

**Final
RAILROAD SAFETY ADVISORY COMMITTEE (RSAC)**

**Minutes of Emergency Meeting
August 29, 2013
Washington, D.C.**

The forty-ninth meeting of the Railroad Safety Advisory Committee (Committee) was convened at 9:05 a.m., in the Board Room of the National Housing Center of the National Association of Home Builders, 1201 15th Street, N.W., Washington, D.C. 20005, by the RSAC Chairperson, the Federal Railroad Administration's (FRA) Deputy Associate Administrator for Regulatory and Legislative Operations, Robert C. Lauby.

As RSAC members, or their alternates, assembled, attendance was recorded by sign-in log. The records, reports, transcripts, minutes, and other documents that are made available to, or prepared for or by, the Committee are available for public inspection at the U. S. Department of Transportation docket management system Internet Web Site under FRA Docket #2000-7257 <http://www.regulations.gov>. Meeting documents are also available to the public on FRA's RSAC Internet Web Site (<http://rsac.fra.dot.gov>).

For the August 29, 2013, meeting, two of the sixty voting RSAC members were absent: The Brotherhood of Maintenance of Way Employees Division (BMWED) (1 of 2 seats absent); Safe Travel America (1 seat), Four of seven non-voting/advisory RSAC members were absent: The Labor Council for Latin American Advancement, The League of Railway Industry Women, The National Association of Railway Business Women, Secretaria de Comunicaciones y Transporte (Mexico), Total meeting attendance, including presenters and support staff, was approximately 187.

Chairperson Lauby welcomes RSAC (the Committee) Members and attendees. He explains that this is an opportunity to review the recently issued FRA Emergency Order No. 28 (EO 28) and Safety Advisory 2013-06. The meeting offers an opportunity to better understand the facts of the tragic accident in Lac-Megantic, Quebec, Canada. Chairperson Lauby explains that this is a public meeting, but public participation is limited to observing only. Media and members of the general public are free to ask questions at breaks, preferably outside the meeting room, so as not to disrupt the meeting. Chairperson Lauby explains that FRA's Kevin Thompson (FRA–Associate Administrator for Communications and Legislative Affairs) is also here to help members of the media with answers to any questions. Of course, members of the Committee are free to ask questions or initiate discussions.

Chairperson Lauby asks Mr. Larry Woolverton (FRA– RSAC Administrative Officer) for a safety briefing.

Mr. Woolverton provides instructions in the event of an emergency and identifies the meeting room's fire and emergency exits. He asks for volunteers with cardiopulmonary resuscitation (CPR) qualification to identify themselves. A large number of attendees acknowledge having completed this training. He says the National Association of Home Builders building has an automated external defibrillator (AED) that will be made available if needed and pointed out the location of the rest rooms in the building's atrium lobby. He asked that all attendees place electronic devices in the off position or silent mode during the meeting and asked that everyone in attendance sign-in on the appropriate folder.

Chairperson Lauby asks FRA Administrator Joseph C. Szabo for opening remarks.

Administrator Szabo welcomes RSAC members and meeting attendees. He thanks the attendees for gathering together on such short notice. He also notes that this is the first Emergency Meeting of RSAC in 17 years, and that it speaks to the importance of the job ahead. Administrator Szabo states his belief that this Committee is more qualified and capable of taking on this job than any other group.

Administrator Szabo provided the following notes from his opening remarks for these minutes:

Our discussion today will focus on how we can further reduce risk in our rail system – and in the process strengthen the safe transportation of hazardous materials by rail.

And to be clear, the purpose of our discussion is to set the table for acting decisively, for acting effectively, and for ultimately succeeding in ensuring continuous safety improvement.

For me, the full weight of what happened in Lac-Mégantic hit home once I saw pictures.

I thought to myself ... That could have been my town.

As some of you may know, I used to be mayor of Riverdale, Illinois – a major rail town with two large rail yards and five railroads slicing through it.

Over the years, we had our share of rail accidents and hazardous spills in Riverdale.

But, I can only imagine the emotional toll and economic recovery effort that the mayor and citizens of Lac-Mégantic now face.

So I am very grateful that Transport Canada's Director General for Rail Safety – Luc Burdon – is able to be here today, and to give us a presentation on this tragic accident.

At our last meeting, I described the RSAC as a true cross section of the rail industry.

And one reason the RSAC has achieved so much in the past 17 years is because its members are committed to working together to advance rail safety – and to making decisions by consensus.

Transport Canada – as an Associate Member – is an essential contributor to all of our discussions.

But particularly given the reasons we've called this Emergency Meeting, it's so important that we're able to learn from Director General Burdon and Transport Canada this morning.

The reality is – every day – trains pass through towns throughout the United States and Canada carrying goods that are essential to modern life.

Trains connect our economy.

They move our Nation forward.

And overall, rail is an extremely safe mode of transportation.

Out of 2.47 million shipments of hazardous materials by rail in 2012, less than a fraction of one percent resulted in any type of release.

2012 – by virtually all measures – was the safest year in railroading history.

And in the past 10 years, train accidents are down a remarkable 43 percent.

But when lives are lost; when families are broken; when a town is nearly wiped out: This is a reminder that our job – when it comes to safety – is never done.

It becomes our duty to take a hard look at what happened – to understand where risk remains in our rail system – and to look for those ways we can spare other towns from similar tragedies.

This is why we are here today.

Although safety is trending in a very positive direction in the United States, in recent years we have seen some very serious accidents.

Towns like Plevna in Montana; Columbus and Arcadia in Ohio; and Tiskilwa and Cherry Valley in Illinois, are all places where trains loaded with ethanol have derailed

since 2009: resulting in one death, injuries, fires, evacuations, and significant damage to property and the environment.

Or consider what happened in 2005 in Graniteville, South Carolina, where a collision caused three cars carrying chlorine to derail and rupture.

That accident resulted in 9 deaths, more than 5,000 people being evacuated, and a total accident cost of \$126 million.

We learn from every accident.

And we apply what we learn towards strengthening our safety program to ensure continuous safety improvement.

The investigation into the accident in Quebec is still unfolding.

But from what we know so far, we understand the tremendous potential for damage when trains are not properly secured.

That's why, earlier this month, we issued an Emergency Order outlining additional steps railroads must take to prevent trains on mainline tracks and sidings from moving unintentionally.

These steps are mandatory. And failure to comply will result in enforcement actions. Today we need to discuss how we make these provisions permanent.

