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highlights

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STRIKE CENTER OPERATION...Preliminary analysis of the operation of the situation room set up to monitor the February 8 strike against the Penn Central has shown that this kind of communications setup can be very useful, not only for the Department but for other Government agencies and affected parties. The situation room was set up in the Coast Guard's communications center about an hour before the strike deadline. When the strike began at 12:01 a.m., FRA personnel were ready to receive and process information on the gradual cessation of Penn Central activities and to coordinate information and efforts with other interested parties such as the ICC, the Labor and Agriculture Departments, the Office of Emergency Preparedness, Amtrak, AAR, and the New York Port Authority, as well as keeping in touch with Regional Offices in Boston, Philadelphia, Chicago, and Kansas City. The room was staffed throughout the night and up until the time Congress passed a Joint Resolution imposing a 90-day moratorium in the labor dispute on February 9. In setting up the operation, FRA set a precedent in the Department for establishment of a facility to monitor a transportation crisis.

REPORT REQUESTED...A second action taken by the Congress in the Joint Resolution which temporarily ended the strike was to request that the Secretary of Transportation submit to Congress within 45 days--or March 26--a report providing "a full and comprehensive plan for preservation of essential rail transportation services in the Northeast section of the Nation." Included in the report are to be the Secretary's recommendations, if any, regarding Federal expenditures required to restore and preserve rail services threatened by the financial failure of certain railroads, and for alternative means of providing essential transportation services now provided by these railroads. FRA is currently in the process of drafting the report.

ADMINISTRATOR DISCUSSES REGULATORY PLANS..."Secretary of Transportation Claude S. Brinegar and I believe that...new rule-making is imperative to improving the railroads' safety record which presently lags behind the records of other major industries," Administrator Ingram told a Railway Labor Executives' Association conference on February 21. "The injury rate for 100 million man-hours in other industries is 8.87--in the railroad industry it is 11.37," he said. "This means that just to catch up with the industrial average, we are going to have to reduce accidents by about 30 percent. And I'm talking about all types of accidents involving all types of people--railroaders, railroad passengers, and motorists crossing railroad tracks." He told

the group that, along with track, equipment, locomotive and qualification standards, FRA would also be giving some careful scrutiny to the Standard Code of Operating Rules issued by the railroads. "FRA is in the process of modifying several rules, especially Rule 99 and Rule 93, as recommended by the National Transportation Safety Board, as well as Rule 34 which we consider essential to the feasibility of the other two," he said. "Such rule-making by the FRA, subjected to public hearings and studied in great depth by the industry and labor unions, will serve the dual purpose of clarifying presently ambiguous language and bringing all the railroads under identical operating rules."

INVESTIGATION REFUSED...The Massachusetts Bay Transportation Authority refused to allow four Office of Safety representatives on their property to investigate a commuter train accident in Boston February 7 which killed one person and injured up to 100 others. Reported cause of the fire was sticking brake shoes, but the MBTA insisted that the FRA had no jurisdiction to conduct an investigation of their own. The Chief Counsel's Office is taking action to facilitate FRA investigation of the accident.

PROHIBITED EQUIPMENT HEARING HELD...Public hearings were held February 8 on the Proposed Rule Making which would prohibit use of certain types and models of freight cars and components. The hearing was attended by over 40 people and 10 presentations were made highlighting the position of such organizations as RPI, American Short Line Railroad Association, AAR, and various shipper industries. Major arguments were that since the FRA had essentially adopted AAR maintenance regulations for these components as safety standards, the safety standards should be more lenient. FRA has asked for empirical data to help in establishing criteria for where simple maintenance ends and safety begins. All recommendations will be evaluated before a final rule is sent to the Federal Register.

EMERGENCY ORDER TWO AMENDED...Emergency Order 2, which took out of service certain UTLX numbered tank cars last December, has been amended to allow the movement of empty cars for repairs and testing. In all other respects, the emergency order remains in effect and the penalty provisions included as part of the original order are applicable to the provisions of the amendment.

BRIDGE REPAIR ASSISTANCE SOUGHT...Meetings have been held with various groups in the past two weeks in an attempt to assist the Penn Central in obtaining some \$450,000 for partial repair of a railroad bridge over the Chesapeake and Delaware Canal which was damaged by a ship February 2, cutting off traffic across the bridge. Investigation by the Office of Safety revealed that rail traffic over the bridge averaged six trains per day, with a total of about 365 cars, and annual revenues were estimated at approximately \$20 million. The Penn Central claims it is financially unable to undertake the necessary repairs. The Governor of Maryland has asked the President to declare the nine counties affected by accident a disaster area so that Federal funds can be used to repair the bridge. The Corps of Engineers has now agreed to make necessary repairs.