



October 14, 2016

(Via online at www.regulations.gov)

Docket Operations Facility
U. S. Department of Transportation
1200 New Jersey Avenue, SE, W12-140
Washington, DC 20590

Re: FRA-2016-0075

**Comments of the
Brotherhood of Locomotive Engineers and Trainmen (BLET)
Brotherhood of Maintenance of Way Employees Division
(BMWED) Brotherhood of Railroad Signalmen (BRS)
Sheet Metal, Air, Rail and Transportation (SMART)**

The Labor Organizations identified above are the recognized collective bargaining representatives of a significant majority of railroad industry workers engaged in train operations, and track & signal maintenance, inspection, and repair. The Labor Organizations and their collective membership are vested in rail safety, including the preservation and maintenance of railroad signal systems.

These comments are in response to the CSX Transportation (CSX) petition to the Federal Railroad Administration (FRA) seeking approval for the discontinuance of the signal system, control point (CP) Rule-511, and traffic control (TC) Rule-510 on the Plymouth Subdivision, Chicago Division, Plymouth, MI. - Docket Number FRA-2016-0075.

CSX proposes to discontinue CP-511 and TC-510 Rules currently in effect on portions of track between CP Beck Road, Milepost (MP) CH27.0, and CP Seymour, MP CH148.17, and operate under track warrant control D 505 Rules. Signals will be removed and all power-operated switches will be converted to hand operation. The CP-511 Rule will remain in effect

at CP Ann Pere, MP CH52.8. CP-511 and TC-510 Rules will remain in effect between CP EE Throwbridge, MP CH83.12, and CP Ensel, MP CH89.95, which is intended to ensure that there is no operational impact to the Jackson & Lansing Railroad.

CSX's stated reason for the requested discontinuance is that the signal system, CP-511, and TC-510 Rules are no longer needed for present-day operations.

Our organizations' opposition to CSX's request is based upon concerns for both employee and public safety. This territory is very undulating with poor long-distance sightlines and the current signal system provides vital information to dispatchers, and operating and maintenance crews. Block signals provide information regarding the condition of the rail, the position of switches and derails, as well as proper spacing between trains. This information is critical to the safety related functions of train operations. In addition, if these signals are allowed to be taken out of service, crews would have to rely on verbal or written permission from dispatchers, a less safe practice. The National Transportation Safety Board ("NTSB") has made consistent recommendations regarding this very topic in NTSB reports in several of their accident investigations. See, e.g., NTSB Railroad Accident Report, NTSB/RAR/-05/04, Collision of Norfolk Southern Freight Train 192 With Standing Norfolk Southern Local Train P22 with Subsequent Hazardous Materials Release at Graniteville, South Carolina, January 6, 2005.

Currently, CSX employees who operate over signalized track must comply with CSX Operating Rule 503.9 which states "A crewmember located in the operating cab of the lead locomotive must announce by radio the following conditions or occurrences. The announcement must include the direction of travel and in multiple track territory, the track name or number, signal aspect name and location..." While we believe this rule should not apply to clear signals, it is a safety provision that reminds train crews and others of train locations via radio communications. While a train dispatcher's verbal or written authority would require crews to announce when they are entering and departing authority limits, it does not provide the real time signal protection that the current signal system provides.

CSX Transportation is seeking permission to remove approximately 125 signals (controlled and automatic) and convert 27 power-operated switches to hand-thrown switches on approximately 121 miles of main line track between the cities of Plymouth, MI and Grand Rapids, MI. If this waiver is approved, trains would no longer operate under signal indication in this area and the line would revert to dark territory. This proposal is clearly not in the interest of railroad or public safety. The railroad industry should be installing, upgrading, and maintaining signal systems, not removing existing ones.

If the signal system is removed, switch position protection provided by the signal system will be lost. CSX hasn't even proposed installing switch point indicators on this line, which is encouraged in several sections of the Rail Safety Improvement Act of 2008. Signals alert crew members to the misalignment of a switch, and dark territory eliminates that critical safety feature.

Removing the signal system and the technology that underlies it results in a less safe operation. At a time when the NTSB, Congress, railroad employees and the public are calling for efforts to improve rail safety (e.g., positive train control, fatigue mitigation, track and rail integrity, etc.), CSX proposes to take us back 100 years to dark territory on this line.

Train crews rely on signals to warn of train traffic ahead, switches not properly lined and broken rails. Dark territory unquestionably provides a less safe method of train operations and this petition should be rejected for that reason alone.

Rail traffic through this particular corridor includes hazardous materials, flammable propane, and crude oil trains. This line passes by homes, colleges, and airports. The safe transportation of these products is enhanced by the current signal system, and removal of that system will diminish railroad safety on this line. Title 49 C.F.R. § 235.10(a) (9) requires the railroad to state whether the safety of operations will be affected, and if so, how. CSX, in its waiver request, fails to state what types of commodities it carries on this line or how safety is improved if the signals and power stiches are removed. They don't say because safety would be diminished, not improved.

When the signal system detects a broken rail, the signal aspect displays a stop (red) indication. This requires trains to stop and proceed at restricted speed looking out for a broken rail. Removing this signal system would take away broken rail protection, which could lead to a catastrophic accident in a highly populated area.

CSX is operating very long trains, some exceeding two (2) miles in length. If the automatic switches are replaced with manual switches trains will block vehicle crossings far longer because train crews will have to stop to hand align switches. This will cause additional inconveniences to the public at rail crossings and will delay emergency vehicles.

Last but not least, Congress has mandated that FRA utilize the highest degree of safety in the issuance of its safety rules. That standard cannot be met if this waiver is granted.

For the reasons stated above, we respectfully request that the CSX petition to revert this line from signaled to dark territory be denied in its entirety.

Thank you for the opportunity to provide these comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Dennis Pierce".

Dennis Pierce
National President, BLET/IBT

A handwritten signature in black ink, appearing to read "Freddie N. Simpson".

Freddie N. Simpson
President, BMWED/IBT

A handwritten signature in black ink, appearing to read "W. Dan Pickett".

W. Dan Pickett
President, BRS

A handwritten signature in black ink, appearing to read "John Previsich".

John Previsich
President, SMART Transportation Division