



November 10, 2021

Happy Veterans Day!

Please note, Views & News will not be published these next two weeks due to the ASLRRRA Annual Conference and Thanksgiving. Our next issue will come out on Dec. 1.



Infrastructure Bill, IJA, Passes House and Heads to President's Desk for Signature

The U.S. House of Representatives passed the Infrastructure Investment and Jobs Act (IIJA) on Nov. 5. The bill now moves to President Joe Biden's desk for his signature.

ASLRRRA issued a [statement](#) on the bill's passage. The IIJA's provisions include significant benefits for short line and regional railroads, such as significantly increased funding for grant programs like Consolidated Rail Infrastructure and Safety Improvements (CRISI), Infrastructure for Rebuilding America (INFRA) and Rebuilding American Infrastructure with Sustainability and Equity (RAISE). There is also increased funding for grade crossing and grade separation programs. In addition to increased funding, the bill does not include overly burdensome and unnecessary operational mandates, such as two-person train crews or hours-of-service requirements.

For additional details on provisions important to the short line industry, see our Legislative Section below.

"Today marks a historic victory for the short line industry, the economies we support in large and small towns across America, and the thousands of industrial, manufacturing, energy, and agricultural customers we proudly serve daily. The passage of the IIJA brings an end to the Groundhog Day announcements by several administrations that the time to do an infrastructure bill is now, and instead ushers in an era of building that infrastructure," said ASLRRRA President Chuck Baker.

"We look forward to the President signing this bill into law and setting short lines on a path to help to grow the economy in every part of America, create and sustain career jobs at railroads and rail shippers alike, protect the environment, improve transportation safety, and reduce the burden of heavy freight on overcrowded and expensive-to-maintain highways."

Thursday Webinar Explains OSHA Emergency Temporary Standard Requiring COVID Vaccination Policies

ASLRRA General Counsel Sarah Yurasko will lead a [webinar on Nov. 11](#) focused on the Emergency Temporary Standard (ETS) issued by the Occupational Safety and Health Administration (OSHA) requiring a mandatory COVID-19 vaccination policy for any employers with 100 or more employees.

OSHA announced its ETS on Nov. 4, requiring employers with 100 or more employees to develop, implement and enforce a mandatory COVID-19 vaccination policy, or a policy requiring employees to either get vaccinated or undergo regular COVID-19 testing and wear a face covering. This action follows the Biden administration's September announcement of the Path Out of the Pandemic, which directed OSHA to promulgate such a standard.

Stinson Partner Susan Warshaw Ebner and Fletcher & Sippel LLP Partner Chloe Pedersen will join Yurasko in this discussion. Attendees will have an opportunity to ask questions at the end of the webinar.

This webinar is free to ASLRRA members and \$25 to non-members. Registration closes at midnight EST tonight. Follow the link above to register for this event. For more information about OSHA's ETS, see the article in our Regulatory section below.

ASLRRA Offers Veterans Day Best Wishes

ASLRRA wishes our active duty, reserve, and retired military members and their families a Happy Veterans Day. For more on the variety of ways ASLRRA members support veterans, visit our webpage [here](#). ASLRRA's Veterans Engagement Award honors exceptional efforts to recruit and retain veteran employees, and this year's winner, Vancer, is profiled below and [here](#). Vancer will be honored at our 2021 Annual Conference and Exhibition in Phoenix, Arizona next week.



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OSHA Publishes ETS Concerning COVID-19 Vaccination Policies

The Occupational Safety and Health Administration (OSHA) announced an [Emergency Temporary Standard](#) (ETS) on Nov. 4, which became effective with its publication in the *Federal Register* on Nov. 5. The ETS requires employers with 100 or more employees to develop, implement and enforce either a mandatory COVID-19 vaccination policy or a policy requiring employees to get

vaccinated or undergo regular COVID-19 testing and wear a face covering.

OSHA's action aligns with the Biden administration's September "[Path Out of the Pandemic](#)" announcement directing the agency to institute such a standard. Covered employers are required to provide four hours of paid time off to employees to get vaccinated and time to recover from ill effects of the vaccine. Employers are required to keep records of employee vaccination status, exceptions granted to employees, and COVID-19 test results. Most of the ETS requirements go into effect Dec. 5, while COVID testing for unvaccinated employees is required to go into effect Jan. 4, 2022.

More information from OSHA about the ETS can be found on [OSHA's website](#). **ASLRRA will host a webinar tomorrow** with the Association's General Counsel Sarah Yurasko and other legal professionals to help organizations understand the implications of the ETS. Learn more about the webinar in our Headlines section above or click here to [register](#). Webinar registration closes this evening at midnight EST. Registration is free for ASLRRA members, and \$25 for non-members.

