

**South Carolina
Office of Regulatory Staff**

Annual Report

**Railroad Transportation
Activities**

2014

November 6, 2015



INTRODUCTION

The South Carolina Office of Regulatory Staff (“ORS”) has been directed by the South Carolina General Assembly (S.C. Code Ann. Section 58-17-140 as amended by 2006 S.C. Acts No. 318) to compile information regarding railroad transportation activities in the State on an annual basis. In 2014, ORS continued to share the responsibility for railroad safety oversight with the Federal Railroad Administration (“FRA”) in two areas: 1) Track and 2) Operating Practices (“OP”). The FRA Track Division promoted an understanding of and compliance with the Federal Track Safety Standards and provided technical expertise of the track safety standards, roadway worker standards, and the roadway maintenance machine standards, relevant to 49CFR 213 and 214 disciplines. The OP Division promoted an understanding of and compliance with Federal Operating Practices Standards and provided technical expertise regarding railroad carrier operating rules, employee qualification guidelines, and carrier training and testing programs; railroad occupational safety and health standards; the Hours of Service Law; and accident and personal injury reporting requirements. This document reports the activities of ORS related to its duties and addresses railroad accidents recorded by the FRA for South Carolina.

FEDERAL RAILROAD PROGRAM SCORE

Each year, the FRA uses an evaluation program to assess the strengths and weaknesses of each state with respect to implementation, impact, and long-term viability. The overall goal of these evaluations is to hold each state accountable and to provide direction and guidance for designing programs to be as efficient as possible. The evaluation begins by identifying stakeholders, and then logic models are designed to clearly explain the implementation of the changes being proposed. A score is generated after looking at elements such as justifying funding, obtaining and analyzing relevant information, reporting results in a timely manner, and promoting appropriate and effective use of findings. South Carolina has met and, in many cases, exceeded the requirements as it pertains to the criteria of the evaluation. Overall, the South Carolina program ranks first nationally when compared to other state programs of a comparable size. **Chart 1** illustrates that South Carolina ranks second among all track programs in the nation among the nineteen states with track programs. **Chart 2** illustrates that South Carolina ranks third in the nation among the fourteen states with OP programs.