We also issued a Safety Advisory with the Pipeline and Hazardous Materials Safety Administration that includes a detailed list of safety recommendations we expect railroads to follow – and that also frames today's discussion.

And in the next few weeks, FRA plans to begin tracking industry compliance with both our Emergency Order and Safety Advisory on our website so the public can have full transparency.

Today is about looking at some of the critical safety areas where we must make improvement.

Everyone here is likely familiar with the Swiss Cheese Accident Model.

You have a stack of Swiss Cheese – and the holes in each slice represent risk factors.

Accidents happen in the rare event when the holes – or risk factors – line up. Redundancy – or those extra slices of cheese with smaller holes – eliminate risk and further our goal of continuous safety improvement.

So we need the RSAC to help us identify where these risk factors are and how we can proactively address them to prevent accidents.

As we begin this process, it is important to recognize that regulations governing the securement of unattended trains have been in place for more than a decade.

And we know that these regulations – when followed – substantially reduce risk.

But we must always do better.

We must be certain that the processes and procedures currently in place are in line with both our regulations and our Emergency Order.

We must be certain that the railroads' trainers and testers fully understand our regulations and that they are fully trained in conducting tests.

And, we must be certain that railroad employees fully understand their securement responsibilities: from applying the correct number of handbrakes, to properly evaluating other risk factors such as terrain and weather – and are given enough time to properly execute these duties.

Another important topic the RSAC will begin to discuss today involves crew size.

FRA believes safety is enhanced through multiple person crews, and we must have an adult conversation on how coordination and interaction among multiple crew members reduces risk from our rail system.

And to be clear, this must be viewed from a safety perspective and not be viewed as a job security measure or from a one-size-fits all approach.

This is about understanding the nuance of railroad operations, identifying where there are risks in the system, and eliminating those risks.

We owe the public our willingness to work together and to face these challenges head on.

And the RSAC's list of accomplishments – over 17 years – is proof you are ready to take on this very important task.

RSAC's achievements are a big part of why railroad safety is trending in such a positive direction – and why industry professionalism is rising to even higher levels.

So today, the RSAC – just as it has so many times in the past – will commit to working together to advance rail safety.

You've done it before.

Now you must do it again.

And I have no doubt that – together – we will achieve results to benefit the public.

Let's get to work.

Chairperson Lauby thanks Administrator Szabo for his introductory remarks. He comments that in the next few weeks FRA will begin to track compliance with EO 28 and consider enforcement action where warranted. He explains that each railroad must be certain that effective processes and procedures are in place. He emphasizes the importance of reducing risk and lauds RSAC for achieving results on prior tasks.

Chairperson Lauby asks Administrator Cynthia Quarterman of Pipeline and Hazardous Materials Safety Administration (PHMSA) to deliver additional opening remarks.

PHMSA Administrator Quarterman thanks the members of RSAC for coming together on such short notice for this emergency meeting. Administrator Quarterman provided the following notes from her opening remarks for these minutes:

Good morning. Let me begin by echoing Administrator Szabo's gratitude to everyone here today for coming together on such short notice for this emergency meeting.

I would also like to add my special thanks to Transport Canada's Director General for Rail Safety, Mr. Luc Burdon, for joining us today.

On the one hand, while I am delighted to make my maiden voyage speaking before such an august group of rail aficionados, I am saddened that we are gathered here today on such a solemn occasion.

Director General Burdon, I send my deepest regrets to those in Lac-Megantic, Quebec and all of Canada for the great losses you have suffered because of the recent tragic rail incident.

Our collective responsibility today is to ensure that an event like that is never repeated.

We have a solemn duty to not only learn from what happened in Lac-Megantic and apply the lessons learned to our safety regulations and practices, we also need to thoroughly evaluate and identify the risks associated with bulk movements of high

hazards, such as crude oil, and use our expertise to anticipate the next tragedy before it occurs to do our best to make sure that it doesn't.

We at the Pipeline and Hazardous Materials Safety Administration work with our sister agencies, such as FRA, to protect people and the environment from hazardous materials risks in every mode of transportation, including, motor vehicle, airplane, ship, pipeline and railroad.

Most of what we do is intended to prevent incidents by setting and enforcing nationwide safety regulations, conducting inspections, training and educating hazardous materials shippers and carriers, but we also prepare the public and first responders to reduce consequences in the unlikely event an incident does occur.

With nearly a million shipments of hazardous materials every day, most reach their destination safely. The number of incidents are a minute percentage of the movements occurring and over the last 25 years incidents involving death or major injury have been steadily declining.

However, bulk shipments of high hazards continue to pose a risk for a high consequence, catastrophic event such as the regrettable incident in Quebec. That is why we must be ever vigilant in continuously improving our safety system by identifying and closing any safety gaps.

People often ask me what keeps me up at nights, an incident like the one that occurred in Quebec is one of my nightmares.

We at DOT are determined to use all means necessary to ensure a tragedy like the one in Lac-Megantic does not occur here.

We are looking to you to help us keep that commitment.

Together, we need to focus on identifying the appropriate types and quantities of hazardous materials that warrant special handling. That includes addressing issues such as attendance, securement, crew size and safety and security planning, but we don't want to unnecessarily circumscribe what you do here today. We want your collective expertise to think beyond the Quebec incident to ensure we have considered all foreseeable risks.

As all of you know, ensuring and improving hazmat safety on our Nation's railroads requires dedication and hard work by many. My agency will soon seek public comment on how to enhance the safe transportation of hazmat by rail, including changes to the design of the DOT 111 tank car.

Changes to the tank car standards, however, are doubtless not enough because no tank car can be built and used that could withstand some of the tragic incidents that occur. We must also consider operational issues associated with the rail movement of high hazards such as the ones being discussed today as well as rail car placement and buffer car standards. We need to answer tough questions about the existing fleet of hundreds of thousands of tank cars in crude oil service as well as the adequacy of the newly proposed changes to those standards.

Rest assured that updating these safety standards will be a collaborative process. However, we know we can't wait. The volume of crude oil moving by rail has quadrupled in less than a decade. As greater quantities of hazmat are transported by rail, the risks increase and we have to make sure our regulations and practices keep pace with the market and new technology. We have to identify gaps and close them.

I recently traveled to the Bakken Shale region, where oil production has doubled in just the past 3 years. There are hundreds of trucks and lots of new rail facilities moving product. I observed DOT's safety regulations at work. Now is the time to ensure our hazardous materials transportation safety requirements are prepared for the future.

We need your expertise to help us make these important decisions.

