

DEPARTMENT OF DEFENSE**Department of the Army****Military Traffic Management Command; Security Rules and Accessorial Service Governing the Movement of Department of Defense Freight Traffic by Rail Carrier**

AGENCY: Military Traffic Management Command (MTMC), DOD.

ACTION: Final notice (Rail Security Policy Change).

SUMMARY: The Military Traffic Management Command is changing rail security policy in the Military Traffic Management Command Freight Traffic Rules Publication No. 10 (MFTRP No. 10). The addition of Item 110 combines two existing transportation protective services, Tank Surveillance Service and Rail Surveillance Service, into a new service, i.e., Rail Inspection Service, which clarifies where and under what circumstances Arms, Ammunition and Explosives; Tanks; Wheeled Vehicles; and other Sensitive items are protected while being shipped by rail. The addition of Item 115 establishes and defines a tracking service mandatory for all rail movement.

EFFECTIVE DATE: April 1, 1999.

ADDRESSES: Headquarters, Military Traffic Management Command, ATTN: MTOP-T, 5611 Columbia Pike, Falls Church, VA 22041-5050.

FOR FURTHER INFORMATION CONTACT: Mr. Mark Gerade, e-mail geradem@baileys-emh5.army.mil or Mr. Robert Jones, jonesr@baileys-emh5.army.mil, Headquarters, Military Traffic Management Command, ATTN: MTOP-OP, 5611 Columbia Pike, Falls Church, VA 22041-5050, telephone (703) 681-6109/6089.

SUPPLEMENTARY INFORMATION:**Background**

The Military Traffic Management Command undertook an initiative to enhance rail security in 1994 in an effort to reduce loss and theft of military shipments. Over the past several years, MTMC has held three meetings involving shippers and carriers, briefed the proposal at two Government Rail Committee Meetings, attended special Association of American Railroads-sponsored videoteleconferences, and participated in three on-the-ground meetings with major railroads to discuss MTMC's draft publication. A number of issues have been raised and successfully resolved to enhance the viability of the publication. The notice of proposed changes was published for public comment in the **Federal Register** Vol 61,

No. 177, pages 47894-47897, September 11, 1996. No comments were received. The Military Traffic Management Command Freight Traffic Rules Publication No. 10 (MFTRP No. 10) is changed to read as follows.

Item 85—Application

1. The Transportation Protective Services (TPS) set forth in this section applies to rail carriers offering to transport arms; Division 1.1, 1.2, and 1.3, ammunition, explosives, fireworks, chemical munitions, and other commodities which may require physical security protection while in transit.

2. When a TPS service is required on shipments moving TOFC/COFC service, rail carriers will ensure the appropriate motor TPS applicable to the highway portion incident to the TOFC/COFC movement is provided. The motor TPS is set forth in Section 2 of MTMC Freight Traffic Rules Publication No. 1A (MFTRP No. 1A). Only MTMC approved munitions motor carriers may be used to transport shipments over the highway.

3. Timely is defined in terms of immediate notification of delivery and advising the government not later than two hours after a serious accident or incident.

4. Inspectors will be a railroad police officer, railroad employee (trained) other than police, or instructed personnel (trained), which could include contract security firms designated by the carrier to inspect the rail car(s).

[A person is considered "trained and instructed" when he or she is employed by the railroad or the terminal involved in the handling of shipments, has been trained by the railroad/terminal to inspect rail car(s), is aware of the sensitivity of material moving under RI, and is knowledgeable of safety, security and emergency procedures that must be followed. Trained and instructed contract personnel may be used to conduct inspections of rail car(s) but must meet the same criteria as personnel designated by the carrier to inspect rail car(s).]

5. When carrier has identified areas which are known trouble spots, shipments will be routed to avoid these areas or, if unavoidable, be expedited through these areas.

6. Shippers are not required to but should take into consideration the following damage and loss prevention measures to ensure the protection of Department of Defense Cargo:

a. Damage prevention measures of military vehicles are as follows:

(1) Face wheeled-vehicles rearward on the train, roll down side windows,

and lower windshields that can be lowered.

(2) Turn side mirrors inward.

(3) Protect open glass with plywood, cardboard, or a double layer of bubble wrap (prioritized by level of protection afforded, cost versus benefit must be evaluated).

