



In This Issue:

- **FRA, RCE and SLSI** – The FRA's Railroad Crossing Elimination grant program recorded webinar is now available online, and the FRA reports on SLSI's Safety Culture Assessments. Learn more in our [Industry Events and Announcements](#) section below.
- **Transportation Analysis** – What might a traffic forecast chart for a CRISI application look like? Find an example from Blank Rome Senior Advisor Richard Sherman in our [Preparing for CRISI](#) section below.

Headlines

FRA Releases Notice of Proposed Rulemaking on Crew Staffing, ASLRRRA Disappointed in Ill-Conceived, Ill-Timed Mandate

Today, the Federal Railroad Administration (FRA) issued a [notice of proposed rulemaking \(NPRM\)](#) recommending minimum requirements for train crew size. ASLRRRA is disappointed with the proposal, characterizing it as ill-conceived, ill-timed, and unnecessary [in a statement](#) released today. ASLRRRA looks forward to formally responding to the proposal and outlining the many problems it will impose on the short line freight industry.

In ASLRRRA's statement, President Chuck Baker explains, "Across the freight rail network, satisfactorily serving and responding to customers with even current staffing practices has been problematic, a situation that has garnered significant attention in the press and with the Surface Transportation Board. Mandating additional crewmembers on some short lines, or preventing any railroads from transitioning to smaller crews in the future, with no concurrent safety benefit, would 1) increase costs throughout the supply chain which will be passed along to consumers, 2) decrease flexibility, creativity and speed in serving shippers and 3) possibly result in the reduction or elimination of efficient and inexpensive freight rail service for many short line-served small shippers across rural and small-town America."

[The regulation proposes](#) a minimum of two crewmembers required for all railroad operations, with certain exceptions based on types of movements (e.g., helper service) or characteristics of the railroad (e.g., some short lines are excepted based on size of their business, the speed and length of their trains, the type of cargo they carry, and the grade of the territory they traverse). Also proposed are minimum requirements for the location of crewmembers on a moving train – specifically, if a railroad is not otherwise excepted, the rule notes that a second crewmember in a trailing or shadowing pickup truck would not qualify as a second crewmember for purposes of this rule.

The rule further suggests a special procedure for railroads to petition the FRA for approval to continue operations with one-person crews or initiate new operations with less than two crewmembers. The

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NPRM is scheduled to be published in the *Federal Register* tomorrow, opening a comment period that will close 60 days later.

As ASLRRA has stated in past public testimony, there is no safety justification for advancing the proposed rule. There have been multiple attempts to find data to support this idea but they all turn up empty. The FRA itself, first in 2016 and [again in 2019](#), acknowledged that no data exists to indicate that two-person crews are any safer than one-person crews.

ASLRRA's comment notes, "We are further concerned with the backwards momentum that this rule would surely generate in the rail industry. While USDOT is encouraging other transportation modes to develop driverless or remote guidance options to increase safety, improve environmental impact, and drive marketplace efficiencies, and it [even announced a new Federal Advisory Committee just last week on innovation and automation in transportation](#), this rule threatens to saddle freight railroads with a rule that does the exact opposite – adding arbitrary personnel requirements and financial burdens."

Buttigieg Touches on Short Line Topics During House Testimony on IIJA

Transportation Secretary Pete Buttigieg testified before the House Transportation and Infrastructure Committee on July 19 on the implementation of the Infrastructure Investment and Jobs Act (IIJA). While he focused on high-profile issues like snarls in global aviation, Buttigieg did discuss short lines and Consolidated Rail Infrastructure and Safety Improvement (CRISI) grants during a line of questioning from Representative David Rouzer (R-N.C.).

Rouzer asked about the value of the CRISI program for short line railroads, particularly with regard to the way CRISI-funded projects improve supply chain capabilities.

"Short line railroads are more important than ever, as we've seen in the context of the renewed attention to the supply chain, so we need to make sure that we're supporting them," responded Buttigieg.

Later, Buttigieg added, "When it comes to the CRISI program...we certainly see that this is going to be a very important source of support for all railroads – certainly to include short lines."

