

RAILROAD SAFETY ADVISORY COMMITTEE (RSAC)

Minutes of Meeting April 2, 2009 Washington, D.C.

The thirty-eighth meeting of the RSAC was convened at 9:35 a.m., in the West End Ballroom, Salons A, B, C, and D of the Washington Marriott Hotel, 1221 22nd Street, N.W., Washington, D.C. 20037, by the RSAC Chairperson, the Federal Railroad Administration's (FRA) Deputy Associate Administrator for Safety Standards and Program Development, Grady C. Cothen, Jr.

As RSAC members, or their alternates, assembled, attendance was recorded by sign-in log. Sign-in logs for each Committee meeting are part of the permanent RSAC Docket. 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 on FRA's RSAC Internet Web Site (<http://rsac.fra.dot.gov>).

For the April 2, 2009, meeting, sixteen of the fifty-four voting RSAC members were absent: The American Association of Private Railroad Car Owners (1 seat), The American Petroleum Institute (1 seat), The American Train Dispatchers Association (1 seat), The Association of Railway Museums (1 seat), The Fertilizer Institute (1 seat), The Institute of Makers of Explosives (1 seat), The International Association of Machinists and Aerospace Workers (1 seat), National Conference of Firemen and Oilers (1 seat), The National Railroad Construction and Maintenance Association (1 seat), Railway Supply Institute (1 seat), Safe Travel America (1 seat), The Sheet Metal Workers International Association (1 seat), The Transport Workers Union of America (TWU) (2 seats), The U. S. Transportation Security Agency (1 seat) and The United Transportation Union (1 of 3 seats). Three of seven non-voting/advisory RSAC members were absent: The Labor Council for Latin American Advancement, The League of Railway Industry Women, and Secretaria de Comunicaciones y Transporte (Mexico). Total meeting attendance, including presenters and support staff, was approximately 100.

Chairperson Cothen welcomes RSAC (the Committee) Members and attendees. He asks Larry Woolverton (FRA—Office of Safety) for a meeting room safety briefing.

Larry Woolverton (FRA) 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.

No volunteers are designated to perform CPR. The Washington Marriott Hotel does not have an automated external defibrillator (AED).

Chairperson Cothen says the FRA Associate Administrator for Railroad Safety/Chief Safety Officer Jo Strang will have opening remarks later in the meeting. He says she will introduce the new FRA Deputy Administrator Karen J. Rae. He says the new FRA Administrator nominee is Joseph Szabo, who will face U.S. Senate Confirmation Hearings.

Ross Capon (National Association of Railroad Passengers (NARP)) announces the winner of the 15th annual Dr. Gary Burch Memorial Award. This award recognizes the individual railroad employee judged to have done the most to improve the safety of railroad passengers in the year just concluded, i.e., 2008. For 2008, the winner is the Norfolk Southern Corporation's Duane Meadows. He thanks organizations for submitting nominees, which include one from the Norfolk Southern Corporation, and 2 each from New Jersey Transit, and the National Railroad Passenger Corporation (Amtrak). He says the award will be presented during NARP's 2009 Annual Congressional Reception, to be held on April 21, 2009, at the Rayburn House Office Building in Washington, D.C. Additional information on this topic can be found at NARP's Internet Web Site, i.e., www.narprail.org.

[Note: The Dr. Gary Burch Memorial Safety Award is an annual award granting \$1,000 to the railroad worker who has done the most to improve the safety of railroad passengers. Dr. Burch was chief, of the Ear, Nose, and Throat Clinic at the Eisenhower Hospital at Fort Gordon, Georgia. He was one of eight passengers who died July 31, 1991, at Lugoff, South Carolina, while traveling on Amtrak's Silver Star. It derailed at a switch that the National Transportation Safety Board (NTSB) later said was "poorly maintained." Dr. Burch's wife, Bette, was traveling with him and was injured. Later, she and her children (Michael Burch and Kathryn Pettyjohn) decided to do what they could to improve passenger rail safety. Their effort resulted in the award. A selection committee solicits nominations from railroad companies and operating agencies and selects someone to receive the award at NARP's annual Washington, D.C., reception in April of every year.]

Chairperson Cothen announces that Thomas Peacock (American Public Transportation Association (APTA)) is leaving APTA. He says Mr. Peacock has been involved with APTA Standards in commuter rail and light rail services. Prior to his involvement at APTA, Chairperson Cothen says Mr. Peacock was the Chief of FRA's Motor Power and Equipment Division. He says Mr. Peacock is admired for his engineering expertise.

Chairperson Cothen announces that Howard Permut, President of the Metropolitan Transportation Authority's Metro-North Railroad, is attending today's meeting.

Chairperson Cothen says he will give the first report for today's meeting—on Positive Train Control (PTC) Working Group (WG) activities. Procedurally, he says, the PTC WG had its last scheduled meeting on April 1, 2009. He says FRA will submit an errata draft rule text to the PTC WG for approval by electronic mail. Then, he says, the draft rule text will be circulated to the full RSAC by electronic mail. He says FRA will request at today's meeting that the full RSAC accept the PTC draft rule text by electronic mail ballot. He adds, FRA's proposed PTC rules need to get into the clearance process quickly (review by the U.S. Department of Transportation's Office of the Secretary, and the U.S. Office of Management and Budget), so that affected railroads will be able to submit required PTC Implementation Plans to FRA by Congressionally-mandated date, April 16, 2010.

Chairperson Cothen uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Positive Train Control." Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and are not excerpted in their entirety in the RSAC Minutes.

Under the slide, "Overview," Mr. Cothen outlines the following: (1) PTC functions; (2) PTC territory; (3) PTC trains; (4) Process; (5) Training; (6) Updates and conforming changes; and (7) Major issues remaining.

Chairperson Cothen says FRA estimates that initially, approximately 55,000-57,000 miles of track will be required to be equipped for PTC operation by the statutory deadline of December 31, 2015. He says FRA believes that most traffic will be captured by this build-out of PTC systems over existing signal and train control systems.

Under the slide, "PTC Functions—Prevent Train-to-Train Collisions," Mr. Cothen describes the following: (1) Existing architectures effective; (2) Display restricted speed and enforce upper limit of restricted speed in certain instances (e.g., where permitted to pass red signal in Train Control System, joint authorities); (3) Issue of side collisions at diamond crossings: given limited build out, enforce as to non-PTC line where two lines cross and where risk is relatively high.

