



September 22, 2021



## Railroad Managers and Supervisors Benefit from ASLRRRA's Oct. 5 Training Seminar

Limited space is still available in ASLRRRA's second training seminar, the [Regulatory Module of the Leadership Development Training Course](#). It will be held Oct. 5-6 in Cedar Falls, Iowa.

ASLRRRA's Vice President of Safety and Compliance JR Gelnar and Rio Grande Pacific Corporation's Director of Safety, Training and Regulatory Compliance Mitch Harris will lead this seminar, which was developed for railroad supervisors and managers from multiple crafts.

The training program provides an overview of the federal agencies that regulate railroads and includes a comprehensive review of 49 CFR Parts 217, 218, 219, 225, 228. It also covers critical regulatory information for short line and regional railroads to help them strengthen the understanding and application of certain regulations to enhance the railroads' overall safety practices. The course combines traditional presentation methods with interactive discussion using real-world examples to round out the attendees' understanding of complicated regulations and how they impact front-line operations.

ASLRRRA has partnered with Iowa Northern Railway to offer several in-person [training seminars](#) this fall. Last-minute registrations are still being accepted for the [Advanced DSLE and Labor Relations](#) training, Sept. 28-30, while the final course discussing the [General Code of Operating Rules \(GCOR\)](#), eighth edition, will be held Oct. 26-28, and is open for registration.

### ASLRRRA Seeking Nominations for Its Board of Directors

ASLRRRA is seeking nominations for several open regional board seats. The nomination period ends at close of business on Sept. 30. Please see the full article in the ASLRRRA Announcements section below for information about the voting process and submitting a nomination.

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## Biden Nominee for FRA Administrator Testifies Before Senate

The Biden administration's nominee to lead the Federal Railroad Administration (FRA), Amit Bose, testified today before the Senate Committee on Commerce, Science and Transportation as part of the confirmation process.

Bose currently serves as the agency's deputy administrator and, without a confirmed administrator, he also functions effectively as its acting administrator. Bose has extensive experience in the rail industry, having served at FRA and the U.S. Department of Transportation for nearly all eight years of the Obama administration and having held other positions in the rail and transportation industry.

Questions from committee members concerned possible crew-size mandates, grade crossing safety, trespasser prevention, blocked crossings, liquefied natural gas (LNG), the importance of technology in rail safety and the FRA's role distributing a sizeable amount of discretionary funds as proposed in recent infrastructure legislation.

Bose's nomination is non-controversial, and he is expected to be voted out of the full committee in the coming weeks before being considered by the full Senate.

**Note:** Bose will be a featured speaker at ASLRRA's 2021 Annual Conference and Exhibition on November 18. See article in our ASLRRA Conference section for details.



## Path on Capitol Hill Not Yet Clear for Infrastructure Bill

House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-Ore.) summed up the current legislative logjam in saying, "I've been here for cliffs, and crises and wars. And this is going to be the biggest mash up we've ever had since I've been here with the debt limit, with the government shutdown, with (Budget) reconciliation, and with infrastructure, and I have no idea how it all works out. No idea. That's it."

This morning, House Democrats indicated they will vote early next week on the Senate-passed infrastructure bill that includes important rail policy such as a dramatic increase in Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant program funding; a revised program to back local and regional significant projects; support for rail-highway grade crossings; and other beneficial items. Importantly, the Senate-passed bill also does not include objectionable policy changes involving crew size, blocked crossings, or yardmasters' hours of service, among other things.

Separately, the House released the text of the continuing resolution (CR) and voted last night to avoid a government shutdown and extend funding into December, also extend the National Flood Insurance Program, and fix the debt limit, while additionally addressing a host of emergency spending priorities including those related to floods, wildfires, drought and Afghan evacuees. Due to Senate Republican

filibustering, the debt limit fix may well get pushed off the CR and onto another legislative effort such as the Democrats' pending social welfare effort under budget reconciliation rules.



