



Brotherhood of Railroad Signalmen

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W. Dan Pickett
President

Walt A. Barrows
Secretary-Treasurer

December 23, 2010

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

Re: Docket No. FRA-2010-0160

CSX Transportation petition for discontinuance or modification of a railroad signal system or relief from 49 CFR Part §235.5

Comments of the Brotherhood of Railroad Signalmen

The Brotherhood of Railroad Signalmen (BRS) is filing comments concerning the above-referenced document that was printed in the November 23, 2010, Federal Register (page 71488). The BRS is the duly recognized collective bargaining representative, under the Railway Labor Act, for signal craft employees employed by CSX Transportation (CSXT) who are directly affected by this petition.

In its application, CSXT seeks relief from the requirements of 49 CFR 235.5 to expedite successful installation of Positive Train Control mandated by the Rail Safety Improvement Act (RSIA) of 2008. CSXT proposes to perform minimal modifications to existing signal systems, while maintaining compliance with part 236 in the same manner and process as provided for under 49 CFR 235.7(c)(24)(vi).

CSXT will provide identification of the proposed changes to the Federal Railroad Administration's (FRA) regional office having jurisdiction in the affected area while still providing FRA review and oversight of the proposed changes in the same manner as pole line elimination projects.

The BRS is asking FRA to approve CSXT's waiver with the following restrictions:

1. CXT must provide a copy of the notice, profile plan, and signal circuit plans to representatives of employees responsible for maintenance, inspection, and testing of the signal system under 49 CFR Part 236 at least 60 days in advance of a change. During the 60-

day period, the employees' representative will have an opportunity to review the plans and provide comments to FRA on the proposed changes.

2. The profile plans and circuit plans must be submitted to the employees' representative electronically or as an 8.5x11 inch- or 8.5x14 inch-document. If CSXT is unable to comply with the aforementioned options, the documents must be submitted in triplicate.
3. The waiver will expire December 31, 2015.

It is the opinion of the BRS that approving the waiver within the limited parameters described above will satisfy CSXT's request while still providing FRA with its usual oversight. The BRS request for profile and circuit plans to be submitted to the employees' representative, as stated above, will permit distribution to the proper personnel affected by the waiver and will also permit proper record keeping by the employees' representative.

Finally, the BRS request that the waiver expire on December 31, 2015, will provide CSXT relief until the implementation date required by the RSIA. Any further relief requested by CSXT after that date will be subject to FRA approval.

Sincerely,



W. Dan Pickett
President

cc: Grand Executive Council—BRS
John Bragg, Director of Research—BRS
Jo Strang, Associate Administrator for Safety—FRA
Michael Logue, Deputy Associate Administrator for Safety Compliance and Program Implementation—FRA