



# National Transportation Safety Board

Washington, D.C. 20594  
Safety Recommendation

*LDGM-355A*

**Date:** September 25, 1989

**In reply refer to:** M-89-78

Honorable Gilbert E. Carmichael  
Administrator  
Federal Railroad Administration  
400 Seventh Street, S.W.  
Washington, D.C. 205900

On May 6, 1988, the 500-foot-long Cyprian Bulk Carrier PONTOKRATIS was proceeding outbound in the Calumet River under the control of a Canadian pilot with the assistance of two harbor tugs. While transiting the CSXT bridgedraw, the navigation bridge of the PONTOKRATIS struck the CSXT railroad bascule bridgeleaf, and the bridgeleaf collapsed atop the vessel's wheelhouse, about 2009. The pilot, the master, and crewmembers exited the wheelhouse and ran onto the stern of the vessel. No one was injured as a result of the accident. The CSXT bridge was a total loss, estimated between \$10 and \$12 million. The navigation bridge of the PONTOKRATIS was crushed, and the damage to the vessel was estimated to be about \$2.5 million.<sup>1</sup>

After this accident occurred, no toxicological tests were made of the individuals involved. The availability of toxicological test results for the principal individuals involved in the casualty would have enabled the Safety Board to determine more certainly if alcohol or drugs were implicated in the casualty. In hindsight, one element of the Coast Guard investigating officers' decision not to order testing for the mariners under their authority proved to be premature. Their stated impressions that the problem lay with the CSXT bridge rather than the PONTOKRATIS was not substantiated by the Safety Board investigation.

The Safety Board investigation did not produce any evidence that the mariners or the railroad bridgetender were under the influence of alcohol or drugs at the time of the casualty. No witnesses took any issue with the conduct of the pilot, the master, or members of the crew in the pilot house before or after the collision with the railroad bridge. Other evidence in the investigation indicated that the bridgetender was well known to abstain

<sup>1</sup>For more detailed information, read Marine Accident Report--"Ramming of the CSXT Railroad Bridge by the Cyprian Bulk Carrier M/V PONTOKRATIS Calumet River, Chicago, Illinois, May 6, 1988" (NTSB/MAR-89/05)

altogether from alcoholic beverages and local police investigators found no reasonable cause to request testing. The actions and performance of the individuals involved did not suggest deficient performance resulting from conspicuous impairment of sensation and/or motor functions. Given the number of individuals involved in the navigation of the PONTOKRATIS during the outbound transit, impaired functions would likely have been apparent to one or more witnesses. No evidence of operating deficiencies was reported to either the Coast Guard investigating officers, local police or to Safety Board investigators.

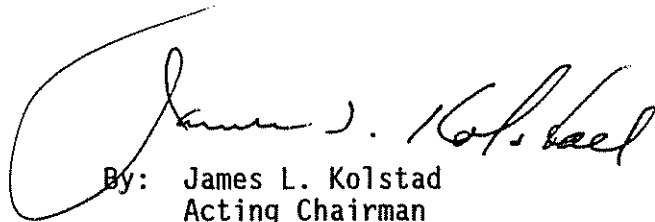
The Safety Board does not agree with the exempt status for the bridgetender from the FRA rule for toxicological testing. Since the bridgetender's duties included the operation of an interlocking, at least some of his duties were those of a towerman and even the raising and lowering of the bridge affects the operation of the railroad. However, it is doubtful that the FRA intended that a collision between a ship and a railroad bridge be an event that qualified for post-accident toxicological testing under 49 CFR 219.201. The Safety Board believes that the FRA needs to amend 49 CFR 219.201 to include serious accidents in which the raising and lowering of railroad bridges are involved and to include the operators (bridgetenders) of those bridges, even when a train is not involved.

Therefore, the National Transportation Safety Board recommends that the Federal Railroad Administration:

Amend 49 CFR 219.201 to include serious accidents involving railroad bridges and the operators of these bridges even when a train is not involved. (Class II, Priority Action) (M-89-78)

Also, the Safety Board issued Safety Recommendations M-89-69 through -77 to the U.S. Coast Guard; M-89-79 through -83 to National Oceanic and Atmospheric Administration, National Ocean Service; and M-89-84 through -87 to the U.S. Army Corps of Engineers. The Safety Board also reiterated Safety Recommendations M-85-14 through -16 to the U.S. Coast Guard.

KOLSTAD, Acting Chairman, and BURNETT, LAUBER, NALL and DICKINSON, Members, concurred in this recommendation.

  
By: James L. Kolstad  
Acting Chairman