



September 16, 2020

Received  
Records Management

09/17/20 08:28

State Of WASH.  
UTIL. AND TRANSP.  
COMMISSION

Washington Utilities & Transportation Commission  
621 Woodland Square Loop S.E., Lacey, WA. 98503  
P.O. Box 47250, Olympia, WA 98504-7250

**RE: Docket TR – 200536– Supplemental Comments regarding Train Crew Size Initial Rulemaking.**

Dear Chairperson Danner, Commissioner Rendahl, and Commissioner Balasbas:

After our original joint organizational submission, we recognized there are several additional risk areas that require due consideration by the UTC as your agency moves forward in the rulemaking process to develop regulations pertaining to enforcement of HB 1841, Washington State’s Train Crew Consist Law.

Item 3 - Among the additional risk criteria that must be considered also includes:

- **Locomotive Dead Operator Shutdown Systems:** Are locomotives being utilized fully equipped with a properly functioning “Vigilance Alerter and Control System” (i.e. Dead Operator shutdown device). Many Washington State Short-Line carriers operate trains in intrastate service (outside of switching yards) utilizing older locomotives that are not equipped with such devices. We are aware of at least one situation in Western Washington, where a locomotive engineer working alone on a short line carrier’s one-person crew operation suffered a major heart attack while running a mixed commodity train with several rail cars loaded with liquified propane, a High Hazard Class 2 Flammable Gas that was being transported between communities on the Olympic Peninsula. The locomotive was not equipped with a “dead operator” device, fortunately, the Engineer was able to safely bring the train to a stop. Trains without such protective systems operating outside of yard switching, should never be permitted to operate with single-person crews. Especially involving trains traveling between communities.
- **Remote Control Operations:** Locomotives operated by any form of remote-control technology should always be required to be staffed with no less than two-qualified crewmembers. Remote control locomotives (RCO) are utilized exclusively for car switching operations; it is imperative for safety that at least two persons are on such crews for their mutual safety.

In RCO operations, either crewmember can stop the movement of the train at any time; it is inherently dangerous activity when any member of a crew is working in between the tracks and railcar. If only one person is on an RCO crew, there is no one else who is able to stop the train if unexpected movement occurs; nor would anyone else be nearby who would be aware of or respond to a potentially deadly situation, let alone call for emergency services.

The concept of requiring one solitary individual, working on the ground outside of a locomotive cab on railcars, in an area completely alone with no one even aware of their presence, work location or the activities they are engaged in involving the operation of a train is frightening.

Add the possibility of inadvertent train movement while working “in between” the rails (connecting air hoses, positioning angle cocks, etc.), losing their grip on a ladder or slipping while riding a rail car in single person train operations – there’s no other crew member to call to for help or to stop the train in an emergency – this is a downright terrifying scenario.

- **Protection of Shoving Train Movements:** Even when a shoving movement involves just one single solitary locomotive moving long hood forward with no rail cars attached, the locomotive engineer does not have a clear unobstructed view of the track in front of the movement. It is impossible for a single-crew engineer to be able to safely engage in any shoving movement involving additional locomotives or railcars as it is impossible to protect the leading movement of their train without an additional crew member either riding the leading shove platform or railcar or positioned ahead of the shoving movement on the ground.

No railroad should ever be permitted to operate without sufficient crew members to adequately and effectively protect a train’s movement, in either direction, at any time. Ensuring the proper protection of ALL movements, including shoving movements, is among the most fundamental and critical railroad operating practices. Failure to protect shoves almost always results in physical damage, derailments, and too frequently results in catastrophic injuries or deaths! Ensuring no less than two persons on any rail operation where a shoving movement may be necessary is absolutely integral to safe railroad operations for the benefit of the public and rail workers.

- Another area that must be considered are the adverse consequences of both a typical and a worst-case scenario involving the amount of time that will be required for additional qualified train crew workers to reach a train staffed with just a one-person crew that is stopped due to an Undesired Emergency (UDE) brake application. Once the additional crewmember(s) get to the train, they must assess the condition of the train to ensure there is no release of hazardous materials as well as ascertain that no derailment, loss of hazardous lading, or other damage has occurred.

The length of the train as well as any physical obstructions or hinderances to completing the requisite walking inspection are also factors that must be considered. After the supplemental crew member(s) are able to identify and remedy the UDE cause, the train can proceed on its way. Consideration must be given to potential ramifications that include systemic delays that may occur involving the response and determination of train UDE’s that may negatively impact the furtherance of the highest degree of safety in railroad operations.

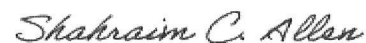
In summary, railroad operational safety is a very complex and multifaceted matter. There are very few scenarios where single-person train operations can be implemented without resulting in an increased risk to safety.

Thank you so very much for accepting and considering these additional areas of concern requiring due consideration as you proceed in the rulemaking process. Again, we extend the willingness of our respective organizations to support and work cooperatively with your agency throughout this rulemaking process.

Respectfully & Cooperatively yours,



Herb Krohn, Director  
Wash. State Legislative Board  
11225 Roosevelt Way N.E.  
Seattle, WA. 98125



Shahrain C. Allen, Chairperson  
Wash. State Legislative Board  
517 S. 45<sup>th</sup> Street  
Tacoma, WA. 98418