

# Safety and Enforcement Division



## Monthly Performance Report

January 2019

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## California Public Utilities Commission | Safety and Enforcement Division

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### Disclaimer

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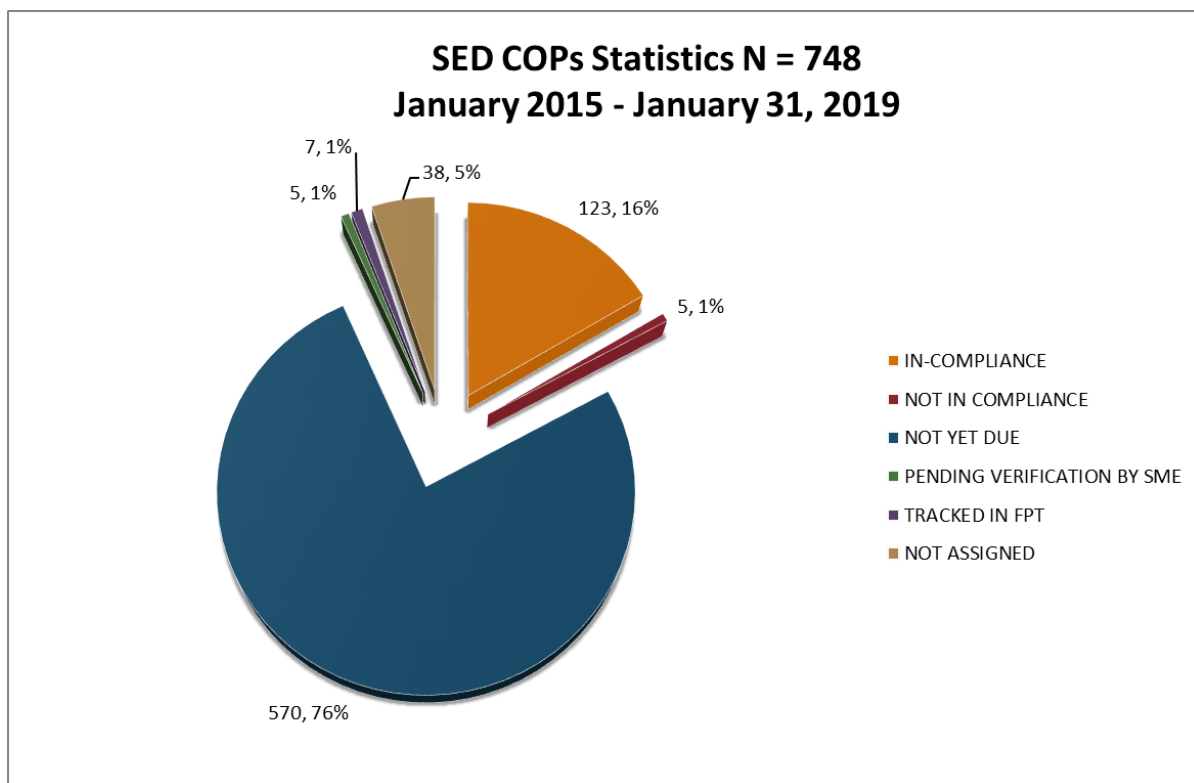
This Report has not been approved or disapproved by the CPUC.

## COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

Through January 31, 2019, SED shows 748 total entries in the COPS system; with 123 reaching compliance (16%), 570 (76%) not yet due for compliance, and 5 (1%) currently remaining out of compliance. 5 (1%) are pending verification. 709 (95%) of all Ordering Paragraphs are assigned to members of staff.

During January 2019, there was 102 new OPs recorded to the COPS database for the Safety & Enforcement Division.

Note the category of “tracked in financial payment tracker” (FPT) has been verified and has been deemed “in compliance” but is listed separately in the COPS tracker.



## NATURAL GAS SAFETY PROGRAM

### STAFF CITATION PROGRAM

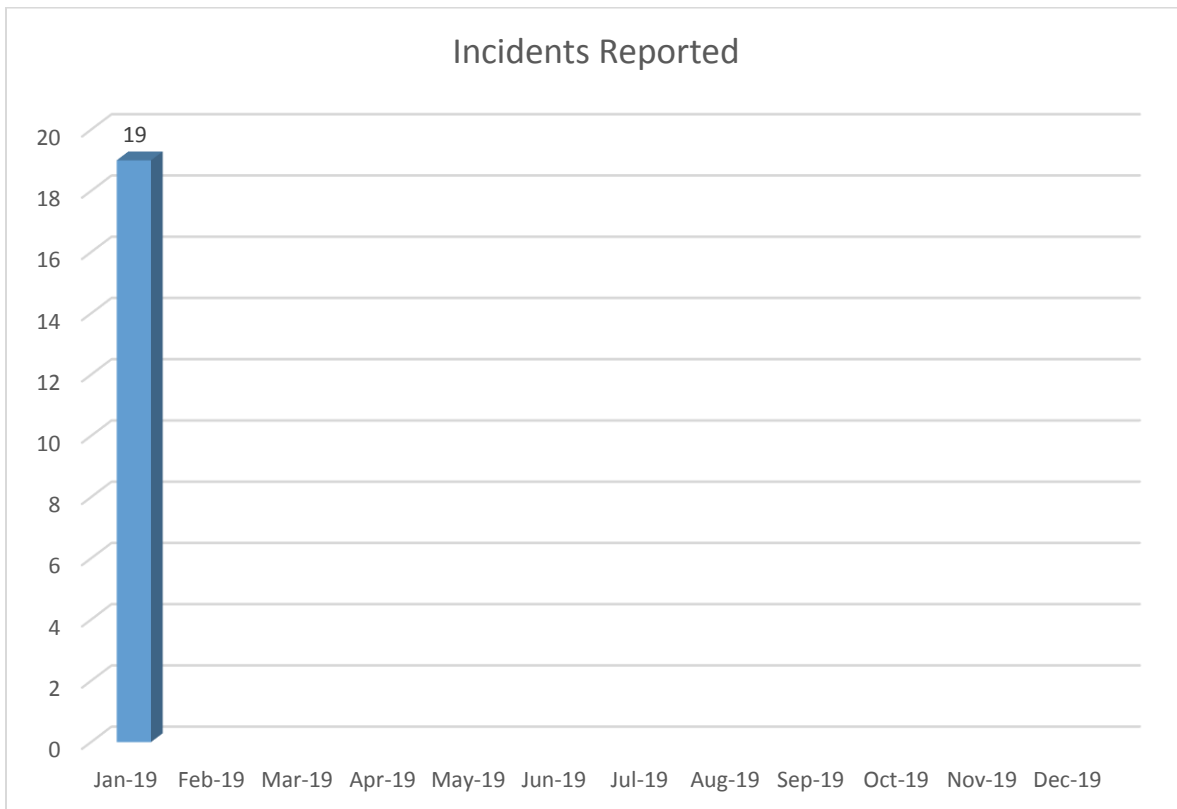
| Citation Number         | Utility  | Amount              | Violations                    | Date Cited | Appealed | Status |
|-------------------------|----------|---------------------|-------------------------------|------------|----------|--------|
| D.16-09-055 G.19-02-001 | SoCalGas | \$ 3,300,000        | 192.13 (c), PU Code 451 & 702 | 2/1/2019   |          | Active |
| <b>Total Cited 2019</b> |          | <b>\$ 3,300,000</b> |                               |            |          |        |

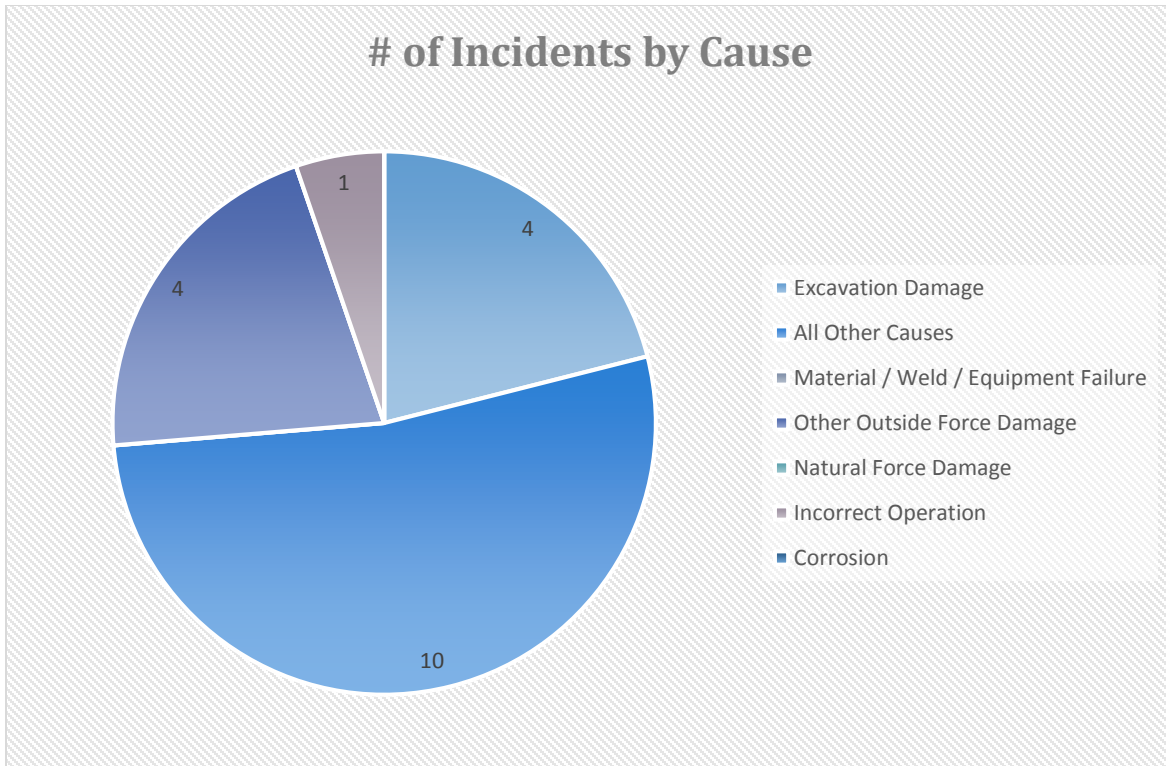
### INSPECTIONS

|                        | 2018 | 2019 |
|------------------------|------|------|
| Conducted              | 41   | 3    |
| Final Report Completed | 32   | 0    |

### INCIDENT INVESTIGATIONS

As of January 31, 2019, GSRB Staff received 19 incidents year to date.





