



Midland Engineering, Ltd.

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December 27, 2016

Laura Fiffick  
BNSF Railway  
Director Environmental Compliance  
2500 Lou Menk Drive, 3rd Floor  
Fort Worth, TX 76131

Via email: laura.fiffick@bnsf.com

**Re: RCMS® Certification audit of BNSF Railway in Fort Worth, TX, to the ACC Rail Option Technical Specification  
Midland Engineering Limited # MELKM1609-081**

Dear Ms. Fiffick,

Following are the findings of the RCMS® Certification audit conducted at BNSF Railway in Fort Worth, TX, December 20-22, 2016, by Kevin B. Mayo - CPEA and Wayne Winslow - CPEA. Mr. Mayo and Mr. Winslow are certified Responsible Care® auditors and Midland Engineering Ltd. (MEL) is an approved Audit Service Provider through BEAC (Board of Environmental Health and Safety Auditor Certification).

Scope:

The scope of the audit included BNSF Railway in Fort Worth, TX, to the Responsible Care® Management System Rail Option Technical Specification (2013)

**GENERAL BACKGROUND AND INFORMATION**

Opinions:

RCMS® audit opinion options are defined by the ACC as either a “Pass” or “Requires Additional Work”.

Audit findings definition:

Audit findings are ranked as major or minor.

- Major findings will have to be corrected before a “Pass” rating will be given.

- Minor findings will need a good corrective action plan with time targets in place before a “Pass” rating will be given. Note: for this to be acceptable, the site must have a functioning system that tracks audit findings to closure. This was found to be the case during the subject audit.

Client response:

The site has 30 days from the receipt of the draft audit report (from MEL) to respond to the findings (by filling in the appropriate boxes – see below) with a documented corrective action plan for each finding.

Certificate of conformance:

When a site or headquarters for a specific company has received a “Pass”, a certificate of conformance to the RCMS® management system specification will be issued to the facility by MEL listing the facility by name and address.

Reporting certification status to the ACC:

The client shall be responsible to report its Certification status to ACC annually as part of ACC’s mandatory performance reporting requirements. It shall also communicate to ACC when it has achieved its RC Certification requirements for each cycle. This latter communication shall not be sent until the Organization has effectively completed follow up needed to address non-conformances.

Client disputes & disagreements:

Should a client have a dispute regarding an audit finding or disagree with either process or procedure, these will be considered to be high priority issues and will be addressed promptly. Every attempt will be made to quickly and appropriately resolve the issue. If resolution attempts fail, MEL will notify BEAC of the issue. MEL will continue to work with BEAC and the client until the issue has been fully resolved.

**AUDIT RESULTS AND REPORT**

Management System Strengths:

The following is a brief summary of strengths observed at BNSF:

- Developing use of drones
- HAZMAT audit process.
- Leading development of Positive Train Control
- Newest fleet in the industry
- Participation in the Campbell Institute
- Pushing the envelop on tank car specification

- Responsible Care® Management System Rail Option Partner Playbook


Non Conformance Summary (detailed findings are included below):

There were no non-conformance findings associated with this audit.

Opinion: Based on the results of the audit, BNSF Railway receives a “Pass” audit opinion.

Further Follow-up: There is no follow-up required.

Sincerely,

  
Kevin B. Mayo – CPEA; CPSA  
Vice President  
Midland Engineering Limited  
720 W. Wackerly  
Midland, MI 48640  
585-771-7422

This information is based upon management system documentation, conditions and practices observed and the data made available at the time of its collection. Unless otherwise stated in writing, our personnel, publications, services, and surveys do not address life safety or third-party liability issues. The provision of auditing service is not meant to imply that every possible deficiency has been identified at a facility or that no other deficiencies exist. MEL does not assume and shall have no liability for the control, correction, continuation or modification of any existing procedures conditions or operations.