(4) Properly document all vehicle damage at origin and destination.

b. Loss prevention measures for sensitive items in containers are as follows:

(1) Place containers, including CONEXs, door-to-door to block access.

(2) Order flatcars that will accommodate door-to-door placement of MILVANs.

(3) Seek assistance from MTMC commands on technical characteristics of flatcars.

(4) Store sensitive items, including Night Vision Device's (NVD's), in approved containers only. (Note: NVD's must be provided double barrier protection, i.e., in a locked shipping container inside a locked rail car, trailer, dromedary, CONEX, or MILVAN.)

(5) An NVD storage case does not equate to one of the double barriers.

(6) Never place the sensitive item packing list on the outside of the containers, trailers, or rail cars.

(7) Contact your local provost marshal/law enforcement officials during loading and/or shipping to ensure proper protection for sensitive items.

Item 95—Rail Armed Guard Surveillance Service (RG) (Note)

1. Definition. Rail Armed Guard Surveillance Service (RG). RG is a TPS that provides one armed guard to maintain constant and specific 24-hour surveillance on a DOD shipment consisting of one or more cars in the same train.

2. Annotation. RG will only be furnished upon request of the shipper by annotation in blocks 15 & 31 on the bill of lading as follows: "Rail Armed Guard Surveillance Service (RG) Requested"

3. Requirement. Carriers providing RG must:

a. Perform all functions of Rail Inspection Service (RI) as specified in Item 110.

b. Maintain surveillance at all rail stops as well as in yards and terminals where train stops. All security seals and/or locks will be checked at all stops and documented using the format set forth in the NOTE at the end of this Item.

c. Ensure guards will be augmented as required to maintain continuous observation on rail car(s) transporting shipment(s).

d. Ensure guards do not leave shipment until properly relieved by another guard or consignee at destination.

e. Inspect the refrigeration/heating units of environmentally controlled cars, trailers or containers in transit at least twice during each 24-hour period for the purpose of maintaining temperature requirements. Inspections must be at least 10 hours apart. The temperature requirement for each shipment will be annotated on the bill of lading by the shipper. Immediately following each required inspection, an authorized carrier representative will make a report by telephone to the consignee and the appropriate toll free 800-Hotline telephone number (see Item 180), furnishing the information called for in the sample format show in NOTE of this Item. The cost of telephone calls to other than toll free numbers will not be borne by the Government.

f. It may be more advantageous in some circumstances to have a railroad police officer, railroad employees (trained) other than police, or instructed personnel (trained), which could include contract security firm personnel, ride in a separate motor vehicle paralleling the train, rather than on the train. The railroad has the option to decide which is more secure.

4. Notification. If suspicion of tampering or sabotage exists at any point during movement of the shipment, the railroad special agents office will immediately notify either the consignee, HQMTMC at (703) 681-6125, or one of the 24-hour MTMC 800-Hotline telephone numbers (See Item 180). If necessary, the carrier will solicit the aid of local, state or federal law enforcement officials to secure the shipment.

5. Charges. When requested by the shipper, the rail carrier(s) will provide RG on shipments of single car loads or shipments of multiple car loads in the same train at a charge of RG(1) \$_____ per highway mile per car or in lieu thereof a flat charge of RG(2) \$_____ per car. The charges will apply from point of origin to point of destination and will be in addition to all other charges for transportation of shipments requiring this service.

In Section F(1) of the tender, carriers will complete either RG(1) or RG(2), but not both.

Note: Information to be furnished per instructions in paragraph 2e above:

1. Person and carrier reporting: _____
2. City or place of inspection: _____
3. Local arrival time at checkpoint: _____
4. Local time inspection was performed: _____
5. Interior temperature of the equipment: _____
6. Approximate outside temperature: _____

7. Government seals intact: Yes () No ()

8. Replaced by seal number: _____

9. Air conditioning unit working: Yes () No () _____

10. Arrangement made for repair: _____

11. Entries made on log attached to equipment: Yes () No () _____

12. Estimated or actual time or departure from checkpoint: _____

13. Estimated time of arrival at next checkpoint or destination: _____

Item 100—Rail Surveillance Service (RS)

Deleted.

Item 105—Tank Surveillance Service (TS)

Deleted.