The CY 2019 incidents<sup>1</sup> are categorized as follows:

|               | Level 1 | Level 2 | Level 3 | Level 4 | TOTAL |
|---------------|---------|---------|---------|---------|-------|
| <b>Open</b>   | 7       | 11      | 1       | 0       | 19    |
| <b>Closed</b> | 0       | 0       | 0       | 0       | 0     |
| <b>TOTAL</b>  | 7       | 11      | 1       | 0       | 19    |

<sup>1</sup> Level 1: The incident did not result in injury, fatality, fire or explosion. Level 2: The incident did not result in injury, fatality, fire or explosion. The incident may have been reported due to Operator judgment. Level 3: The incident resulted in a release of gas, but the incident did not result in injury, fatality, fire or explosion. Level 4: The incident resulted in injury, fatality, fire or explosion caused by release of natural gas from the Operator’s facilities.

### UTILITY SELF-IDENTIFIED VIOLATION (SIV) INVESTIGATIONS

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At the end of each year, the SIV process owner will conduct an annual review, which includes a trend analysis of systemic issues, determination of investigation effectiveness, and possible revision of investigation criteria. There were none self-identified violations reported in January.

### NATURAL GAS RELATED PROCEEDINGS

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- **Gas Safety OIR (R.11-02-019) (Commissioner Guzman Aceves/ALJ Kersten) (Advisory):** The proceeding amended General Order GO 112-F, made fully effective no later than January 1, 2017. R.11-02-019 was closed in June 2015, however, it was re-opened after various applications for rehearing were filed by intervenors including the Utility Workers Union of America, the Office of ratepayer Advocates and the City of San Carlos. In February 2017, D. 17-02-015 disposed of a joint rehearing request from the San Carlos and ORA. In addition, Pacific Gas and Electric Company filed a petition to modify Decision 15-06-044 on January 31, 2017, on issues related to cost recovery. Disposition of PG&E's petition and UWUA's application is pending. On August 11, 2017, SED filed a subsequent petition to modify D. 15-06-44, seeking to conform GO 112F to more stringent federal regulations. The matter is pending.
- **Mobile Home Parks Pilot Program (Implementing D.14-03-021) (ALJ Semcer/ Commissioner Rechtschaffen):** This decision established a three-year pilot program authorizing each California investor-owned utility to convert 10 percent of master-metered gas and/or electric Mobile Home Park spaces within its operating territory to direct utility service. San Diego Gas & Electric Company (U902M) filed A.17-05-008/ A.17-05-007 for Approval to Extend the Mobile Home Park Utility Upgrade Program. The Commission on September 29, 2017, extended the program through the end of 2019 via Resolution E-4878. Rulemaking 18-04-018 (ALJ Kersten / Commissioner Rechtschaffen) was filed on April 26, 2018, Order Instituting Rulemaking to Evaluate the Mobilehome Park Pilot Program and to Adopt Programmatic Modifications. PHC for Rulemaking 18-04-018 occurred on July 30, 2018. Scoping memo issued on 8/31/2018. SED/ED convene utility technical working group to refine annual report template and data gathering 30 days from Scoping Memo.

Workshop #1 was held on 10/17/2018. A ruling on 2/15/2019, is seeking comments by March 1, 2019, and reply comments by March 8, 2019, regarding Annual Report template and 2019 Utility Annual Reports by March 1, 2019 and noticed a workshop for March 20-21, 2019.

- **PG&E Locate and Mark Practices OII (I.18-12-007) (Commissioner Rechtschaffen/ALJ Allen) (SED Advocacy):** The Order Instituting Investigation and Order to Show Cause on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Locate and Mark Practices and Related Matters was issued on December 13, 2018. CPUC institutes this formal investigation to determine whether PG&E has violated legal requirements for the utility to timely locate and mark natural gas pipelines to ensure that third party construction excavation does not damage pipes and other components and thus diminish safety. This OII also directs PG&E to show cause as to why the Commission should not find violations in this matter, and why the Commission should not impose penalties, and/or any other forms of relief, if any violations are found. PG&E is directed in this order to provide a report on these matters, provide answers to certain questions, and to provide other specified information to the Commission. On 2/5/2019, a Law and Motion Hearing was held. A Prehearing Conference is scheduled for 4/4/2019.
- **Citation Program OIR (R.14-05-013) (President Picker/ALJ Burcham) (Advisory):** Decision 16-09-055 was issued on September 29, 2016. Some key points are listed below:
  - An administrative limit of no more than \$8 million for each citation.
  - Utility reporting of self-identified potential violations is voluntary.
  - Utilities need not notify city and county officials of a self-identified potential violation unless staff requires it.
  - This proceeding was reopened on February 21, 2017, as Senator Jerry Hill issued a petition for modification requesting the Commission to modify the decision to keep in place, rather than weaken, the mandatory reporting requirements that were imposed under ALJ-274. In March, several parties filed comments to Senator Hill's request, and Hill filed reply comments in early April. The matter is pending.



## ELECTRIC SAFETY AND RELIABILITY PROGRAMS

In January 2019, Electric Safety and Reliability Branch:

- Received 7 electric facilities incident reports and closed eleven previously reported electric facilities incident investigations;
- Investigated 28 customer safety and reliability complaints;
- Issued four Notice of Violation letters/reports.
- Monitored nine planned outages and seven forced outages reported by natural gas and renewable energy power plants.

### Electric Facilities and Generation Incident Investigations as of January 31, 2019

| ESRB                                      |                     | Level 1 | Level 2 | Level 3 | Level 4 | Total <sup>2</sup> |
|---|---------------------|---------|---------|---------|---------|--------------------|
| <b>Total open incidents</b>               | Electric Facilities | 3       | 5       | 43      | 57      | 108                |
|   | Generation          | 0       | 0       | 1       | 2       | 3                  |
| <b>Total incidents reported in 2019</b>   | Electric Facilities | 0       | 0       | 6       | 1       | 7                  |
|   | Generation          | 0       | 0       | 0       | 0       | 0                  |
| <b>Total incidents closed in 2019</b>     | Electric Facilities | 0       | 3       | 2       | 6       | 11                 |
|   | Generation          | 0       | 0       | 0       | 0       | 0                  |
| <b>Total open 2019 incidents</b>          | Electric Facilities | 0       | 0       | 6       | 1       | 7                  |
|   | Generation          | 0       | 0       | 0       | 1       | 1                  |
| <b>Incidents reported in January 2019</b> | Electric Facilities | 0       | 0       | 6       | 1       | 7                  |
|   | Generation          | 0       | 0       | 0       | 0       | 0                  |
| <b>Incidents closed in January 2019</b>   | Electric Facilities | 0       | 3       | 2       | 6       | 11                 |
|   | Generation          | 0       | 0       | 0       | 0       | 0                  |

<sup>2</sup> Level 1: A safety incident that doesn't meet Level 2, 3, or 4 criteria. Level 2: Incident involved a power interruption not due solely to outside forces (Level 2 for Generation: Incident that occurred during an Electric Alert, Warning or Emergency. Level 3: Incident involved damage estimated to exceed \$50,000 and caused, at least in part, by the utility or its facilities (Level 3 for Generation: Incident resulted in a significant outage that was due, at least in part, to plant equipment and/or operations). Level 4: Incident resulted in a fatality or injury requiring hospitalization and that was caused, at least in part, by the utility or its facilities or by equipment and/or operations (for Power Plants).

ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS

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- **Rulemaking to Implement Electric Utility Wildfire Mitigation Plans pursuant to Senate Bill 901 (2018) (R.18-10-007) (Commissioner Picker/ALJ Allen/ALJ Thomas) (Advisory):** This rulemaking was opened to implement the provisions of Senate Bill 901 related to electric utility wildfire mitigation plans (WMPs) and will provide a venue for review of the initial plans, and will develop the process for review and implementation of wildfire mitigation plans to be filed in future years. In January 2019, the ALJ issued several rulings addressing procedural matters. One of the rulings established a template the utilities must use for formatting and presenting their WMPs. Another ruling put the utilities on notice that the Commission will be expediting its statutory authority for hiring independent evaluators to inspect the overhead electric system. Pending.
- **Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions (R.18-12-005) (Commissioner Picker/ALJ Semcer) (Advisory):** On December 13, 2018, the Commission opened an Order Instituting Rulemaking (R.)18-12-005 to examine its rules allowing electric utilities under the Commission’s jurisdiction to de-energize power lines in case of dangerous conditions that threaten life or property in California. Among other things, this proceeding will focus on developing best practices and evaluation criteria, ensuring coordination with first responders, mitigating impact on vulnerable populations, ensuring consistency in noticing and reporting of events, and examining ways to reduce the need for de-energization. In January 2019, the assigned ALJ issued a ruling cancelling the previously-scheduled prehearing conference (PHC) and rescheduling it for February 19, 2019.
- **Rulemaking to Evaluate the Mobilehome Park Pilot Program and to Adopt Programmatic Modifications (R.18-04-018) (Commissioner Rechtschaffen /ALJ Semcer) (Advisory):** D.14-03-021 established a three-year pilot program authorizing each California investor-owned utility (IOU) to convert 10 percent of master-metered gas and/or electric Mobile Home Park (MHP) spaces within its operating territory to direct utility service. On April 26, 2018, the Commission issued R.18-04-018 to evaluate the MHP Pilot Program and to adopt

programmatic modifications. ESRB is reviewing comments and supplemental data submissions from parties and providing assistance as needed. Pending.

