

210141

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

February 23, 2004

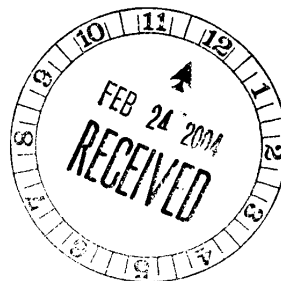
VIA FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20006

ENTERED
Office of Proceedings

FEB 24 2004

Part of
Public Record



Re: **Finance Docket No. 34479**
Arkansas Midland Railroad Company, Inc. -- Emergency
Service Order -- Line of Delta Southern Railroad, Inc.

Dear Secretary Williams:

On February 20, 2004, Arkansas Midland Railroad Company, Inc. ("AKMD") filed a petition in the above-captioned proceeding seeking issuance of an emergency service order pursuant to 49 U.S.C. § 11123 and 49 C.F.R. § 1146 allowing AKMD to provide interim service over a rail line between Dermott and Warren, Arkansas (the "Warren Line") operated under lease by Delta Southern Railroad, Inc. ("DSRR"). That petition indicated the parties' understanding that the Federal Railroad Administration ("FRA") had recently inspected the Warren Line and found that it did not satisfy FRA Class 1 track maintenance standards. AKMD has recently been provided with a copy of the FRA's Inspection Report, and is attaching it herewith for the Board's information and use.

The Inspection Report reflects a February 12, 2004 FRA inspection of the eastern 20 miles of the 39-mile Warren Line (from Dermott to Monticello, Arkansas) that found eighty (80) track defects, including twenty (20) defects continuing for "an extended period of time" for which formal violations and civil penalties against DSRR were recommended.

AKMD also understands that FRA inspectors today directed that the last operable DSRR locomotive on the Warren Line at Monticello, Arkansas be taken out of service. Three other DSRR locomotives at that location had previously been taken out of service by DSRR. AKMD is unaware of other DSRR locomotives available or positioned to serve the Warren Line.

Ten copies of this letter, with attachment, are enclosed for filing at the Board. One extra copy also is enclosed, and I would request that you date-stamp that copy to show receipt of this filing and return it to me in the provided envelope. An additional copy has been

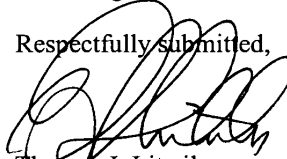
FLETCHER & SIPPEL LLC

Mr. Vernon A. Williams
February 23, 2004
Page 2

provided directly to the Board's Office of Compliance and Enforcement, and I certify that a copy of this letter has been served by overnight delivery on counsel for DSRR.

Please feel free to contact me should any questions arise regarding this filing.
Thank you for your assistance on this matter. Kind regards.

Respectfully submitted,



Thomas J. Litwiler
Attorney for Arkansas Midland
Railroad Company, Inc.

TJL:tl

Attachment

cc: John D. Heffner, Esq.
Mr. Melvin F. Clemens, Jr., OCE
Mr. Warren C. Wilson, Union Pacific Railroad Company
Mr. David A. Weisel, Potlatch Corporation
Office of Chief Counsel, Federal Railroad Administration

