

Federal Railroad Administration Update Du Jour

Department Of Energy Transportation External Coordination Working Group Meeting

*Albuquerque, New Mexico
April 21-23, 2004*

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Federal Railroad Administration*



Federal Railroad Administration

Dedicated Train Study- Report to Congress

- FRA' s Research & Development Office (as lead on the study) received a draft final report from the Volpe National Transportation Systems Center (VNTSC) in late November, 2003.
- Editorial corrections were made and a final draft dated February, 2004 was provided to FRA.
- Final Draft Report FRA has been reviewed and been sent to FRA Administrator for clearance and forwarding to DOT OST.
- FRA has already “Officially Coordinated” and briefed DOT OST and RSPA on the study.
- FRA is now in process of arranging to brief appropriate DOE and NRC representatives.

Federal Railroad Administration Dedicated Train Study- Report to Congress

- Study must now be cleared by DOT OST for forwarding to OMB. Once cleared by OMB it will be sent to Congress and at that time will be publicly available.
- FRA cannot predict when this will actually occur but are hopeful that it will be by this summer at the latest.
- FRA has commenced the process of evaluating the potential need for regulatory action based on the results of the study, as required to do by the HMTUSA '90, which mandated the study.

Federal Railroad Administration DOT Reorganization

- DOT is in the process of looking at reorganizing the Department to try to achieve even greater efficiencies of its resources in order to effectively address the transportation needs and concerns in today's environment.
- DOT solicited comment on its' initial reorganizing plan in the Federal Register.
- One aspect of the draft reorganization plan would have placed the Office of Pipeline Safety, currently under the Research and Special Programs Administration, under the FRA.
- At this time the comments received are being reviewed and the DOT reorganization team is proceeding with no firm decisions having yet been finalized.

Federal Railroad Administrations Safety Mission

- Systems approach to the transportation of all hazmat, including radioactive materials.
- Intended to encompass all aspects of the rail operational environment in striving to achieve safe and secure transportation thru compliance oversight of the nations rail carriers.
- The FRA's Safety Compliance Oversight Policy (SCOP), as it currently exists, expanded FRA's pre-existing policy for SNF and HLRW originally developed in the mid-1980's.
- The SCOP, while FRA policy and not regulation, serves as our baseline document for focused safety inspections and security related activities for present and future rail shipments of SNF and HLRW.

Federal Railroad Administrations Security Mission

- FRA is responsible and committed to oversee that the nations rail system operates not only safely but as securely possible.
- In working to meet that mission FRA management continues to coordinate with internal and external agencies and the nations rail carriers to address security issues/concerns on the nations rail system.
- FRA's primary point of contact for overarching rail security issues is our Security Specialist – William (Bill) Fagan.
- For Hazmat specific security related issues/concerns Ray Kasey of the Hazmat Division is the primary point of contact.

SCOP Summary of Contents

- SCOP addresses actions for enhanced safety in
 - Planning
 - Inspection
 - Training
 - Miscellaneous oversight
- Addresses 21 separate tasks in 6 categories
 - Operational Integrity
 - Emergency Response
 - Route Infrastructure Integrity
 - Highway-Rail Grade Crossing Safety
 - Security
 - Miscellaneous

Available at: www.fra.dot.gov/downloads/safety/scopfml.pdf

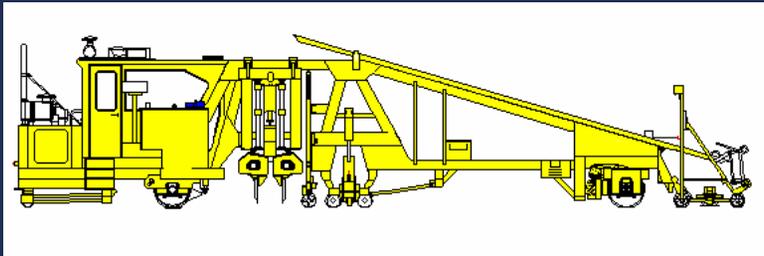
Federal Railroad Administration's SCOP

- The SCOP is a “living” Policy document into which evaluation and feedback from stakeholders is encouraged, considered and in many cases, adopted.
- Fluidity of the Policy, versus a more rigid regulatory framework, enables greater flexibility in application of new developments, technologies and ideas toward maintaining safe and secure transportation.
- The SCOP will be periodically reviewed, evaluated and updated, as necessary.
- Is currently going thru an update by an FRA working group. Revised draft will be provided to various stakeholders for comment and feedback. Delay in completing the update is primarily due to issues on how to effectively update the security section.