Under the slide, "PTC Functions—Prevent Over-Speed Derailments," Mr. Cothen describes the following: (1) Enforce permanent and temporary speed restrictions based on class of train; (2) Include restrictions associated with identified highway-rail grade crossing malfunctions; and (3) No requirement to enforce equipment-specific speed restrictions, but encouraged where system design permits.

Under the slide, "PTC Functions—Prevent Incursions into Roadway Work Zones," Mr. Cothen describes the following: (1) Arrange system to prevent single point human failure; (2) Employee in charge to maintain control over entry; and (3) For later implementation: portable roadway worker terminals.

Ross Capon (NARP) asks if there can be speed enforcement for different cant deficiencies?

Chairperson Cothen replies, "Yes."

Under the slide, "PTC Functions—Prevent Movement of a Train Through a Switch Left in The Wrong Position," Mr. Cothen describes the following: (1) In dark territory, individual switches would be monitored with position detected and secured: (a) Sidings with speeds above 20 mph considered main line; (2) In signal territory, signal circuits may be used to verify route integrity (main line and controlled sidings); and (3) FRA to consider other approaches.

Under the slide, "PTC Functions—Other," Mr. Cothen describes the following: (1) Warn and/or enforce for identified hazards: (a) Hazard detectors tied into existing signal system would be given effect through the PTC system (typically route integrity detectors)—most likely to take warning followed by enforcement; and (b) Railroads could interface additional detectors and provide for responsive action in PTC Safety Plan—many may warrant warning only; and (2) Protect movements at moveable bridges.

Under the slide, "PTC Functions—Higher Speeds and Auxiliary Functions," Mr. Cothen describes the following: (a) Above 59 mph passenger and 49 mph freight, functionality of block signal system, including fouling circuits and broken rail detection; (b) Above 90 mph, technology must be vital, perimeter protection must prevent unauthorized entry and rollouts; (c) Above 125, must demonstrate performance equivalent to high speed rail of same class internationally; and (d) Above 150, must be integrated into system safety plan approved by FRA.

Ross Capon (NARP) asks, "How close are Chicago, Illinois, and New York City, New York, to be in compliance?"

Chairperson Cothen says FRA has not done a survey. He believes the projects in these areas are coming along. He says FRA wants these projects to be successful.

Under the slides, "PTC Territory," Mr. Cothen says (1) For Class I railroads, their lines with 5 million gross tons and Poison Inhalation Hazard (PIH)/Toxic Inhalation Hazard (TIH) traffic; (2) Intercity and commuter railroad lines; (3) Additional lines with equal or greater total risk (no PTC WG agreement); and (4) Exceptions: (a) Tracks where all movements are by restricted speed (e.g., yards, industry tracks); (b) Passenger terminals where speeds do not exceed 20 mph, movements are by signal indication, interlocking rules are in effect, and there is no freight traffic, subject to FRA review; (c) Passenger lines with limited freight operations under strict conditions, subject to FRA review: (i) All trains limited to restricted speed; (ii) Passenger and freight temporally separated; or (iii) Risk mitigation plan showing that risk is no more than (i) or (ii).

Under the slide, "PTC Trains," Mr. Cothen says (1) Typical application in train control is that all trains must be equipped (§ 236.566); (2) Requirement would become fully effective 12/31/2015, when PTC must be in place on all statutory lines; (3) Issue of latitude during cutover identified (no PTC WG agreement); (4) Failed trains (no PTC WG agreement); (5) Class II and III railroads seek latitude for interchange; Class I railroads take the position that Class II and III trains operating on their properties must be equipped (no PTC WG agreement); and (6) Issue also presented regarding tourist and excursion trains in PTC territory (no PTC WG agreement).

Under the slides, "Process," Mr. Cothen says (1) A PTC Implementation Plan (PTCIP) must be filed by April 16, 2010: (a) Interoperability; and (b) Deployment considers relative risk; (2) Accompanied or preceded by PTC Development Plan (PTCDP) that describes the technology and supports a Type Approval; (3) Type Approval may be used by others; (4) PTC Safety Plan (PTCSP) incorporates PTCDP, incorporates by reference the current PTCIP, and provides basis for system certification; (5) FRA to use web postings to announce pendency of PTCIPs, PTCDPs, PTCSPs; (6) Comments considered to the extent practicable given the limited time (90 days for PTCIPs); (7) Railroads may include requests for discontinuance or material modification of existing systems, in which case comments to be fully considered before action is taken (same criteria as part 235); (8) Grandfathering for systems in service (short form certification): (a) Advanced Civil Speed Enforcement System (ACSES) I, II; (b) Incremental Train Control System (ITCS); (c) BNSF's Electronic Train Management System (ETMS), Configuration I; and (d) Others approved under subpart H? (9) Credits for showings made under subpart H through effective date of the new rule; (10) Option to proceed under subpart H where PTC is not mandated; (11) Safety case showings: (a) Non-vital overlay: demonstrate 80 percent reduction in PTC-relevant risk; (b) Vital overlay: abbreviated risk assessment; (c) Standalone: full risk assessment; introduce no new hazards that have not been mitigated; (12) All systems: (a) Show mitigations related to use of management information system sources not subject to prior verification, CAD inputs; (13) Field testing; (14) Independent assessment of verification and validation: (a) When requested by FRA; (b) Same criteria as subpart H; (c) May be for all or portion of the system; (15) FRA endeavors to advise of expected requirements during PTCDP review; (16) During build-out, equipped PTC trains run responsive to PTC system where in place, but unequipped trains are allowed; (17) Complete PTC deployment by 12/31/2015; and (18) New railroad service/lines within mandate to cut over PTC prior to initiating service: (a) Should there be a grace period for new passenger rail starts?

Under the slide, "Training," Mr. Cothen outlines the following: (1) Training per subpart H for all employees affected, including: (a) Train crews; (b) Dispatch personnel; (c) Signal and train control personnel (including shop personnel maintaining and testing on-board equipment); and (d) Roadway workers; (2) Contractor employees included; and (3) Line supervisors included.

