



## In This Issue:

- **NTSB Issues Safety Recommendation** – A safety recommendation from the NTSB to ASLRRRA regarding a CSX Transportation derailment in 2020 focuses in large part on weather conditions and weather alerts. Learn more in our [Regulatory Update section](#) below.
- **Warnings About Third-Party Solicitations** – With ASLRRRA's annual conference on the horizon, the Association reminds its members it does not use third-party vendors to book hotel rooms. Learn more in our [Announcements section](#) below.

## Headlines

### PIDP Grant Awards Announced, Some ASLRRRA Members to Benefit

Several ASLRRRA members will benefit from grants awarded through the Port Infrastructure Development Program (PIDP), which the U.S. Department of Transportation and Maritime Administration [recently announced](#) would distribute over [\\$703 million to 41 projects](#) in 22 states and one territory.

With many short lines serving in and around ports nationwide, PIDP grants are another opportunity for ASLRRRA members to receive federal funding for rail infrastructure projects. Some of ASLRRRA's members that will directly benefit include Genesee & Wyoming Inc.'s New England Central Railroad, which serves a Connecticut port and rail and water transload facility awarded funding for repair and extension of a rail spur and other infrastructure improvements.

Another Genesee & Wyoming railroad, the Puget Sound & Pacific, serves the Port of Grays Harbor that will use its \$25.5 million PIDP grant to expand the port's Terminal 4, constructing 50,000 feet of rail and rail storage and making other modifications.

And in Mississippi, a Watco railroad will be able to connect the Lowndes County West Bank Port to a Kansas City Southern railroad line thanks to a \$6.1 million PIDP grant that will help build a new rail spur with three transload docks and roughly 10,000 linear feet of track. The port currently has no direct rail access.

A number of other PIDP grant projects in states like California, Illinois, Oklahoma and Wisconsin have rail components.

PIDP grants are meant to fund projects that help improve the movement of goods into, out of, around or within a port. Through the Bipartisan Infrastructure Law, \$450 million will go to PIDP grants in fiscal year 2023. More information about this grant program can be found [here](#).

Meanwhile, the grant application window is still open for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program, which is one of the few programs for which short lines are directly eligible to receive funding. Grant applications are due Dec. 1, and ASLRRRA strongly

encourages its members to apply for this funding. Learn more about CRISI grants [here](#) and view ASLRRRA's CRISI resources page [here](#).

## Members' Holiday Events Feature Santa, Christmas Trees and Toys for Tots Collections

ASLRRRA members are gearing up for holiday events, from Christmas- and winter-themed excursions to charity fundraisers.

Excursions start as soon as mid-November, with [Strasburg Rail Road](#) continuing its over-60-year tradition of Christmas trains with four different themed trips, including one to a tree farm where passengers can purchase a pre-cut Christmas tree.



The [Western Maryland Scenic Railroad's](#) holiday excursion is based on *The Polar Express* and includes a reading of the book and music from the movie soundtrack. And R.J. Corman's [My Old Kentucky Dinner Train](#) offers a North Pole Express that includes dinner and entertainment provided by Santa and Mrs. Claus.

Some of these train rides are so popular, tickets for them have already sold out. The [Oil Creek and Titusville Railroad](#) in Pennsylvania has filled its three Santa train excursions scheduled for Thanksgiving weekend and the first weekend in December.



Other ASLRRRA members will hold free Christmas events for the community. [The Indiana Rail Road Company's \(INRD\) Santa Trains](#) bring Santa and Mrs. Claus to towns INRD serves, offering children a chance to meet Santa and mail letters to him using the INRD North Pole Express Mailbox. The tradition started as a volunteer project for INRD employees in 1989, and this year the Santa Train will make twelve stops over three days, Dec. 2 to 4.

Similarly, OmniTRAX's Great Western Railway brings Santa to the annual [Windsor Wonderland festival](#) in Windsor, Colorado, where attendees can enjoy entertainment from local school groups, watch the annual tree-lighting ceremony and participate in a number of activities. OmniTRAX also plans to donate to local foodbanks across its network

*Photos Courtesy of North Shore Railroad Company*

*The above photos show the North Shore Railroad and Union County Industrial Railroad Toys for Tots charity events. The railroads host North American Railcar Operators Association (NARCOA) Speeders who drive their motorcars on NSHR and UCIR tracks, stopping at locations on the line to collect items for the Marine Toys for Tots program.*



Photo Courtesy of OmniTRAX

*The Great Western Railway's Santa Train is another example of the community events in which ASLRRRA members participate during the holiday season. Each year the railroad gives Santa Claus a ride to the Windsor Wonderland Festival in Windsor, Colorado.*

this holiday season, and in the past its railroads have participated in other charity giving including Toys for Tots toy drives.

