

BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN

1370 Ontario Street
Standard Building, Mezzanine
Cleveland, Ohio 44113-1702



Phone: 216.241.2630
Fax: 216.241.6516
www.ble-t.org

DENNIS R. PIERCE
National President

VIA ELECTRONIC AND OVERNIGHT MAIL – CORRECTED COPY

April 28, 2015

The Honorable Sarah Feinberg
Acting Administrator
U.S. Department of Transportation
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Car Placement on Hazardous Materials and Crude Oil Trains

Dear Madam Acting Administrator:

I am following up on the Brotherhood of Locomotive Engineers and Trainmen's ("BLET's") previous verbal requests in the Rail Safety Advisory Committee ("RSAC") Hazardous Materials Working Group regarding car placement. This working group was established at an emergency meeting of the full RSAC Committee to address hazardous material transport following the tragic accident at Lac Megantic in Canada in 2013. After more than a year since the last meeting on March 26, 2014, I feel compelled to write this letter to urge FRA to reconsider the car placement rules regarding "buffer" cars for unit oil trains. The current regulation requires five (5) buffers on a mixed freight train if the first car is oil, yet only one (1) buffer car is required on a unit oil train that not only includes the first car of oil, but could contain over 100 cars of oil. The recent series of unit oil train derailments makes it plain for all to see that this rule bears no relationship whatsoever to safe operations.

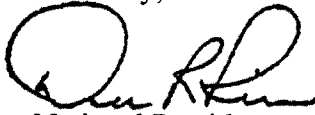
A reasonable analysis would not withstand a conclusion that a train that contains more explosive crude oil should have fewer buffer cars simply because it is classified as a "unit train." This creates added risk simply due to a regulatory definition. In derailments, locomotives can be a primary ignition source for spilled oil. Since engine and train crews occupy the cabs of that potential ignition source, there should be as much distance away from the fuel source as possible. Five cars may even be insufficient, but one car is obviously not enough. A change in the rule would require minor, easily accommodated operational changes and not the need for some expensive technology.

Timing is of the essence as the public consciousness and congressional desire to act on oil train safety are at an intersection. The Casselton, North Dakota wreck and the more recent CSX accident at Mount Carbon, West Virginia could have been much worse were it not for a two-person crew taking swift action to separate the locomotive consist from the train containing more explo-

sive crude oil. Adding the additional buffer cars would not only provide a safer workplace for the crew members manning oil trains, it would also better place the crew members to protect the public safety in future oil train derailments.

With the U.S. Department of Transportation projecting ten crude oil or ethanol related derailments a year for the next two decades costing \$4 billion annually, and 2015 on target to exceed that number, BLET respectfully requests that FRA take appropriate proactive measures to ensure that train crews have a chance to escape the aftermath of such derailments with their health and lives intact. In the interim, I am providing a copy of this letter to all Class 1 Rail Carriers with a request that they take immediate voluntary action to address this serious weakness in the current regulation by adding additional buffer cars to all unit oil trains.

Sincerely,



National President

cc: Robert C. Lauby, FRA Associate Administrator for Railroad Safety / Chief Safety Officer
Carl R. Ice, President and Chief Executive Officer, BNSF Railway
Claude Mongeau, President and Chief Executive Officer, Canadian National Railway
E. Hunter Harrison, Chief Executive Officer, Canadian Pacific Railway
Michael J. Ward, Chairman and Chief Executive Officer, CSX Transportation, Inc.
David L. Starling, Chief Executive Officer, Kansas City Southern Railway
Charles W. Moorman, Chairman and Chief Executive Officer, Norfolk Southern Railway
Lance M. Fritz, President and Chief Executive Officer, Union Pacific Railroad
E. L. Pruitt, First Vice President
S. J. Bruno, National Secretary-Treasurer
All Advisory Board Members
All General Chairmen
All State Legislative Board Chairmen