In his remarks on short lines Buttigieg also referenced his visit to ASLRRA member Lake State Railway last month, where he announced recipients of fiscal year 2021 CRISI grant awards. [Click here](#) to view a recording of the entire testimony, with the exchange between Rouzer and Buttigieg starting at 4:14:45.



Regulatory Update

PHMSA Final Rule Harmonizes U.S. Regulations with International Standards

A [final rule](#) from the Pipeline and Hazardous Materials Safety Administration (PHMSA) amends federal Hazardous Materials Regulations (HMR) to harmonize U.S. laws with international standards.

According to a [U.S. Department of Transportation press release](#), the rule "improves safety, streamlines the transport of hazardous materials, including medical supplies, batteries, and components used in manufacturing, and encourages shippers to package goods more efficiently."

DOT Issues Proposed Rule to Update Disadvantaged Business Enterprise Programs

The U.S. Department of Transportation (DOT) has issued a [notice of proposed rulemaking \(NPRM\)](#) that would modify some aspects of the [Disadvantaged Business Enterprise \(DBE\) and Airport Concession DBE \(ACDBE\) program](#) regulations. While these regulations do not affect Federal Railroad Administration (FRA)-funded programs and thus are unlikely to affect short lines directly, some ASLRRA members may be affected if they are doing work funded by other DOT modal agencies.

The proposed rule aims to modernize existing regulations to create a more level playing field for small businesses competing for federally assisted contracts and airport concession opportunities. Find a summary of the NPRM [at this link](#). Comments on the NPRM are due by Sept. 19, and must be submitted through the [rulemaking docket here](#).

Legislative Update

Legislators' August Recess Offers Opportunity for Railroads to Engage Representatives

Members of the House and Senate will soon leave Washington, D.C. for their August recess, offering short line railroads and suppliers a chance to invite their federal representatives to their facilities for a site visit.

A visit by a congressional lawmaker is invaluable for the connections it helps build and the excitement it generates. Giving representatives a first-hand look at the small railroads in their districts helps them better understand the vital role these businesses play in local, state and national economies. Lawmakers also come to know more about the issues affecting short lines and how they can make policy decisions that bolster railroad operations.

ASLRRA's Government Affairs Team can help Association members connect with members of their congressional delegation and can assist with scheduling a visit to your facility. Contact ASLRRA's [Zach Radford](#) or [Crystal Gitchell](#) for more information.

WEBINARS AVAILABLE ON DEMAND

With nearly 200 recordings available, there's a webinar to meet the needs of everyone on your team. Visit aslrra.org/webinars to view a complete list of available recordings.



Preparing for CRISI

The Federal Railroad Administration (FRA) has signaled it will be opening the 2022 [Consolidated Rail Infrastructure and Safety Improvements \(CRISI\) grant program](#) in August. With a historic \$1.6 billion available for projects this year – over four times the resources in 2021 – ASLRRA is eager to help its members prepare for the funding opportunity release.

The Association, with Blank Rome Government Relations Senior Advisor Richard Sherman, is providing guidance through a series of articles focused on steps members can take to position themselves to take advantage of this program.

CRISI Step Three – Communicating the Transportation Analysis

Effective communication of the transportation analysis supporting a CRISI application is fundamental to making the case for the project. Most CRISI applications will have a forecast for traffic of some type, often in the form of revenue carloads transported over twenty years, sometimes more, from the expected completion of construction.

To carry out the required benefit-cost analysis (BCA) for capital projects, frequently two traffic forecast scenarios must be developed: one with the project and one without, the build and the no-build scenarios.

These forecasts are often built into the BCA spreadsheet attachments to CRISI grant applications. However, it is possible that an FRA economist is the only person among the much larger technical review team who will look directly at BCA spreadsheets. On the other hand, all the reviewers, technical and senior, assess the narrative.

It is surprisingly easy to provide an excellent data-driven transportation and benefit-cost analysis in the application attachments but neglect to communicate that information well in the grant application narrative. The narrative document must bring forward all important data and findings, including at least summary versions of traffic forecasts and scenarios.