Toys for Tots collections are popular with ASLRRRA members, and there are no shortage of charity events supported by these railroads. As it has done for nearly 20 years, the [North Shore Railroad \(NSHR\)](#) will host the North American Railcar Operators Association (NARCO) Speeders for the Marine Toys for Tots Program. On Nov. 19, motorcar drivers will follow an 86-mile route on NSHR tracks, stopping along the way

to collect new, unwrapped toys and monetary donations. On Nov. 20 fellow North Shore Railroad Company affiliate [Union County Industrial Railroad \(UCIR\)](#) will also host NARCOA Speeders on a 30-mile route to collect toys, marking the fourth year UCIR has participated in this event.

NSHR and UCIR parent company North Shore Railroad Company & Affiliates also donates all of the time, money and crew needed to host community passenger trips with Thanksgiving and Christmas themes. The roundtrip rides are sponsored by local community groups and supported by the railroad company's public partner, the SEDA-Council of Governments (SEDA-COG) Joint Rail Authority. The North Shore Railroad Company estimates it will spend \$65,000 on holiday passenger trips this year.

Another Toys for Tots collection event has grown so big it has become its own non-profit organization. Three ASLRRRA member railroads operate the trains used during [Operation Toy Train](#) to collect donations in New York and New Jersey over the [first two weekends](#) in December. The Dover and Rockaway River Railroad, New York Susquehanna and Western Railway and Middletown and New Jersey Railroad all participate in this program, which collects approximately 25,000 toys each year.

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# Regulatory Update

## Updated Exam Questions Available to ASLRRRA Members Online

ASLRRRA has updated questions 44 and 61 of the Part 236 standards exam offered with the Part 243 templates approved by the Federal Railroad Administration (FRA). Members must log in to view the updated exam, found in the Compliance Templates section of the Association's [Safety & Compliance](#) page.

Contact ASLRRRA's Vice President of Safety and Compliance [JR Gelnar](#) with questions about these or any other safety resources offered by ASLRRRA.

## NTSB Issues Safety Recommendation to ASLRRRA Concerning the Importance of Dynamic Weather Alert Criteria in Railroad Operations

*The National Transportation Safety Board has issued [Safety Recommendation R-20-27](#) responding to a [CSX Transportation train derailment](#) that resulted in a hazardous materials release. Please review the following information provided by NTSB on dynamic weather alerts and how its use could prevent weather related derailments.*

The National Transportation Safety Board (NTSB) recently issued a report about a derailment in Draffin, Kentucky caused by heavy rainfall where the weather alert criteria did not account for the risks due to excessive rainfall before the accident.

On Feb. 13, 2020, a high hazard flammable train carrying denatured ethanol derailed on a CSX Transportation railroad track that runs between a hillside and the Russell Fork River near Draffin.

The NTSB determined that the derailment occurred because of a mudslide that obstructed the track following excessive rain accumulation over several weeks before the accident. Furthermore, the NTSB found that the system providing weather alerts to the railroad did not consider the above-normal rainfall accumulated over several weeks, and elevated temperatures (leading to rainfall instead of snow) in the month before the derailment.

This was not an isolated incident. In the past 40 years, the NTSB has investigated five other derailments where adverse weather conditions, particularly rainfall, affected railroads' infrastructure and created unsafe operating conditions. These accidents are discussed in the report associated with the Draffin derailment. *CSX Transportation Derailment with Hazardous Materials Release and Fire, Draffin, Kentucky, February 13, 2020.* (NTSB/RIR-22/13) and can be found on the [NTSB's investigation webpage](#).

### Incident Details

In the two weeks before the derailment, the area received more than 300 percent of its normal amount of rainfall, and in the week before the derailment between 500 and 750 percent of normal precipitation fell. This excessive rainfall led to a mudslide that covered the track with mud and debris immediately before the derailment. At the time of the derailment, there were no weather alert criteria for long-term weather events, such as accumulating precipitation over a period of days, weeks, or months.

The NTSB's investigation found that the weather alert criteria used by most Class I railroads and some major short line railroads used static criteria, meaning they only considered the current weather and near-term forecast; they did not consider unusual weather conditions in the days preceding the alert. For example, CSX's static criterion for a flash flood alert was at least three inches of rain over a period of three hours or less. The criterion did not consider the effects of accumulated rainfall during the previous two weeks.