- **Creation of a Shared Database or Statewide Census of Utility Poles and Conduit (R.17-06-028); Communications Provider Access to Poles (I.17-06-027) (Commissioner Picker/ALJ Mason) (Advocacy):** On January 22 and 23, 2018, industry group of pole-owners and pole-tenants hosted an informal workshop to discuss a phased approach and path forward regarding access to pole data, attachment data, and conduit data, ESRB attended and participated in the workshop. The industry group will issue a workshop report on February 28, 2019. On January 25, 2018, parties filed reply comments to OIR questions set forth in Section 3 of Scoping Memo and Ruling. Pending.
- **Proceeding to Consider Amendments to GO 95 (R.17-10-010) (Commissioner Picker/ALJ Mason/ALJ Goldberg) (Advocacy):** As directed in D.16-01-046, SED filed P.17-03-004 to adopt, amend, or repeal rules in GO 95. In response to SED's petition, the Commission opened R.17-10-010 in October 2017, to consider the amendments discussed in SED's petition. On July 31, 2018, the ALJ issued a scoping memo and ruling setting the schedule for this proceeding and directing SED to convene a workshop to discuss the scoped issues. SED and parties held three workshops in August 2018 and September 2018 and addressed amendments to GO 95 rules regarding climbing space, fall protection, pole strength, and pole steps. Parties reached consensus on all of the rule change proposals and on October 31, 2018, SED filed a Joint Parties' Workshop Report to the Commission. In November 2018, Parties filed comments on the Workshop Report and in December 2018 parties filed reply comments. The comments and reply comments focused on implementation dates and cost considerations. Pending issuance of a Proposed Decision.
- **PG&E Locate and Mark Practices OII (I.18-12-007) (Commissioner Rechtschaffen/ALJ Allen) (Advocacy):** On December 6, 2018, the Commission's SED issued an Investigative Report, which discovered that PG&E falsified safety records related to locating and marking its underground natural gas facilities and violated federal and state regulations. On December 13, 2018, the Commission initiated this formal proceeding to investigate PG&E's Damage Prevention and Locate and Mark programs and practices. The ALJ ordered a Law and

Motion Hearing, which will be on February 5, 2019 to discuss, among others, whether to scope in PG&E's locate and mark practices for electric facilities. PG&E is expected to file a show cause report by March 14, 2019. Pending.

- **Physical Security of the Electric System and Disaster and Emergency Preparedness (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly) (Advocacy):** Phase I addresses physical security for electric supply systems, and Phase II addresses disaster and emergency preparedness plans for electrical corporations and regulated water companies. Phase I: On January 10, 2019, the Commissioners approved a Phase I decision. The Decision incorporated SED's recommendation that SED only review the security plans as to determine compliance with regulatory requirements rather than "validate" the plans as recommended in the Proposed Decision. The Decision also incorporated SED's recommendation to adopt the Reading Room approach on only an interim basis awaiting the outcome of R.14-11-001. Phase II: The workshop report is pending for workshops that have been held. Pending.
- **Distributed Energy Resources (R.14-08-013) (President Picker/ALJ Mason/ALJ Allen) (Advisory):** On September 28, 2017, the Commission adopted a Decision that addressed Track 1 Demonstration Projects A (Integration Capacity Analysis) and B (Locational Net Benefits Analysis). ESRB will continue to review the issues and provide advisory support when needed.
- **SCE Appeal of Twentynine Palms Citation (K.18-03-008) (ALJ Kim) (Advocacy):** ESRB investigated an incident that occurred on August 1, 2015 in Twentynine Palms, involving the failure of a cross arm and a resulting overhead conductor clearance problem. The incident caused injury to 3 individuals. On February 12, 2018, SED issued a \$300,000 citation to SCE for violations related to the incident. SCE appealed the citation on March 14, 2018. On August 14, 2018, SED filed a motion to hold hearings in abeyance in order to allow staff to investigate additional violations of GO 95 related to the incident. The ALJ granted SED's motion in part. On October 3, 2018, SED issued an \$8,000,000 amended citation that replaced the \$300,000 citation that was issued to SCE on February 12, 2018. The amended

citation was the result of new violations of GO 95 that SED had discovered. A hearing was held in December 2018 and it will resume in February 2019. Pending.

### OTHER ACTIVITIES

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- **2017 and 2018 Wildfires:** In 2017 and 2018, California has experienced devastating wildfires. In Northern California, the Camp Fire burned about 153,000 acres in November 2018, destroyed an estimated 18,000 structures, injured three firefighters, and unfortunately resulted in 86 civilian fatalities. In Southern California, the Woolsey Fire burned about 100,000 acres in November 2018, destroyed an estimated 1,800 structures, injured three firefighters, and unfortunately resulted in three civilian fatalities. SED investigatory teams have been assigned and have visited the sites of areas affected by the 2017 and 2018 wildfires to examine evidence related to utilities' facilities. SED is currently working closely with CAL FIRE and other agencies to investigate PG&E, SCE, and communications companies' compliance with the Commission's safety rules.
- **Compliance with D.17-09-024 regarding Long Beach Incident:** D.17-09-024 adopted a Settlement Agreement between Southern California Edison and SED. Under the settlement, SCE paid a \$4 million penalty and will spend \$11 million on various system enhancement projects in Long Beach intended to reduce the chance of public injury, reduce the risk of future system failures, and improve the utility's operational awareness and network maintenance. ESRB is monitoring SCE's work to ensure compliance with the settlement agreement.
- **Transmission Maintenance Coordination Committee (TMCC):** TMCC is an advisory committee to help the CAISO develop, review, and revise Transmission Maintenance Standards. TMCC holds quarterly meetings to discuss recent improvements in construction and maintenance processes and techniques, and industry best practices. ESRB is a member of TMCC and attends quarterly meetings. At the January 2019 meeting, SDG&E representative presented SDG&E's Wildfire Preparedness program, and PG&E reported the status of the Moss Landing 200 MW Battery project.

## UTILITY RISK ASSESSMENT AND SAFETY ADVISORY

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### PROCEEDINGS

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- **Investigation into Safety Culture of Pacific Gas and Electric Company and PG&E Corp. (I.15-08-019) (President Picker/ALJ Allen) (Advisory):** On November 29, the Commission approved D. 18-11-050, accepting the NorthStar Consulting report and ordering PG&E to implement its 61 recommendations by July 1, 2019, as well as requiring quarterly reports on progress beginning in 4th quarter 2018. While some “bright spots in safety culture” were identified – particularly at the Diablo Canyon nuclear plant – Picker said a major finding was that PG&E did not have a clear vision of its safety programs. It pursues many programs without a clear sense of how they work together. He also noted that the investigation to date did not involve issues related to the wildfires from 2017. Picker highlighted his intention to introduce a next phase in the OII that will focus on corporate governance and how to determine the best path forward to ensuring safety, and what the Commission’s role should be.
- **Gas Leak Abatement OIR (R.15-01-008) (Commissioner Rechtschaffen/ALJ Kersten) (Advisory):** SED and CARB will conduct workshops on January 17, 2019 for annual reporting template refinements. Annual reporting templates to be issued March 31, 2019. 2019 Annual Data Reports due June 15, 2019. Draft Joint Report for 2019 leak survey due Nov. 15, 2019 with final due by Dec. 31, 2019.
- **Safety Model Assessment Proceeding (A.15-05-002, et al) (Commissioner Rechtschaffen/ALJs Kersten & Fogel) (Advisory):** A proposed decision on the Joint Settlement Agreement was issued for comment on November 9, and will be considered at the December 13, 2018, business meeting. The first utilities to use the methodology derived from the Settlement Agreement will be San Diego Gas & Electric and Southern California Gas, for their 2019 RAMP filings. A new element of the RAMP process will include a preliminary workshop by the utilities in 1 Quarter 2019 to review their risk registers and expected results of risk ranking. The PD would also clarify that utilities will not file new S-MAP applications in May 2019, but instead the Commission should launch a rulemaking to

address continuing refinements in the S-MAP process. Settlement Agreement approved by Commission in December.

- **Sempra Utilities 2019 General Rate Case (A.17-10-007/008 consolidated) (President Picker/ALJ Lirag):** Hearings were completed in August. The proceeding has been submitted for decision.
- **Pacific Gas & Electric RAMP (I.17-11-003) (Commissioner Rechtschaffen/ALJ Roscow):** Pacific Gas & Electric's TY2020 General Rate Case was filed in December. RASA staff is working with the utility on documentation of how the RAMP report evaluation has been incorporated into GRC spending requests. Staff issued a data request for spreadsheets and a compilation of RAMP-related GRC testimony, and PG&E will address incorporation during a January workshop on the GRC. At that time, the GRC ALJ will determine how to proceed with the RAMP: whether to close the OII or consolidate it with the rate case.
- **Pacific Gas & Electric Gas Transmission & Storage (GT&S) rate case (A.17-11-009) (Commissioner Rechtschaffen/ALJ Roscow):** PG&E included GT&S related risks in its 2017 RAMP filing, which were reviewed and analyzed by RASA staff. A separate report containing the six RAMP chapters was circulated to parties in April, and staff conducted a workshop on April 16. Hearings on the rate case were completed in early October; and opening briefs were served November 14.
- **SCE 2017 General Rate Case (A.16-09-001) (President Picker/ALJs Roscow & Wildgrube):** Oral arguments on select issues, including SCE's Grid Modernization proposals, were held June 20. A Proposed Decision is currently being drafted.
- **Physical Security of Electric Infrastructure (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly):** Decision 19-01-018 in Phase 1 was passed at the January 10, 2019 Commission Meeting. Comments on the PD were filed by several utilities and other parties, and some elements of the final decision may reflect changes to the initial Staff recommendations. A draft workshop report (based on the September 28 workshop in San Diego) for Phase 2 of the proceeding has been sent out for comment February 21, 2019. Parties shall review the Workshop report and file and serve any comments or corrections by March 15, 2019.