Under the slide, "Updates and Conforming Changes," Mr. Cothen lists the following: limited updates, corrections, and clarifying amendments to subpart H and appendices that are used for subparts H and I.

Under the slide, "Major Issues Remaining," Mr. Cothen says there is no PTC WG agreement on: (1) Whether to address gaps in statutory route structure (other major hazmat lines, if any; Class I captives over which they operate, such as switching and terminal railroads); (2) Unequipped trains in PTC territory; and (3) Displays visible to each assigned crew member in cab.

Chairperson Cothen asks for permission from the Railroad Safety Advisory Committee to circulate an electronic mail ballot and the draft rule text for Part 236—Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of Signal and Train Control Systems, Devices, and Appliances, Subpart I, Positive Train Control Systems.

THERE IS NO OBJECTION TO THIS REQUEST. AFTER A FINAL REVIEW OF THE DRAFT RULE TEXT BY THE PTC WG, FRA WILL REQUEST FULL COMMITTEE APPROVAL BY ELECTRONIC MAIL BALLOT FOR: PART 236—RULES, STANDARDS, AND INSTRUCTIONS GOVERNING THE INSTALLATION, INSPECTION, MAINTENANCE, AND REPAIR OF SIGNAL AND TRAIN CONTROL SYSTEMS, DEVICES, AND APPLIANCES, SUBPART I, POSITIVE TRAIN CONTROL SYSTEMS.

Bob VanderClute (Association of American Railroads (AAR)) thanks FRA for their efforts on this topic.

Chairperson Cothen thanks the FRA counsel and staff and the members of the PTC WG for their contributions and efforts to accomplish this RSAC Task.

Chairperson Cothen asks Mark McKeon (FRA—Office of Safety) for a report on Hours of Service (HOS) Working Group (WG) activities, i.e., "RSAC Task 08-06, Hours of Service Working Group, Report to Railroad Safety Advisory Committee."

Mark McKeon (FRA) uses a Microsoft PowerPoint Presentation projected onto a meeting room screen. Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. In addition, two documents, "Draft rule text for Part 228," and "Part 228.11, Hours of duty records," were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and are not excerpted in their entirety in the RSAC Minutes.

Under the slide, "Background," Mr. McKeon says the following: (1) The Rail Safety Improvement Act of 2008 (RSIA) makes extensive changes to the hours of service law in freight service, effective July 16, 2009; (2) RSIA also requires FRA to issue

regulations by April 16, 2009, for recordkeeping and reporting under the new requirements, including electronic recordkeeping; (3) RSIA permits FRA to skip a Notice of Proposed Rulemaking (NPRM), i.e., go directly to a Final Rule, if RSAC is used; and (4) Existing hours of service recordkeeping and reporting requirements at 49 CFR Part 228 do not allow electronic recordkeeping, but numerous waivers are in place that permit railroads to keep electronic HOS records.

Under the slide, "HOS Task Force Activities," Mr. McKeon says: (1) Working Group Meetings were held on the following dates: (a) January 22-23, 2009; (b) February 4-6, 2009; (c) February 18-20, 2009; and (d) March 23-24, 2009; (2) An agreement was reached during the March 24, 2009, meeting on the entire rule text except for Part 228.11; and (3) Conference calls held on March 30 and 31, 2009. He says a partial consensus reached- excluding portions of Part 228.11.

Under the slide, "Major Agreements," Mr. McKeon says: (1) For the issues of multiple reporting points, Preamble language will be used to preserve the status quo, i.e., "The regulations require that each train employee have a regular reporting point. In numerous locations across the railroad system, railroads and their employees have established more than one location within a designated terminal that the employees can directly report to, essentially treating multiple locations located near each other as one regular reporting point. In enforcing this regulation, FRA will continue to treat these multiple locations as constituting a single regular reporting point, provided that (a) it can reasonably be expected that doing so would not unduly affect fatigue and (b) on unionized railroads, where the multiple reporting points have been agreed to under a collective bargaining agreement. When determining whether or not fatigue is unduly affected, FRA will take into account the distance between the multiple locations, traffic patterns (e.g., rural vs. urban), and other relevant factors;" (2) For pre-population of data, an HOS WG compromise reflected in rule text as follows: (a) Factually accurate for a specific employee; (b) Not estimated, historical or arbitrary data; and (c) A railroad is not in violation if it makes a good faith judgment as to the factual accuracy of the data for a specific employee but nevertheless errs in pre-populating a data field; and (3) There will be Preamble language regarding tracking the monthly maximum cap of 276 hours: Class III railroads may maintain the running total, provided that it is certified by the employee promptly after the end of the month.

Under the slide, "Point of Non-consensus," Mr. McKeon lists the following: (1) 49 CFR 228.11; (2) When there is no interim period of release and only the first and last train need be shown; (3) FRA believes the date, time, location on duty and off duty for both trains is needed; (4) AAR believes the date, time, location on duty for the first train/date time, location off duty for the second train is all that's needed.

Mark McKeon (FRA) says the draft regulatory text for Part 228 was revised on April 1, 2009, to reflect agreement on all other portions.

Mark McKeon (FRA) asks for questions.

With no questions, Mr. McKeon asks the full RSAC to look at two documents: draft rule text for Part 228, and Part 228.11 Hours of duty records.

Bob VanderClute (AAR) asks when the interpretative issues associated with HOS recordkeeping will be decided by FRA? He says the interpretative issues will affect how railroads set-up their electronic recordkeeping systems.

Mark McKeon (FRA) says FRA is still working on interpretative issues.

Scott Hinckley (AAR) says on Page 28 of the draft rule text for Part 228, there is a “blank” for when the training of railroad employees on electronic recordkeeping needs to be completed.

Chairperson Cothen says the “dates” are “to be determined.” He adds, the draft language is essentially completed.

Chairperson Cothen asks for a motion to accept the draft rule text for Part 228 rules affecting electronic recordkeeping requirements for Hours of Service records, as presented, with the exception of Part 228.11.

Bob VanderClute (AAR) motions for acceptance by the full RSAC of the draft rule text for Part 228, covering electronic recordkeeping requirements for Hours of Service records, with the exception of Part 228.11, as presented.

James Stem (United Transportation Union) seconds the motion.

