'move prepared to stop within one-half the range of vision' under the provisions of Restricted Speed.

The cause of the collision was attributed to excessive speed and failure of the crew to observe Rule 49 CFR 218.35 (a) (2) and control their train.