- **Utility Poles (I.17-06-027/R.17-06-028) (Commissioner Picker/ALJs Mason and Kenney):**  
The Investigation and Rulemaking into possible creation of a shared database or statewide census of utility poles and conduit was initiated on June 29, 2017. This proceeding is consolidated with R.17-03-009 that considers whether and how our existing Rights-of-Way Rules should be applied to wireless support facilities (lines and antennas). Two days of workshops were set for Nov. 15-16, to review “use cases” for the pole census information, but the second day was cancelled because of the poor air quality caused by ongoing wildfires in Northern California. The use case refinement process will continue via working groups. A revised scheduling ruling is expected before the end of the year.
- **Undergrounding Rule 20A (R.17-05-010) (Commissioner Picker/ALJs Hecht & Wildgrube):**  
This rulemaking was launched May 11 to review policies and funding mechanisms for the overhead to underground conversion program administered by electric utilities for cities and other jurisdictions. A PHC was held September 11, 2017, and a scoping memo is pending. SED will monitor the proceeding with an interest in adding safety as one of the program eligibility criteria.
- **Mobile Home Park Pilot Expansion (R.18-04-018) (Commissioner Rechtschaffen/ALJ Kersten):** This proceeding will determine policies for increasing participation in a mobile home metering conversion program currently conducted as a pilot. The programmatic goal is to convert master meter arrangements to direct service by utilities (for both gas and electricity) to improve safety and service. SED RASA and Energy Division, with technical assistance from SED branches, is leading a working group process and conducted an October 17 workshop. Staff and parties are currently finalizing a reporting template.



**MONITORING THE WHISTLEBLOWER WEBSITE**

The Risk Section has been overseeing intake for complaints that arrive via a “whistleblower” application on the Commission’s web site. Whistleblower protections are afforded to utility employees and contractors who report potentially unsafe or illegal practices.

STATISTICS - 1/01/19 – 1/31/2019

Note: This is for complaints filed using the on-line Whistleblower Application ONLY.

| Confirmed or Possible Whistleblower Complaints |     |                |                 |            |             |      |
|--|-----|----------------|-----------------|------------|-------------|------|
|  | CAB | Transportation | Electric Safety | Gas Safety | Telco Fraud | Rail |
| <b>January</b>                                 | 0   | 1              | 1               | 0          | 0           | 0    |
| <b>Total 2018</b>                              | 0   | 1              | 1               | 0          | 0           | 0    |

| Invalid Whistleblower Complaints Converted to Standard Complaints |     |                |                 |            |                     |      |                            |
|---|-----|----------------|-----------------|------------|---------------------|------|----------------------------|
|   | CAB | Transportation | Electric Safety | Gas Safety | Telco/Utility Fraud | Rail | Referred to Outside Agency |
| <b>January</b>  | 0   | 0              | 0               | 0          | 0                   | 0    | 0                          |
| <b>YTD</b>  | 0   | 0              | 0               | 0          | 0                   | 0    | 0                          |

| Test, Incomplete or Duplicate Whistleblower Complaints |   |
|--|---|
| <b>January</b>   | 1 |
| <b>YTD</b>   | 1 |

OFFICE OF RAIL SAFETY

RAILROAD SAFETY – ROSB

In the month of January 2019, SED Staff’s Railroad Operations group completed the following:

| Railroad Operations Safety Branch | Jan-19 | YTD 2019 |
|-----------------------------------|--------|----------|
| New Incidents Investigated        | 7      | 7        |
| Informal Complaints Investigated  | 2      | 2        |
| Safety Assessments/Reviews        | 18     | 18       |
| Compliance Actions                | 1290   | 1290     |
| Major Inspections Completed       | 3      | 3        |
| Operation Lifesaver Presentations | 0      | 0        |

ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES

- January 9, 2019:** CPUC railroad safety inspector specializing in track conducted an inspection on the new construction for the Sonoma Marin Area Rail Transit (SMART) extension to Larkspur. The purpose of the inspection was to evaluate compliance with the State General Orders. The inspector also assisted all parties involved during the early stages of the construction to better understand and interpret the applicable State General Orders. SMART operates on 43 miles of track between downtown San Rafael in Marin County to Airport Boulevard in Santa Rosa in Sonoma County (Phase 1). SMART is working on an extension (Phase 2) of over 2 miles from San Rafael where (Phase 1) project terminates to the city of Larkspur where it will connect with the Golden Gate Ferry Service. The (Phase 2) project includes construction of the 2.2 miles of new track, replacement of bridge structures, construction of a station at the Larkspur terminus, Positive Train Control (PTC), signals and miscellaneous other improvements. The project will use the existing Northwestern Pacific (NWP) Railroad right of way.

During the inspection the CPUC railroad safety inspector measured the available space inside the tunnel between Larkspur and San Rafael for compliance with CPUC GO 26-D. GO 26-D

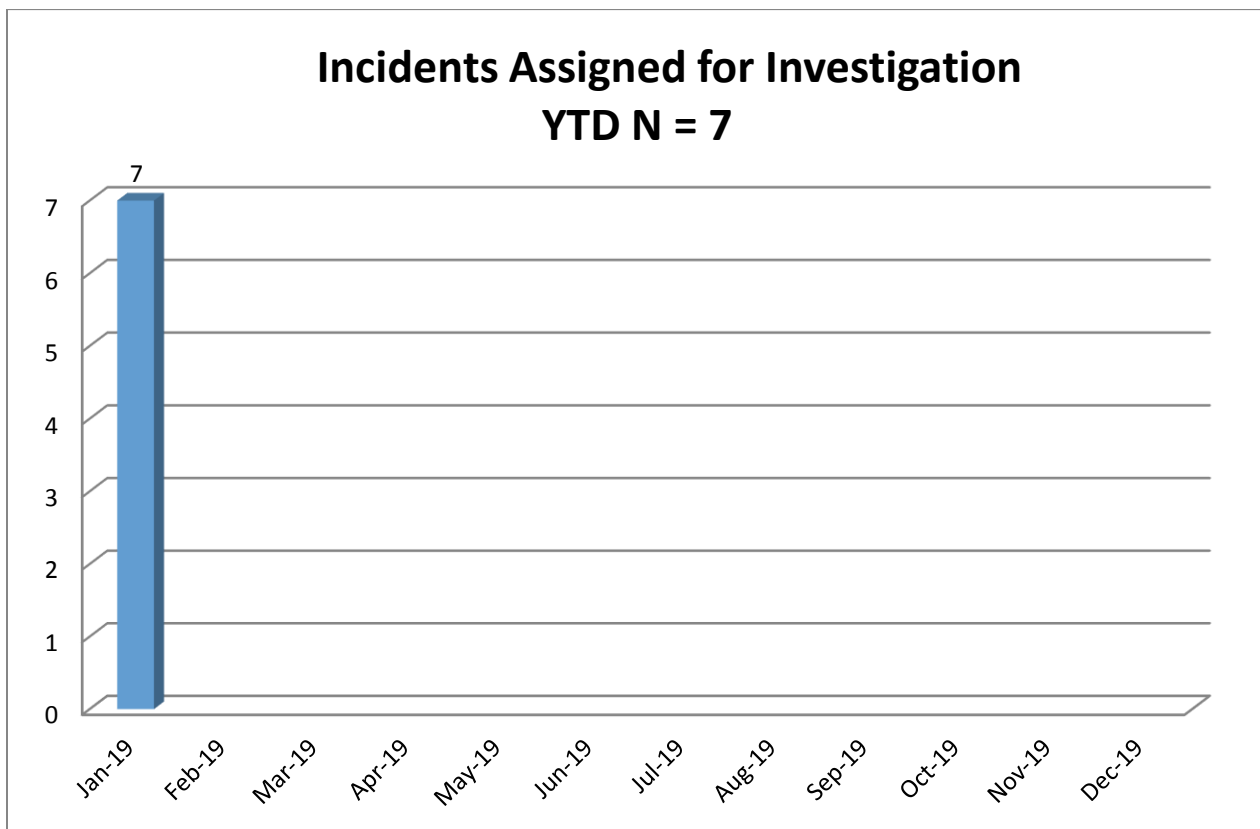
requires a minimum side clearance adjacent to railroad tracks to be clear of any obstructions. Railroads must maintain the minimum requirements to reduce injuries and fatalities caused by making contact while riding equipment. GO 26-D Section 9 Sub-rule 9.4 states the minimum side clearances as prescribed in Section 9 may be decreased in bridges, tunnels or subways to the extent defined by a line extending diagonally upward from a point level with the top of rail and Five (5) feet distant laterally from the center line of track to a point four (4) feet above the rail and distant laterally thirty (30) inches from the side of the widest equipment operated. The CPUC involvement is very important during the construction phase of large projects to ensure variances can be identified and promptly resolved.