There are more hazardous materials moving on our railways than ever before. Let's make sure we keep our proud tradition of having the safest and most efficient railways in the world.

Thank you.

Chairperson Lauby thanks Administrator Quarterman for her remarks and invites Luc Burdon, the Director General of Rail Safety for Transport Canada to deliver a presentation on the Lac-Megantic Accident. However, there were technical difficulties in setting up Director General Burdon's presentation, so Chairperson Lauby skipped ahead in the agenda to set out the meeting goals.

In setting out the meeting goals, Chairperson Lauby reiterated that this Committee is uniquely qualified to take on this role of recommending improvements to rail safety. He broadly described the four task statements and expressed his appreciation that the RSAC members were able to provide feedback on them prior to this meeting. Many of the suggestions for revising the task statements were adopted, but FRA had to use some discretion in revising them so that they didn't get too lengthy or stray from the main issues. As they are currently worded, the task statements are broadly written and arguably far reaching. However, the task statements should be viewed as the RSAC members' agreements to talk about all the relevant issues necessary to make recommendations. It will be up to the RSAC's Working Groups to discuss and focus on what is important – safety.

Chairperson Lauby further explains that the meeting goals include adoption of the four task statements and the agreement to schedule Working Group meetings. Working Groups will need to meet and report by the next RSAC meeting, which is scheduled for October 31, 2013. All of the Working Groups will need to complete their work and present any recommendations by the RSAC meeting scheduled for April 1, 2014.

Chairperson Lauby takes note that Director General Burdon's presentation is now being displayed and thanks him again for addressing the Committee.

Director General Burdon's thanks the members of RSAC for allowing him to make this presentation. He explains that the Lac-Megantic accident is under criminal investigation, and thus he can only address the facts that are not in dispute now. In his opening remarks, he explained that the death toll and devastation caused by this accident is well-beyond the scope of any other accident he has investigated. He impressed upon the Committee members that this accident has personally affected him and the employees at Transport Canada that are investigating it. He expressed his deepest sympathies for all the victims and their families.

Slide 1 of his Power Point presentation is titled, "Derailment at Lac-Megantic, Quebec."

Slide 2 of Director General Burdon's presentation provides an overview of the subjects he will cover. These subjects include background on the accident, the known details of the accident, Transport Canada's response to the accident, and steps anticipated in the future.

Slide 3 provides details on the Montreal, Maine, & Atlantic (MMA) railroad.

Slide 4, titled "Trajectory," details the track operated by MMA.

Slide 5, titled, "July 5, 2013," details the events leading up to the derailment and accident at Lac-Megantic. The timeline begins at 10:45pm, as the MMA train proceeds eastward from Montreal, QC, to Saint John, NB. The timeline ends at 12:00am (July 6)

when emergency procedures were initiated to extinguish a fire aboard the lead locomotive. The MMA employee and the fire department leave the train unattended.

Slide 6, titled, "More MMA Stats," contains a chart showing a downward trend in MMA accidents from 2003-2012. Director General Burdon clarifies that Canada does not have a monetary threshold that must be met to report an accident, so all accidents are reported. He commented that he still doesn't know the probable cause of the fire in the locomotive.

Slide 7, titled, "Derailment," provides additional accident details that occurred on the morning of July 6.

Slide 8, titled, "Aftermath," details the effect of the accident in terms of fatalities and damage to the local area. Director General Burdon comments that there is still no final estimate of how much oil ended up in the river. He explains the tragedy of a great number of the fatalities were customers of a popular bar near the railroad tracks. He states that the accident caused approximately \$200 mil. in damages, including 57 vehicles destroyed. He said that all of his photographs and more are available on the Transportation Safety Board of Canada's (TSB) website. [Please find at <http://www.tsb.gc.ca/eng/enquetes-investigations/rail/index.asp>].

Slides 9-14 provide photographs illustrating the extensive damage to Lac-Megantic and the response of firefighters and other first-responders.

Slides 15-16 detail the numerous investigations and inspections initiated in the wake of the accident. In addition to TSB, Transport Canada, Environment Canada, and Surete du Quebec are all conducting investigations. Moreover, specific rail stations, railway bridges, and MMA rail lines have also been inspected by government officials.

Slide 17 outlines the status of MMA's Certificate of Fitness since the accident. One issue that is being looked at for MMA, and all railroads in Canada, is whether the railroads carry enough insurance to cover liabilities in case of a catastrophic accident.

Slides 18-20 detail Transport Canada's recent Emergency Directive (ED). This ED requires all rail operators to: ensure that no locomotive attached to one or more loaded tank cars transporting dangerous goods is operated with fewer than two qualified persons on a main track or sidings; ensure that no locomotive attached to one or more loaded tank cars transporting dangerous goods is left unattended on a main track; ensure, within five days of the issuance of the directive, that all unattended controlling locomotives on a main track and sidings are protected from unauthorized entry into the cab; ensure the directional controls, commonly known as reversers, are removed from any unattended locomotives, preventing them from moving forward or backward, on a main track or sidings; ensure that their company's special instructions on hand brakes are applied to any locomotive attached to one or more cars that is left unattended for more than one hour on a main track or sidings; and ensure that, in addition to complying

with their company's special instructions on hand brakes referred to in the item immediately above, the automatic brake is set in full service position and the independent brake is fully applied for any locomotive attached to one or more cars that are left unattended for one hour or less on a main track or sidings. The ED also requires railroads to ensure that, in addition to complying with their company's special instructions on hand brakes referred to in the item immediately above, the automatic brake is set in full service position and the independent brake is fully applied for any locomotive attached to one or more cars that are left unattended for one hour or less on a main track or sidings. The ED will remain in effect until Dec. 31, 2013, but could be extended for up to 6 months. Transport Canada intends conduct additional inspections to monitor compliance with the ED.

Slide 21 describes a recently released "Section 19 Ministerial Order" requiring all federally-regulated railroads to formulate rules respecting the: securement of locomotives, prevention of uncontrolled movements, and crew size requirements for certain situations.

Slide 22, titled, "What's Next?" outlines upcoming regulatory action by Transport Canada and other Canadian entities. The Canadian government and the Railway Association of Canada will review existing rules and policies and develop additional rules and policies as necessary.

Director General Burdon states that only two Canadian railroads have been permitted to operate with one person train crews. The decision to permit these two railroads to operate with only one train crewmember was made after a four year process of working with the railroads and studying the issue. He doesn't know whether the one person crew was a factor in the Lac-Megantic accident, but that the issue must be considered.

Director General Burdon asks for questions.