This kind of time series data can lend itself well to column or line charts as shown below, but a simple table can be just as effective. Successful applicants have presented this data early in the “Project Summary” section of the narrative, while others do so in the introduction to the “Evaluation and Selection Criteria” section.

An exhibit that includes several years of traffic history prior to the forecast provides readers with important context for the projections. If this type of exhibit is done well, it can reveal the entire case for the project at a single glance, which will improve the competitiveness of the application.

CRISI Tip Sheet

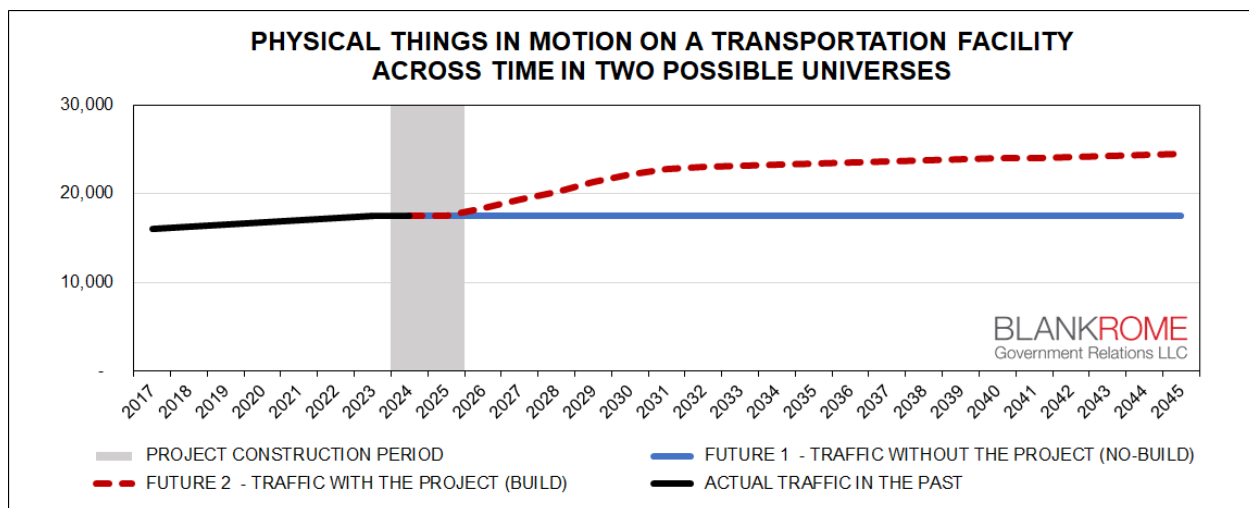
- **Not all FRA reviewers will read** the benefit-cost analysis, but they will all review the narrative. Therefore, the narrative document must present a convincing case as if it were standing alone.
- **Be sure to include** summary versions of the traffic forecasts and scenarios in the narrative. A simple table can be just as effective as a column or line chart.

Important Links

ASLRRA's [On-Demand Webinar Library](#) features grant webinar recordings.

ASLRRA's [Member Discount Program Preferred Providers](#) offer grant writing services.

The most recent [FRA CRISI webinar](#) is here.



This chart from Sherman shows what a railroad's traffic forecast chart could look like. The chart includes two lines that indicate what the railroad expects traffic to be if the project is completed and if it is not.

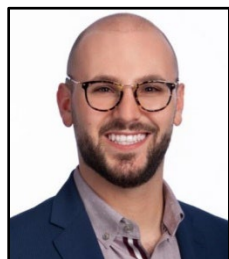
Announcements

Weedmark to Represent Young Professionals on ASLRRR Board

ASLRRR congratulates Bill Weedmark, director of operations at Transportation Occupational Medicine Consultants (TOMC), who was recently elected to represent the ASLRRR Young Professionals Committee on the Association's Board of Directors.

Weedmark will serve a two-year term as the young professionals board representative. He has been on the Young Professionals Committee since its formation and is also a member of the Safety and Training Committee.