FAMES Issues Fourth Quarter Safety Alert

The Fatality Analysis of Maintenance-of-Way Employees and Signalmen (FAMES) Committee published its Fourth Quarter Safety Alert to remind roadway workers to remain vigilant in these coming months. A copy of the alert can be found on the ASLRRA website [here](#).

The alert notes that the highest number of roadway worker incidents happens in the fourth quarter of the year. Of the 61 fatal incidents that occurred between 1997 and 2020, 35 percent happened in the fourth quarter.

FAMES has not identified a specific cause for this seasonal increase in incidents, but it reminds roadway workers to continue to be attentive and cautious while conducting operations and to speak up when colleagues are performing tasks without adequate protection or taking proper safety precautions.

Association of American Railroads Releases Updated Hazmat Instructions for Rail

The Association of American Railroads' (AAR) Hazmat Committee has released an updated version of its U.S. Hazardous Materials Instructions for Rail.

The document offers guidelines for handling hazardous materials (hazmat) shipments or incidents safely, quickly and efficiently, while remaining in compliance with local, state and federal regulations. The AAR's instructions also help railroad employees understand how to perform their duties in accordance with U.S. Department of Transportation regulations.

AAR points out that this document is meant to provide general guidelines, and those seeking more information should consult the appropriate regulations. A copy of the AAR's hazmat instructions can be found on ASLRRA's website in the Safety & Compliance Section, Compliance Templates, Part 172 Templates. Members can log in [here](#) for access.



IIJA Has Much to Offer Short Line Railroads

The Infrastructure Investment and Jobs Act (IIJA) is at its core the reauthorization of surface transportation programs for five years through fiscal 2026. Highlights for short line railroad funding in the massive bill, a \$550 billion increase over current funding over the five-year period, include:

- **CRISI:** \$1 billion annually/\$5 billion total in guaranteed funding for Consolidated Rail Infrastructure and Safety Improvements (CRISI) grants where short line railroads are eligible as direct recipients or can partner with states and locales.
- **Rail-Highway Grade Crossings:** Maintains the \$245 million annual funding/\$1.225 billion total at 100% federal share for Sec. 130, Rail-Highway Grade Crossings.
- **New Rail-Highway Grade Crossings Elimination Program:** \$600 million annually/\$3 billion total to eliminate railroad crossings.
 - **Rural:** At least 20% allocated to projects in rural areas or on tribal lands.
 - **Population:** At least 5% of funds reserved for projects in counties with 20 or fewer residents per square mile based on the most recent census.
- **RRIF:** \$250 million over five years to provide credit assistance under the program, authorizes \$70 million to refund credit risk premiums paid by borrowers.
- **\$8 billion for INFRA:** A combined total of \$8 billion is guaranteed for the Nationally Significant Multimodal Freight and Highway Projects.
 - **Freight rail and Rail-Highway** grade crossings separation or elimination are eligible.
 - **Multimodal:** As much as 30% each year can go to rail and port projects.
 - **Smaller Projects:** At least 15% of funds toward smaller projects of less than \$100 million, and minimum grant awards are not less than \$5 million.
 - **Rural Projects:** Not less than 30% of the small project funding is to go to projects in rural areas.
 - **Partnering:** Short lines are advised to work with state and local non-federal partners, including pursuing inclusion in the Statewide Transportation Improvement Planning (STIP) and Transportation Improvement Planning (TIP) processes.
- **RAISE/BUILD/TIGER** grant program has been reworked and has received \$12 billion in guaranteed funding.
 - **National Infrastructure Project Assistance:** \$2 billion annually (on average)/\$10 billion authorized for grants supporting large infrastructure projects with national or regional significance, including freight rail projects.
 - **Local and Regional Project Assistance:** \$1.5 billion annually/\$7.5 billion total in guaranteed funding for projects with local or regional significance, including freight rail.
 - **Grant size:** Grants are not to exceed \$25 million
 - **Rural and Urban split:** Each year, DOT is to provide an equitable distribution of funding to rural and urban areas.
 - **Partnering:** Short lines are advised to work with state and local non-federal partners, including pursuing inclusion in the STIP and TIP processes.
- **Rural Surface Transportation Grant program:** \$400 million annually/\$2 billion total for the Rural Surface Transportation Grant Program for which rail is eligible.