Mr. Ross Capon, National Association of Railroad Passengers (NARP) asks Director General Burdon, in slide 19, you explained that the Emergency Directive requires two person crews in certain situations. In slide 21, you said the Canadian railroads have a deadline to determine crew size requirements in certain situations. Does Transport Canada intend on asking for more two person crews in different situations?

Director General Burdon replied that Transport Canada has been working with the industry to do risk assessment studies for appropriate crew member size. We will be reviewing all the information for revisions if needed.

Mr. Bob Vanderclute (AAR) asks Director General Burdon if he has any additional information about the makeup of the crude oil found at Lac-Megantic. He questioned why there was an explosion when crude oil is a packing group III product that is not prone to explode.

Director General Burdon answers that he doesn't have any additional information to provide on why the tank cars containing crude oil exploded.

Chairperson Lauby thanks Director General Burdon for his remarks before today's meeting of the Railroad Safety Advisory Committee.

Chairperson Lauby announces the morning break.

M O R N I N G B R E A K 10:45 A.M. - 11:00 A.M.

Chairperson Lauby reconvenes the meeting. He reiterates that meeting goals and that FRA is looking for RSAC to provide quick feedback.

Chairperson Lauby asks for Committee members and alternates around the conference table to identify themselves and the organizations they represent. The attendees comply with this request.

Chairperson Lauby invites Joseph St. Peter (FRA) to deliver the presentations on the recent Safety Advisory and Emergency Order.

Mr. St. Peter delivers a presentation highlighting the recommendations contained in FRA's Safety Advisory 2013-06. The presentation begins with recommended railroad actions. Under slide 3, recommendation 1 is that railroads review the circumstances of the Lac-Megantic accident described in the Safety Advisory.

Under slide 4, recommendation 2 is that railroads review crew staffing practices for over-the-road trains that transport materials referred to in Appendix A of Emergency Order 28. Recommendation 2 also calls on railroads to amend existing crew staffing practices as necessary to ensure safe train movement.

Under slide 5, FRA recommendation 3 is that railroads amend procedures adopted to comply with 49 CFR 232.103(n)(4) by requiring that the reverser lever of the controlling locomotive of a train or locomotive consist be either removed from the cab of the controlling locomotive or secured to prevent unauthorized movement of any train or locomotive consist left unattended on mainline track or mainline siding outside of a yard or terminal.

Under slide 6, FRA recommendation 4 is that railroads review both their operational testing programs (as adopted in accordance with 49 CFR 217.9) and relevant accident data related to the securement of unattended equipment. It is also recommended that railroads determine whether it is appropriate to increase the frequency of, or to otherwise enhance, operational tests performed to determine the extent of railroad employee compliance with operating rules governing the proper securement of unattended equipment.

Under slide 7, FRA recommendation 4 continues under slide 7. It is further recommended that railroads ensure that tests are conducted under all operational conditions and ensure that tests results are properly recorded.

Under slide 8, FRA recommendation 5 is that railroads conduct system-wide evaluations to identify particular hazards (e.g., grade, train commodity, trespasser accessibility) which increase securement and other safety risks at crew change locations and other locations where any trains or rolling equipment are regularly left unattended. It is further recommended that railroads identify hazards at these locations, and adopt procedures to mitigate risks that could result in unauthorized or uncontrolled train movements.

Under slide 9, FRA recommendation 6 is that railroads review the other requirements in Transport Canada's emergency directive and order, to include human factor requirements such as: operator fatigue; the use of derails as a secondary line of defense at high risk locations; and available personnel to secure a train.

FRA recommendation 6 continues under slide 10. It is further recommended that railroads, if necessary, amend the procedures governing these issues to ensure the safety of train operations, particularly as they relate to train operations conducted on main track.

Under slide 11, Mr. St. Peter begins outlining FRA's recommended hazardous materials actions.

Under slide 12, HAZMAT recommendation 1 is that offerors evaluate their processes to ensure that hazardous materials are properly classed and described in accordance with the HMR.

Under slide 13, HAZMAT recommendation 2 is that offerors and carriers of hazardous materials review their safety and security plans adopted in accordance with subpart I of part 172 of the HMR.

HAZMAT recommendation 2 continues under slide 14. It is further recommended that offerors and carriers evaluate whether their existing plans adequately address personnel security, unauthorized access, and en-route security and, as necessary, amend the plans to ensure the continued safe and secure transportation of railroad tank cars containing hazardous materials. That concludes Mr. St. Peter's presentation on DOT's Safety Advisory 2013-06.

Joseph St. Peter (FRA) asks for questions, but there were no questions.

Joseph St. Peter (FRA) transitions into a second presentation. This second presentation is entitled, "Emergency Order No. 28 Presentation." Slides 1-2 provide basic information on FRA's emergency order, such as the citation in the Federal Register.

Under slide 3, Mr. St. Peter provides historical background for the justification of EO28. Mr. St. Peter says that FRA reexamined its regulations in light of the Lac-Megantic accident and determined that additional requirements were necessary to eliminate an immediate hazard of death, personal injury, or significant harm to the environment. The EO does not apply to passenger railroads because they don't transport hazmats in the type and quantity prescribed in Appendix A to the EO.

Under slides 4 and 5, Mr. St. Peter introduces the rest of his presentation as a tool to summarize EO28's requirements and the information contained in an accompanying guidance document released by FRA on August 21, 2013.

Under slide 6, Mr. St. Peter describes FRA requirement 1. This requirement states that a railroad shall not leave trains or vehicles transporting the type and quantity of hazardous materials specified in Appendix A to EO 28 unattended on mainline track or mainline sidings outside of a yard or terminal until the railroad develops, adopts, and complies with a plan that identifies the specific locations and circumstances when such trains or vehicles may be left unattended.

Slide 7 describes FRA guidance to requirement 1. The guidance clarifies the meaning of the terms "vehicle" and "yard limits," and also clarifies that EO 28 does not apply to a railroad that operates only on track inside an installation which is not part of the general railroad system of transportation (i.e. plant railroads) when operating on track that is considered within the installation that is not part of the general system.

Slides 8-9 describe EO 28 requirement 2. This requirement mandates that railroads develop certain specified processes for securing unattended trains or vehicles transporting "Appendix A materials" on mainline track or mainline siding outside of a yard or terminal. A train dispatcher or other qualified employee is then required to verify and confirm with the crew that train or vehicle meets these securement requirements. Slide 10 describes FRA guidance concerning requirement 2.