Other industries have used dynamic criteria that consider varied and changing initial conditions for weather alerts. Dynamic criteria account for unusual increases in precipitation or other changes in weather and climate and the alerting criteria levels may change depending on the environment and how preceding weather events have affected it. For example, dynamic weather alert criteria may take into account ground saturation from previous rainfalls when determining the effect that three inches of rain falling in an hour would have on a particular geographic area.

Many railroads contract with weather service providers for weather information used to alert railroad dispatchers of hazardous weather conditions. As part of their service, the weather service provider collaborates with the railroad to develop static criteria for determining when a weather alert is warranted.

### **Coalition of Trade Associations, Including ASLRRA, Submit Comments on EPA Proposed Rule**

On Oct. 31, ASLRRA [submitted comments](#) with 19 other associations in response to the Environmental Protection Agency's (EPA) notice of proposed rulemaking (NPRM) titled "[Accidental Release Prevention Requirements; Risk Management Programs Under the Clean Air Act; Safer Communities by Chemical Accident Prevention.](#)"

The comments are critical of some of the changes the EPA proposes to make to Risk Management Program (RMP) and the Occupational Safety and Health Administration's (OSHA) Process Safety Management (PSM) regulations, calling the changes "unwarranted and otherwise unlawful."

The document presents several comments and recommendations for the EPA's review and consideration, supported by detailed analysis, and suggests that the agency withdraw its proposal in order to evaluate the necessity of moving forward on a final rule.

### **FRA Notice of Safety Advisory Recommends Steps for Railroads to Use Portable Derails More Safely**

The Federal Railroad Administration (FRA) has issued a [notice of safety advisory](#) concerning the use of portable derails, in particular reminding railroads that portable derails must be clearly visible to train crews and other on-track equipment operators, especially at night and in low-light conditions.

The FRA issued the advisory in response to a fatal incident on Aug. 29, 2022 where a train crew working in a rail yard at night struck a portable derail placed during the day. The crew did not see the derail and struck it at about nine miles per hour, derailing the first two train cars and fatally injuring the conductor who was in the lead car when it rolled over.

Portable maintenance-of-way (MOW) derails, unlike mechanical derails, are not required to be marked or illuminated to make them easier to see. The FRA advises railroads to use portable lights or, at least, reflectorized flags to increase visibility of portable derails. The agency also reminds railroads that portable derails should not be left on tracks when they are no longer needed. Formalizing the derail installation and removal process with a document prepared by the roadway workers in charge (RWICs) can help raise awareness of the presence of portable derails and the importance of their removal.

### **Surface Transportation Board Announces Small Railroad, Small Shipper Vacancies on Advisory Council**

There are [two vacancies](#) on the Surface Transportation Board's (STB) Railroad-Shipper Transportation Advisory Council (RSTAC), one for a small railroad representative and one for a small shipper representative.

The STB is [seeking nominations](#) for candidates to fill the vacancies. RSTAC members advise the STB chair, Secretary of Transportation and Senate and House transportation committee leaders on rail transportation policy issues, focusing on such topics as railcar supply, rates, competition and claims procedures.

RSTAC members are appointed to three-year terms and cannot serve more than two consecutive terms, though they can continue to serve after their terms have expired until a successor takes office.

Nominations should be submitted in letter form and are due by Nov. 30. Candidates are able to nominate themselves.

## Legislative Update

### Letter to Biden Administration Urges Action to Prevent Railroad Strike


Trade associations nationwide [are again calling](#) on the Biden administration to take steps to avert a potential railroad strike after a [second union has rejected](#) the tentative labor agreement made Sept. 15, 2022. ASLRRRA has not signed on to this recent letter.

In [a letter](#) to President Joe Biden, over 300 associations urged the administration to continue working toward full ratification of new labor contracts by the twelve union groups involved in negotiations. The letter reminds the administration of the potential economic damage a rail strike would cause and encourages officials to step in and help broker an agreement as it did with the current tentative contract.

So far, six of the 12 unions have voted to ratify the contract but two, the Brotherhood of Maintenance of Way Employees Division of the IBT (BMWED) and the Brotherhood of Railway Signalmen rejected it.

All 12 unions must ratify the contract before it can take effect. BMWED asked that the new agreement be expanded to include additional benefits, including paid sick leave, but the National Carriers' Conference Committee, which represents the Class I railroads involved in collective bargaining, rejected the request.

A rejection of the National Tentative Agreement begins a "status quo" period during which the union will reengage with the NCCC until December 4.



**SCHOLARSHIPS PAY FOR INDUSTRY TRAINING!**

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Employees of small railroads may apply for awards to pay for ASLRRRA-hosted training seminars and other industry-specific education.