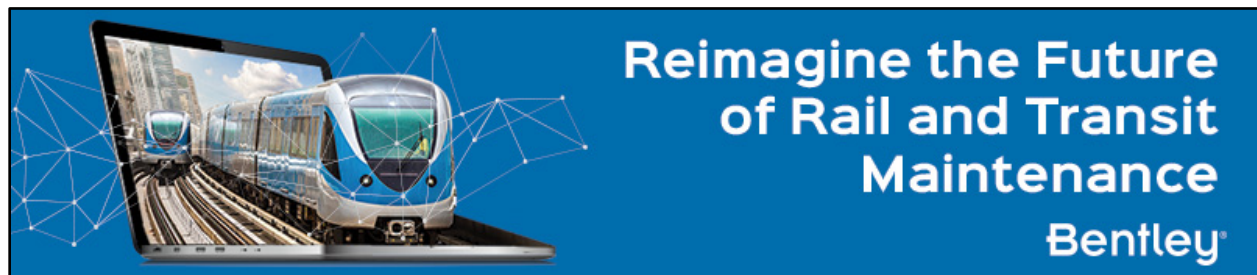
There are several provisions that will impact the collection, submission and availability of railroad data, including:

- **Crew Size:** Expand the data the Federal Railroad Administration collects related to accidents and incidents to include the train length and crew size, but crew size mandate is *not* included in the bill.
- **Blocked crossing portal** at DOT established for data gathering, but blocked portal prohibitions and penalties are *not* included in the bill.

- Operating crew member training, qualification, and certification will be helpful in ensuring that engineer and conductors are only trained on the topics relevant to their job.

The bill authorizes the **Short Line Safety Institute** at \$3.75 million per year.

The bill also addresses climate change, codifies parts of a Trump-era policy on environmental reviews, imposes domestic content requirements, authorizes programs to enhance the electric grid and replace lead pipes, and appropriates \$445.9 billion in emergency funds related to infrastructure expansion, drought, hurricanes, and wildfires.



ASLRRRA New Members

Know a company that would benefit from joining and participating in ASLRRRA? Please contact ASLRRRA's Vice President of Membership and Business Development Kathy Keeney via [email](#) or on (202) 585-3439.

ASLRRRA Welcomes Eight New Associate Business Members – Meet Several of Them in the ASLRRRA Conference Exhibit Hall



[BBM Railway Equipment, LLC](#), based in Youngstown, Ohio, specializes in engineering, manufacturing and servicing of rail assembly, maintenance and testing equipment for transit and freight facilities across North America. Our primary contact is [Denise Louder](#), Sales Manager, who can also be reached on (240) 422-3834. Visit their booth #1006 in the expo hall in Phoenix to learn more about the company.



[Oil-Chem Research Corp. / zMAX](#), based in Concord, North Carolina, is manufacturer and distributor of the zMAX Micro-lubricant. It lubricates and disperses deposit build up, reduces blow-by and oil consumption and improves performance and reliability. Our primary contact is Chief Technical Officer [Edward Rachanski](#). Visit their booth #527 in the expo hall in Phoenix to learn more about the company.



[Pliteq Inc.](#) creates building products by re-engineering unusable material diverted from landfill for sustainable built environments. Its patented rail solutions provide long-term ballast protection and effective reduction in noise and vibration for ballasted or floating slab track applications. Our primary contact is [Josh Havin](#), who is in charge of Business Development, Engineering & Technical Services. Visit their booth #1029 in the expo hall in Phoenix to learn more about the company.



[R&S Track Maintenance](#), based in Columbus, Nebraska, is a railroad contractor certified to perform any type of maintenance or construction associated with railroads. R&S and its employees are OSHA and DOT compliant along with erailsafe for performing work on all railroad properties. Our primary contact is General Manager [Ryan Karr](#), who can be reached on (402) 909-2901. Visit their booth #1019 in the expo hall in Phoenix to learn more about the company.



[Railroad Solutions](#), based in Denver, Colorado, is a leader in tie plugging and tie life extension applications. The company is an innovative and specialized manufacturer/distributor of tie plugging products for wood railroad ties and seat repair material for concrete railroad ties. Our primary contact is Sales Executive [Tim Brake](#), who can also be reached on (262) 758-4005. Visit their booth #1126 in the expo hall in Phoenix to learn more about the company.



Forensic Engineers and Consultants

[Rimkus Consulting Group, Inc.](#), based in Houston, Texas, is worldwide provider of forensic consulting services to insurance companies, law firms, corporations, and government agencies. Rimkus assists clients in the responsive and timely resolution of claims and disputes. Business Development Manager [Kim Bradell](#) is our primary contact and can be reached on (303) 514-6613. Visit their booth #930 in the expo hall in Phoenix to learn more about the company.