Item 110—Rail Inspection Service (RI)

Rail Inspection Service (RI) replaces two rail security services, Rail Surveillance Service (RS) and Tank Surveillance Service (TS). Greater Security Service (GS), as defined in item 90, will still be maintained for all shipments. GS automatically includes Military Traffic Expediting Service (MX) (See Item 115). RI service incorporates the inspection and/or surveillance requirements of each of the services RI replaced. 1. Definition. Rail Inspection Service (RI) is performed by rail carriers for intranet protection of sensitive and pilferable items; RI automatically includes MX (See Item 115). Inspection under RI is external only to assure the integrity of the shipment (container or vehicle) and the seals/locking devices. RI is required for the movement of Abrams tanks, and other ground vehicles with sensitive armor, Categories II through IV, and uncategorized (at DOD component headquarters direction); arms; ammunition, and explosive (AA&E); and night vision devices (NVD). RI is optional for vehicle movements and unit or other movements involving pilferable items, such as high value communications and electronics.

2. Annotation. RI will only be furnished upon request of the shipper by annotation in blocks 15 & 31 on the bill of lading as follows:

“Rail Inspection Service (RI) Requested.”

3. Requirements. Carriers providing RI must:

- a. For all Shipments under RI:
 - (1) Automatically includes Military Traffic Expediting Service (MX) (See Item 115).
 - (2) Inspect each rail car containing shipments requiring RI. Inspection will be performed by railroad police officer, railroad employees (trained other than police, or instructed personnel (trained)

which could include contract security firms designated by the carrier within one hour after train has entered a rail terminal. Reinspection will take place every hour thereafter until the train departs. For shipments located at a working terminal, where carrier personnel are present and can provide continuous observation, hourly inspections are waived provided the train is on an inside track. When hourly inspections are performed, they will be documented.

(3) Inspections will be required at terminals on arrival and departure and at all interchange points between railroads.

(4) Documentation of inspections made by railroad police officer, railroad employees (trained) other than police, or instructed personnel (trained), which could include contract security firms, will be available for review within 24 hours of inspection completion.

(5) While intranet and not in a working terminal, railroad police officer, railroad employees (trained) other than police, or instructed personnel (trained), which could include contract security firms designated by the carrier, will inspect the rail car(s) containing the shipment every hour when a delay is more than 90 minutes.

(6) Assure complete interchange security procedures are in effect and recorded when transferring the shipment to another railroad, or intermodal carrier, or with the government. Interchange procedures between railroads, intermodal carriers, and with the government are vital to ensure continuity of security. Where needed, a formal Memorandum of Agreement will exist between parties to ensure continuous protection.

(7) Where feasible, place shipments transiting rail yards in well-lighted areas, on an inside track, near the tower, and/or otherwise under the general observation of railroad police officer, railroad employees (trained) other than police, or instructed personnel (trained), which could include contract security firms designated by carrier.

(8) Notify the consignee in a timely manner of arrival at destination and continue inspections until physical hand-off has occurred.

(9) Documentation of all inspections will include the following information, as applicable.

- (a) Name of carrier reporting.
- (b) Name of Inspector and his/her signature.
- (c) Time of each inspection or acceptance for continuous observation.
- (d) Actual arrival time at terminal.

(e) Actual departure time from terminal.

(f) Condition of conveyance(s) and seals/locking devices.

b. For Arms, Ammunition, and Explosives (AA&E) and containerized Night Vision Devices (NVD) the carrier is responsible for:

(1) Inspecting container seals/locks. If found broken, reseal with same or equivalent device. Report broken seals/locks or other security problems with containers to one of the 24-hour MTMC 800-Hotline numbers listed in Item 180.

(2) Ensuring containers are positioned door-to-door or otherwise placed with door inaccessible.

(3) If an odd number of containers/MIL VANs, other than one, is loaded on an individual rail car, loading is door-to-door and the remaining container is loaded with the door facing the end of another container/MIL VAN.

c. For M1 Abrams Tanks the carrier is responsible for:

(1) Inspections that call for external observation and inspection by railroad police officer, railroad employees (trained) other than police, or instructed personnel (trained), which could include contract security firms, of each vehicle within one hour after it has stopped and at least once each hour during each stop. Documentation supporting hourly checks is subject to review.

(2) In addition to the requirements in paragraph 3a above, the following inspections will be performed by the carrier to ensure the integrity of the shipment and will be conducted from the ground unless exceptions are noted:

(a) Ensure tank armor plate, tie downs, or other parts are secure and intact.