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No. 2130-0590

Inspector's Name PRICE, JESSE D.		Inspector's Signature		Inspector's ID 70845	Report No. 30	Date yy mm dd 2004 2 12							
Railroad/Company Name & Address DELTA SOUTHERN RAILROAD COMPANY Tallahassee, LA 71284				R-C R	Division SYSTEM	RR/Co. Representative (Receipt Acknowledged) Name Dan Avis Title Track Superintendent Signature							
From: City MONTICELLO	Code 2680	Destination City & County		Code 1070	From Latitude								
State AR	05	City DERMOTT		1070	From Longitude								
County DREW	C043	County CHICOT		C017	To Latitude								
Mile Post: From 0442.00 To 0422.00		Inspection Point: MAINLINE			To Longitude								
Activity Code MTH	MTW	TOM	RWP	YTW									
Unit: 10	6	6	2	1									
Item 1	Initials/Milepost 441.00	Equipment/Track # M	Type/Kind M	49 CFR/USC 213	Defect Code 0121	Subrule 07	Speed 10	Class 1	Train #/Site 	SNFR* N	RCL** N	# of Occ.*** 2	Activity Code MTH
Description Less than 2 bolts per rail at any joint in continuous welded rail, 3 joints within 50' of each other just east of mile post.													
Violations Recommended Yes ☐ No ☒ Latitude: Longitude:													
Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
Item 2	Initials/Milepost 440.60	Equipment/Track # M	Type/Kind M	49 CFR/USC 213	Defect Code 0121	Subrule 06	Speed 10	Class 1	Train #/Site 	SNFR* N	RCL** N	# of Occ.*** 1	Activity Code MTH
Description Less than 1 bolt per rail at each joint for conventional jointed rail in class 1 track, at joint on north rail just south of door stand.													
Violations Recommended Yes ☐ No ☒ Latitude: Longitude:													
Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
Item 3	Initials/Milepost 440.60	Equipment/Track # M	Type/Kind M	49 CFR/USC 213	Defect Code 0109	Subrule 02	Speed 10	Class 1	Train #/Site 	SNFR* N	RCL** N	# of Occ.*** 1	Activity Code MTH
Description No effective support ties within the prescribed distance from a joint at same location as previous item.													
Violations Recommended Yes ☐ No ☒ Latitude: Longitude:													
Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

(Continuation)

OMB Approval No.: 2130-0309

Inspection ID No.		Report No.		Report Date	
70845		30		2/12/04	

Item	Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
4	440.10	M	M	213	0121	03	10	I		N	N	1	MTW
Description Center cracked or broken joint bar at joint on south rail at west end of clearing.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													
5	440.20	M	M	213	0109	02	10	I		N	N	1	MTW
Description No effective support ties within the prescribed distance from a joint on south rail at east end of clearing.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													
6	440.20	M	M	213	0121	03	10	I		N	N	1	MTW
Description Center cracked or broken joint bar on inside bar on south rail.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													
7	440.00	M	M	213	0037	02	10	I		N	N	1	MTW
Description Vegetation obstructs visibility of railroad signs and fixed signals at mile post 440.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No.		Report No.		Report Date	
70845		30		2/12/04	

Item	Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Dir	SNFR*	RCL**	# of Occ.***	Activity Code
8	439.80	M	M	213	0121	06	10	1		N	N	1	MTH
Description Less than 1 bolt per rail at each joint for conventional jointed rail in class 1 track, at joint on south rail at curve in rail.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
9	439.80	M	M	213	0121	03	10	1		N	N	1	MTH
Description Center cracked or broken joint bar at 2 locations just east of last location.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
10	439.80	M	M	213	0109	02	10	1		N	N	1	MTH
Description No effective support ties within the prescribed distance from a joint, at joint at location of east item of previous item.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
11	439.70	M	M	213	0109	02	10	1		N	N	4	MTH
Description No effective support ties within the prescribed distance from a joint on north rail approx. 300' east of previous item.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No.	Report No.	Report Date
70845	30	2/13/04

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Sec	SNPR**	RCL**	# of Occ***	Activity Code
12	439.65	M	M	213	0121	03	10	1		N	N	1	MTH

Description
Center cracked or broken joint bar at joint on inside bar on north rail at culvert.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA or Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Sec	SNPR**	RCL**	# of Occ***	Activity Code
13	439.65	M	M	213	0121	06	10	1		N	N	1	MTH

Description
Less than 1 bolt per mile at each joint for conventional jointed rail in class 1 track at joint on north rail just west of previous item.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA or Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Sec	SNPR**	RCL**	# of Occ***	Activity Code
14	439.90	M	M	213	0109	02	10	1		N	N	8	MTH

Description
No effective support ties within the prescribed distance from a joint. 8 locations between curve and bridge.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA or Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Sec	SNPR**	RCL**	# of Occ***	Activity Code
15	439.90	M	M	213	0127	01	10	1		N	N	1	MTH

Description
Insufficient fasteners in a 39-foot track segment allowing rail to move laterally excessively on east end of bridge.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA or Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

(Continuation)

OMB Approval No: 2130-0509

Inspector's ID No.	Report No.	Report Date
70845	30	2/12/04

Item	Initials/Station	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Sec	SNFR*	RCL**	# of Occ.***	Activity Code
16	437.50	M	M	213	0121	03	10	1		N	N	4	MTW

Description:
Center cracked or broken joint bar. 4 different locations in curve have cracked or broken bars.