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## 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 One New Associate Railroad Member and One Associate Business Member



[Ohio River Scenic Railway](#), based in Tell City, Indiana, is a scenic railway that operates over 22 miles of track near the Ohio River banks and other natural settings throughout Perry and Spencer Counties in Southern Indiana. Our primary contact is Manager of Operating Practices [Shaun Watt](#), who can also be reached on (270) 901-7083. Many thanks to our friends at Union City Terminal Railroad for recommending that they join.



[Rail-Tek Supply](#), a Peoria, Arizona-based Division of KLAS Technologies LLC, manufactures safety lighting products that include trainman lanterns, rechargeable batteries, flashlights, blue & red lights, headlamps, maintenance lights, end of car lights, and end of train marker lights. COO [Shelly Wallenberg](#) is our primary contact and can be reached on (888) 33-TRAIN. Visit them at their booth at our annual conference to learn more about their products.



## FRA Deputy Administrator Confirmed as Conference Keynote Speaker

Federal Railroad Administration Deputy Administrator Amit Bose will be a general session keynote speaker during the [ASLRRA Annual Conference and Exhibition](#). The Association is pleased to have him join the many dynamic speakers and industry experts participating in this year's event.

[Education sessions](#) cover a wide variety of topics, appealing to professionals from all parts of the short line industry. From engineering and maintenance-of-way to safety and operations,

from human resources to marketing, these presentations offer something for every member of the team.

The annual conference is also an opportunity for industry suppliers to connect with railroaders, especially when the events of the past 18 months have limited the ability of companies to meet in-person with potential customers and clients. This year's [Exhibit Hall](#) will feature a special Green Zone, highlighting companies engaged in businesses supporting the environment and sustainability.

[Here](#), in a video coordinated and produced by ASLRRA's Supplier Committee, Lucas Brewer of ASLRRA supplier member Bergmann discusses the conference and some of the engaging content that will be featured.

Additional networking events have also been added to the [schedule](#), and of course participants can sign up to compete in the [golf tournament](#) at the JW Marriott Camelback Golf Club.

[Register](#) today to attend this year's [ASLRRA Annual Conference and Exhibition](#) in Phoenix, Arizona. A [conference hotel block](#) is open with special rates at both the Sheraton Phoenix Downtown and the Hyatt Regency Phoenix. The discounted room rate is only available until Oct. 11. Early bird registration discounts will also end Oct. 11.

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## 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. This week, the Association is happy to feature member USA Rail Terminals.*

## USA Rail Terminals Keeps Promises, even if it Means Taking on Walmart



Photo Courtesy of USART

*USA Rail Terminals demonstrated determination in its efforts to acquire and develop property for a rail terminal, and continued to make serving its customers a priority after construction was complete.*

its customers. But it was owned by Walmart, which had refused to sell the property to any business, rail or otherwise, that could be a potential competitor. Through diligent communication and detailed plans, USART was able to convince Walmart to sell its property, a feat no other company had been able to accomplish in the previous decade.

Parcel in hand, USART set about transforming the overgrown land, known for the illegal activities that took place there as well as its homeless encampments, into a thriving rail terminal. The third phase of the four-phase plan was recently completed. These phases included the construction of over 1,000 railcar storage spots and a full-service transloading area, accessible by truck, for liquid and dry bulk commodities. Phase IV will expand the facility to over 1,400 railcar storage spots. In another 'win' for USART, the community was thrilled to see the parcel turned from a crime-ridden eyesore to a significant economic engine for growth, creating jobs and new business opportunities.

While acquiring the property from Walmart was a big accomplishment, USART did not settle into a simple, "If you build it, they will come" mentality. Creating a space to conduct business was not enough. To maintain the level of service to which customers have become accustomed, USART keeps up constant communication through weekly and monthly calls and monthly stewardship meetings. These meetings have resulted in USART working to meet specific customer needs, such as expanding its state-of-the-art storage yard at its Port Arthur facility to provide railcar storage for customers whose Class I partners were eliminating that service.