BY VOICE VOTE, THE FULL RSAC ACCEPTS THE DRAFT RULE TEXT FOR PART 228, COVERING ELECTRONIC RECORDKEEPING REQUIREMENTS FOR HOURS OF SERVICE RECORDS, WITH THE EXCEPTION OF PART 228.11, AS PRESENTED.

Mark McKeon (FRA) thanks the HOS WG and the full RSAC for their contributions and support of this effort.

Chairperson Cothen announces the morning break.

M O R N I N G B R E A K 10:55 A.M. - 11:10 A.M.

Chairperson Cothen reconvenes the meeting. He asks Gordon Davids (FRA–Office of Safety) for a report on Railroad Bridge Working Group activities.

Gordon Davids (FRA) uses a Microsoft PowerPoint Presentation projected onto a meeting room screen. Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. In addition, the document, "Consensus Report from the Railroad Bridge Working Group (RBWG)," was distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and are not excerpted in their entirety in the RSAC Minutes.

Under the slide, "Background," Mr. Davids says the following: (1) The Rail Safety Improvement Act of 2008 (RSIA) mandates railroad bridge safety regulations: (a) The due date for these regulations is October 16, 2009; (2) To help write these rules, RSAC activates the Railroad Bridge Working Group (RBWG) on December 10, 2008; and (3) RSAC Assigns Task No. 08-02 - Railroad Bridge Safety Assurance to the RBWG.

Under the slides, "Task No. 08-02 Railroad Bridge Safety Assurance," Mr. Davids outlines the following: (1) Develop a draft Interim Final Rule encompassing the requirements of Section 417, Railroad Bridge Safety Assurance: (a) FRA has determined that a Notice of Proposed Rulemaking will be required, instead of an Interim Final Rule; and (b) The RBWG has accommodated that requirement; (2) Target Dates: (a) By January 5, 2009, RSAC members activate the RBWG – Done; (b) On January 28, 2009, reconvene the Railroad Bridge Working Group – Done; (c) The RBWG is to provide periodic reporting of RBWG activities to the full RSAC at each scheduled meeting – This is the first report, since the full RSAC last met on December 10, 2008; and (d) By September 1, 2009, the RBWG is to issue its final report to the full RSAC – On schedule; (3) The RBWG has held two sessions: (a) January 28-29, 2009; and (b) February 23-24, 2009; (4) The RBWG recommends proposed rule text for a Notice of Proposed Rulemaking; and (5) The RBWG requests that RSAC forward this recommendation to FRA.

Under the slide, "Notice of Proposed Rulemaking [NPRM]," Mr. Davids says: (1) FRA anticipates that the NPRM comment period will probably run for 45 days; (2) After the NPRM is published: (a) All comments must be entered into the rulemaking docket; and (b) *Ex parte* communications with FRA staff are discouraged, and any instances of *Ex parte* communications must be recorded in the docket; (3) The RBWG will meet to review comments on NPRM, and formulate draft Final Rule; and (4) The RBWG will report to RSAC on draft Final Rule language.

Under the slide, "Draft NPRM on Bridge Safety," Mr. Davids says: (1) The proposed rule text closely follows requirements of the mandating statute; (2) A copy of the proposed rule text has been distributed to each RSAC member attending today's meeting; (3) The final page of the distributed materials is the RSIA section language for railroad bridges, and is not part of the NPRM; and (4) FRA will write the Preamble and section-by-section analysis for NPRM.

Under the slide, “Non-Consensus Issues,” Mr. Davids says the RBWG did not reach consensus on the following issues: (1) Part 237.111(d), i.e., the time frame for the submission of the initial bridge inspection report; (2) Part 237.111(e), i.e., the time frame for the submission of the final bridge inspection report; and (3) Part 237.157(a), i.e., electronic recordkeeping, general.

Under the slide, “Draft NPRM on Bridge Safety,” Mr. Davids says (1) FRA will publish an NPRM with the rule text based on the RSAC recommendation; (2) Non-consensus issues will be identified in the preamble language; and (3) FRA will ask for comments on these and other issues during the NPRM comment period.

Under the slide, “Request for Action by RSAC,” Mr. Davids says the Railroad Bridge Working Group requests that the full RSAC forward the recommended draft Rule Text to FRA, with the recommendation that it should form the basis for a Notice of Proposed Rulemaking on Railroad Bridge Safety Assurance.”

Gordon Davids (FRA) asks for questions or comments.

Gordon Davids (FRA) asks for a motion to accept the draft rule text for Part 237, Railroad Bridge Safety Standards, as presented.

Thomas Streicher (American Short Line and Regional Railroad Association (ASLRRA) moves that the draft rule text for Part 237, Railroad Bridge Safety Standards, be accepted, as presented.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division (BMWED)) seconds the motion.

BY VOICE VOTE, THE FULL RSAC ACCEPTS DRAFT RULE TEXT FOR PART 237, RAILROAD BRIDGE SAFETY STANDARDS, AS PRESENTED.

Chairperson Cothen asks Carlo Patrick (FRA–Office of Safety) for a report on the Track Safety Standards Working Group’s Rail Integrity Task Force activities.

Carlo Patrick (FRA) uses a Microsoft PowerPoint Presentation projected onto a meeting room screen. Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and are not excerpted in their entirety in the RSAC Minutes.

Under the slide, “Track Safety Standards Working Group Rail Integrity Task Force [RITF] September 10, 2008- RSAC approved Task 08-03, Assigned to Rail Integrity Task Force,” Mr. Patrick outlines the following RITF assignments: (1) Factors that can and should be included in determining the frequency of internal rail flaw testing and a methodology for taking those factors into consideration with respect to mandatory testing intervals; (2) Whether the quality and consistency of internal rail flaw testing can

be improved and how; (3) Whether adjustments to current remedial action criteria are warranted; and (4) The effect of rail head wear, surface conditions and other relevant factors on the acquisition and interpretation of internal rail flaw test results.

Under the slide, “Task 08-03 (first item),” Mr. Patrick reads the first RITF task: Factors that can and should be included in determining the frequency of internal rail flaw testing and a methodology for taking those factors into consideration with respect to mandatory testing intervals.