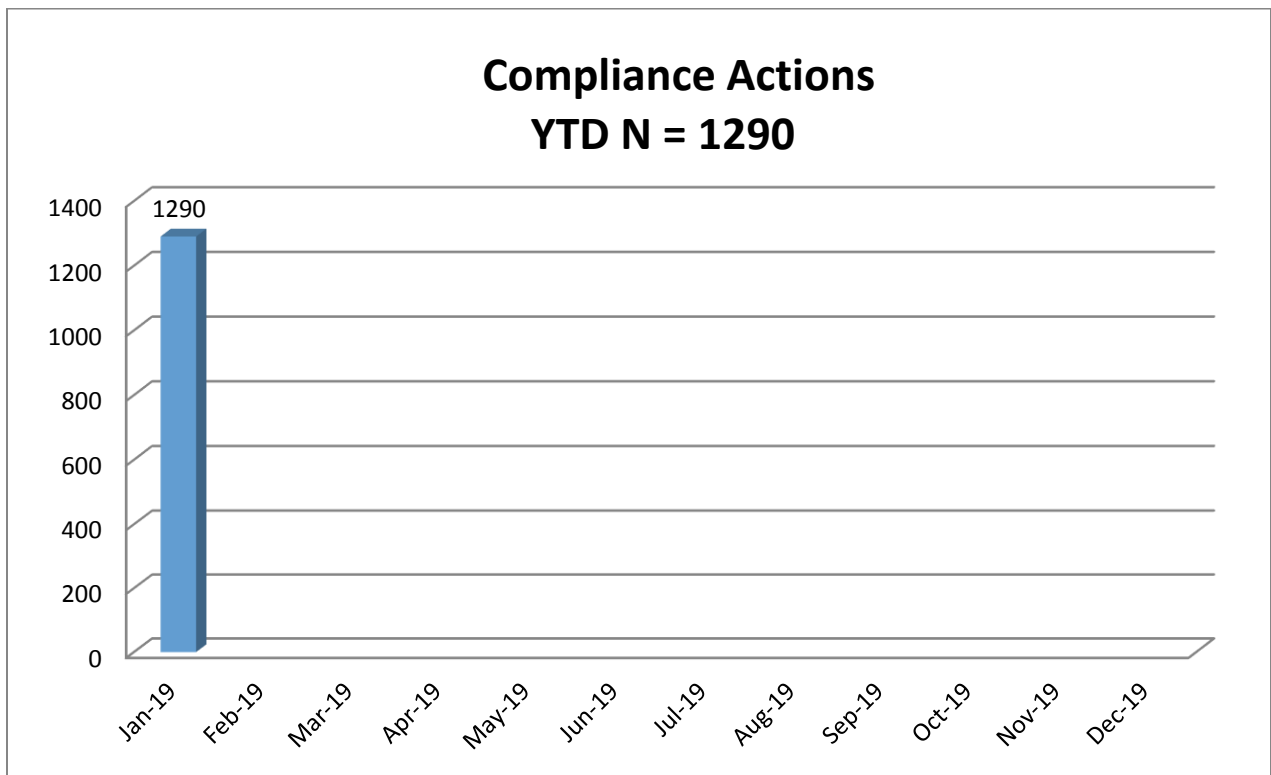
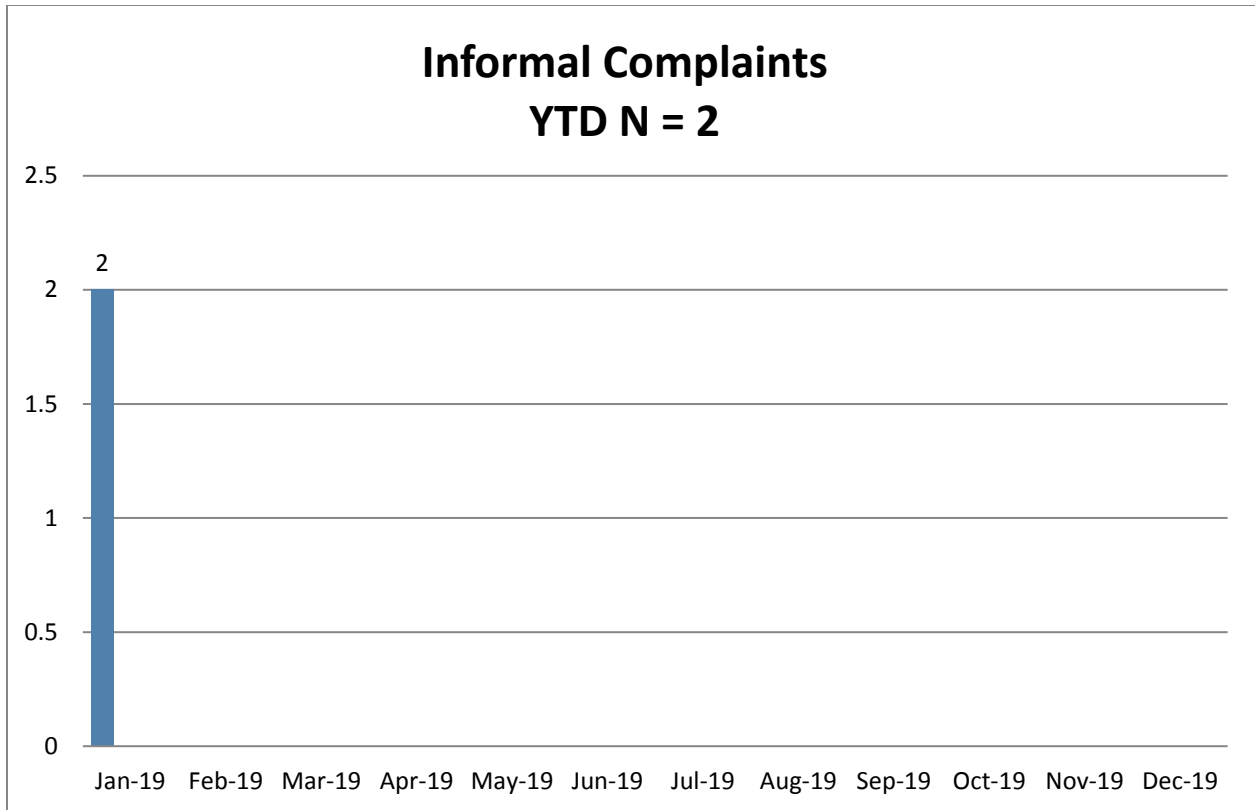
- **January 14, 2019:** CPUC and FRA Investigators specializing in track and railroad management, conducted a routine safety inspection on the BNSF Railway, California Division on the Stockton Subdivision near the city of Stockton. The purpose of the inspection was to evaluate compliance with the State General Orders and Federal Track Standards. The CPUC and FRA identified 22 track defects between the towns of Riverbank and Stockton. Multiple defects were taken near the city of Stockton at a location known as “Hanshaw Crossovers”. These defects were located near an industrial loading facility, local school, a major highway, the adjacent Union Pacific main track and a heavily used public road crossing. Approximately 14 Amtrak trains traverse this track daily and 24 million gross tons of freight annually. One violation was recommended due to the high volume of defects found, with one defect requiring a drop-in railroad track speed from 79 mph to 10 mph. Defects observed and reported were as follows:
  - 49 CFR part §213.109(B)(2) “Crossties not effectively distributed to support a 39’ segment of track”: *This standard requires there to be at a minimum of 12 ties in a 39’ segment of track effectively distributed. Without this minimum, the rails can spread to a point where the train can fall in and derail.*
  - 49 CFR part §213.133(A) (15) “Turnouts and track crossings generally”. “Classes 3 through 5 track shall be equipped with rail anchoring through and on each side of track crossings and turnouts, to restrain rail movement affecting the position of switch points and frogs”: *This regulation is to insure the rails do not move to a point where the components could*