Violations Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA or Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Station	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Sec	SNFR*	RCL**	# of Occ.***	Activity Code
17	437.50	M	M	213	0109	02	10	1		N	N	4	MTW

Description:
No effective support ties within the prescribed distance from a joint. 4 different locations have no support ties at joint in the location in and east of curve.

Violations Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA or Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Station	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Sec	SNFR*	RCL**	# of Occ.***	Activity Code
18	435.50	M	M	213	0109	02	10	1		N	N	14	MTW

Description:
No effective support ties within the prescribed distance from a joint. 14 locations with no joint tie support.

Violations Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA or Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Station	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Sec	SNFR*	RCL**	# of Occ.***	Activity Code
19	435.50	M	M	213	0121	03	10	1		N	N	4	MTW

Description:
Center cracked or broken joint bar at 4 separate locations in same area as previous item.

Violations Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA or Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continuation)

OMB Approval No.: 2130-0506

Inspector's ID No. 70845		Report No. 30		Report Date 2/12/04	
-----------------------------	--	------------------	--	------------------------	--

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
20	434.60	M	M	213	0121	03	10	I		N	N	4	MTW
Description Center cracked or broken joint bar. 2 locations within 78' with broke bars.													
Violation Recommended Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code _____ Date (mm/dd/yyyy) _____ Comments on back? ☐													
21	434.60	M	M	213	0121	01	10	I		N	N	4	MTW
Description Rail joint not of structurally sound design and dimension. 115/90 comp bars used instead of proper size of 110/90.													
Violation Recommended Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code _____ Date (mm/dd/yyyy) _____ Comments on back? ☐													
22	434.60	M	M	213	0113	08	10	I		N	N	4	MTW
Description Head web separation at joint on south rail at ing is here sign on top of house.													
Violation Recommended Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code _____ Date (mm/dd/yyyy) _____ Comments on back? ☐													
23	433.40	M	M	213	0063	01	10	I		N	N	5	MTW
Description Railroff in any 31'-feet of rail at end of raise exceeds allowable.													
Violation Recommended Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code _____ Date (mm/dd/yyyy) _____ Comments on back? ☐													

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continuation)

OMB Approval No.: 2150-0509

Inspector's ID No. 70545		Report No. 30		Report Date 2/12/04	
-----------------------------	--	------------------	--	------------------------	--

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
24	433.40	M	M	213	0109	02	10	1		N	N	2	MTW

Description:
No effective support ties within the prescribed distance from a joint at 2 separate locations in same area as previous item.

Violation Recommended		Yes	☐	No	☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:		Required	☐	Optional	☒	Railroad Action Code	Date (mm/dd/yyyy)
							Comments on back?

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
25	433.90	M	M	213	0121	03	10	1		N	N	3	MTW

Description:
Center cracked or broken joint bar at 3 separate locations in area of previous items.

Violation Recommended		Yes	☐	No	☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:		Required	☐	Optional	☒	Railroad Action Code	Date (mm/dd/yyyy)
							Comments on back?

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
26	433.30	M	M	213	0063	05	10	1		N	N	2	MTW

Description:
Deviation from zero crosslevel at any point on tangent exceeds allowable at two separate locations in middle of derailment.

Violation Recommended		Yes	☐	No	☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:		Required	☐	Optional	☒	Railroad Action Code	Date (mm/dd/yyyy)
							Comments on back?

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
27	432.80	M	M	213	0121	06	10	1		N	N	1	MTH

Description:
Less than 1 bolt per rail at each joint for conventional jointed rail in class 1 track. No bolt in rail end at joint on north.

