



Transportation Trades Department, AFL-CIO

July 18, 2024

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

**RE: Peninsula Corridor Joint Powers Board's Request to Amend Its Positive Train Control Safety Plan and Positive Train Control System  
Docket No. FRA-2010-0051**

Ms. Hayward-Williams,

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Railroad Administration's (FRA) notice regarding Peninsula Corridor Joint Powers Board's (Caltrain) request to amend its Positive Train Control Safety Plan (PTCSP) and Positive Train Control (PTC) System. TTD consists of 37 affiliated unions representing the totality of rail labor, including the conductors and locomotive engineers who utilize PTC Systems in their day to day work.<sup>1</sup> We therefore have a vested interest in this matter and respectfully request that the FRA deny Caltrain's request. Additionally, TTD endorses the comments of our affiliates, the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART-TD) and the Brotherhood of Locomotive Engineers and Trainmen (BLET).

**Extensive Redactions Warrant Denial**

Similar to many recent PTC filings, Caltrain has redacted significant portions of this RFA including the intended *objectives* of one element of the request. About half of the rationale justifying the need for changing the PTC safety plan is also redacted, leaving many questions unanswered about Caltrain's intended operations. The request also states that neither modification has a "negative impact on the overall safety of the PTC system," however, the redactions make it virtually impossible for stakeholders and the public to fully assess these statements.<sup>2</sup> This is simply unacceptable, does not promote transparency and accountability, and potentially runs afoul of the requirements of the Administrative Procedure Act (APA). The workers impacted by these changes *must* be allowed to examine the complete request and subsequently provide meaningful comments.

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<sup>1</sup> Attached is a complete list of the unions affiliated with TTD.

<sup>2</sup> <https://www.regulations.gov/document/FRA-2010-0051-0140>

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Greg Regan, President / Shari Semelsberger, Secretary-Treasurer

TTD has repeatedly commented on the benefits of PTC Systems and the additional level of safety PTC provides for all rail workers.<sup>3</sup> While PTC is not infallible, it is a necessary redundancy and one of the many crucial safety elements of our rail system. It is therefore *essential* that stakeholders, including rail labor organizations, have the opportunity to fully examine changes to these critical systems. TTD and our affiliated rail unions received no proactive outreach from the rail carriers involved in this filing. This lack of communication, in conjunction with the substantial redactions contained in the document, raises serious concerns with regard to transparency and the true nature of the requested changes.

The FRA should deny without prejudice this and any future PTCSP RFAs until a system is in place to allow unrestricted review of the filings by rail labor unions. If the railroads or the FRA are unable or unwilling to release the unredacted documentation, we strongly encourage the FRA to adopt guidance allowing for confidential undertakings modeled on the system that the Surface Transportation Board (STB) successfully utilizes. Unions need to be able to review all safety information to provide the FRA with accurate comments, and a confidential undertaking system would allow for this while also protecting legitimate confidential business information and safeguarding data security. TTD and its affiliates have *repeatedly* asked the FRA to invoke its authority to address these redactions so that stakeholders and the public can access the information they need to provide substantive comments. This filing is yet another example of why TTD reiterates that request here.

As the regulatory agency, FRA has a duty to not only ensure that railroad operations are conducted safely, but that the public has opportunities to engage and be assured that railroad safety is being actively enforced. We respectfully request that the FRA take our feedback on this matter into consideration. We appreciate the opportunity to provide public comment and we look forward to working with the FRA in the future.

Sincerely,



Greg Regan  
President

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<sup>3</sup> <https://ttd.org/policy/getting-our-nations-freight-rail-system-back-on-track/>