Under the slide, “Current Regulation,” Mr. Patrick reads the following: “§213.237 Inspection of rail (a) In addition to the track inspections required by §213.233, a continuous search for internal defects shall be made of all rail in Classes 4 through 5 track, and Class 3 track over which passenger trains operate, at least once every 40 million gross tons (mgt) or once a year, whichever interval is shorter. On Class 3 track over which passenger trains do not operate such a search shall be made at least once every 30 mgt or once a year, whichever interval is longer. ** [This paragraph (a) is effective January 1, 1999.]”

Under the slide, “Common Criteria Currently Utilized to Determine Test Intervals,” Mr. Patrick lists the following criteria: (1) Traffic Density – Tonnage; (2) Traffic Risk – Hazmat, Passenger; (3) Rail Condition – Type of construction, weight and age of steel, wear/surface condition; (4) Detected Defects (Evidence of Rail Fatigue) – number of detected defects per mile/per test; (5) Service Failures (Low Inspection Effectiveness) – number of service failures per mile/per year; and (6) Class of Track – Assigned test frequency to start and increase frequency on statistical change. He says the Volpe National Transportation Systems Center will develop a model that incorporates these criteria.

Under the slide, “NTSB Recommended Criteria,” Mr. Patrick says the National Transportation Safety Board (NTSB) has recommended a damage tolerance approach that would establish an inspection frequency that allows internal rail defects to be identified before they reach critical size. He says FRA will consider following factors that affect defect growth rate: (1) rail head wear; (2) accumulated tonnage; (3) rail surface conditions; (4) track geometry; (5) track support; (6) steel specifications; (7) temperature differentials; and (8) residual stresses in rail.

Under the slide, “Task 08-03 (second item),” Mr. Patrick reads the second RITF task: Whether the quality and consistency of internal rail flaw testing can be improved and how.

Under the slide, “RITF Meeting Discussion [second item],” Mr. Patrick says the following topics have been discussed: (1) FRA Identified Flaw Detection Key Components: (a) System reliability – Properly designed for optimal performance in all rail conditions; (b) Data processing – Intellectual system logic that ensures pattern recognized and

insignificant test information is not presented to the operator for interpretation; (c) Operator capability – Training and consistency; and (d) Management of test program – Proper test intervals; (2) Definition of a qualified operator (first draft completed, FRA will revise for next meeting); (3) Impact of recently developed technology on inspection effectiveness (Class I railroads do not have sufficient data at this time to present); and (4) Railroad internal flaw detection procedures and guidelines (recommended practices).

Under the slide, “Task 08-03 (third item),” Mr. Patrick reads the third RITF task: “Whether adjustments to current remedial action criteria are warranted.”

Under the slide, “RITF Meeting Discussion [third item],” Mr. Patrick says the following topics have been discussed: (1) Should remedial action for known defects vary by class of track; (2) Based on unpredictable defect growth rate, should there be a revision to the remedial actions; and (3) FRA asked all Class I railroads to submit their internal remedial action policy to FRA.

Under the slide, “Task 08-03 (fourth item),” Mr. Patrick reads the fourth RITF task: The effect of rail head wear, surface conditions and other relevant factors on the acquisition and interpretation of internal rail flaw test results.

Under the slide, “RITF Meeting Discussion [fourth item],” says the following topics have been discussed: (1) How are invalid test areas determined (FRA has received railroads’ internal policies); (2) How are invalid test areas monitored/corrected (time and tonnage); and (3) Effects of surface condition study (FRA to consider funding this study).

Under the slide, Rail Integrity Task Force Open Items,” Mr. Patrick says RSAC Task No. 07-01 is on hold, pending the results for RSAC Task No. 08-03. Included under RSAC Task No. 07-01 are the following: (1) Review controls applied to reuse of “plug rail;” and (2) Ensure a common understanding within the regulated community concerning requirements for internal rail flaw inspections.

Carlo Patrick (FRA) asks for questions.

Gerhard Thelen (AAR) says the current method of testing is to run a test car over track and repair the defect. He says there is a newer method, i.e., the continuous test process. He asks if the RITF is considering this new testing method?

Carlo Patrick (FRA) says one railroad has applied to FRA for a waiver to use the continuous test process. However, the RITF is not currently working with this method.

Chairperson Cothen adds that this is the second waiver request that FRA has received for a new method of rail testing. He says FRA received no data from the first waiver granted.

Chairperson Cothen introduces the FRA Associate Administrator for Railroad Safety/Chief Safety Officer Jo Strang.

Jo Strang (FRA) says over the past two months, she has served as Acting FRA Deputy Administrator. Today, she wishes to introduce Karen J. Rae, as the new FRA Deputy Administrator.

Karen Rae (FRA) says she is honored to be joining FRA at this time. She says both freight and passenger service is being elevated by the Obama Administration. She hopes to be able to help develop a rail network. She says there is a very aggressive agenda. She says she is looking forward to being engaged with all the members of RSAC. She says the most important underlying principle of FRA is safety.

[Note: Karen J. Rae comes to FRA with experience in transportation positions from several states. Most recently she held the position of Deputy Commissioner for Policy and Strategy for the New York State Department of Transportation, a post she has held since June 2007, with responsibility for rail, aviation, and public transportation. Prior to that, she held the position of Deputy Secretary for Local and Area Transportation for the Pennsylvania Department of Transportation, Director of the Virginia Department of Rail and Public Transportation, and General Manager for the Austin, Texas, Metropolitan Transportation Authority.]

Chairperson Cothen thanks Deputy Administrator Rae and Associate Administrator for Railroad Safety Strang for attending today's meeting.

Chairperson Cothen announces the lunch break.

L U N C H B R E A K 11:45 A.M. - 12:50 P.M.

Chairperson Cothen reconvenes the meeting. He says being such a small Agency, he is amazed by how much is going on in FRA's Office of Research and Development. He asks Magdy El-Sibaie (FRA—Office of Railroad Development, Director Office of Research and Development) for the presentation, "Overview: Office of Research and Development."

Magdy El-Sibaie (FRA) uses a Microsoft PowerPoint Presentation projected onto a meeting room screen. Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and are not excerpted in their entirety in the RSAC Minutes.

Under the slide, "Office of Railroad Development Organization," Dr. El-Sibaie says there are three Divisions under the Office of Research and Development:

(1) Equipment and Operating Practices; (2) Signals, Train Control and Communications; and (3) Track Research.