Slide 11 describes EO requirement 3. This requirement mandates that railroads review, verify, and adjust as necessary any procedures and processes related to the number of hand brakes set on unattended trains and equipment and ensuring that the means of verifying that number is accurate.

Slide 12 describes FRA guidance on this requirement.

Slide 13 describes EO requirement 4. This requirement mandates that railroads implement operating rules and practices that require a securement job briefing for any such job that requires or impacts the securement of equipment in the course of the work being performed. Slide 14 clarifies guidance on this requirement.

Slide 15 describes EO requirement 5. This requirement mandates that railroads develop procedures that ensure that a qualified railroad employee inspects all

equipment that any emergency responder has been on, under, or between for proper securement before the train is left unattended. Slide 16 describes FRA guidance on this requirement.

Slide 17 describes EO requirement 6. This requirement mandates that railroads provide notice of EO 28 to all affected employees. Slide 18 describes FRA guidance on this requirement.

Slides 19-20 provide general guidance on EO 28. For example, the EO 28 requirements do not apply to passenger rail vehicles or passenger rail operations; however, EO 28's requirements do apply to freight operations traveling over a rail line owned or operated by a railroad engaged in passenger service.

Mr. St. Peter (FRA) asks for questions, but there were no questions.

Chairperson Lauby introduces Mr. Karl Alexy (FRA), Staff Director of FRA's HAZMAT Division.

Mr. Alexy introduces himself and begins to deliver a presentation entitled, "Crude Oil and Ethanol Transportation Trends."

Mr. Alexy begins with an overview of the presentation. Slide 3 shows general crude oil trends in the U.S., including an increase in proved reserves and domestic production, as well as a decrease in imports, between 2006-2012. Slide 4 illustrates areas of concentration in U.S. crude oil production and reserves. Slides 5-9 further emphasize the increase in crude oil production, as well as the relative increase in rail transport of crude (in comparison to pipeline transport).

Mr. John Risch (SMART) comments that slide 5 shows the Bakken region lit up at night, not from man-made artificial light, but from burning oil or gas flares. Mr. Alexy agrees that this is a good point.

Mr. Alexy comments that the title of slide 7, "Rail vs. Pipeline" is not intended to mean that the two are competitors, because he doesn't view them as competitors.

In slide 10, Mr. Alexy describes a similar increase (between 2005-2011) in the transportation of ethanol by rail. A chart in slide 11 indicates a slight decrease in ethanol transport by rail in 2011, but the numbers remain high in absolute terms. Chairperson Lauby explains that FRA is now ready to make separate presentations on the four proposed RSAC Task Statements (2013-02 thru 2013-05).

Mr. James Stem (SMART) thanked the presenters for the great presentations. He requested the group move to the Appropriate Crew Size task statement first and vary from the agenda which had it last.

Ms. Cynthia Hilton, Institute of Makers of Explosives said I think we need to stick to the agenda, some of us have made travel arrangements based on the agenda.

Mr. Mike Rush (AAR) said AAR isn't concerned about the order of the presentations, but would like to go through the presentations and then caucus before we have a vote on any of them. AAR has some concerns how the tasks have been presented. These task statements define the scope of the Working Groups and if the statements are too broad the Working Groups will get bogged down. AAR is committed to reviewing the Canadian accident. The task statements have some items thrown in that don't relate to the accident. AAR prefers to go through the task statements, caucus, and then vote.

Mr. Vince Verna, (BLET) agreed with Mr. Rush that it is important to get the task statements right before getting ready to vote.

Chairperson Lauby agreed with Mr. Stem's suggestion to start with the crew size task statement to ensure that this controversial issue could be discussed at any caucus following the lunch break. Hearing no further objection, he asked for the crew size presenters to come forward.

Chairperson Lauby introduces Mr. Joe Riley (FRA) and Mr. Dan Knot (FRA) as the presenters of proposed Task No. 13-05, concerning appropriate train crew size. Mr. Riley is to speak to freight issues and Mr. Knot is to speak to passenger issues.

Mr. Riley begins by outlining the numerous purposes of proposed Task 13-05. Those purposes include evaluation of: (1) whether and how crew redundancy affects railroad safety; (2) types of railroad services or operations requiring redundant crew members; (3) whether there are acceptable methods to provide redundancy if redundancy is deemed necessary; and (4) whether there is an appropriate train crew size for both passenger and freight operations necessary to assure railroad safety; as well as a review of 49 CFR Parts 218 & 219 to evaluate whether and how crew size impacts railroad safety. Mr. Riley elaborates that FRA needs the Working Group members to provide information regarding crew size operations currently in place as FRA is not fully aware of all of the operations that utilize a one person crew.

Mr. Riley explains that the task statement lists FRA safety regulations that might be more difficult to comply with if there was only one crewmember. FRA wants the Working Group to explore how [or whether] compliance can be achieved with only one crewmember.

Mr. Knot explains that the passenger train emergency preparedness regulation (49 CFR part 239) was predicated on a two train crew member approach. In slide 6, FRA lists the various physical environments that passenger trains operate in. It is suggested that the Working Group consider the hazards of these different environments when considering whether a one person crew can operate safely.

Mr. Riley continues by identifying four major issues to be addressed in the proposed report. The first issue is whether there is a safety benefit or detriment from crew redundancy, including an analysis of observed safety data and outcomes from current crew deployment practices. The second issue is to review existing regulations and consider the impact of crew size on the performance of any task or activity. The third issue is to report on the costs and benefits associated with crew redundancy. The fourth issue is if appropriate, develop recommended regulatory language or guidance documents regarding crew size requirements that enhance the safety of railroad operations by providing enhanced regulatory redundancy. In considering the development of regulatory language, specifically consider the value of regulatory redundancy in terms of crew size as it relates to trains or vehicles as requiring special handling and/or operational controls, and if appropriate develop recommended regulatory language specific to these railroad operations.

Mr. Riley added the question of whether there is a need to address crew size in locomotive engineer and conductor certification programs.

Mr. Riley and Mr. Knotte ask for questions.

Mr. Mike Rush (AAR) comments that the AAR is not going to object to the task statement, but the safety data will show that a safety justification for a larger crew size is not there. Crew size is traditionally a matter for collective bargaining. The second bullet looks like a recipe for many months of discussion. This is an observation that could lead to unending discussions. What does "regulatory redundancy" mean?