[SAS Forks](#), based in Luxemburg, Wisconsin, provides attachments for railcar handling as well as machinery attachments for material handling including forks, quarrying, and auto salvage. Sales Manager [Mark Kirsten](#) is our primary contact and can be reached on (920) 845-2307.

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[Vulcan Signs](#), the Foley, Alabama-based division of Vulcan, Inc., manufactures aluminum signs and accessories. It specializes in traffic control signs, grade crossing signs, OSHA signs, custom signs, posts, hardware, brackets and more. Our primary contact is Customer Service Manager [Carrie Vanderpool](#). Visit their booth #502 in the expo hall in Phoenix to learn more about the company. Many thanks to ASLRRRA's Crystal Gitchell for the assist with this membership.



Note for Conference Attendees:

Yesterday, ASLRRRA sent information regarding COVID-19 safety protocols for the conference and "Know Before You Go" event details in two separate emails. If you are registered for the event and did not receive both emails, please check your spam folder.

Make In-Person Connections with Short Line Industry Colleagues at this Year's Annual Conference

The ASLRRRA Annual Conference and Exhibition starts next week, but there is still time to register to attend. Even after the conference begins, registration is possible through the Association's [online portal](#).

And why attend? ASLRRRA's annual conference is designed to offer participants a diverse mix of events encapsulating the best of the short line industry, including:

- [General session](#) talks and [education sessions](#) led by subject matter experts, rail industry leaders, and your short line colleagues.
- A ceremony honoring recipients of ASLRRRA's [industry awards](#).
- An [exhibit hall](#) featuring over 160 companies in more than 200 booths, including a new Green Zone highlighting sustainable and environmentally friendly products and services.
- Several [networking opportunities](#) including daily networking breaks, an Early Bird Happy Hour, First Timer's Reception and two Exhibit Hall Receptions.
- Separate meetings for ASLRRRA committees, with all interested participants invited to attend the Small Railroad Committee meeting (see below).

[Register](#) today to attend this year's [ASLRRRA Annual Conference and Exhibition](#) Nov. 17-19 in Phoenix, Arizona.

ASLRRRA's Small Railroad Committee Invites Potential Members to Attend Committee Meeting at Conference

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ASLRRA's Small Railroad Committee is seeking members who are interested in serving on the committee by participating in calls and meetings and working collaboratively to identify needs and services to support small and independent railroads throughout the industry.

Committee membership is open to all ASLRRA railroad members who are small or independent railroads and are not part of a holding company. The committee's mission is to serve as an information-gathering resource for small railroads who share many common interests and issues, and to offer ASLRRA the collective perspective of member companies concerning matters impacting small railroads, such as engagement, training and education needs, and regulatory compliance issues.

Small Railroad Committee Chair Dan Sabin, president of Iowa Northern Railroad Company, is inviting all interested individuals, who are small or independent railroads and are not part of a holding company, to attend the committee's upcoming in-person meeting at ASLRRA's Annual Conference. The meeting will be held Wednesday, Nov. 17, from 3:30 to 5:30 p.m. in the South Mountain meeting room at the Sheraton Hotel. All are welcome. There is no need to RSVP for the meeting in advance; interested participants can simply show up.

Those unable to attend the meeting in Phoenix may email [Sabrina Waiss](#) with a request to be added to the committee list to receive future committee communications, including call and meeting details. Please contact [Sabrina Waiss](#) or [Committee Chair Dan Sabin](#) with any additional questions about committee membership.



ASLRRA Members of Note

ASLRRA is pleased to highlight the accomplishments of its members and the strides being made in [freight rail sustainability](#), [business development](#), [veterans engagement](#) and more.

Today, in recognition of Veterans Day, ASLRRA highlights the winner of this year's Veterans Engagement Award, Associate Business Member Vancer.

Vancer's Programs Support Transitioning Military Employees and Veterans Organizations

Vancer has taken veteran recruitment to a new level, developing the Vancer Military Liaison Program. This program identifies current Vancer employees with prior military experience to serve as liaisons with potential and new hires, helping them with their transition from active-duty service members to the world of private organizations.

The 25 or so Vancer employees chosen as military liaisons take on several responsibilities. They provide pre-employment company tours to service members, act as advisors to answer questions for



Photo Courtesy of Vancer

Individuals take part in an on-site training session provided by Vancer. Vancer offers training to former U.S. service members as part of its transition program, one of the many ways the company supports military members and veterans.

veterans as they transition into their new roles, work with the human resources department to improve Vancer's military initiatives and attend military career fairs with human resources representatives.

