

**TESTIMONY OF RICHARD F. TIMMONS, PRESIDENT
AMERICAN SHORT LINE AND REGIONAL RAILROAD ASSOCIATION**

**BEFORE THE
RAILROADS SUBCOMMITTEE OF THE HOUSE TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE**

June 13, 2006

Good morning Mr. Chairman and Members of the Committee. I appreciate the opportunity to comment on the status of hazardous material movement in the Class II and III railroad industry. As this committee is well aware the short line industry operates over approximately 50,000 miles of right away in 49 states relying on 23,000 railroaders to move freight each day. Each month short lines handle about 300,000 carloads of hazardous materials. The vast majority of these products are not toxic by inhalation, and short lines are by no means the primary mover of these commodities across the nation's transportation system. But for the communities we serve these products are essential to the health and well being of their citizens and are only available through rail freight movement.

The short line and regional railroad record of HazMat transport is excellent. The U.S. Department of Transportation Hazardous Materials Information System indicates for 2004 and 2005 that no short line railroad has been responsible for any fatalities, injuries, or hospitalizations resulting from a hazardous materials release. Since 1973 FRA has recorded one hazardous material related fatality on a short line and that fatality involved an unauthorized rider on a freight train.

Needless to say we take this matter very seriously and we continue to strive for improvement and reduced exposure for crews, communities and responders. We believe our commitment to educate our personnel and maintain rigorous adherence to industry safety and technical standards has facilitated these solid statistics.

For short lines several areas are essential to the safe and efficient movement of hazardous material.

First our infrastructure must be sound—rail, road bed, bridges and signals must be continually improved. The federal tax credit you approved in 2004 has allowed short lines to increase investment which is improving our track structure and enhancing our network. As I have discussed with this committee in the past the tax credit is accomplishing exactly what was intended and we hope the Congress will see fit to extend it before it expires at the end of next year.

Second, car availability is critical—much of the current equipment is aging quickly. Reliable and robust HazMat cars must be up to the challenges of long and hard service and reliable in all circumstances.

Third, tracking HazMat shipments is essential in the event man made or natural disasters threaten to expose the contents of these cars to emergency responders or unwary citizens. A recently introduced computer tracking system now gives the short line industry the ability to track and report shipments by commodity, railroad and location in real time to computer terminals in the FRA, AAR and ASLRRRA. This was an area of weakness for us in the past and we have devoted considerable time and effort to addressing this need. The new system, known as Frieghtscope, gives us the ability to provide on-demand information very similar to Class I operations.

Fourth, security must a part of every day operations and procedures in a more comprehensive way than ever before. Reporting, tracking, communications, rapid response and preparation for a terrorist strike or accident must be part of what we do and train for each day.

Short lines have worked steadily since 9/11 to prepare for the unexpected. I will not repeat here but have listed in my written statement nine activities that ASLRRRA has engaged in since 9/11.

- Gained membership on the AAR Bureau of Explosives Committee and assisted in implementation of safe hazmat practices through OT-55 transportation order.
- Spearheaded development of Freightscope hazmat tracking software which is being implemented as a public-private partnership between ASLRRRA, AAR, FRA and Railinc.
- Developed state-of-the art hazmat quick-reference card to assist supervisors, T&E personnel and other responsible parties in responding to a possible or actual hazmat incident.
- Partnered with TSA and FRA to establish best practices for handling TIH traffic.
- Established weekly system for monitoring time-sensitive hazmat loads and have headed off several such carloads from becoming unstable.
- Participated on TTCI-sponsored task force to promote emergency responder training and related involvements.
- During Hurricane Katrina, assisted FRA, state and local authorities in determining extent of hazmat danger on short line railroads in affected areas.
- Participated with Norfolk Southern and other Class I railroads in developing and distributing four-part hazmat handling module, “Securing North America’s Railroads.” The training modules include: What is Security; Vulnerability & Risk; What to Look For; Your Role.

- Organized the ASLRRA Policy Committee which has progressed development of hazmat security programs and exhibits designed to make membership more aware of hazmat security and what they need to do to make their railroads more secure.

Certainly, there is much more that can and should be done and I know determining those next steps are part of what is driving this hearing today. The short line railroads stand ready to work with the Congress and the industry to take whatever next steps are deemed appropriate and necessary.

I would be happy to answer any questions.