Chairperson Lauby replied that the redundancy in the regulations is not just about crew size. [It goes back to Administrator's Szabo's swiss cheese analogy.] As Mr. Szabo said, this isn't about creating jobs or just having additional crew members. Technology can provide redundancy. If we have technology that can apply hand brakes automatically [or confirm that hand brakes are applied], that technology could provide another layer of safety as another crewmember could. That is what we mean by regulatory redundancy.

Mr. Rick Inclima (BMWED) said after reviewing the description list on the task statement, I would like to add, 49 CFR part 214, subpart C to the list of regulations cited. It needs to be included because it needs to be discussed how a one-person crew would contact the employee-in-charge of a gang of track workers.

Chairperson Lauby replied that Mr. Inclima has a valid point. FRA was trying to identify a variety of activities and requirements of train crews that may need review. On passenger and freight, FRA does not have specific requirements on how large the crew size should be - typically most include two person crews. In some other cases operators propose procedures and technology and claim that they don't need another crew member to perform additional tasks. The railroad industry received a great deal of criticism because there was a one person crew assigned to the train in the Canadian

Accident. There was a great deal of criticism and no one had a good answer except that crews are - for the most part - two person crews. FRA found that there were places where FRA thought there were two person crews when in fact they were one person crews. On April 1st, 2014, we won't have a new regulations or a new requirement but we should know where it's appropriate to have additional crew members. FRA needs good advice from everyone on what type of operations need multiple crew members. That determination will affect Shortlines, Passenger Lines and how the freights operate. FRA needs to know how to react to this issue appropriately.

Mr. Rick Inclima BMW- does that mean 214 Subpart C can be listed in the task statement?

Chairperson Lauby asks for consideration of this request in the caucus discussions. He said FRA does not have any objections. The list was not intended to be exclusive. It was intended to be a starting point for discussions.

Chairperson Lauby requests that Mr. Alexy return to make his second presentation.

Mr. Alexy begins his second presentation. This presentation regards proposed Task No. 13-02. The presentation is entitled, "Task No. 13-02: Hazardous Materials Issues Working Group."

Mr. Alexy's presentation clarifies the purposes and scope of proposed Task 13-02, and highlights related issues. The purposes are (1) to re-evaluate the FRA Emergency Order 28 Appendix A and consider revised criteria that reflect the appropriate types and quantities of hazardous materials carried by a train that warrant special handling and operational controls; and (2) to ensure that handling and operational controls are in place regarding certain areas identified in the wake of Lac-Megantic.

With regard to the issues highlighted in Alexy's presentation, issue 1 is identifying criteria reflecting the types and quantities of hazardous materials which are recommended to be required to comply with any special handling requirements or operational controls, including requirements that may be recommended as a result of this task, or Task Nos. 13-03 or 13-05.

Issue 2 is requirements of marking of tank cars, training of personnel, and information required on shipping papers, in addition to those contained in 49 CFR part 172 subparts D, H, and C, for trains for which special handling and/or operational controls are proposed.

Issue 3 is special handling requirements and/or operational controls for trains or vehicles meeting the criteria identified as requiring special handling and/or operational controls as a result of this task.

Issue 4 is expand the applicability of Part 172 subpart I, to require rail transportation route analysis and security plans for trains or vehicles meeting the criteria identified as requiring special handling and/or operational controls as a result of this task.

Issue 5 is accurate, efficient, and proper frequency of hazardous material testing and classification of flammable liquids, including crude oil and ethanol prior to filling/loading of rail tank cars.

Other issues include notifying task nos. 13-03 and 13-05 of the recommended hazmat recommended to comply with special handling requirements or operational controls, as well as any recommendations to PHMSA for changes to the HMR affecting the handling of placarded tank cars; and evaluating the risks of leaving trains or vehicles meeting the criteria identified as requiring special handling and/or operational controls unattended and report the results to task no. 13-03.

Karl Alexy asks for questions.

Mr. Mike Rush (AAR) is concerned with the way this task is worded. He said this is the proverbial kitchen sink and is problematic. The task is getting into PHMSA's authority, the task is too wide-ranging, and it potentially overlaps with other Working Groups' task. The task statement doesn't say anything about whether costs and benefits should be considered.

Chairperson Lauby said he would ask Mr. Alexy to explain the relationship between PHMSA and FRA.

Mr. Karl Alexy (FRA) said PHMSA creates the regulations and FRA enforces them. FRA will certainly coordinate with PHMSA on any potential recommendations.

Mr. Mike Rush (AAR) asked for clarification: This group is not doing what PHMSA is doing?

Mr. Karl Alexy (FRA) replied that this group is not doing PHMSA's work.

Chairperson Lauby said operation type requirements are within FRA's authority. We enforce the PHMSA regulations. The transport of hazardous materials should have certain checks and balances. It should be enforced to make the shipment of hazardous materials safer. If there is a recommendation of another group, we have to take it up and take a look at it.

Mr. Mike Rush AAR asked will PHMSA be there?

Chairperson Lauby said he is assuming they will be. They take their work very seriously like we do.

Mr. Tom Schick (American Chemistry Council) said classification of materials, wayside defect detectors are examples of carrier issues not shipper issues. He agrees with Mr. Rush. We will have experts from our industry participate. We need further explanation to know which expert to send to the meetings.

Chairperson Lauby replied that he is not sure of the extent we will be dipping into wayside detectors and things like that. The Working Group will have to prioritize things. When we get the Working Group going and we need to do a mid-course correction, we can do that.

Mr. Tom Schick (American Chemistry Council) said that he wasn't trying to negotiate the task just trying to figure out what experts he might need to send.

Ms Cynthia Hahn said that she agrees with Mr. Rush (AAR) that the task statement is very permissive. When the Working Group gets together, it could look very differently, we could chose not to address something on the task statement?

Chairperson Lauby replied that is your choice as a Working Group.

Chairperson Lauby introduces Gary Fairbanks (FRA) to deliver a presentation on proposed Task 13-03, concerning train securement requirements.

Mr. Fairbanks thanks the attendees. He announces RSAC proposed Task No. 13-03, discusses its purpose, and describes issues to be addressed.

Mr. Fairbanks says the purpose of 13-03 is to ensure appropriate processes and procedures are in place to ensure that any unattended trains and vehicles on mainline track or mainline sidings outside of a yard or terminal are properly secured against unintended movement, and as appropriate, such securement is properly confirmed and verified.

Mr. Fairbanks says that there are three primary issues requiring a specific report. The first issue is, if necessary, to develop recommendations containing specific regulatory language to update or modify existing securement standards for unattended equipment. The second issue is, if necessary, to develop specific recommendations that may be suitable to be published as guidance. The third issue is, in considering the development of regulation text and guidance, to specifically evaluate the risks of failing to secure those trains or vehicles that are determined to require special handling and/or operational controls.