Beyond the Military Liaison Program, Vancer makes a concerted effort to recruit service members, who ultimately comprise 10.5 percent of the company's workforce. Job openings are posted on every major veteran job board and online portal, and employment outreach involves contacts in transition assistance programs, military bases, state departments of labor

and other programs nationwide. Vancer is also one of the original members of Nebraska's Boots to Fill Program, a job fair and hiring event focused on connecting veterans with potential employers.

Once hired, Vancer employees can benefit from the Troops2Techs tool program and Transition Assistance Program, while National Guard and Reserve members receive paid military leave. In addition, service members interested in becoming a diesel technician receive personalized mentoring and technical training, transition assistance and more, as well as up to \$12,000 in tools and a toolbox.

Community outreach is also a part of Vancer's efforts to support service members, and the company's Built to Give employee giving program offers a 100-percent fund match to up to three employee fundraisers for various non-profit organizations. Recent recipients include the Central Nebraska Veterans' Memorial and the Nebraska Vietnam Veterans' Memorial.

Altogether, Vancer's efforts to support its military-affiliated employees have earned it the Employer Support of the Guard and Reserve's Seven Seals Award, recognizing organizations that best promote and support the ESGR's mission. And, now, Vancer has been awarded ASLRRRA's Veterans Engagement Award, for the cumulative effect of its military-friendly programs and practices.

ASLRRRA Announcements

Employee Training Scholarships Available Thanks to Donation from Retired Former ASLRRRA Board Member

Scholarship funding is still available for qualified railroad professionals to receive industry-specific training in track, bridge and signal inspection and maintenance and/or locomotive and freight car inspection and maintenance. The scholarships are distributed through ASLRRRA's Short Line Education Fund and were made possible thanks to a generous donation from the Douglas Golden-Mary Cullen Charitable Fund.

Doug Golden retired as president of ASLRRRA member Carolina Coastal Railway. He has also served on ASLRRRA's Board of Directors and was a member of the Association's Small Railroad Committee.

This donation represents the first of its kind since the Education Fund was established in 2017 to support education and training initiatives for the short line industry. Four individuals have already been selected for these scholarships, and ASLRRRA hopes to bestow at least ten awards of up to \$1,200 each. Funds may be used to pay for training, travel, and lodging costs.

ASLRRRA is in the process of developing, but does not currently offer, courses on scholarship-eligible topics. Some organizations that offer applicable railroad industry training include the [University of Tennessee Center for Transportation Research](#) and the [American Railway Engineering and Maintenance-Of-Way Association \(AREMA\)](#), among others.

Eligible recipients include employees of short line and regional railroads, defined as small railroads earning \$10 million or less in annual revenues. Individuals can apply for scholarships by completing an [online application](#), and scholarships will be awarded to qualified candidates on a rolling basis until all funds are distributed. Questions may be directed to ASLRRRA's accounting manager, [Julie Duriga](#).

ASLRRRA Members Save on Personal Protective Equipment with Orr Safety

The COVID-19 pandemic, freezing temperatures and other hazards have made it even more important for companies to provide the personal protective equipment (PPE) necessary to ensure workplace safety. ASLRRRA's newest preferred provider, ORR Safety, can help the Association's members protect their employees with a wide variety of products and services.

ORR Safety is an ISO 9001-registered distributor of PPE and related services to the industrial market with over 40 years of railroad experience. ASLRRRA members benefit from exceptional, personalized service and discounted pricing on a huge assortment of products and equipment needed to implement an effective and efficient safety program. Be sure to check out ORR's Safety Shoe and Safety Eyewear Programs. Visit our [Member Discount Program page](#) to view ORR Safety's online e-catalog and start saving today!



As an ASLRRRA Preferred Provider, ORR Safety offers Discounts on Personal Protective Equipment and Related Services to ASLRRRA Members.

[Click to learn more!](#)





ASLRRR Webinars – Live or On-Demand

Recorded Webinars Discuss Topics Related to COVID-19

ASLRRR is working to help members understand the frequent changes in COVID-19 issues, regulations and policies. The Association is hosting a [live webinar tomorrow](#) concerning COVID-19 vaccination requirements for businesses, and ASLRRR's On-Demand Webinar Library features several recordings on topics related to

COVID-19, such as tax issues and unemployment benefits.

Log in to ASLRRR's [website](#) and click the "COVID-19" button to view all recordings on the subject. Access is free to ASLRRR members, and available by subscription for non-members.

ASLRRR's online resource library also offers more than 150 webinar recordings on a number of other topics. Visit aslrra.org/webinars and select the On Demand Webinars button to view a complete list of all available recordings.

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

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.