CHART 1: FEDERAL RAILROAD PROGRAM SCORE-TRACK

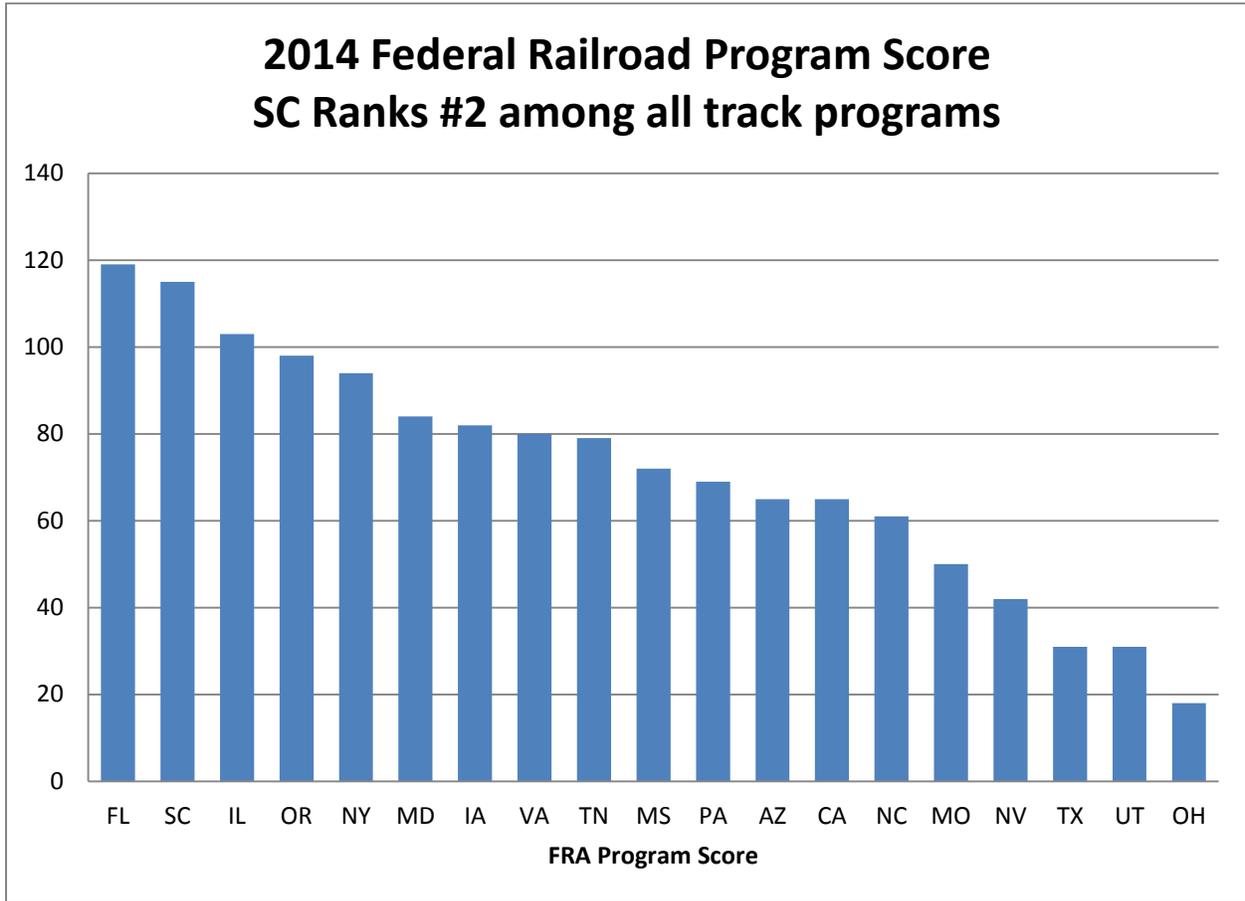
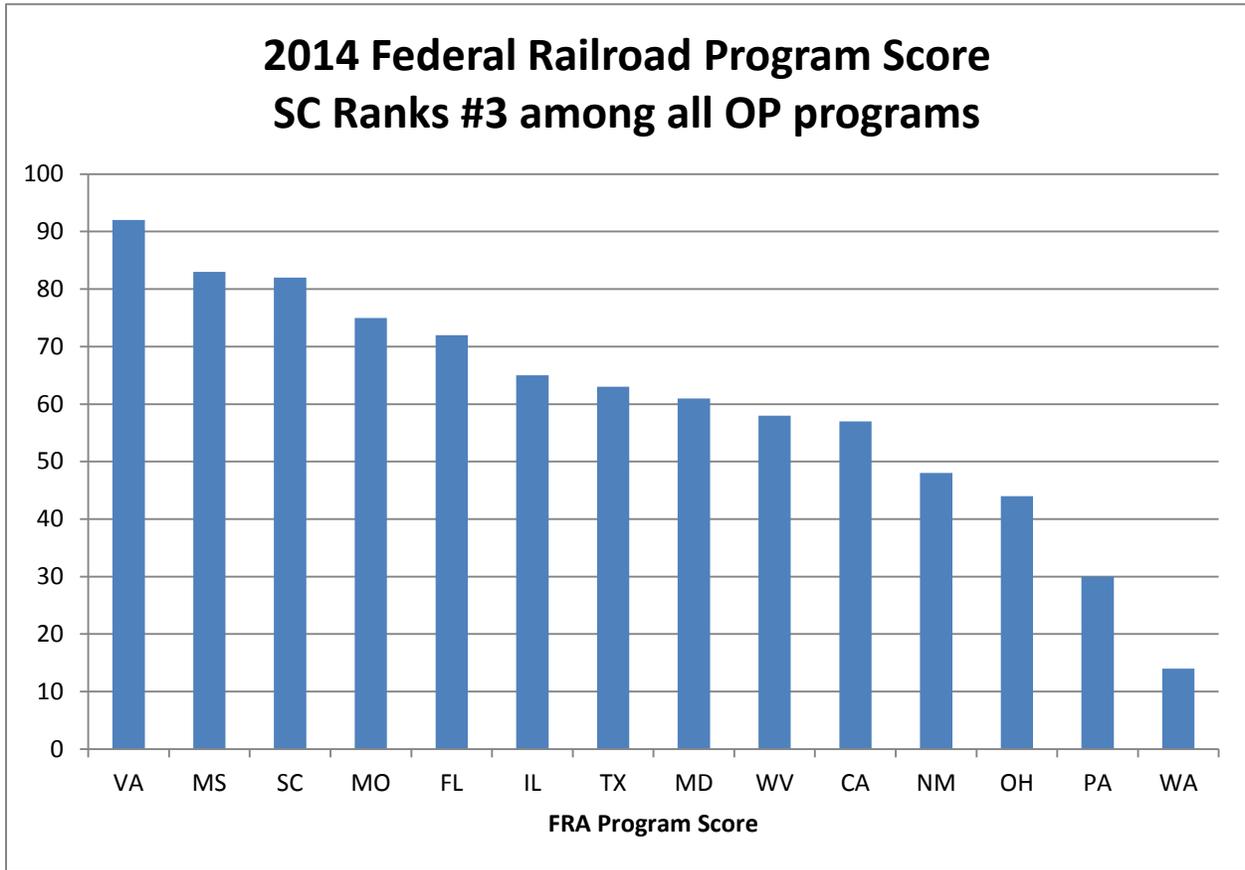