There were no questions for Mr. Fairbanks and Chairperson Lauby thanks Mr. Fairbanks for the presentation.

Chairperson Lauby introduces Doug Taylor (FRA) to deliver a presentation on proposed Task 13-04, concerning operational testing for securement of rolling equipment.

Mr. Taylor (FRA) thanks the attendees. He announces RSAC proposed Task No. 13-04, discusses its purpose, and describes issues to be addressed.

Mr. Taylor states that the purpose of 13-04 is to confirm that appropriate processes and procedures are in place to ensure that the proper operational testing is conducted with respect to securement of unattended equipment. By way of background, Mr. Taylor informs the attendees that “failure to comply with securement procedures accounted for approximately 8.5% of all human factor accidents.”

Mr. Taylor identifies three primary issues for the report. The first issue is to review operational testing programs and relevant accident and inspection data related to the securement of unattended equipment to determine whether it is appropriate to increase the frequency of, or to otherwise enhance, operational tests performed. The second issue is to ensure that operational tests related to securement are conducted under all operating conditions, and that the results of such operational tests are accurately recorded. The third issue is to develop recommended guidance document or regulatory language where determined appropriate.

Mr. Taylor states that although reportable accidents have been decreasing over the last few years, FRA has been finding in increasing numbers non-compliance with securement requirements. FRA is also finding securement defects at a much higher rate than railroads are finding them on their own. Thus, FRA believes the Working Group should look at the frequency and use of such tests, as well as the training for employees and supervisors.

Mr. Taylor asks for questions.

Mr. Mike Rush (AAR) said before we get to the task statement, the statistics in the presentation included yard accident data. If you look at mainline accidents only, you will see a good trend. With respect to the wording of the task statement, we have existing regulations in place for efficiency testing. He asked whether he is correct that in the first bullet, the Working Group is not going to review how the railroads do their reviews. He also asked whether the task is focused just on securement or is it broader than that and covers all operational testing?

Chairperson Lauby replied that the task is focused on securement.

Mr. Doug Taylor FRA said 76% of the accidents depicted in the presentation have occurred in yards. FRA believes that good habits learned in yards and terminals are carried out to the main lines.

Chairperson Lauby suggested the group break for lunch and add caucus time to the lunch break.

The group agreed to reconvene about 2:00 pm.

LUNCH BREAK 12:30 P.M. -- 1:30 P.M.

CAUCUS 1:30 P.M. – 2:35 P.M.

Group reconvened at 2:35 p.m.

Chairperson Lauby welcomes the Committee back and requests caucus reports.

Mr. Mike Rush (AAR) states that AAR is concerned about a number of issues. AAR wants the task statements to be accurate and continues to believe that the statements go too far in how broadly they are stated. When the Working Groups get together, there needs to be agreement on what they need to do and what they don't need to do. I want to emphasize the point that this needs to be in the minutes. The deadlines are very aggressive and we don't think the timeline FRA has set down is doable. We really don't know what happened at the Canadian accident and it is hard to be responsive to an accident when we don't know what happened. AAR believes that despite what we don't know about the accident, there are some issues that are appropriate for us to address. However, AAR is concerned that the aggressive timing FRA has requested could impact the resolution of the task statements. AAR requests that Task Statements 13-04 Operational Testing for Securement of Rolling Equipment and 13-03 Securement Requirements be combined or given to the same Working Group. There are a lot of us that will be spread very thin and many of the same people will be attending these meetings. It makes sense to combine these two tasks.

Chairperson Lauby states that he requested that those two tasks be separate, as one was an operating practices issue and the other a mechanical issue. He expressed that FRA is open to the idea of assigning more than one task to a single Working Group. Chairman Lauby asked the Labor caucus to give their report.

Mr. James Stem (SMART) suggested that it might be okay to combine tasks 04 and 05. He also moves to adopt task 05.

Chairperson Lauby asked the group if we are prepared to vote on all the task statements as presented except one suggestion for two additions to the Crew Size Task Statement?

Ms. Kathy Waters (APTA) requested that consideration for the System Safety Program be added to the crew size issue.

Mr. Rick Inclima (BMWED) repeated his earlier request that 49 CFR Part 214, subpart C be added to the list of regulations under consideration in task 05.

Mr. John Tolman (BLET) said I want to make a statement for the record. Under "Other issues" on this task statement, it mentions PTC and Remote Control Operations. He believes this language is setting the Working Group up for failure. He is concerned that

PTC will dominate the discussion. For instance, we are asked to consider PTC and we don't know what PTC will end up looking like.

Mr. Mike Rush (AAR) pointed to the circumstance of the Canadian accident and said PTC can clearly stop some trains in some circumstances. We can't say PTC is not part of this conversation. I don't think that PTC will dominate the conversation. RCL is regulated, with respect to securement and attendance could be retrospect as well. PTC is unprecedented in the cost. I think it is a relevant technology and needs to be called out.

Mr. James Stem (SMART) said the request for a PTC discussion did not originate with labor. Predictability of work schedules is why labor supports PTC and because of all the employees killed on the railroad because of fatigue. PTC would not have prevented the Lac-Megantic accident. PTC is irrelevant to this discussion. Labor wants its people to go home in the same condition that they were in when they went to work. For us to insert PTC in these conversations will be a total diversion for this group. PTC cannot cut a train crossing. The train in Canada was left in that position because one person cannot cut a crossing. They left it because a one person crew cannot make a brake test so the train was left running. Remote Control Operations should be regulated but PTC is a diversion.

Chairperson Lauby said this sounds like an interesting group and he would be sure to attend the working group meeting it didn't get diverted.

Mr. Mike Rush (AAR) said I never did say that PTC would have prevented the Canadian accident. PTC is a potential technology, and AAR did not ask for or draft anything related to PTC into the task statement. AAR believes the PTC aspect is not a dominating point for the Working Group, but an issue to explore.

Mr. Paul King (ASRSM) said there are a great number of issues raised by the Canadian accident. The important thing is to draw the line on what we can handle now. So, I agree with FRA that we don't let PTC and RCO issues dominate the discussion. Chairperson Lauby said we have a lot to focus on because of this accident. If it was just securement, we would have solved this weeks ago. Because of this accident there are lots of questions that have been asked by the public. Ethanol and crude oil shipments are up; the question is: are we handling those shipments appropriately? Same issue with crew size; it has popped up and it's unclear on whether crew size had any impact on this accident, but it's an issue that has been identified with this accident, and we need to take a look at it and make sure we handle it appropriately.

