Transportation Trades Department, AFL-CIO

September 2, 2025

Kyle D. Fields
Chief Counsel
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Regulatory Relief for End of Car Cushioning Units
Docket No. FRA-2025-0119

Mr. Fields:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Railroad Administration's (FRA) notice of proposed rulemaking (NPRM) regarding amendments to regulations concerning freight car draft arrangement and end-of-car cushioning units (EOCCs) to make regulatory relief now provided by waiver permanent. TTD consists of 39 affiliate unions representing workers in all modes of transportation, including rail workers who will be directly affected by this proposed rule.[1] We respectfully request that the FRA suspend this rulemaking. In addition, we endorse the comments filed in this docket by our affiliates, the Brotherhood of Locomotive Engineers and Trainmen (BLET), the Transportation Division of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART-TD), and the Brotherhood of Railway Carmen Division of the Transportation Communications Union (BRC/TCU).

Background

An EOCC is a device installed on the ends of railroad freight cars designed to absorb shocks and forces during rail operations. These units are designed to absorb energy from buff and draft forces and impacts, preventing cargo from shifting and damage to the freight car draft system that could lead to a derailment. An EOCC must contain sufficient oil for the unit to function as designed. The FRA is proposing to remove the existing requirement that a freight car cannot continue in service if the EOCC is leaking "clearly formed droplets [of oil]," if the car's cushioning unit is equipped with a Unit Condition Indicator (UCI) that indicates the unit is not defective. The FRA claims that this relief will prevent railroad employees from having to unnecessarily remove cushioning units that may be leaking clearly formed droplets of oil but may be functioning properly.

Malfunctioning EOCCs

Any amount of oil leaking from an EOCC indicates that the seal within the device has degraded and there is less oil in the cylinder. A single drop of leaked oil indicates that the EOCC is deteriorating and that additional steps

[1] Attached is a complete list of the unions affiliated with TTD.

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are necessary to test the device to ensure it will function properly. As such, we urge the FRA to maintain the existing requirement for cars with leaking EOCCs to be removed from service. Additionally, reliance on UCIs to prove EOCCs are safe and functioning properly is not without issue as the technology may fail. Simply put, the indicator does not prove that the EOCC is safe, however, the indicator can prove that the EOCC is unsafe. TTD does not object to the use of UCIs, but we urge the FRA to continue to require cars with leaking EOCCs to be taken out of service for inspection or repair. The presence of oil leakage is a clear and accessible diagnostic signal for railroad workers. It must remain a "no-go" threshold, not a negotiable indicator.

All EOCCs should be proven safe prior to leaving the initial terminal—not leaking. While UCIs are able to prove an EOCC is unsafe, they should not be solely relied upon to determine that an EOCC is safe. According to a cushion unit survey conducted by the Association of American Railroads (AAR), roughly 10% of the EOCCs leaking oil were indicated as "OK" by the UCI and were found to be defective.[2] This 10% rate of inaccuracy is unacceptable given the number of EOCC equipped cars across the freight rail fleet.

EOCC malfunction can lead to cascading mechanical issues including broken yokes and draft gear; coupler misalignment and fatigue; center sill buckling; and accelerated wear on structural underframes and shock transfer components. An EOCC without the proper amount of oil pressure can cause abnormal wear on the other coupler components such as train line trolley arrangements, end-of-car carrier plates, and the coupler pin connection pins/keys as well.

Beyond just wear and tear on equipment, normal slack and tension motion during travel or coupling without a properly functioning EOCC device results in damaged goods, auto wrecks, and load shifts. These cascading effects and increased risk of derailment create an overall safety concern to the public – especially when these cars are in mixed freight consists with hazardous materials.

Conclusion

Without properly functioning cushioning systems, the crew in the cab may experience an increase of forces that could result in injuries or could lead to risks of loaded cars shifting their load or damaging the load. This risk is unacceptable, and the presence of a UCI does not sufficiently mitigate this risk. We therefore respectfully request that the FRA withdraw this proposed rule.

We appreciate the opportunity to comment on this proceeding and look forward to working with the FRA in the future.

Sincerely,

Greg Regan
President

[2] https://railcar-tech.org/wp-content/uploads/2018/10/2013-Marts-UCI-Presentation-10-01-2013.pdf