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June 8, 2021

**VIA EMAIL**

Ms. Carolyn R. Hayward-Williams  
Director  
Office of Railroad Systems and Technology  
Federal Railroad Administration  
1200 New Jersey Avenue SE  
Washington, DC 20590

**Re: Docket No. FRA-2010-0028**

Dear Ms. Hayward-Williams:

The International Brotherhood of Electrical Workers (IBEW) appreciates the opportunity to provide comments regarding the Federal Railroad Administration's (FRA) Non rulemaking Docket No. FRA-2010-0028, *Railroads' Requests to Amend Their Positive Train Control Safety Plans and Positive Train Control Systems*. The IBEW is a labor organization that provides collective bargaining representation on behalf of its approximately 12,600 members employed by railroad carriers that are subject to the oversight of the FRA. IBEW railroad members work as locomotive electricians who install, maintain, and modify Positive Train Control onboard equipment and wiring. For these reasons, the IBEW is closely monitoring the requests for amendments to host railroads' Positive Train Control Safety Plans for developments that may impact IBEW members.

A public notice in the Federal Register and invitation to comment on amendments to Positive Train Control Safety Plans is required under 49 CFR part 211. This review process allows relevant stakeholders, such as labor organizations representing the workforce, to participate in regulatory changes that impact their duties and work environment. It also provides for those workers to stay informed on changes to critical safety tools, such as Positive Train Control systems. Unfortunately, the information provided for public inspection on the implementation of and changes to these systems is minimal at best. Essential stakeholders cannot submit written data, views, or arguments with the text made available for public inspection. The heavily redacted document titled *The Joint Request for Amendment Mixed System PTC Safety Plan* dated April 23, 2021, that the nineteen host railroads submitted in FRA-2010-0028 further demonstrates this precedence. Moreover, 12 days, the FRA window of time available for public comment on the request for amendment, is insufficient to decipher such a document.

The request for amendment is a total of 48 pages. With the text available, the IBEW assumes that the substantive information needed to properly analyze changes is available on pages 1-29. Redactions begin at the summary of proposed





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changes with an almost complete redaction of the *safety impacts* of the changes. A total of 17 pages are entirely redacted or contain little to no pertinent data.

These significant redactions have impaired the IBEW in developing a knowledgeable opinion for public comment for the FRA to consider before accepting amendments to a vital hazard mitigation tool. The IBEW would also like to inform the FRA that after reviewing historical submissions of Positive Train Control Plans, the level of redactions considered acceptable to the agency is disappointing. The IBEW recognizes the need for private companies to withhold proprietary information from the purview of the public. However, within the filings, specific words and phrases used, such as “safety impact”, “provides appropriate mitigation for,” and “is in response to a defect found during revenue service operation of the PTC system” cause considerable concern that the excessive withholding of seemingly vital safety information has left important stakeholders out of this process. Therefore, the IBEW asks that the FRA require the host railroads to adjust the level of redaction necessary to protect private companies’ interests and re-submit the request. The FRA must weigh the new submission and the level of modifications within the submittal against the required data needed for the appropriate public inspection of documents.

I appreciate the FRA for allowing the IBEW to comment on this docket on behalf of its railroad members. I look forward to working with the FRA to guarantee the continued secure operations of the railroad and provide the safest possible, uninterrupted freight movement along the national railroad network.

Sincerely yours,

Lonnie R. Stephenson  
International President

LRS:jrl