Nemirovsky Joins ASLRRR as Data and Research Manager



Michael Nemirovsky is the latest addition to ASLRRR's Washington, D.C.-based team. He is the Association's new manager of data and research and will be assisting ASLRRR Vice President, Data and Technology Fred Oelsner with the ever-increasing need for short line industry data in advocacy efforts with regulators and legislators.

Nemirovsky has worked previously in a variety of industries including healthcare, insurance, technology and banking. His responsibilities included delivering innovative analytics, reporting tools and predictive models that helped drive sustainable revenue, reduce manual effort and create efficiencies. He is a Certified Scrum Master, fluent in French, and a graduate of Georgetown University.

ASLRRR to Offer Advanced DSLE Training in August

ASLRRR's next training seminar is the [Advanced Designated Supervisor of Locomotive Engineers \(DSLE\) Training Seminar](#), which will be held Aug. 9-10 at the Holiday Inn & Suites BienVenu Event Center in Cedar Falls, Iowa. The seminar will provide training on DSLE responsibilities, including application and administration of 49 CFR Part 240 and Part 242 similarities and differences.

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ASLRRA will also offer two additional [training seminars](#) in the fall. Both the ASLRRA Leadership Development Training - Regulatory Module and the FRA Roadway Worker/Bridge Worker Safety (214) Training will take place in Phoenix, Arizona. Leadership development training is scheduled for Sept. 13-14, while roadway and bridge worker training will occur Oct. 4-6. Registration for these seminars will open soon.

ASLRRA is offering a [new scholarship](#) to eligible railroad member employees to help them pay for training registration fees. Up to \$425 will be awarded to qualified individuals attending ASLRRA-hosted training such as the seminars described above. Applications are accepted on a rolling basis until all funds are distributed. Click [this link](#) to apply.

Sign Up for Golf When Registering for ASLRRA's Eastern and Southern Region Meeting

The ASLRRA Eastern and Southern Region Meeting will feature a golf tournament and those who [sign up to attend](#) the meeting can now add golf to their registration.

The Eastern and Southern Region Meeting takes place Sept. 26-28 in Atlanta, Georgia. It will include general and breakout sessions, networking opportunities, an opening reception and a young professionals gathering. ASLRRA's Legislative Policy Committee (LPC) will also hold an in-person gathering at the Eastern and Southern Region Meeting.

In addition to registration, a [hotel block is open](#) at the Hyatt Regency Atlanta. The early bird registration rate for the meeting ends Aug. 15, while discounted room rates end Aug. 26.

ASLRRA is also accepting sponsors for the meeting. [Click here](#) to view a current list of sponsors and enquire about sponsorship opportunities.

The [Central and Pacific Region Meeting](#), held in conjunction with the [Finance and Administration Seminar and General Counsel Symposium](#), will take place Oct. 25-27 in Milwaukee, Wisconsin. Registration for these events will open soon, but participants can already [book hotel rooms](#) in the Association's hotel block at the Hyatt Regency Milwaukee.

Access ASLRRA's Program Templates to Ensure Compliance with Federal Regulations

To help members fulfill federal regulatory requirements, ASLRRA has developed a variety of [compliance templates](#) for different parts of 49 Code of Federal Regulations (CFR). Some of the areas of focus include:

- Part 213 (Continuous Welded Rail)
- Part 214 (Roadway Worker Protection)
- Part 228 (Hours-of-Service)
- Part 232 (Brake System Safety Standards)

These are only a few of the template programs available to members in the [Safety & Compliance](#) section of the ASLRRA website. Members can log in under "Compliance Templates" and choose from a variety of resources. Additional information concerning requirements for record retention, contractor safety training and more can be found in this section.

All templates are available at no cost to railroad members, and select templates are available free to associate business members and for a fee to non-member railroads. Visit www.aslrra.org/safety to access the complete collection of safety and compliance tools, resources and information available from the ASLRRA.

ASLRRA Out and About

Genesee & Wyoming's Jerry Vest Meets with Staff at ASLRRA's D.C. Office



Jerry Vest (left) senior vice president of government and industry affairs at ASLRRA member parent company Genesee & Wyoming Inc. (G&W), visited ASLRRA's Washington, D.C. office on July 26.

