

AGENCY: FRA
Docket number FRA-1999-6439
Docket title: Use of Locomotive Horns and Grade Crossings"
(Sent to FRA Docket via email submission 4/18/04)

PETITION TO STOP REINSTATEMENT OF TRAIN WHISTLE

We support our Commonwealth of Massachusetts Whistle Ban Home Rule Petition signed into law on 12/30/02. The law concluded after nearly three years of extensive study and public hearings that in the interest of safety, equality and fairness the 110 decibel whistle blast need NOT blow at the Concord crossings except in emergencies. The Home Rule Petition acknowledged that a whistle blast deemed excessive for some Concord crossings (safety considerations being equal) is excessive for all. IF IT IS INDEED AN ISSUE OF SAFETY THAT THE FEDERAL GOVERNMENT IS CONSIDERING, THEN IT SHOULD BE ADDRESSED WITH EQUANIMITY and not hypocrisy.

Steven Kulm, director of public affairs for the FRA, in an article by Sally Heaney in the Boston Globe Northwest section suggested that whistles will sound in Concord unless Concord takes action before then to qualify the crossings for quiet zone status.

The article then goes on to discuss "undocumented" whistle bans that might be considered as "Pre-Rule Quiet Zones" which might include all crossings in Concord except for the two in West Concord for which the whistle ban home rule petition was created. This is patently unfair.

The Federal Railroad Administration (FRA) site for existing whistle bans, rates them based on risk (data supplied on site). All of Concord's sites are rated "3", not qualified for quiet zone status.

We fought long and hard to correct the inequity surrounding the West Concord crossings as the only places between Acton and North Station where whistles were routinely blown. The use of an arbitrary date of 10/9/96 does not address the safety issues of each of Concord's rail crossings, namely that they are all equally safe.

Nearly 2,200 Concord residents will be affected by the new rule, 740 of those will be severely affected by the injurious horn whistles. For details go to <http://www.concordblast.com>

Does sounding the whistle in West Concord 96 times per day (32 trains @ 3 whistle soundings per train) makes us 96 times safer or just 96 times noisier? We believe the latter and have affixed our name to this document in protest to the FRA proposal to reinstate the 110 decibel train whistle in such an inequitable manner.

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