Magdy El-Sibaie (FRA) shows slides containing the enacted Office of Research and Development budget for Fiscal Years 2008 and 2009, and an Industry Overview of statistics for freight and passenger railroads.

Under the slide, "Current Research Priorities," Dr. El-Sibaie lists the top ten Office of Research and Development priorities. They are: (1) Positive Train Control (PTC) implementations and related technologies; (2) Crashworthiness for passenger rail vehicles; (3) Improved track inspection technologies - autonomous track geometry measurement system (ATGMS), optical joint bar, ultrasonic joint bar, Vehicle Track Interaction; (4) Human Factors – fatigue (hours of service), CCC (C³) (Confidential Close Call) Reporting, RRP; (5) Vehicle/track interaction (modeling and simulation); (6) Grade crossing safety and trespasser casualty mitigation; (7) Risk-based analysis of tank car safety; (8) Energy efficiency and environmental issues (Bio-Diesel / Fuel Cells / Hydrogen Fuels)); (9) Network capacity analysis; and (10) High-speed rail technologies.

Under the slide, "FRA R&D Mission," Dr. El-Sibaie says FRA Research and Development provides: (1) Technical foundation for FRA safety regulations and industry recommended practice; (2) Technical support to the Office of Safety including quick response for critical safety issues; (3) Leadership in the development and deployment of technology to enhance safety and performance; (4) Technical answers to inquiries from stakeholders and constituents; and (5) Support to the development and maintenance of the Transportation Technology Center, Incorporated at Pueblo, Colorado.

Dr. El-Sibaie discusses a bar chart showing the decline in reportable train accidents between 2004 and 2008, and a pie chart showing train accidents by cause codes for the first 10 months of 2008, excluding highway-rail grade crossing accidents. Human Factor-caused accidents were the largest category at 36 percent of accidents, followed by track-caused accidents at 34 percent of accidents. These represent areas where the Office of Research and Development is concentrating its research funding.

Under the slide, "PTC Implementation is Now Mandatory," Dr. El-Sibaie says the Rail Safety Improvement Act of 2008 (RSIA) requires certain freight and passenger railroads to implement PTC on their main lines (defined as 5 million gross tons annually) over which: (1) intercity rail passenger transportation or commuter rail passenger transportation is regularly provided; (2) Poison or toxic inhalation hazardous materials are transported; and (3) such other tracks as the U.S. Secretary of Transportation may prescribe by regulation or order.

Under the slide, "Signaling and Train Control PTC Corridors," Dr. El-Sibaie says currently, there are few PTC system deployments around the country with different railroads employing a variety of specifications (vital and non-vital overlay) in many

operating modes, including development, testing, and revenue service. He says FRA funded and supported a majority of these pilot projects.

Under the slide, “R&D Focus in PTC Development,” Dr. El-Sibaie lists the following: (1) PTC interoperability standards; (2) Adaptive braking algorithms; (3) High performance digital radio; (4) Secure Radio Frequency (RF) spectrum; (5) System reliability; and (6) Support the rulemaking for PTC.

Under the slide, “Communication Spectrum and Throughput,” Dr. El-Sibaie says the following: (1) Currently railroads use a variety of frequencies for data and voice including 900 MHz, 44 MHz, and 220 MHz with varying degrees of performance; (2) There is a general consensus to migrate to 220 MHz spectrum for better performance and throughput; (3) Assist railroads in the migration to 220 MHz spectrum and petition FCC for waivers of “build or lose” provision for the 220 MHz spectrum. (UP and NS have acquired 5 channels of 25 KHz each); (4) Conduct demand study using a basic territory model of a metropolitan area and based on the newly defined messages (to be completed end of March 2009); (5) Develop other measures to improve throughputs and channel use: concatenate messages, use directional antennas, limit power etc; and (6) Continue the development of HPDR (Higher Performance Digital Radio) with MeteorComm. (A prototype model is at TTCL for development testing).

Magdy El-Sibaie (FRA) describes a line chart showing “Adaptive Braking Algorithm,” a topic being studied by the Office of Research and Development. Another topic being studied by the Office of Research and Development is a strategic focus on highway-rail grade crossing issues.

Under the slide, “Train Occupant Protection—Types of Standards,” Dr. El-Sibaie describes the standards as: (1) Current FRA crashworthiness standards (prescriptive): (a) Prescribe characteristics of components; (b) e.g., Collision post static load cases; (c) Pro: performance verified with accepted techniques; and (d) Con: assumes design approach includes particular components; and (2) Performance standards (as alternative or hybrid standards): (a) Prescribe performance in defined conditions; (b) e.g., No loss of occupant volume for XX mph collision of a cab car led train with a locomotive led train; (c) Pro: no assumptions on design approach; and (d) Con: can be difficult to verify performance.

Under the slide, “Human Factors R&D,” Dr. El-Sibaie lists the following: (1) Fatigue Risk Management: (a) Required under Rail Safety Improvement Act of 2008; (b) Focus on groups with highest risk; and (c) Use established baseline to evaluate effect; (2) Close Call - Voluntary and confidential safety reporting system: (a) Federal Railroad Administration (FRA); (b) Bureau of Transportation Statistics (BTS); and (c) Volpe Center; (3) Railroad Carriers—Union Pacific Railroad, Canadian Pacific Railway, New Jersey Transit (in process), Amtrak (in process), Association of American Railroads,

American Short Line and Regional Railroad Association; and (4) Railroad Labor Organizations, e.g., BLET, UTU, and BRS.

Under the slide, “Autonomous Track Geometry Measurement System (ATGMS),” Dr. El-Sibaie says ATGMS is a new technology which FRA is helping to develop. He says the following about ATGMS: (1) Track conditions can be monitored every time the car with the ATGMS moves on the track; (2) Normal business and traffic will not be interrupted for testing by dedicated test cars; (3) The system offers an effective reduction in complexity, size and cost of traditional geometry systems without compromising performance; (4) There is remote continuous assessment of track geometry conditions; (5) It pinpoints location, time, and description of critical conditions for remediation; (6) It communicates critical conditions in real-time; (7) There is on-board system health monitoring; (8) There is remote calibration of system sensors; (9) Forecasting and trending of track conditions is significantly enhanced; (10) It greatly enables condition-based maintenance; and (11) It displays real-time vehicle location and data through the Web.