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The graphic features a yellow background with a white banner at the top containing the main title. Below the banner, there is a sub-header in bold black text. The main body of text is in a standard black font. At the bottom, there is a call-to-action in bold italicized black text. On the right side, there are four stylized illustrations of people: three are sitting at desks with computers, and one is standing and pointing at a screen.

# Announcements

## ASLRRA Cautions Members About Solicitations From Third-Party Vendors for Hotel Room Bookings

With ASLRRA's Annual Conference and Exhibition in New Orleans on the horizon, the Association reminds its members that it does not work with third-party organizations to book hotel rooms for our events, including the annual conference, regional meetings and special training sessions. **We do not authorize third-party travel companies to contact you directly via phone or email.** Please use the information provided on our website or links we provide in e-mails from ASLRRA to book hotel rooms for events directly with the hotels in our room block.

If you are contacted by a housing company purporting to be working with ASLRRA, we urge you to end the phone call or not respond to the email message and not provide any credit card or other secure information. Please report those contacts to our General Counsel Sarah Yurasko at [syurasko@aslrta.org](mailto:syurasko@aslrta.org), who will review for further action.

## ASLRRA Members Receive Preferred Pricing on Drug and Alcohol Testing Services Through Spark TS

Spark TS is the exclusive Preferred Provider of drug and alcohol testing services in ASLRRA's Member Discount Program. Spark is passionate about helping railroads and contractors meet Federal Railroad Administration (FRA) drug and alcohol testing requirements, delivering key differentiators for drug and alcohol testing services including railroad industry-specific DAT expertise, online tools and key national partnerships.

Spark's expert team has built a program to offer drug and alcohol testing services and programs to support railroads and contractors in finding the most effective strategies to manage their company's compliance with Part 219, and other DOT-regulated programs. Spark's drug and alcohol program services include clinic and mobile or onsite testing services; laboratory and medical review officer (MRO) services; electronic chain of custody forms; and third-party administrator (TPA) - random testing and consortium.

Visit [www.aslrta.org/discounts](http://www.aslrta.org/discounts) and click on the [Spark TS](#) logo to learn more!

## Sign Up Today for ASLRRA's Drug and Alcohol Training Seminar in January

Although ASLRRA's next training seminar is not scheduled until late January next year, registration is already open for this first event of 2023. The Drug and Alcohol Training Seminar will be held Jan. 30 to Feb. 1, 2023, in Phoenix, Arizona.

Presented by FRA Drug and Alcohol Program Specialist Sam Noe and ASLRRA Vice President of Safety and Compliance JR Gelnar, this essential training includes an in-depth review of FRA Part 219 Drug and Alcohol Training and covers all sections of the rule and requirements for all railroads and contractors. Attendees will have an opportunity to engage in interactive discussion of rule requirements and practices with subject matter experts and fellow attendees.

This comprehensive two-day training is always in high demand and space fills quickly, so attendees are encouraged to register early to secure a spot. Visit [aslrta.org/training](http://aslrta.org/training) to view full details on this and other 2023 training seminars and [register today!](#)

## Eastern, Southern Region Members Encouraged to Apply for Training Scholarships

To help qualified employees cover the cost of attending industry training events, the Association administers [training scholarships](#) worth \$1,200 or \$425. Employees of small railroads can receive up to \$1,200 in expenses for registration, travel and lodging through Golden Scholarships, or \$425 for ASLRRA-hosted training through the Jake Jacobson Memorial Scholarship.

A portion of funds available through the Golden Scholarships are designated specifically for eligible ASLRRA-member employees in the Association's Southern and Eastern regions, and this funding is still available. ASLRRA encourages individuals in these regions in particular to apply for Golden Scholarships. Scholarships are awarded on a rolling basis, so view [scholarship criteria](#) and apply online today!

### **ASLRRA Continues to Collect Veterans Stories for Veterans Day Issue and Veterans Engagement Award**

Several ASLRRA members have submitted stories in advance of ASLRRA's Nov. 9 issue of Views & News, and the Association encourages other companies to talk about how they have worked to support and engage employees who are or have been members of the U.S. Armed Forces. The Association also welcomes stories about how its member organizations have worked to support military members, veterans and their families in their local communities.

Throughout the month of November – which is also National Veterans and Military Families Month – ASLRRA is collecting Veterans Engagement stories and photos to share in Views & News and on the [Veterans page](#) on our website.