Violation Recommended		Yes	☐	No	☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:		Required	☐	Optional	☒	Railroad Action Code	Date (mm/dd/yyyy)
							Comments on back?

DEPARTMENT OF TRANSPORTATION

INSPECTION REPORT

OMB Approval No.: 2130-0509

FEDERAL RAILROAD ADMINISTRATION (FRA)

(Continuation)

Inspector's ID No.	Report No.	Report Date
70845	30	2/12/04

Item	Insulator/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
28	422.90	M	M	213	0113	08	10	1		N	N	1	MTW

Description:
Head web separation with rail breakout on east rail at joint on north rail on east side of crossing.

Violation Recommended	Yes ☐ No ☒	Latitude	Longitude
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Insulator/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
29	423.00	M	M	213	0109	02	10	1		N	N	2	MTW

Description:
No effective support ties within the prescribed distance from a joint at 6 locations in close proximity to each other between crossings in Dermott.

Violation Recommended	Yes ☐ No ☒	Latitude	Longitude
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Insulator/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
30	423.10	M	M	213	0115	02	10	1		N	N	2	MTW

Description:
Rail-end mismatch on gage side of rail exceeds allowable. 1/2" in crossing.

Violation Recommended	Yes ☐ No ☒	Latitude	Longitude
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Insulator/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
31	423.10	M	M	213	0121	06	10	1		N	N	1	MTW

Description:
Less than 1 bolt per rail at each joint for conventional jointed rail in class 1 track at joint on south rail 4th joint east of crossing.

Violation Recommended	Yes ☐ No ☒	Latitude	Longitude
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No.	Report No.	Report Date
70845	30	2/12/04

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNPR*	RCL**	# of Occ.***	Activity Code
22	423.30	M	M	213	0121	06	10	1		N	N	1	MTW

Description
Less than 1 bolt per rail at each joint for conventional jointed rail in class 1 track at joint on north rail.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
Comments on back?		☐	

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNPR*	RCL**	# of Occ.***	Activity Code
23	423.40	M	M	213	0109	02	10	1		N	N	1	MTW

Description
No effective support ties within the prescribed distance from a joint at 5 separate locations.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
Comments on back?		☐	

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNPR*	RCL**	# of Occ.***	Activity Code
34	423.40	M	M	213	0063	05	10	1		N	N	1	MTW

Description
Deviation from zero crosslevel at any point on tangent exceeds allowable.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
Comments on back?		☐	

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNPR*	RCL**	# of Occ.***	Activity Code
35	423.40	M	M	213	0063	05	10	1		N	N	3	MTW

Description
Deviation from zero crosslevel at any point on tangent exceeds allowable at 3 locations.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
Comments on back?		☐	

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continuation)

OMB Approval No.: 2130-0009

Inspector's ID No. 70845		Report No. 30		Report Date 2/12/04	
-----------------------------	--	------------------	--	------------------------	--

Item	Milepost/Offset	Equipment/Track #	Type/Kind	49 CFR USC	Defect Code	Subcode	Speed	Class	Train #/Side	SNPR*	RCL**	# of Occ.***	Activity Code
36	423.40	M	M	213	0113	07	10	1		N	N	1	MTW
Description Bolt-hole crack breakout in joint on south rail.													
Violation Recommended: Yes ☐ No ☒ Latitude: Longitude:													
Written Notification to FRA or Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
Item	Milepost/Offset	Equipment/Track #	Type/Kind	49 CFR USC	Defect Code	Subcode	Speed	Class	Train #/Side	SNPR*	RCL**	# of Occ.***	Activity Code
37	423.50	M	M	213	0121	03	10	1		N	N	2	MTW
Description Center cracked or broken joint bar at joint on south rail just west of previous item.													
Violation Recommended: Yes ☐ No ☒ Latitude: Longitude:													
Written Notification to FRA or Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
Item	Milepost/Offset	Equipment/Track #	Type/Kind	49 CFR USC	Defect Code	Subcode	Speed	Class	Train #/Side	SNPR*	RCL**	# of Occ.***	Activity Code
38	423.70	M	M	213	0109	02	10	1		N	N	1	MTW
Description No effective support ties within the prescribed distance from a joint at location on south rail.													
Violation Recommended: Yes ☐ No ☒ Latitude: Longitude:													
Written Notification to FRA or Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
Item	Milepost/Offset	Equipment/Track #	Type/Kind	49 CFR USC	Defect Code	Subcode	Speed	Class	Train #/Side	SNPR*	RCL**	# of Occ.***	Activity Code
39	423.70	M	M	213	0121	03	10	1		N	N	1	MTW
Description Center cracked or broken joint bar at joint on outside bar on south rail.													
Violation Recommended: Yes ☐ No ☒ Latitude: Longitude:													
Written Notification to FRA or Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continuation)

