National Railroad Passenger Corporation  
Joe Boardman, President  
60 Massachusetts Avenue  
Washington, D.C.  20002  

Dear Mr. Boardman:  

Re:  SEPTA Job Sites on the Northeast Corridor Threaten Railroad Passengers and Right of Way Workers  

The purpose of this letter is to focus your attention on an alarming pattern of negligence by SEPTA work crews who are working on SEPTA train stations along the Northeast Corridor and in the foul of the Northeast Corridor. Their continued and willful violation of the FRA Roadway Worker Protection regulations and NORAC operating rules will potentially lead to fatally injuring passengers, Amtrak employees or SEPTA employees who happen to be in the wrong place at the wrong time. A railroad emergency exists and we will hope that you take this situation seriously and correct it. These issues have been raised and documented repeatedly to senior Amtrak engineering management whose lack of remedial action can only be described as negligent.  

On September 29, 2011, SEPTA Employee in Charge (EIC) Sinclair was working at Torresdale Station and did not have the slightest idea about how to protect his work crew from moving trains. He attempted to piggy back his protection on an Amtrak foreman’s foul time who was working on a different track at a different location. He did not have watchmen posted for the adjacent track protection even though this location has “S” curves and requires watchmen. He was relying upon intermittent foul time without protecting the adjacent track. This crew was shut down by our safety operation and brought to the attention of senior Amtrak management. Their solution was to order SEPTA to permit a retraining process for SEPTA EICs.
On November 16, 2011 at Overbrook Station a SEPTA EIC protecting a B&B gang on the platform set-ups gave the foul time he had requested to perform the work back and did not notify his men. No watchmen were posted and the train came around the curve and the SEPTA workers had to jump for their lives. The EIC reported that he thought he had more time after he gave the foul back before a train would come. This of course violates fundamental RWP and NORAC operating rules that do not permit roadway workers to foul a track without protection.

On January 3, 2012 at Eddington Station a SEPTA work crew was working in the fouling envelope setting up the job. A BMWED Safety Officer and an Amtrak Manager approached the job site and spoke to SEPTA EIC Coleman who informed him that he was waiting for foul time. He was informed that he still needed to post watchmen as his men were in the fouling envelope setting up the job site. In reviewing his job briefing sheet it was determined to be filled out wrong as it indicated that he was in 251 territory (trains run one way) and in fact he was in 261 territory (trains run both ways). The SEPTA EIC did not know this critical fact and did not know the track speeds. The SEPTA EIC had been qualified in November 2011 on the physical characteristics of this location and his training consisted of riding a train through the territory once and knowing what MP he was at and who to call for foul time. When questioned the SEPTA EIC admitted he did not feel qualified to pilot equipment. The training and qualification process put an unprepared EIC on the job who could have caused a tragedy.

On March 14, 2012, at Torresdale Station, SEPTA EIC Graham was given foul time on track four and when CETC 7 tried to contact him, he failed to answer. CETC 7 then called CETC 6 to find EIC Graham. A SEPTA train had to wait for this process to unfold and a SEPTA test train had to stop testing and look for EIC Graham. When CETC 7 finally was able to talk to SEPTA EIC Graham, he informed CETC 7 that he had given his foul back when Amtrak EIC Foreman Dooling gave his foul back. The problem is that Amtrak EIC Foreman Dooling was at Bristol and he had foul time on track one not track four. SEPTA EIC Graham doesn't know the difference between track one and track four which is a big problem in itself but he also doesn't know the fundamental operating rules that require him to give his own foul up and not think another EIC from another railroad on another job site even has the authority to give it up.

On March 20, 2012 a BMWED Safety Officer approached a SEPTA crew waiting for foul time and spoke to SEPTA EIC McCarthy. The crew was in the clear and in discussing the upcoming job it was evident that adjacent track protection would also be required. The SEPTA EIC indicated that he stated this fact to SEPTA management who told him to perform the job with foul time and would not provide the resources necessary to comply with the FRA adjacent track protection regulations as required in 214.329. Fortunately for the customers and the workers the SEPTA crew was unable to obtain foul time and left before violating the adjacent track protection rules that
SEPTA management was instructing its’ work crew to do.

These incidents are not isolated and speak to a pattern where SEPTA work crews are either unwilling or unable to comply with the basic rules protecting themselves, passengers and other railroad workers from moving trains. If equipment is struck because of this negligence then anyone standing on the station platform or with the work crew is subject to fatal injury. If a SEPTA worker is struck, the same problem exists for passengers and other workers. It is no longer an acceptable answer to allow Amtrak engineering management to permit this to occur because it is a SEPTA work crew at a SEPTA station.

Amtrak needs to ban SEPTA work crews from the fouling envelope on the Northeast Corridor unless qualified Amtrak employees are on the site providing the protection necessary. SEPTA, through their willful negligence has forfeited their right to protect job sites that foul the Northeast Corridor. Amtrak must take responsibility for this situation and correct it.

Please address this before passengers or workers are killed.

Yours truly,

Jed Dodd
General Chairman

cc Brian Hontz, FRA Regional Director