(b) Ensure tank skirts are not damaged and secured with transloc bolts.

(c) Inspect vehicle openings (driver's hatch, loading hatch) to ensure they are adequately secured (locked and sealed or welded).

(d) Inspect equipment boxes to ensure exterior integrity of the boxes and that seals/locking devices and tie downs are intact.

(3) If the armor is penetrated, the shipment will continue to be protected by the carrier in conjunction with an on-the-scene investigation by military representatives.

(4) Railroad police officer, railroad employees (trained) other than police, or instructed personnel (trained), which could include contract security firms, will concentrate their physical inspection in those areas depicted in the diagram for the M1 Abrams Tank which is found in the Security Classification Guide for M1 Abrams Tank.

d. For Non-Sensitive Armored/Wheeled Vehicle Inspections (Optional):

(1) This service may be used at the shipper's option for the movement of armored and wheeled vehicles (excluding the M1 Abrams Tank family of vehicles and certain ground tracked vehicles with sensitive armor, for which RI is mandatory). Inspection calls for the external observation and inspection by railroad police officer, railroad employees (trained) other than police, or instructed personnel (trained), which could include contract security firms of each rail car transporting military vehicles, IAW paragraph a above.

(2) The following inspections will be performed by the carrier to ensure the integrity of the shipment and will be conducted from the ground unless exceptions are noted:

(a) Inspect wheeled vehicles for glass damage and all vehicles for signs of pilferage, theft, or serious damage.

(b) Ensure tie downs are secure and intact.

(c) Inspect vehicle openings of tanks and tactical vehicles (driver's hatch, loading hatch) to ensure they are adequately secured (locked and sealed or welded).

(d) Sensitive or pilferable items shipped along with tanks and other tracked vehicles should be in separate, approved containers. The shipper is responsible for securing the vehicle's opening and all containers. The seals/locks devices will be inspected by railroad police officer, railroad employees (trained) other than police, or instructed personnel (trained), which could include contract security firms, to ensure that they are adequately secured.

4. Reporting Procedures.

a. The shipper must report shipment information to the Deployment Support Command (DSC) in advance of movement and must include the GS or RI code on GBL.

b. In the event of any serious accident or incident, suspected or actual tampering and if the carriers believes a threat exists, the carrier will immediately notify either the consignee, HQMTMC at (703) 681-6125, or one of the 24-hour MTMC 800-Hotline telephone numbers (See Item 180). If necessary, the carrier will solicit the aid of local, state or federal law enforcement officials to secure the shipment. Damage reporting of serious accidents or incidents will be reported within two hours following occurrence.

c. If evidence of forced entry or tampering with seals has occurred, the carriers will immediately notify the consignee and MTMC 800-Hotline numbers (See Item 180).

5. Charges. In addition to all rates and charges for transportation, shipments for which RI is provided by carrier at shipper's request will be subject to a charge of RI (1) \$_____ per highway mile per car (See Item 75), subject to a minimum charge of RI(2) \$_____ per car, or in lieu thereof a flat charge of RI(3) \$_____ per car. In Section F(1) of the tender, carriers will complete either RI(1) and RI(3) but not more than one. Charges will be all-inclusive and apply from origin to final destination.

Item 115—Military Traffic Expediting Service (MX)

1. Military Traffic Expediting Service (MX) is an automated tracking service provided by the carrier for military carload shipments of unclassified cargo, which do not require seals or terminal inspections. This service uses a central computer linked with member railroads to track carload shipments and is capable of reporting on single line and joint-line movements.

2. MX service will automatically be provided by the carrier without cost. However, before the service can be initiated, it is the responsibility of the shipper to promptly communicate the shipment information to the Deployment Support Command routing office. This information is to include: origin, stop-offs (if applicable), final destination, commodity, date of shipment, date shipment is due at destination, route order number, routing with junction points, GBL number, and rail car initials (i.e., DODX 40000).

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DEPARTMENT OF DEFENSE

Department of the Army

Corps of Engineers

Intent To Prepare a Supplemental Environmental Impact Statement (SEIS) for Proposed Modifications to Barbers Point Harbor, Oahu, Hawaii

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Engineer District, Honolulu, in partnership with the State of Hawaii, Department of Transportation, Harbors Division, is proposing modifications to Barbers Point Harbor. Barbers Point Harbor is located on the west side of the island of Oahu in the Ewa region. The completed