OMB Approval No. 2130-0509

Inspector's ID No.	Report No.	Report Date
70845	30	2/12/04

Item	Initials/Datepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
40	423.70	M	M	213	0063	01	10	1		N	N	1	MTW

Description
Runoff in any 31-feet of rail at end of raise exceeds allowable. 8 3/8" measured on south rail.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Datepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
41	423.70	M	M	213	0121	06	10	1		N	N	2	MTW

Description
Less than 1 bolt per rail at each joint for conventional jointed rail in class 1 track at 2 joints on north rail at derailment site.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Datepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
42	423.70	M	M	213	0113	07	10	1		N	N	1	MTW

Description
Bolt-hole crack rail head breakout on south rail at west end of derailment site.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Datepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
43	423.80	M	M	213	0113	07	10	1		N	N	1	MTW

Description
Bolt-hole crack breakout in railhead at joint on north rail 200' east of crossing.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

(Continuation)

OMB Approval No. 2130-0509

Inspector's ID No. 79845		Report No. 30		Report Date 2/12/04	
-----------------------------	--	------------------	--	------------------------	--

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USD	Defect Code	Subcode	Speed	Class	Train #/Sic	SNPR*	RCL**	# of Occ.***	Activity Code
44	423.90	M	M	213	0053	02	10	1		N	N	1	MTW
Description: Gage dimension is less than allowable on tangent track. 55 3/4" gage at joint west of cross g.													
Violation Recommended: Yes ☐ No ☒ Latitude: Longitude: Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
45	423.90	M	M	213	0121	06	10	1		N	N	2	MTW
Description: Less than 1 bolt per rail at each joint for conventional jointed rail in class 1 track at 2 joints west of previous item.													
Violation Recommended: Yes ☐ No ☒ Latitude: Longitude: Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
46	423.90	M	M	213	0113	07	10	1		N	N	1	MTW
Description: Bolt-hole crack breakout in joint on south rail west of previous item.													
Violation Recommended: Yes ☐ No ☒ Latitude: Longitude: Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
47	424.30	M	M	213	0113	08	10	1		N	N	1	MTW
Description: Head web separation at joint on south rail.													
Violation Recommended: Yes ☐ No ☒ Latitude: Longitude: Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continuation)

OMRI Approval No.: 2130-0506

Inspector's ID No.	Report No.	Report Date
70845	30	2/12/04

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR**	RCL**	# of Occ.***	Activity Code
48	0043.40	Y	Y	213	0113	08	10	I		N	N	1	YTW

Description
Head web separation 4" of ball broke out on west rail north end of crossing.

Violation Recommended	Yes ☐ No ☒	Latitude	Longitude
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR**	RCL**	# of Occ.***	Activity Code
49	43.40	M	T	213	0037	08	10	I		N	N	1	TOM

Description
Excessive vegetation in toepaths and around switches where employees are performing normal trackside duties. Pine trees growing up in ballast line at switch at Industrial Park.

Violation Recommended	Yes ☐ No ☒	Latitude	Longitude
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR**	RCL**	# of Occ.***	Activity Code
50	42.60	M	T	213	0121	03	10	I		N	N	1	TOM

Description
Center cracked or broken joint bar at rear of Killin Switch on north rail.