USART has been able to build its business because of its commitment to keeping the promises made to the customers and the communities they serve. The company sees challenges as opportunities,

Small railroads are often defined by their can-do spirit, and the efforts of USA Rail Terminals (USART) to meet customer needs with a new rail terminal embodies that spirit. When USART's customers asked the company to build a rail terminal in Port Arthur, Texas that offered the same high-quality, efficient service as could be had at other USART facilities, the company was eager to comply. But first, they had to buy out a firmly entrenched Walmart.

By working with the Jefferson County Economic Development Group, USART identified a large land parcel perfect for USART and

and approaches them head on, an approach that has resulted in new customers, existing customer expansions and the addition of 30,000 new carloads in just the past year.

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## ASLRRRA Announcements

### ASLRRRA Seeking Nominations for Its Board of Directors

ASLRRRA is seeking nominations for several open regional board seats. Any full railroad member company (any Class II or III freight railroad as determined by the Surface Transportation Board) in good standing may nominate a candidate by submitting their name and a brief biography to the correct regional representative below.

The nomination period ends at close of business on Sept. 30. After the nomination period, a ballot will be sent to the main contact or voting contact at each member railroad to cast member company votes. New board members will be announced at the ASLRRRA Annual Conference and Exhibition in Phoenix, Arizona in November.

Please submit nominations via email with a subject line of "ASLRRRA Board Nomination" to the appropriate regional representative.

- Central Region: Three open seats. Email nominations to Joe Arbona - [joe.arbona@gwrr.com](mailto:joe.arbona@gwrr.com)
- Eastern Region: Two open seats. Email nominations to Cathrin Banks - [cbanks@mdde.com](mailto:cbanks@mdde.com)
- Pacific Region: One open seat. Email nominations to Alan Matheson - [alan.matheson@ci.tacoma.wa.us](mailto:alan.matheson@ci.tacoma.wa.us)
- Southern Region: Two open seats. Email nominations to Jason Bradt - [Jason.bradt@gwrr.com](mailto:Jason.bradt@gwrr.com)

Questions? Please contact ASLRRRA Chief Administrative Officer Camille Campbell, at [ccampbell@aslrro.org](mailto:ccampbell@aslrro.org).

### ASLRRRA Discount Program Offers Products and Services at Preferred Pricing

The money saved using [ASLRRRA's Member Discount Program](#) Preferred Providers could pay your annual dues and then some. ASLRRRA's Member Discount Program leverages the buying power of all association members to secure discounted pricing on essential business products and services. From railroad tie inspections, employee health insurance and personal protective equipment to grant writing and PTC products and services, ASLRRRA's Discount Program Partners have you covered. Visit [aslrro.org/discounts](http://aslrro.org/discounts) for details and start saving today!

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## ASLRRA Out and About

### ASLRRA Joins Operation Lifesaver in Education Efforts During Rail Safety Week

This week is [Rail Safety Week](#), and ASLRRA is helping Operation Lifesaver spread the word about avoiding accidents at railroad crossings, and on train tracks and railroad property.

Rail safety education organization Operation Lifesaver started Rail Safety Week in 2017 to help communities nationwide make good decisions around trains and tracks. This year, Operation Lifesaver is joining its counterpart in Mexico and the Mexican Association of Railroads to take its message across North America.

In addition to coordinated efforts by volunteers and law enforcement officers to raise awareness by distributing flyers and pamphlets and meeting with individuals in their communities, organizations like ASLRRA will be sharing rail-safety information through their social media platforms. The content of each day reflects a specific aspect of rail safety, such as paying attention to crossing signs and not using train tracks as backdrops for photo or video shoots.

ASLRRA staff also took a staff photo through Zoom for Red Out for Rail Safety Day this Friday, which encourages people to wear red to bring attention to rail safety issues.