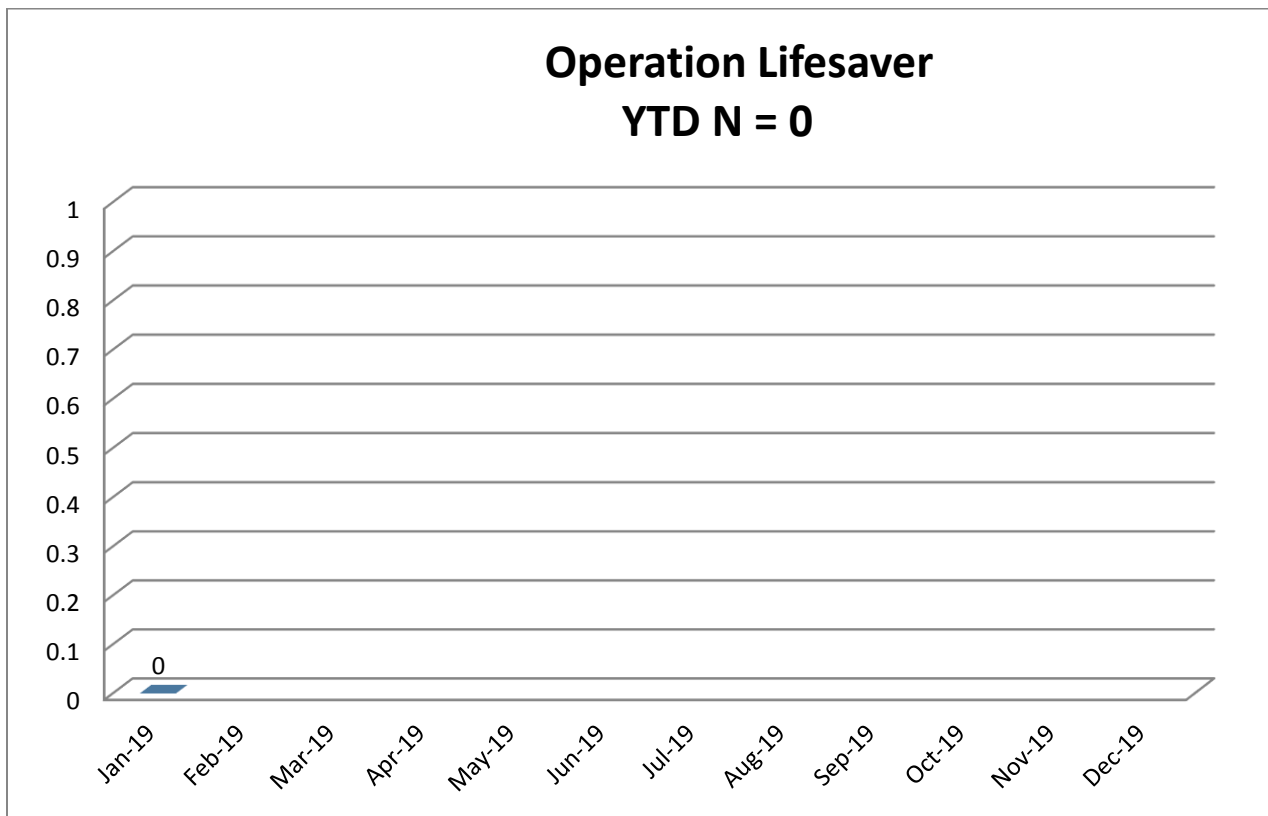
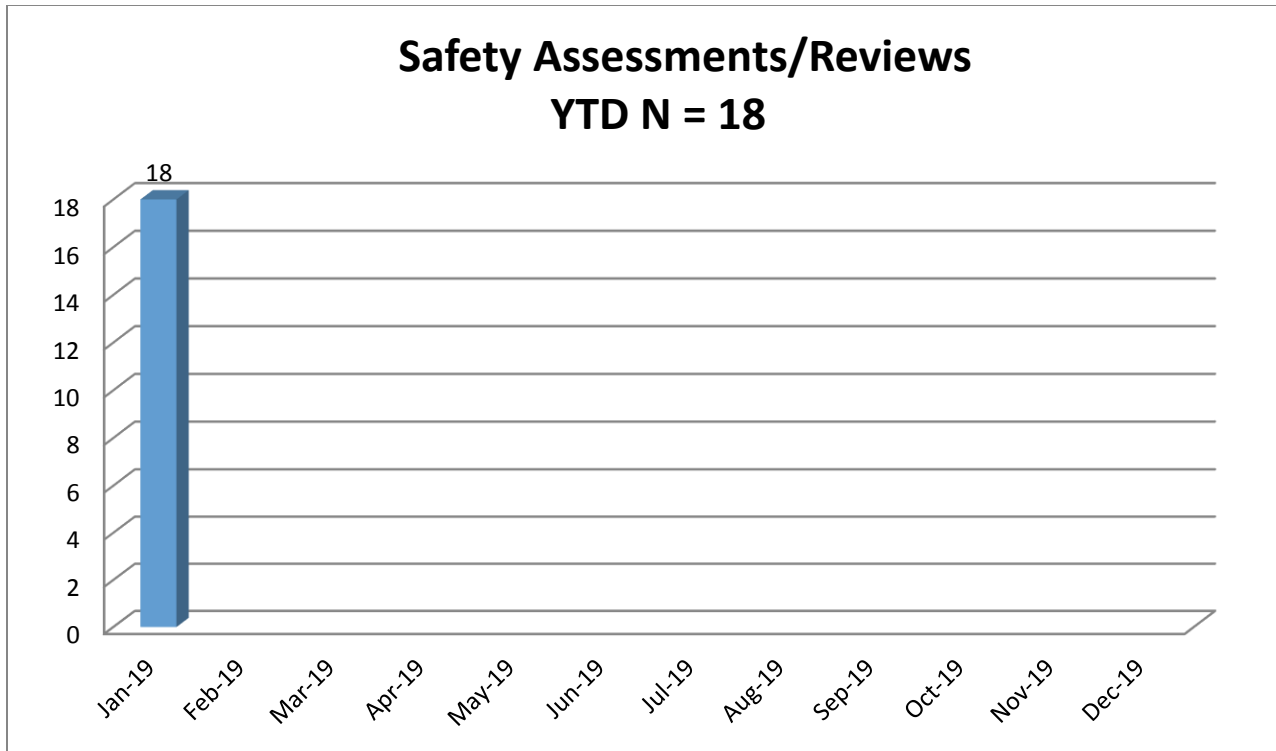
open up and cause a derailment by the inside of the wheel (flange) contacting the switch point.

- 49 CFR part §213.137(E) “Severe frog condition”: *This defect shows that there is an extremely worn component (frog) where two tracks cross over each other. When severely worn, the rail equipment wheel can fall into the track component and cause a derailment.*
- 49 CFR part §213.133(A) (12) “Loose or missing frog bolts”: *A Frog is a component where two tracks cross over each other and is typically held together by bolts, in order to keep the component securely fastened. In this case the bolts hold several components together to make up the “frog”. All the bolts in this case were either broken completely or worn and not been properly torqued and tightened.*

The CPUC involvement with the railroad operations in California is vital to ensure that minimum requirements of all State General Orders and Federal regulations are in compliance, to prevent and eliminate injuries and fatalities to the railroad employees as well as the general public.







## California Public Utilities Commission | Safety and Enforcement Division

### RAIL CROSSINGS AND ENGINEERING BRANCH - RCEB

In the month of January 2019, the RCEB team completed the following:

|   | <b>New</b> | <b>New YTD</b> | <b>Closed</b> | <b>Closed YTD</b> |
|---|------------|----------------|---------------|-------------------|
| <b>Crossing Incident Reviews</b>                      | 32         | 32             | 23            | 23                |
| <b>Safety Assessments/Quiet Zones/Reviews</b>         | 50         | 50             | 50            | 50                |
| <b>Proceedings, Resolutions and G.O. 88-B Reviews</b> | 18         | 18             | 24            | 24                |
| <b>Operation LifeSaver Presentations</b>              | 6          | 6              | 6             | 6                 |

### RAIL CROSSING INCIDENT INVESTIGATIONS

In January 2019, the Rail Crossings and Engineering Branch (RCEB) assigned 30 new incidents at highway-rail crossings, and two incidents near a crossing. These 32 collisions resulted in nine fatalities and four injuries. RCEB completed 21 crossing incident reviews at highway-rail crossings, and two incidents near a crossing. These 23 collisions resulted in eight fatalities and eight injuries.

- INCR2017120036-INCX2107120013** – On December 20, 2017 at 01:40 hours, a westbound BNSF train struck a vehicle at the Lomita Boulevard grade crossing, with two injuries, as the train was entering the Watson Rail Yard in the City of Commerce, Los Angeles County. The review found that the driver drove around the gates and was stuck by a westbound BNSF train.
- INCR2018010072-INCX2018010012** - On January 25, 2018 at 12:38 hours, a UP train struck an unoccupied vehicle at the Dakota Avenue/Murphy Road grade crossing, with no injuries in the City of Modesto, Stanislaus County. The review found the driver drove too fast to safely negotiate the curve near the crossing, leaving the roadway and then becoming stuck on the tracks prior to the collision.
- INCR2018040057-INCX2018050011** - On April 25, 2018 at 18:56 hours, a Metrolink train struck an unoccupied vehicle on the right of way, with no injuries, in the City of Irvine, Orange County. The review found that the westbound Metrolink train struck an unoccupied

vehicle that stalled at the crossing. A police report is not available to confirm the events leading to the collision and staff cannot determine the circumstances of the incident. The FRA report noted that all warning devices were working as intended prior to the collision.

- **INCR2018050022-INCX2018050016** - On May 11, 2018 at 18:56 hours, a Metrolink train struck a pedestrian at the Drayton Street grade crossing, resulting in fatality in the City of Santa Clarita, Los Angeles County. The review found that the pedestrian ran in front of the crossing during the arrival of a westbound Metrolink train. The ROSB report stated that Los Angeles County Coroner ruled the fatality as a suicide.
- **INCR2018050033-INCX2018050028** – On May 17, 2018 at approximately 06:00 hours, a BNSF train struck an unoccupied vehicle at the Road 26 grade crossing in the city of Madera, Madera County. The review found that a three-car collision resulted in one vehicle obstructing the crossing of an approaching eastbound BNSF freight train. The subject vehicle stalled, and the driver exited the vehicle prior to the train collision.
- **INCR2018050061-INCX2018060005** – On May 26, 2018 at 09:15 hours, a UP train struck an unoccupied vehicle at the 60th Street grade crossing, with no injuries, in the City of Los Angeles, Los Angeles County. The review found that based on the FRA report, a westbound motorist "stopped on crossing before gates descended" and was stuck by a northbound UPRR train. A police report is not available, and staff could not confirm the chain of events that led to the collision.
- **INCR2018050074-INCX2018060018** – On May 29, 2018 at 20:51 hours, an eastbound AMTRAK train struck an unoccupied vehicle at the Buhach Road grade crossing, with no injuries, in the City of Atwater, Merced County. The review found that an eastbound Amtrak train struck a vehicle that been eastbound on Santa Fe Drive before turning right onto southbound Buhach Road. The driver of the vehicle attempted to cross the tracks, the front end of his vehicle dropped, and the vehicle came to a stop, leaving the rear end of the vehicle obstructing the track. The driver of the vehicle exited the vehicle prior to the collision. The police officer's opinion is that the motorist's vehicle suffered a mechanical failure, disabling the vehicle within the foul of the tracks prior to the train impact.



- **INCR2018060033-INCX2018060024** – On June 11, 2018 at 21:10 hours, a southbound BNSF train struck a vehicle at the San Juan Capistrano Station Pedestrian grade crossing (Verdugo Street), with no injuries, in the City of San Juan Capistrano, Orange County. The review found that according to the witness testimony of the Orange County Sheriff Department report, the westbound motorist with his pick-up truck approached the crossing when the warning devices started to activate. A southbound train arrived at the crossing and collided with the vehicle that was fouling the tracks. The Sheriff Department determined that the motorist was driving under influence.
- **INCR2018070008-INCX2018070004** –On June 28, 2018 at 07:32 hours, a Metrolink train struck a pedestrian at the Ball Road grade crossing, resulting in fatality, in the City of Anaheim, Orange County. The review found that both ROSB and FRA reports indicate the incident as a suicide.
- **INCR2018070074-INCX2018070021** –On July 30, 2018 at 08:38 hours, a UP train struck a vehicle at the Branford Street grade crossing, with no injuries, in the City of San Fernando, Los Angeles County. The review found that a trailer stopped on the track prior to the activation of the active warning devices. The train then struck the obstruction on the tracks. The crossing is near a signalized intersection with 29 seconds of advance preemption adjusted in 2013. Insufficient information is known as to why the truck did not clear the track area.
- **INCR2018070084-INCX2018080003** – On June 30, 2018 at 16:33 hours, a westbound Metrolink train struck a pedestrian at the Katherine Street grade crossing, resulting in a fatality, in the City of Simi Valley, Ventura County. The review found that the Metrolink train struck a southbound, elderly pedestrian. According to ROSB report, the crossing warning devices were working and the Metrolink train sounded the horns and bells. The ROSB report concludes that the pedestrian never acknowledged the activated warning devices just walked straight into the path of the approaching train. Police reports were not available, and the Coroner determination is unknown.