Vest continued the longstanding G&W tradition of bringing lunch for Association staff members. He also discussed G&W's technology joint venture RailPulse during the visit.

ASLRRA staff enjoyed meeting with Vest and the Association is happy to welcome any members to ASLRRA's headquarters who might be passing through D.C. on business.

ASLRRA's Mike Ogborn Gives D.C. Update at Midwest Short Line Conference

ASLRRA Senior Advisor Mike Ogborn spoke at the 2022 Midwest Regional & Short Line Railroads Annual Conference in Alexandria, Minnesota on July 19. His presentation, titled "What's Happening in DC?" offered a federal update and CRISI program overview to 100 short line and regional railroads and vendors.

COMPLIANCE TEMPLATES

Click here for member-exclusive templates and additional resources.

ASLRRA Webinars

Webinars On-Demand

ASLRRA's Most Recent Live Webinars Are Now Available to Members On-Demand

A recording of ASLRRA's recent webinar on the Federal Railroad Administration's updated Part 240/242 railroad audit process is now available to members in the Association's [On-Demand Webinar Library](#).

Other webinars from June and July can be found in ASLRRRA's online library, including

- FRA's CRISI Grant Program: Preparing for FY '22 Funding Round
- The New Infrastructure Law: Taking Advantage of New Resources and Grant Programs
- Part 243 Railroad Obligations with Contractors

These webinars are only a few of the over 170 recordings available on a wide variety of topics including finance, human resources and technology. ASLRRRA members can access the On-Demand Webinar for free while non-members can purchase a subscription. [Click here](#) to access the webinar library today.

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

Industry Events and Announcements

Recording of FRA Railroad Crossing Elimination Grant Program Webinar Available Online

The Federal Railroad Administration (FRA) has made a recording of its recent [Railroad Crossing Elimination \(RCE\) grant program](#) webinar available on its website, along with a downloadable copy of the webinar presentation materials.

Find the webinar on the FRA's [Training and Guidance Webinars](#) page under the Grants and Loans tab. During the webinar FRA representatives gave an overview of the program, outlined eligible projects and entities, offered tips on applying for grants and discussed the National Environmental Policy Act (NEPA).

The [RCE grant program](#) makes \$5.7 million available for projects that are meant to improve the safety and mobility of people and goods at highway-rail grade crossings. Find the RCE notice of funding opportunity (NOFO) [here](#). Applications are due by Oct. 4.

FRA Documents the Strength of SLSI's Safety Culture Assessments in Identifying Industry Trends

The Federal Railroad Administration's Office of Research, Development & Technology [has published a report](#) evaluating [Safety Culture Assessments](#) (SCAs) that have been completed in 2021 by the Short Line Safety Institute (SLSI).

The report states that 1) there are prominent strengths in safety culture across the short line and regional railroad industry such as Coaching, Mentoring and Modeling, and Approaching Coworkers with Safety Concerns, and 2) there are noteworthy gaps in the industry as well including a widely shared Safety Action Plan, hazardous material exercises/training, and formal training programs for management and non-management employees. Further, by assessing safety culture and examining the practices of the short line and regional railroads, SLSI can gain insight into the industry at large and develop materials to address industry gaps.

Based on the more than 116 SCAs completed, and the many Time 2 (follow up) SCAs with railroads who have completed an initial assessment, SLSI has developed programs to address industry gaps including online resources, [Leadership Development Training](#), and [Hazardous Materials Training](#) programs.

Find out how your railroad can improve its safety culture – consider completing a Safety Culture Assessment conducted at no cost to your railroad by SLSI. Identify the areas of strength and areas of opportunity on your railroad and access resources from the SLSI to address the areas of opportunity. To find out more about SCAs, visit the SLSI [website](#). To schedule, [click here](#).

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In addition to SCAs, SLSI offers several educational programs and resources, including training on the safe movement of hazardous materials (hazmat). This month the SLSI posted the second in a series of three hazmat safety tips focused on emergency response. View the tip [here](#) or watch the accompanying video [here](#).

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.