CHART 2: FEDERAL RAILROAD PROGRAM SCORE-OP



PARTNERSHIP WITH FEDERAL RAILROAD ADMINISTRATION

Congress, through the Staggers Rail Act of 1980, intended to create a competitive economic environment for railroad transportation by deregulating the rates and charges of railroads. The Rail Safety Act and its amendments authorized states to work with the FRA to enforce federal railroad safety regulations. As a result of this legislation, ORS inspectors work in partnership with the FRA to provide routine compliance inspections for two FRA disciplines: 1) Track and 2) OP. ORS annually inspects approximately 2,600 miles of track and accompanying railroad operations. ORS was able to conduct 386 routine inspections, detect 30 safety violations, and document 1,042 safety defects through these inspections.

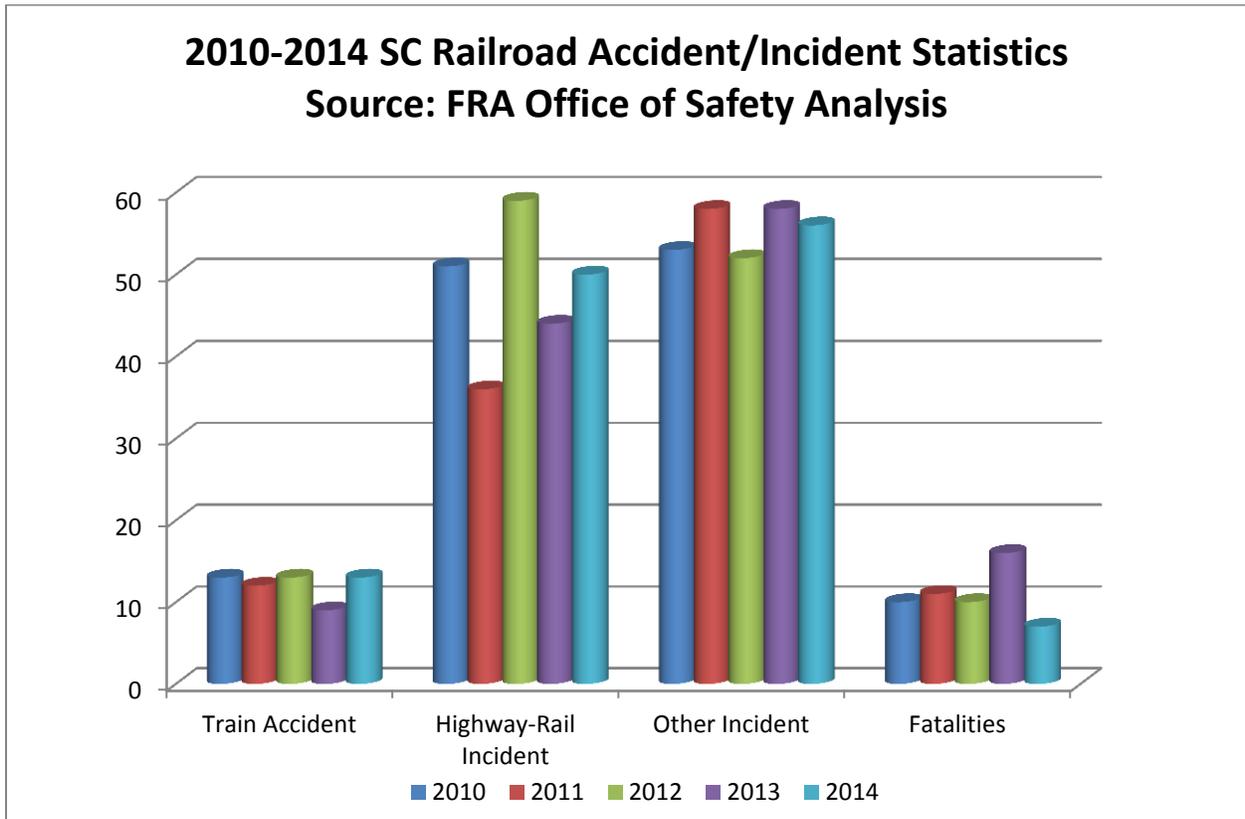
RAILROAD ACCIDENTS AND INCIDENTS IN SOUTH CAROLINA

The partnership between the FRA and ORS focuses on regulatory oversight activities to promote safety in railroad operations with the goal of reducing rail-related accidents, incidents, and casualties. FRA conducts formal investigations of select railroad accidents and incidents to determine the cause and identify proper remedial action. If called upon by the FRA, ORS provides a supporting role in accident/incident investigation. According to the FRA Office of Safety Analysis, 129 reportable accidents/incidents were recorded in South Carolina for 2014. It is important to note that ORS' goal, as a partner with the FRA, is to limit the occurrence of train accidents/incidents in South Carolina.

The FRA Office of Safety Analysis categorizes reportable accidents/incidents into three categories:

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|--------------------------|--|
| 1 Train Accident | An event involving on-track rail equipment that results in monetary damage to the equipment and track. |
| 2 Highway-Rail Incidents | Any impact between a rail and highway user at a crossing site, regardless of severity. This includes motor vehicles and other highway/roadway/sidewalk users at both public and private crossings. |
| 3 Other Incidents | Events other than train accidents or crossing incidents that caused death or nonfatal condition to any person. Most fatalities in this category are due to trespassing. |

Chart 3 provides a detailed breakdown of the 2010 through 2014 reportable railroad accident and incident statistics, as well as fatalities that occurred in South Carolina.

CHART 3: RAILROAD ACCIDENT AND INCIDENT STATISTICS**CONCLUSION**

In 2014, ORS monitored the South Carolina rail transportation system for compliance with federal regulations in the areas of Track and OP. ORS encouraged railroad operators to exceed the regulations and to remedy defects and violations in a timely manner. In addition, ORS co-sponsored Operation Lifesaver to promote the three E's – education, enforcement, and engineering – in order to heighten public safety awareness near railroad tracks and crossings. ORS offered railroad safety education to school children and community groups across South Carolina. ORS also monitored sixty-two (62) State Warning Point rail-incident alerts from the South Carolina Emergency Management Division to enable quick response by ORS to accidents or incidents. Each ORS inspector attended annual recurrency training sponsored by the FRA in their specific inspection discipline. In addition, the ORS State Program Manager worked closely with the FRA to receive regulatory updates and guidance on enforcement of FRA rules and regulations.