- **INCR2018080027-INCX2018080006** – August 9, 2018 at 14:45 hours, a UP train struck a pedestrian at the Olive Street grade crossing, resulting in a fatality, in the City of Turlock, Stanislaus County. The review found that that the train crew and witnesses at the crossing saw the subject intentionally stood on the tracks with hands up as the train approached the crossing. The police ruled the incident as a suicide.
- **INCR2018080033-INCX2018080011** – On August 11, 2018 at 09:10 hours, a UP train struck a vehicle at the W. Rosamond Blvd grade crossing, with an injury, in the town of Rosamond, Kern County. The review found that the motorist failed to stop for the railroad crossing arms in the horizontal position. The driver drove under the crossing arms and struck the side of the train car that was occupying the crossing.
- **INCR2018090007-INCX2018090011** -On September 4, 2018 at midnight, a westbound BNSF struck a trespasser at the 17<sup>th</sup> Street crossing, resulting in a fatality in the City of Santa Ana, Orange County. The review found that the initial report classified the incident along the rail right of way, but further investigation confirmed the incident occurred at the 17th Street crossing. The ROSB report indicates that the incident may be a possible suicide.
- **INCR2018090047-INCX2018090017** – On September 15, 2018 at 13:29 hours, a UPRR train struck a pedestrian at the Fulkerth Road grade crossing, resulting in injuries, in the City of Turlock, Stanislaus County. The review found that as the southbound UPRR freight train approached the crossing, the crew witnessed the subject (known to be a transient) walk eastbound past the activated warning device and then stood close to the track. Based on the train crew's observations of this incident, this incident seems to be an attempted suicide.
- **INCR2018090084-INCX2018100002** – On September 28, 2018 at 00:35 hours, a BNSF train struck a pedestrian at the Ashlan Avenue grade crossing, resulting in a fatality, in the City of Fresno, Fresno County. The review found that the train crew was unaware of the strike until informed by BNSF officials. The train crew did state that they heard a thump as they passed through the Ashlan Avenue crossing, but they thought it was a boulder left on the track. A driver of a vehicle who was eastbound on Ashlan Avenue related that after the train had gotten through the crossing, the pedestrian proceeded to cross the track and saw the

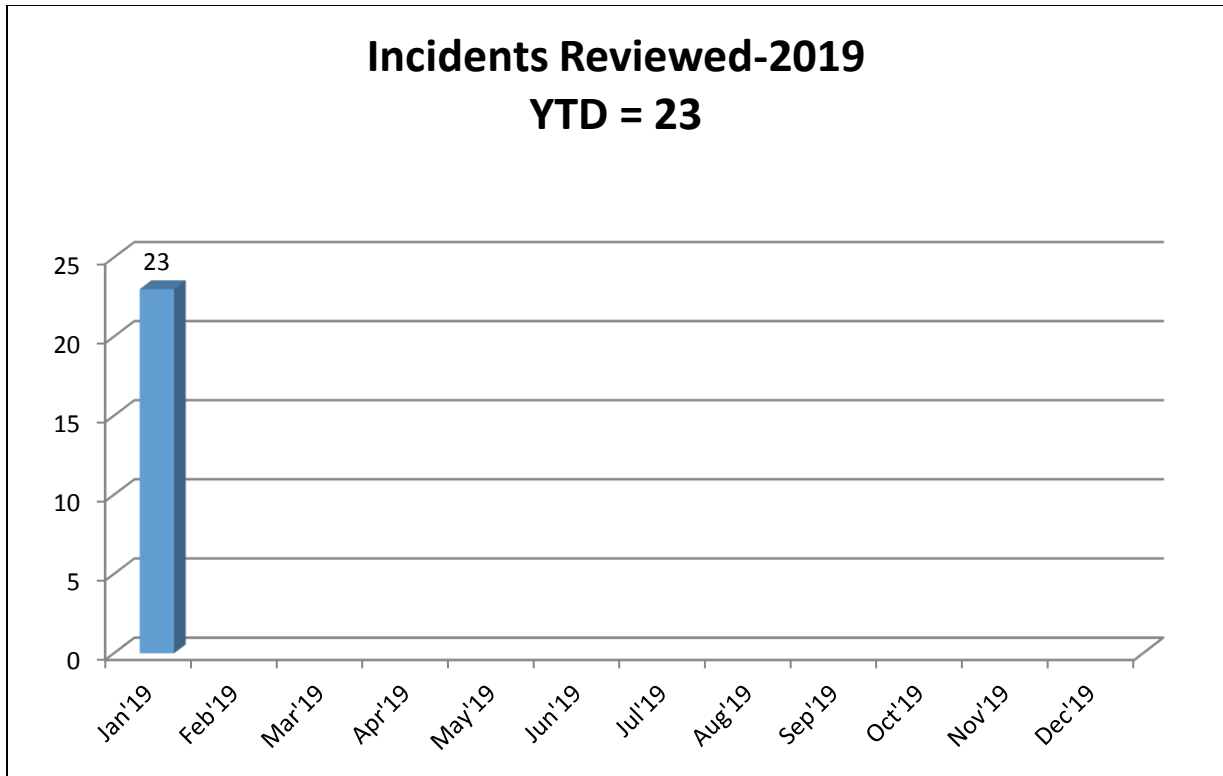
pedestrian lying on the raised median. Insufficient information is available for staff to determine the cause of the incident.

- **INCR2018100012-INCX2018100004** – On September 30, 2018 at 11:10 hours, a BNSF train struck a pedestrian at the McKinley Avenue grade crossing, resulting in a fatality in the city of Fresno, Fresno County. The review found that the train crew noticed the pedestrian standing on the east side of the track as the northbound BNSF freight train approached the crossing. The train crew stated that they thought the pedestrian was going to wait and let the train go by, but at the last second, he dove in front of the train before the locomotive could go past him. Based on this information, the police report concludes the incident appears to be a suicide. The FRA Form 57 report indicates the pedestrian stopped on crossing.
- **INCR2018100053-INCX2018100013** – On October 17, 2018 at 10:35 hours, a westbound BNSF train struck an occupied vehicle at the Buhach Road grade crossing, with no injuries, in the City of Atwater, Merced County. The review found that a southbound vehicle at the crossing drove around the gate arm of the Buhach Road crossing. The driver noticed that a train that stopped on the northernmost track (siding), the traffic light turned green, and the vehicle in front of the driver proceeded to go around the gate arm. The driver thought the traffic signals were malfunctioning and drove around the gate arm as well. After passing the siding a northbound train approached on the main track and struck the rear end of the driver's vehicle. The driver received medical treatment because he complained of dizziness. The reports did not mention any malfunctions with the traffic signal.
- **INCR2018100061-INCX2018100016** – On October 22, 2018 at 07:32 hours, a BNSF train struck a vehicle at the Orange Avenue grade crossing, with injuries, in the City of Corcoran, Kings County. The review found that the driver noticed a stopped train on one track, drove around the gates and a second train struck the vehicle. The occupant of the vehicle sustained non-life-threatening injuries. The police report concluded that the vehicle driver caused this incident by driving around the lowered gate arm.

- **INCR2018110006-INCX2018110007** –On November 4, 2018 at 15:58 hours, a UP train struck a trespasser, which resulted in injuries, in the City of Stockton, San Joaquin county. The review found that the initial notice reported the collision as a trespasser incident. The milepost matches the East Scotts Ave, Stockton crossing. No police or fire reports are available for this incident. The initial report states that the collision was approximately 1/10 of a mile from the Scotts Road at-grade crossing. There is no information to contradict that finding.
- **INCR2018110062-INCX2018120009** – On November 28, 2018 at 09:50 hours, a vehicle struck a southbound AMTRAK train at the Belmont Avenue grade crossing, resulting in injuries, in the City of Fresno, Fresno County. The review found that a westbound vehicle struck the side of a southbound Amtrak train that was occupying the crossing. According to the police report, both the driver and a passenger stated as they approached the crossing, they saw the westbound traffic warning device malfunctioning. The lights were flashing red, the gate arm was continually dropping down and going back up, but only halfway. The driver proceeded toward the track, the gate arm dropped down on the roof of the vehicle, and the driver continued towards the track where it struck the side of the Amtrak train. The driver states that a building blocks the view of the approaching train. The police report states that the driver was in violation of California Vehicle Code 22451 - vehicle drove past flashing red lights of rail crossing warning device. Staff agrees that the driver drove past the flashing red lights of the warning device, but suspects that the driver did not drive around the lowered gate arm as that would have required the vehicle to have been driven over the adjacent 8 inch high curb of the raised median and over the standard No. 8 warning device and R3-18 (No Left Turn and No Right Turn) sign that are mounted on the raised median. That scenario, staff suspects was not likely. Staff suspects that even though the lights were flashing red, the fact that the gate arm was malfunctioning, going up and down, likely confused the driver. The police officer who wrote the report stated he phoned and sent emails to Amtrak regarding this incident; however, he never received a response. As of the writing of this report, staff has not received any further information from either Amtrak or

BNSF regarding specific details of this incident. As of the writing of this report, there is no FRA Form 57 report available for staff to review.