Under the slides, “Joint Bar Inspection System Findings in the Field,” Dr. El-Sibaie reports the following: (1) The systems have surveyed (August 2007-June 2008): (a) 3480 total number of defects found; and (b) 6630 miles of track; (2) Between Jan-Jun 2008, 379,150 Joints were inspected by all the deployed systems: (a) 2555 miles tested (1425 miles Jointed track, 1130 Miles CWR); (b) 900 center cracks, 190 center breaks; (c) 55 double center cracks (both bars center cracked on the same joint); (d) 15 double center breaks (both bars center broken on the same joint); (e) 850 quarter cracks and breaks; and (f) 300 stripped joints (all bolts missing on one side of the joint); (3) Technology was pioneered by FRA Office of Research and Development; (4) Rapid development and deployment in field testing that made an impact on safety; and (5) Five commercial inspection systems have been produced and are in use.

Under the slide, “Rail Defect Detection,” Dr. El-Sibaie describes the elements of a prototype rail defect detection system. The elements include a pulsed laser for exciting the ultrasonic guided waves, arrays of air-coupled sensors for detecting the ultrasonic guided waves and rail flaws detected by comparing signals from the array through a statistical pattern recognition algorithm. He says the advantages of this system are no contact with the rail, potential for high speeds, reduced masking of internal defects under head checks/shelling and statistical algorithm provides classification between joints, surface defects, and internal defects in real-time.

Magdy El-Sibaie (FRA) asks for questions.

Lawrence Mann (United Transportation Union) says unlike most other offices at FRA, there is very little interaction between the Office of Railroad Development (RDV) and labor. He requests that RDV contact labor to assist with these projects.

Magdy El-Sibaie (FRA) says he hears the comment. He agrees with the criticism. He says "We are all after the same thing." He welcomes labor involvement, adding he would like to work aggressively with labor.

William Browder (AAR) says the Volpe National Transportation Systems Center is sponsoring a Research Needs Workshop on June 17-20, 2009. He invites everyone to attend. He says this workshop has not been held since 1995.

Chairperson Cothen asks the full RSAC to look at proposed new Task No.: 09-01, Passenger Hours of Service. The "Purpose" of Task No.: 09-01 reads as follows: "To provide advice regarding development of implementing regulations for the hours [of] service of operating employees of commuter and intercity passenger railroads under the Rail Safety Improvement Act of 2008..." He says he made a Microsoft PowerPoint Presentation on this topic at the December 10, 2008, full RSAC meeting, i.e., "Rail Safety Improvement Act: Initial Tasks." He says rail labor and FRA's Office of Research and Development have participated in studies concerning railroad operating employee fatigue. He says FRA's Office of Research and Development is trying to get a survey out to employees so that data can be collected. He says when these surveys are received back from railroad employees by a contractor, FRA will bring this data before an RSAC Working Group. The information from employee survey "work/rest diaries" will be used to refine the fatigue risk exposure model. He says FRA needs real-world data, particularly on split shifts. He says this will be a big task involving rail labor, passenger railroads, and other interested organizations. He adds, if a Passenger Carrier Hours of Service rule is not in effect within three years, then the existing Freight Carrier Hours of Service rules automatically go into effect for passenger carriers.

Jeffrey Moller (AAR) asks if FRA is saying that to fine tune a model, FRA needs more survey data?

Chairperson Cothen responds, "Yes."

Jeffrey Moller (AAR) asks, "After the model is developed, will FRA go to carriers for work schedules?"

Chairperson Cothen responds, "Yes." He adds, "FRA will say, here are the most challenging work schedules and then go to the carriers and try to "bound" the subject." He says railroads will be asked to tell FRA what they have.

William Browder (AAR) asks to make a correction. He says July 14-16, 2009, are the dates for Workshop for highway-rail crossing accident and trespass prevention.

Chairperson Cothen asks for a motion to accept RSAC Task No.: 09-01, Passenger Hours of Service, as presented.

David Solow (American Public Transportation Association (APTA) moves to accept RSAC Task No.: 09-01, Passenger Hours of Service, as presented.

Ken Briers (National Association of Railroad Passengers (NARP) seconds the motion.

BY VOICE VOTE, THE RSAC ACCEPTS TASK NO.: 09-01, PASSENGER HOURS OF SERVICE, AS PRESENTED.

Chairperson Cothen thanks the full RSAC for accepting this task. He envisions the Passenger HOS WG meeting for the first time as soon as work/rest data is available, but not later than July 2009.

Chairperson Cothen says he will make a report on Passenger Safety Working Group (PSWG) activities. He uses a Microsoft PowerPoint Presentation projected onto a meeting room screen. Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and are not excerpted in their entirety in the RSAC Minutes.

Under the slides, "PSWG Task Force Activities," Mr. Cothen says (1) a Final Rule from the Crashworthiness Task Force's activities is being prepared for publication. He says the next topic for this Task Force will be high-speed rail crash energy management (CEM). He says FRA will not just take and adopt the current European Standards for CEM; (2) A NPRM from the Vehicle-Track Interaction Task Force, based on the recommendations approved by the full RSAC is undergoing internal review. He says this will include rules for cant deficiency over a variety of speeds; (3) A second NPRM is being prepared by the Emergency Preparedness Task Force, based on the recommendations approved by the full RSAC; and (4) The General Passenger Safety Task Force will present four regulatory proposals to the full PSWG at its scheduled June 8, 2009, meeting.

Chairperson Cothen asks for questions on PSWG activities.

Chairperson Cothen asks Bernard Arseneau (FRA—Office of Safety) for a report on Medical Standards Working Group (MSWG) activities.

Bernard Arseneau (FRA) uses a Microsoft PowerPoint Presentation, "Medical Standards for Safety-Critical Employees," projected onto a meeting room screen. Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and are not excerpted in their entirety in the RSAC Minutes.

Under the slide, "During the Period December 2006 - April 2008," Dr. Arseneau says

(1) 10 WG meetings were held – issues were aired; (2) Consensus was reached on some of the draft language; and (3) However, FRA identified points of departure that persisted and consensus was not achieved on key issues. Among the most important: (a) Dispute resolution; (b) Certain issues relevant to the medical guidelines; and (c) Medications reporting, etc.