Violation Recommended	Yes ☐ No ☒	Latitude	Longitude
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/Site	SNFR**	RCL**	# of Occ.***	Activity Code
51	42.60	M	T	213	0121	03	10	I		N	N	1	TOM

Description
Center cracked or broken joint bar at joint across from previous item.

Violation Recommended	Yes ☐ No ☒	Latitude	Longitude
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
		Comments on back? ☐	

DEPARTMENT OF TRANSPORTATION

INSPECTION REPORT

FEDERAL RAILROAD ADMINISTRATION (FRA)

(Continuation)

OMB Approval No. 2130-0509

Reporter's ID No. 70845		Report No. 30		Report Date 2/12/04	
----------------------------	--	------------------	--	------------------------	--

Item	Initials/Inspector	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subnote	Speed	Class	Train #/Bk	SNPR*	RCL**	# of Occ.***	Activity Code
52	42.60	M	T	213	0121	06	10	I		N	N	1	TOM
Description Less than 1 bolt per rail at each joint for conventional jointed rail in class I track at joint on turnout rail behind frog.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													
53	42.60	M	M	213	0121	07	10	I		N	N	1	MCH
Description Less than 2 bolts per rail at any joint in continuous welded rail. Only one bolt in rail end is CWR.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													
54	42.60	M	T	213	0037	08	10	I		N	N	1	TOM
Description Excessive vegetation in sorpaths and around switches where employees are performing normal trackside duties at Killen Switch.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													
55	42.60	M	T	213	0133	05	10	I		N	N	1	TOM
Description Loose, worn, or defective switch rod at Killen Switch.													
Violation Recommended: Yes ☐ No ☒ Written Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continued)

OMB Approval No.: 2150-0500

Inspector's ID No.	Report No.	Report Date
70845	30	2/12/04

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
56	42.40	M	T	213	0135	07	10	I		N	N	1	TOM

Description
Insecure switch stand or switch machine at Killen Switch.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
57	442.02	M	M	213	0121	07	10	I		N	N	1	MTW

Description
Less than 2 bolts per rail at any joint in continuous welded rail.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
58	442.02	M	M	213	0113	08	10	I		N	N	1	MTW

Description
Head web separation of 6" on north rail approx. 150' west of mile post.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subcode	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
59	441.50	M	M	213	0121	03	10	I		N	N	1	MTW

Description
Center cracked or broken joint bar on outside bar on south rail.

Violation Recommended	Yes ☐ No ☒	Latitude:	Longitude:
Written Notification to FRA of Remedial Action is:	Required ☐ Optional ☒	Railroad Action Code	Date (mm/dd/yyyy)
			Comments on back? ☐

DEPARTMENT OF TRANSPORTATION

INSPECTION REPORT

FEDERAL RAILROAD ADMINISTRATION (FRA)

(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No. 70845		Report No. 30		Report Date 2/12/04									
Item	Mile/Milepost	Equipment/Track #	Type/Kind	40 CFR/VSC	Defect Code	Subtype	Speed	Class	Train #/Sec	SNFR*	RCL**	# of Occ.***	Activity Code
60	441.00	M	M	213	0037	02	10	1		N	N	1	MTH
Description Vegetation obstructs visibility of railroad signs and fixed signals. Mile post hidden by pine trees.													
Violation Recommended: Yes ☐ No ☒ Latitude: _____ Longitude: _____													
Violation Notification to FRA of Remedial Action is: Required ☐ Optional ☒ Railroad Action Code: _____ Date (mm/dd/yyyy): _____ Comments on back? ☐													