### **The Veterans Engagement Award Nomination Period is Open**

ASLRRA is also accepting nominations for its Veterans Engagement Award, which honors industry employers who demonstrate positive policies toward U.S. veterans and who implement unique programs and practices to hire, recognize, support, and engage with veterans in the workplace and the broader community. The 2023 Veterans Engagement Award winner will be recognized at ASLRRA's Annual Conference and Exhibition, April 2-4, in New Orleans, LA.

Stories and photos for Views & News and the Association's social media pages may be sent to [ASLRRA's communications team](#), while Veterans Engagement Award nomination criteria and form can be found [on ASLRRA's website](#). Award nominations will be due in February 2023.

## **ASLRRA Out and About**

### **Staff Members Travel Near and Far to Participate in Railroad Events**

Travels for ASLRRA's staff members include several trips this week.

Vice President of Data and Technology Fred Oelsner will travel to Norfolk Southern offices in Atlanta for a meeting of the Association of American Railroads' (AAR) Rail Information Security Committee. There, participants will spend some time developing guidance for railroads affected by the Transportation Security Administration's (TSA) cybersecurity directives.

Senior Vice President of Safety, Regulatory and Environmental Policy Jo Strang will represent ASLRRA at the 24th Railroad Environmental Conference in Urbana, Illinois sponsored by the University of Illinois at Urbana-Champaign's Rail Transportation and Engineering Center (RailTEC).

Vice President of Safety and Compliance JR Gelnar traveled to join the Federal Railroad Administration's (FRA) Fatality Analysis of Maintenance-of-way Employees and Signalmen (FAMES) meeting in Virginia.

And finally, President Chuck Baker participated in a panel discussing Surface Transportation Board (STB) reauthorization at the Association of Transportation Law Professionals (ATLP) Transportation



Forum XIX in Washington, D.C. Vice President of Law and General Counsel Sarah Yurasko also attended the ATLP forum with Baker.



As an ASLRRRA Preferred Provider, Spark offers Discounts on Drug & Alcohol Testing Services to ASLRRRA Members.

Click to learn more!



## ASLRRRA Webinars

### Upcoming Live Webinars

#### [Using AI Technology to Improve Grade Crossing Safety](#) – Nov. 8, 2022

Accidents due to trespassing and grade crossing violations pose the greatest safety challenge to railroads and transit agencies. This webinar will serve to inform stakeholders about recent developments in artificial intelligence driven trespassing and grade crossing violation research conducted by the Rutgers University Rail and Transit Program. Speakers for this webinar are Project Engineer Asim Zaman and Rutgers Rail and Transit Program Director Xiang Liu.

#### [ASLRRRA Part 219 Education Materials and Correction Affidavits](#) – Nov. 10, 2022

Join Holly Rainwater, vice president of drug and alcohol programs at Spark TS, Mitch Harris, director of safety, training and regulatory compliance at Rio Grande Pacific, and JR Gelnar, vice president of safety and compliance at ASLRRRA to discuss the recently developed Part 219 drug and alcohol educational materials and multiple Correction Affidavits. A working group was established by the Safety and Training Committee to develop these materials to better assist the membership in the requirements of Part 219. Note: Templates and other materials are available for members on ASLRRRA's [Website](#).

Thanks to Webinar Sponsor



#### **NEW!** [CRISI: A Workforce Development Project Case Study](#) – Nov. 15, 2022

The Federal Railroad Administration's Melissa Hatcher and Starr Kidida will provide an overview of the fiscal year 2022 CRISI grant program and share information on program eligibility, highlighting workforce development funding available through CRISI and offering a case study.

## **On-Demand Webinars**

### **Finance Webinars Available On Demand for Professionals Missing Last Week's Seminar**

The Finance and Administration Seminar ended last week, but railroad finance professionals hungry for more information can find recordings of the Association's financial webinars in the On-Demand Webinar Library.

Recordings of these webinars are available at any time to members. Log in to [ASLRRRA's On-Demand Webinar page](#) and look in the Finance category to access the following:

- An Introduction to Economic Indicators for Railroads
- Navigating a Customer Bankruptcy
- Understanding Financial Statements

Visit ASLRRRA's [webinar homepage](#) and log in to view all the on-demand offerings in the Association's webinar library. Most of the recordings also have a copy of the accompanying PDF presentation available for download. ASLRRRA members can access recordings for free, while non-members can purchase a subscription.

Click [here](#) to learn more about ASLRRRA's education offerings.

## **Industry Events and Announcements**

Click [here](#) for a calendar of industry events.

Views & News is published by American Short Line and Regional Railroad Association. Please contact [Amy Krouse](#), editor, with questions or comments.