Under the slide, “Developments since April 2008,” Dr. Arseneau says (1) FRA hired a Medical Director, i.e., Dr. Bernard J. Arseneau; (2) The Physicians Task Force (TF) accepted a task to develop medical guidelines and has been meeting monthly since June 23, 2008 to complete the task; and (3) The Medical Guidelines are: (a) Fitness for duty (FFD) Medical Criteria (visual, auditory, & medical condition specific criteria); and (b) Standards of practice for FFD assessments.

Under the slide, “As Part of Its Evidence-Based Process, the TF Considers,” Dr. Arseneau lists (1) Safety- sensitive functions of railroad employees; (2) Medical standards, rules, guidelines, criteria, and publications of: (a) Foreign railroads (Canadian, Australian, European, etc.); (b) Other DOT modes (FMCSA (Federal Motor Carrier Safety Administration), FTA (Federal Transit Administration), FAA (Federal Aviation Administration), etc.); and (c) Other sources: (for example, the military); and (3) The relevant medical literature.

Under the slide, “The Physicians TF Has Prioritized Development of Certain Medical Guidelines Criteria,” Dr. Arseneau lists the following: (1) Sleep apnea; (2) Diabetes; (3) Seizure disorders; (4) Cardiovascular disorders; (5) Syncope; (6) TIA (Transient Ischemic Attack) and stroke; (7) Visual disorders; (8) Hearing disorders; and (9) Effects of medication.

Under the slide, “Developments since April 2008,” Dr. Arseneau says the following: (1) The Physicians TF has made significant progress (tentative plan - deliver initial set of medical guidelines to FRA by 5/31/09 ahead of schedule); (2) FRA needs the guidelines to draft language relevant to the draft regulation and preamble; (3) One issue that the TF has been unable to progress on: the medical assessment of effects of medications – no consensus on decoupling that issue from the issue of medications reporting; (4) FRA continues to draft regulation language relevant to sections that the WG did not achieve consensus; (5) FRA is awaiting delivery of the medical guidelines to begin drafting other relevant sections of the regulation; (6) FRA has taken on an additional task: drafting medical criteria for evaluation of medications as the TF has not achieved consensus and progress on that issue; and (7) FRA continues work on drafting a medications guidance document for employees.

Under the slide, “FRA Is Tentatively Planning To,” Dr. Arseneau says the following: (1) Complete (by 6/30/2009) initial draft of text for: (a) a medical standards regulation; (b) some of the draft preamble language; and (c) medications guidance for employees; (2) Deliver these drafts to the MSWG as soon as possible after 6/30/2009 for review

and comment; and (3) FRA will consider WG comments prior to proceeding with required internal and external procedures to issue a Medical Standards NPRM.

Bernard Arseneau (FRA) asks for questions.

Thomas Streicher (ASLRRA) asks, "Why hasn't FRA scheduled any MSWG meetings to review the activities of the Physicians Task Force?"

Bernard Arseneau (FRA) assures the full RSAC that the output of the Physicians Task Force will go through the MSWG before it goes anywhere else. He says each of the Medical Guidelines have to be revisited when a new section is opened because something that is done in one place of the guidelines will affect the guidelines in sections already completed. He says creating Medical Guidelines is a complex process.

Chairperson Cothen says FRA has new leadership. He adds, FRA wants to be certain that the agency is supporting Administration Policy. However, he says, this is all coming together.

Kelly Haley (Brotherhood of Railroad Signalmen (BRS)), asks if FRA has a target for the Medical Standards regulation to hit the street.

Chairperson Cothen replies that he is hesitant to name a date, because all of his previously named dates are behind him.

Kelly Haley (BRS) asks if it is too aggressive to assume that the Medical Standards regulation will hit the street sometime this year?

Chairperson Cothen says that is too aggressive. He says FRA's sister modes have had lots of interest, when their Medical Standards rules were released.

James Stem (United Transportation Union (UTU)) says Dr. Bernard Arseneau's remarks imply that the MSWG will not be convened before the Medical Standards NPRM hits the street.

Chairperson Cothen says there is no question that the MSWG will see the draft before there is an NPRM. He says this is an important issue to all safety-critical employees.

Keith Borman (ASLRRA) asks, "Who is working on dispute resolution?"

Bernard Arseneau (FRA) says since the MSWG could not resolve this issue, FRA is working on dispute resolution. He says the Physicians Task Forces is working on resolving medical conditions.

Chairperson Cothen asks that meeting attendees sign the attendance sheet.

Chairperson Cothen asks for additions and corrections to the Minutes for the December 10, 2008, meeting, held in Washington, D.C.

Kelly Haley (BRS) asks about access to the full RSAC attendance sheets on one of the Internet Web Site addresses given at the beginning of the meeting Minutes.

Chairperson Cothen says he will have Larry Woolverton (FRA–Office of Safety) provide instructions for accessing the U. S. Department of Transportation docket management system Internet Web Site under FRA Docket #2000-7257 (<http://www.regulations.gov>). He says full RSAC meeting documents are also available on FRA's RSAC Internet Web Site (<http://rsac.fra.dot.gov>).

Kelly Haley (BRS) offers corrections to the Minutes for the December 10, 2008, meeting of the full RSAC.

Chairperson Cothen requests that the Minutes for the December 10, 2008, meeting of the full RSAC be accepted, as corrected.

Chairperson Cothen announces that the next meeting of the full Railroad Safety Advisory Committee will be held on June 25, 2009, at the Marriott Wardman Park Hotel, 2660 Woodley Road, N.W., Washington, D.C. 20008.

Chairperson Cothen says at its December 10, 2008, meeting, the Railroad Safety Advisory Committee accepted RSAC Task No. 08-07, Conductor Certification. He requests that RSAC organizations wishing to participate on the Conductor Certification Working Group submit the names of those who will participate to Larry Woolverton (FRA–Office of Safety) by April 16, 2009. He says Mark McKeon (FRA–Office of Safety) will lead the Conductor Certification Working Group.

Chairperson Cothen asks for other business.

Chairperson Cothen adjourns the meeting at 2:20 pm.

M E E T I N G A D J O U R N E D 2:20 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 John F. Sneed, Event Recorder.