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2120-0500

Inspector's Name PRICE, JESSE D		Inspector's Signature		Inspector's ID 70845	Report No. 31	Date yy mm dd 2004 2 12							
Railroad Company Name & Address DELTA SOUTHERN RAILROAD COMPANY Tallulah, LA 71284				R/C R	Division SYSTEM	RR/Co. Representative (Receipt Acknowledged) Name Don Avis Title Track Superintendent Signature							
From: City MONTICELLO	Codes 2680	Destination City & County DERMOTT		Codes 1070	From Latitude								
State AR	OS 05	City DERMOTT		1070	From Longitude								
County DREW	COA3 043	County CHICOT		0017	To Latitude								
Mile Post: From 0443.00 To 0422.00		Inspection Point: MAINLINE			To Longitude								
Activity Code MTW	MTW	TOM	RWP										
Unit: 16	4	4	2										
Item 1	Initials/Station 0433.20	Equipment/Track # M	Type/Kind M	49 CFR/USC 213	Defect Code 0121	Subcode 01	Speed 10	Class 1	Train #/Sic N	SNR** N	RCL** N	# of Occ.*** 6	Activity Code MTW
Description 6 different locations at derailment site have joints on the mainline which have no bolt holes drilled in one rail end. This segment of track has been allowed to remain in service for an extended period after the joints were created. 6 Violations are recommended with Civil Penalties.													
Violation Recommended Yes ☒ No ☐ Latitude: Longitude:													
Written Notification to FRA of Remedial Action is: Required ☒ Optional ☐ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
Item 2	Initials/Station 0426.10	Equipment/Track # M	Type/Kind M	49 CFR/USC 213	Defect Code 0121	Subcode 01	Speed 10	Class 1	Train #/Sic N	SNR** N	RCL** N	# of Occ.*** 3	Activity Code MTW
Description 3 different locations at culvert have rail joints that have no bolt holes drilled into one rail end. The mainline segment of track containing these joints has remained in service for an extended period of time after these joints were created. 3 Violations are recommended with Civil Penalties.													
Violation Recommended Yes ☒ No ☐ Latitude: Longitude:													
Written Notification to FRA of Remedial Action is: Required ☒ Optional ☐ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
Item 3	Initials/Station 0424.00	Equipment/Track # M	Type/Kind M	49 CFR/USC 213	Defect Code 0121	Subcode 01	Speed 10	Class 1	Train #/Sic N	SNR** N	RCL** N	# of Occ.*** 3	Activity Code MTW
Description 3 different locations at the phone tower have rail joints that do not have bolt holes drilled in one rail end. The segment of track which contain these conditions has been allowed to remain in service for an extended period of time after the creation of these joints. 3 Violations are recommended with Civil Penalties.													
Violation Recommended Yes ☒ No ☐ Latitude: Longitude:													
Written Notification to FRA of Remedial Action is: Required ☒ Optional ☐ Railroad Action Code: Date (mm/dd/yyyy): Comments on back? ☐													

Source Code A	File Number 34779	ID's of Accompanying Inspection(s) 34779
-------------------------	-----------------------------	--

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No. 70845		Report No. 31		Report Date 2/12/04	
-----------------------------	--	------------------	--	------------------------	--

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/SIC	SNFR*	RCL**	# of Occ.***	Activity Code
4	0423.70	M	M	213	0121	01	10	I		N	N	6	MTW
Description: 6 different locations at derailment site have rail joints that do not have bolt holes drilled in one rail end. This segment of track has been allowed to remain in service for an extended period of time after these rail joints were created. 6 Violations are recommended with Civil Penalties.													
Violation Recommended: Yes ☒ No ☐ Latitude: Longitude: Written Notification to FRA of Remedial Action is: Required ☒ Optional ☐ Remedial Action Code: Date (mm/dd/yyyy): Comments on back? ☐													
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect Code	Subrule	Speed	Class	Train #/SIC	SNFR*	RCL**	# of Occ.***	Activity Code
5	0422.00	M	M	213	0121	01	10	I		N	N	2	MTW
Description: 2 different locations west of crossing have rail joints that do not have bolt holes drilled in one rail end. These locations have remained in service for an extended period of time after these joints were created. 2 Violations are recommended with Civil Penalties.													
Violation Recommended: Yes ☒ No ☐ Latitude: Longitude: Written Notification to FRA of Remedial Action is: Required ☒ Optional ☐ Remedial Action Code: Date (mm/dd/yyyy): Comments on back? ☐													