Federal Railroad Administration's SCOP

- FRA recognizes that full application of this policy as it presently exists will present logistical difficulties as shipments increase and may necessitate modifying task application.
- FRA is considering expanding the application of the SCOP to include rail shipments of TRU Radioactive Waste should they commence. This will add to the logistical considerations as stated above.

Federal Railroad Administration Inspection Disciplines



Track



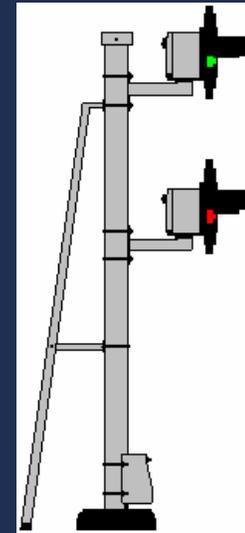
Operating Practices



Haz-Mat



Motive Power & Equipment



Signal & Train Control
/ Highway Rail Grade
Crossing

Existing Federal Regulations

FRA Hazardous Materials Discipline

Hazardous Materials Regs – 49 CFR Parts:

- **100-173: Hazard Communication, Training, Security Plans & Authorized Packaging**
- **174: Carriage by Rail – Operating Requirements**
- **178: Packaging Specifications**

49 Code of Federal Regulations

FRA Track Discipline

Part:

- **213 Track Safety Standards**
- **214**
 - Bridge Worker Safety
 - Roadway Worker Protection
- **218 Subpart E - Camp Car Safety**
- **228 Appendix C Camp Car Clean Safe & Sanitary (Guideline)**
- **Bridge Safety (Policy Statement)**

49 Code of Federal Regulations

FRA Motive Power & Equipment Discipline

Part:

- 210 Noise Emission Compliance
- 215 Freight Car Safety Standards
- 218 Blue Signal Protection (Shops)
- 221 Rear End Marking Devices
- 223 Safety Glazing
- 229 Locomotive Safety Standards
- 230 Steam Locomotives
- 231 Safety Appliances
- 232 Power Brakes & Drawbars
- 238 Passenger Car Safety Standards

49 Code of Federal Regulations

FRA Signal & Train Control/Grade Crossing Discipline

Part:

- **233 Signal System Reporting**
- **234 Signal Systems: Grade Crossing Signal System Safety**
- **235 Signal Systems: Discontinue/Modify**
- **236 Signal Systems: Test, Repair, & Maintenance**

49 Code of Federal Regulations

FRA Operating Practices Discipline

Part:

- **217 Operating Rules**
 - Filing, Testing, and Instruction
- **218 Operating Practices**
 - Yard Limits, Flag Protection, Hump Operations, Safety Device Tampering, and Blue Signal Protection (yards and main tracks)
- **219 Control of Alcohol & Drugs**
- **220 Railroad Communications**
- **225 Accident/Incident Reporting**
- **228 Hours of Service**
- **239 Passenger Train Emergency Preparedness**
- **240 Locomotive Engineer Certification**

Federal Railroad Administration

State's Regulatory Role

- **FRA certainly recognizes that States have a role in regulating rail transport as an affected entity of rail transport and 49 CFR, Part 212 regulations affirm this.**
- **All FRA disciplines addressing the rail operating environment are encompassed.**
- **FRA certified State inspectors conduct inspections with the same authority that FRA inspectors have.**
- **Pre-emption issues may present themselves when State laws are passed pertaining to regulating hazmat transportation.**
- **The fact that there may be a number of state agencies that have some mandated rail transportation responsibility in any given state can potentially create situations of duplicity of action which requires coordination by all the parties involved.**

Any Questions?

Web Sites:

FRA

<http://www.fra.dot.gov>

FRA Safety Data

<http://safetydata.fra.dot.gov/officeofsafety>

RSPA Hazardous Materials

<http://hazmat.dot.gov>

Government Printing Office

<http://www.gpo.gov>