Chairperson Lauby said that he would like to bring Task No. 13-05, appropriate train crew size, to a vote. That based on the meeting today, that the vote should include two changes to the task statement as FRA proposed it. The first item is to add the following citation to the list of CFR citations under the heading "Description": "49 CFR Part 214, Subpart C, Roadway Worker Protection." The second item is to add a sentence to the

end of the paragraph under the heading "Other Issues" to read: "Consider the application of the System Safety Program requirements to these issues."

Mr. Bob Vanderclute (AAR) made the motion to accept the task statement.

Mr. Howard Permet (APTA, Metro North) seconded the motion.

CONSENSUS WAS REACHED TO ACCEPT TASK NO. 13-05 WITH THE MODIFICATIONS DESCRIBED ABOVE.

Chairperson Lauby moved to discuss and vote on Task 13-02, Hazardous Materials Issues.

Mr. Tom Pontolillo (BLET) asks if this task statement will discuss tank car issues?

Mr. Tom Herrmann (FRA) said the main focus should not be tank cars, as that rule is about to be issued. We potentially could be having ex parte communications if we discussed those issues. Additionally, PHMSA should handle that issue.

Mr. Mike Rush (AAR) said they have created a tank car committee that is looking at the issue. They are looking at retrofitting tank cars as well.

Mr. Tom Herrmann (FRA) states that FRA is more concerned with other hazmat issues. RSAC should let PHMSA address the tank car issues. Of course, if we do have recommendations to make, we can pass them on to PHMSA.

Chairperson Lauby asks if there were any more questions. There were none and a vote was taken on Task No. 13-02.

Mr. Jeff Moller AAR made a motion to accept the task statement as presented.

Mr. Tom Schick American Chemistry Council seconded the motion.

CONSENSUS WAS REACHED TO ACCEPT TASK NO. 13-02, HAZARDOUS MATERIALS ISSUES, WITH NO MODIFICATIONS.

Chairperson Lauby requested the group consider Task 13-03, Securement Requirements.

Mr. Bob Vanderclute (AAR) makes a motion to accept the task statement as presented.

Mr. Vince Verna (BLET) seconded the motion.

CONSENSUS WAS REACHED TO ACCEPT TASK NO. 13-03, SECUREMENT REQUIREMENTS, WITH NO MODIFICATIONS.

Chairperson Lauby said we will combine tasks 03 and 04 into one Working Group as suggested.

Mr. Carl Tingle (TCU) said in regards to operational testing, that TCU would like to add 49 CFR Part 215 as we think that regulation is appropriate due to the inspection and testing requirements.

Chairperson Lauby asks why it was relevant?

Mr. Rich Johnson (TCU) said it is the freight car standards, inspections, and qualified people doing the inspection, not limited to brakes. Brakes should be included as part of the task statement.

Mr. Dan Bodeman (BNSF) suggested it should be listed under Task 13-03.

Mr. Mike Rush (AAR) said that Part 215 doesn't apply to this task which deals with operational testing.

Mr. Rich Johnson (TCU) said it's part of the entire brake system on the mechanical side.

Chairperson Lauby said we have decided to combine these two groups. The securement task statement and the operational testing for securement of rolling equipment task statement.

Mr. Rick Inclima (BMWE) made a motion to move the 49 CFR 215 into the Securement Task Statement in 13-03.

Mr. Mike Rush (AAR), said here is the problem, we were looking at the securement issue as an operating issue of what was coming out of the Canadian accident. If we are getting into the whole mechanical inspection issues then we need a different group of experts and it needs its own task statement. It's a completely new set of issues.

Mr. James Stem (SMART) said I am shocked that we are not going to look at whether the brake would work if it is applied. Part 215 is part of the assumption of every train secured.

Mr. Mike Rush (AAR) replied are we focusing on a hand brake issue and whether its functioning? If so, I would agree it's part of the task statement, if focused as related to securement there is no objection and we could quickly address those issues.

Mr. Mike Rush AAR suggested we add to Task Statement 13-03 under "issues requiring specific report": "If appropriate, take up relevant portions of 49 CFR Part 215."

Chairperson Lauby put AAR's suggestion to a vote and this modification was accepted by the group.

CONSENSUS WAS REACHED TO ACCEPT TASK NO. 13-03, SECUREMENT REQUIREMENTS, WITH MODIFICATION.

Chairperson Lauby asked "can I hear a motion to accept Task No. 13-04, Operational Testing for Securement of Rolling Equipment?"

Mr. John Previsich SMART made a motion to the group to accept the task statement.

The motion was seconded by Mr. Carl Tingle TCU.

CONSENSUS WAS REACHED TO ACCEPT TASK NO. 13-04, Operational Testing for Securement, WITHOUT MODIFICATION.

Chairperson Lauby said that what has been presented during this meeting will be on the RSAC public website.

Chairperson Lauby said he wanted to thank Mr. Kenton Kilgore, Mr. Larry Woolverton, Mr. Marvin Stewart and Cindy Gross for helping to set up and arrange this emergency meeting. Chairperson Lauby also said FRA will send out the final accepted drafts of the task statements and ask the members to populate the working group membership.

Ms Kathy Waters (APTA) said we would like to make a recommendation that the working groups receive the minutes from this meeting to help them understand the thinking on refining the task statements.

Chairperson Lauby said that is a good suggestion. We may do that.

Mr. Mike Rush (AAR) said FRA has set a very aggressive meeting schedule and we hope the groups are scheduled to meet in the same weeks to help keep travel at a minimum.

Mr. Paul King (ASRSM) said that on behalf of the western and mid-western states, can we have some meetings further west. It would help us get people there and trade off some of the hardship of travel and cost.

Chairperson Lauby said we are sensitive to that issue. FRA would love to have the meetings outside of DC because of the distraction of the office to our folks. We will see what we can do in the future but in October we will be on limited funds.

Mr. Tom Pontolilio BLET motioned to adjourn the meeting.

M E E T I N G A D J O U R N E D 3:35 P.M.

These minutes are not a verbatim transcript of the proceedings. Also, Microsoft PowerPoint overhead view graphs and handout materials distributed during

presentations by RSAC Working Group Members, FRA employees, and consultants, generally become part of the official record of these proceedings and are not excerpted in their entirety in the minutes.

Respectively submitted by Alan Nagler (FRA)