



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Paul R. LePage
GOVERNOR

David Bernhardt
COMMISSIONER

July 17, 2013

Dear:

RE: Request for Voluntary Best Practices Regarding Securing of Parked Freight Trains

The tragedy in Lac-Megantic, Quebec has caused everyone to reflect on how our transportation industry can provide the level of railroad safety that the public deserves and expects, while at the same time allowing the efficient movement of goods needed to support our economy here in Maine and across North America.

As Canadian officials continue to investigate, no one should jump to conclusions regarding exact causes of the derailment on July 6th. However, the very existence of a high-speed, runaway freight train carrying volatile materials indicates that certain railroad safety practices can be established, improved, or communicated. Of course, we at the Maine Department of Transportation (MaineDOT) understand that the Federal Railroad Administration (FRA) is the pre-emptive regulator of rail safety in the United States. However, pursuant to the Executive Order of Governor Paul R. LePage dated July 9, 2013, MaineDOT wants to facilitate a voluntary, proactive effort to establish reasonable and common sense practices that address the risk of runaway freight trains.

Toward that end, I have directed my staff to work with rail operators in Maine to gather and review best practices regarding the securing of parked freight trains. Specifically, we ask that you submit existing or proposed policies or practices that relate to securing parked trains including parking locations, grades, surrounding terrain, setting of hand brakes, monitoring of trains, timing of crew changes, security, derails, and related training. Obviously, it would be most helpful if the railroads carrying freight in Maine could communicate with each other and agree upon such best practices. Alternatively, your company can separately submit to us suggested practices and related communications by letter or email.



PRINTED ON RECYCLED PAPER

Securing of Parked Freight Trains

July 17, 2013

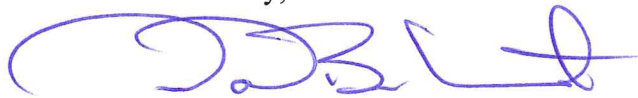
Page 2

Given the importance of the issue, I request that you submit the requested information to Nate Moulton, MaineDOT's Director of Rail Transportation, by July 31, 2013. After we have heard from you, we hope to document these best practices and that rail operators in Maine will voluntarily agree to follow them until federal rules or guidelines on these topics are issued.

We at MaineDOT hope that you will see this as an opportunity to work together to improve rail safety in Maine, which at the end of the day is the responsibility of all of us, whether we work in public service or private industry.

If you have any questions do not hesitate to contact Nate Moulton or myself.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Bernhardt", with a long horizontal flourish extending to the right.

David Bernhardt
Commissioner