*ASLRRA staff members took a Zoom group picture for Red Out for Rail Safety Day during Rail Safety Week. The photograph will be shared on ASLRRA's social media profiles on Friday to demonstrate the Association's support of Operation Lifesaver's rail safety awareness initiatives.*

### Oelsner, Richards Represent ASLRRA at RSSI Annual Exhibition

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ASLRRA's Assistant Vice President of Data and Technology Fred Oelsner and Membership and Marketing Manager Danialle Richards will represent the Association at the Railway Systems Suppliers, Inc. (RSSI) 2021 C&S Exhibition in Indianapolis, Indiana Sept. 22 to 24.

Oelsner and Richards will be in booth 208, speaking with event attendees about the benefits of becoming an ASLRRA member and sharing information about ASLRRA's annual conference in November.

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## ASLRRA Webinars – Live or On-Demand

### Upcoming Webinars Offer CLE Credits to All Participants

In an industry first, a partnership between ASLRRA and the Association of Transportation Law Professionals (ATLP) allows those who attend select live webinar sessions to register to receive continuing legal education (CLE) credits. All webinar attendees are eligible to receive credits, not only ASLRRA members.

#### [Utility Crossings and Broadband Deployment](#) – Sept. 23, 2021

Subject-matter experts David Drach of Railroad Real Estate Consulting and Matthew Hammer of Daley Mohan Groble, PC will examine the FCC's Broadband Deployment Advisory Committee's State Model Code for Accelerating Broadband Deployment and existing state statutes governing utility crossings. **CLE credits are available for this webinar.**

#### [Encroachments and Trespass: On the Railroad, It's All About Property](#) – Oct. 5, 2021

In this webinar John Fiorilla and Greg Peterson, partners at Dyer & Peterson, will discuss what railroads can do to ensure their property rights are secure. They will discuss actions railroads can take and offer recommendations regarding how to deal with encroachers and trespassers on railroad property, using both court and non-court remedies. **CLE credits are available for this webinar.**

#### [Section 88g: Protecting the Security of the Railroad Supply Chain](#) – Oct. 14, 2021

Federal grant and acquisition regulations implementing NDAA FY 2019, Section 88g requirements now prevent federal agencies from entering into contracts or funding grants for entities that use any covered telecommunications and video surveillance equipment or services as a substantial or essential component of any of your systems after August 13, 2020. Join Susan Warshaw Ebner, Esq., Stinson LLP, and Mark Sidman, General Counsel & Corporate Secretary, Anacostia Rail Holdings Co.,



as they explain the new requirements and discuss the challenges railroads face in implementing these Section 88g requirements. **CLE credits are available for this webinar.**

[Click here](#) for more ASLRRRA events.

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## Industry Events and Announcements

### Sept. 30: SmartWay Webinar Offers Tips from Smartway Partners

The U.S. Environmental Protection Agency (EPA) SmartWay Program will host a free webinar on Sept. 30 featuring representatives from SmartWay partners.

The webinar will focus on the partners' perspectives, including how these companies have developed and implemented their freight sustainability initiatives. It will also offer information on new resources. Follow [this link](#) for more information or to register.

The Association became an affiliate member of SmartWay earlier this year, and ASLRRRA encourages its members to join [SmartWay](#) as a rail carrier partner. The free program allows companies to measure and document their fuel efficiency, comparing that performance to other companies and sharing their efforts with customers. Shipper and logistics partners can access this information when planning their shipments and evaluating modes of transportation.

### Short Line Safety Institute Debuts New Resource for Railroads

A new resource is now available from the Short Line Safety Institute (SLSI): [safety posters](#). Safety posters offer railroads an opportunity to communicate safe practices in the workplace.

The first poster covers communication, and railroads can choose from two different designs. Companies can download the posters and add their own logo or other information before printing. The posters are available in both English and Spanish, with new posters becoming available on a regular basis.

These new resources address one of the most common opportunities for safety education as identified by the over 95 Safety Culture Assessments of short line railroads completed by SLSI experts. SLSI's safety posters join the many [resources](#) available both online and in person at no cost to short line railroads.

[Click here](#) for more industry events.

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