- **INCR2018120044-INCX2019010006** –On December 19, 2018 at 12:29 hours, a northbound UP train struck a tractor trailer at the I St (SR132) grade crossing, with no injuries, in the City of Modesto, Stanislaus County. According to the reports, the UP train struck the rear end of a tractor trailer that did not clear the I Street grade crossing. The review found that the truck driver violated California Vehicle Code 22526(c), which in summary states blocking a railroad crossing is a violation. The truck driver did not sustain any injuries due to this incident nor did any members of the train crew. The police report did not contain any detailed narrative or otherwise discussion of specific details regarding the cause of the incident. Prior to the collision, the eastbound truck-trailer likely stopped for a red light at the intersection. Railroad preemption does not exist between the Caltrans traffic signal at the I Street/9th Street intersection and the railroad circuitry. Insufficient information exists to determine if the lack of railroad preemption contributed to this incident.
- **INCR2018120056-INCX2019010012** – On December 17, 2018 at 18:04 hours, a BNSF train struck a trespasser resulting in a fatality. The review found that the BNSF freight train struck a child from the right of way adjacent to White Avenue. The ROSB report determined that the collision location was 412 feet from the Belmont Avenue crossing. The narrative to the law enforcement report confirms the collision and states that the train struck the child resulting in the fatality.



#### SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

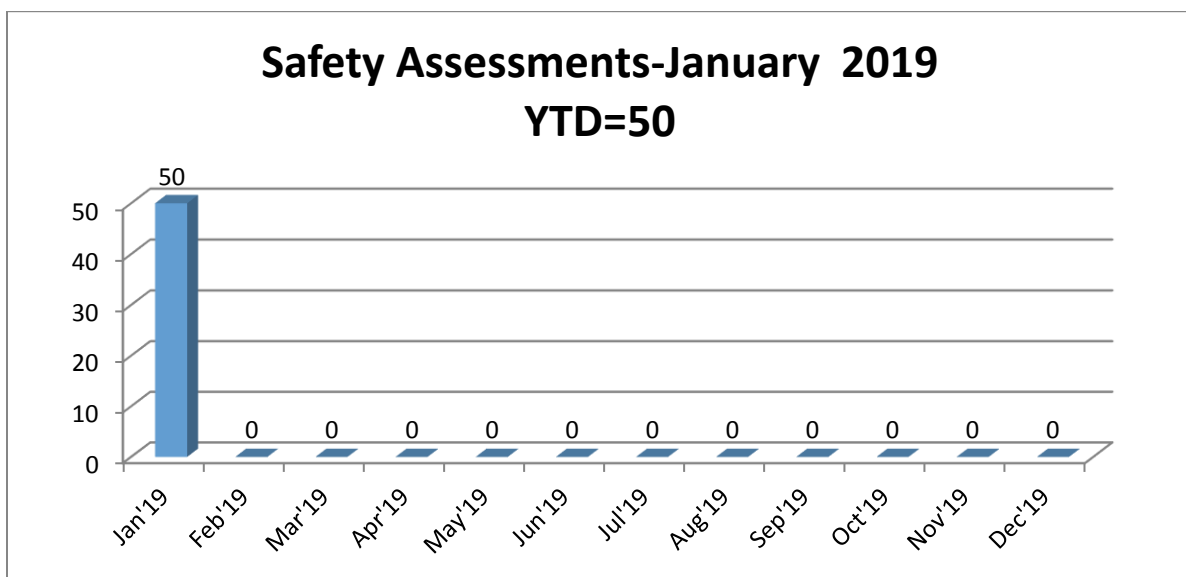
In January 2019, RCEB completed 45 rail-crossing safety assessments involving: communications, field inspections, and diagnostic reviews with railroads and local agencies. These activities review existing crossings and proposed changes to crossing warning devices. A staff member completed the Program Managers Contracts Development and Procurement Training on January 29, 2019. Staff also reviewed four quiet zones and met with Caltrans on the experimental proposal. This brings a total of 50 Safety Assessments, Quiet Zones and Reviews.

- **QTZN 2018120002** –Quiet Zone at Chesterfield Drive crossing in City of Encinitas, San Diego County. This is at the south end of the 6.1-mile rail corridor within City of Encinitas. The parties involved plan on completing improvements including four-quad gates and other crossing modifications in January 2019.
- **QTZN 2005060001-N and QTZN 2005060002** – On March 7, 2016, the City of San Jose, Santa Clara County issued a Notice of Intent to update and maintain the existing quiet zone of 15 crossings in the Santa Clara Valley Transportation Authority's (SCVTA) Vasona railroad

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corridor under 49 CFR 222.39(b). SCVTA transferred the Quiet Zone lead role to the City of San Jose in January 2019.

- **QTZN2009040001**- Staff updated the file for the proposed 24-hour Notice of Intent for the Nursery Avenue UPRR crossing in the City of Fremont. The update is a 2017 letter from the City of Fremont responding to concerns in establishing the proposed quiet zone.
- **QTZN 2005060001**-Staff updated the file for the proposed 24-hr Notice of Intent shared track between VTA and UPRR at the Vasana SCVTA rail transit line from MP 3.40 to 5.90, for a total of 15 shared crossings. SCVTA transferred the Quiet Zone lead role to the City of San Jose in January 2019.
- **Experimental Project Dynamic Envelope Marking** - ROSB and RCEB continue working with Caltrans, BNSF, City of Escalon and the Federal Highway Administration in the implementation of an experimental project. The team revised the project to install yellow dynamic envelope pavement markings, instead of red markings, to warn drivers at the Yosemite Avenue highway-rail at-grade crossing, in Escalon. FHWA explained that red pavement markings are for transit systems and for this reason did not approve the use of red pavement markings for highway-rail crossings as noted with the original request. Caltrans and CPUC plan on responding to FHWA's concerns by end of February.



In January 2019, RCEB staff assigned two formal proceedings with the ALJ, initiated a Resolution proceeding and received 15 new General Order 88-B applications for changes to existing crossings. This month, RCEB closed seven ALJ proceedings, and 17 General Order 88-B applications for a total of 24 assignments.

- **PROC A1704025** – Staff updated the file for the application by the City of Saratoga for an order authorizing construction of an at-grade pedestrian, and bicycle crossing (CPUCNo.001V-9.80-D) over tracks of the UPRR (DOT No. 924492L), providing connectivity between Fredericksburg Drive and Guava Court in the City of Saratoga, County of Santa Clara. Staff noted errors with the Decision in that the crossings are not related to vehicular traffic warning devices but should address the pedestrian and bicycle crossing requirements.
- **PROC A1801010** - Application of the Metro Gold Line Foothill Extension Construction Authority for an order authorizing construction of two light rail tracks and one freight track at three (3) highway-rail crossings at (1) Eucla Avenue, (2) Walnut Avenue, and (3) San Dimas Canyon Road in the Cities of San Dimas and La Verne in Los Angeles County, California. Staff updated the files to this application by noting that the CPUC granted the request on January 31, 2019. Decision D.1901035 issued the authorization that expires on January 31, 2024.
- **PROC A1802010** - Foothill Construction Authority requests authorization to construct two light rail and two freight tracks at two at-grade crossings located at Claremont Boulevard, and Cambridge Avenue in the City of Claremont, Los Angeles County. Staff updated the files to this application by noting that the CPUC granted the request on January 31, 2019. The Decision D.19-01-038 issued the authorization that expires on January 31, 2024.
- **PROC A1802021** - Application of the Metro Gold Line Foothill Extension Construction Authority for an order authorizing construction of two light rail tracks and two SCRRRA tracks at two grade separated pedestrian crossings for the (1) Claremont SCRRRA Metrolink Station, (2) Montclair SCRRRA Metrolink Station in the City of Claremont in Los Angeles County, and City of Montclair in San Bernardino County, California. Staff updated the application files



and noted closure of the case information system on January 31, 2019. Decision D.1901033 issued the authorization that expires on January 31, 2024.

- **PROC A1803007** - The Metro Gold Line Foothill Extension Construction Authority, acting for and on behalf of the Los Angeles County Metropolitan Transportation Authority, requests permission to construct two light-rail tracks and one freight track and three highway-rail crossings at Elwood Avenue, Lone Hill Avenue and E Street, and closure of the Glenwood Avenue Crossing in the Cities of Glendora and La Verne in Los Angeles County, California. Staff updated the files to this application by noting that the CPUC granted the request on January 31, 2019. Decision D.19-01-038 issued the authorization and it expires on January 31, 2024.
- **PROC A1807004** - The City of Madera requests the authority to construct one grade-separated crossing (under-crossing) below one elevated rail line operated by the UPRR, adjacent to the Gateway Bridge, at the Fresno River Trail, City of Madera, State of California. Staff updated the files to this application by noting that the CPUC granted the request on January 10, 2019. Decision D.19-01-010 issued the authorization and it expires on January 10, 2022.
- **PROC A1808005** – The County of Riverside requested authority to construct one overpass grade-separation structure in the community of Mecca, Riverside County, California. Decision D.19-01-012 issued the authorization and it expires on January 10, 2022.
- **GO 88B - XREQ 2018120021**– On January 22, 2019, staff authorized a request by the City of Ukiah to Alter the Commerce Drive At-Grade Highway-Rail Crossing, CPUC Crossing No. 005-112.80 and DOT No. 499043Y in the City of Ukiah, Mendocino County. The improvements include a new pedestrian crosswalk, fencing, detectable warning strips, trail crossing signs pavement markings, CA MUTCD R8-8 “DO NOT STOP ON TRACKS” signs, and installing a R1-1 “STOP” sign. The authorization expires on January 22, 2022.
- **GO 88B - XREQ 2018120022** - On January 10, 2019, staff authorized a request by the City of Ukiah to Alter the Talmage Road At-Grade Highway-Rail Crossing, CPUC Crossing No. 005-113.00 and DOT No. 499044F in the City of Ukiah, Mendocino County. The improvements include a raised median with a pedestrian refuge, a pedestrian crosswalk, fencing,

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detectable warning strips, trail crossing signs, pavement markings, CA MUTCD R1-5A “YIELD HERE TO” pedestrians signs, R8-8 “DO NOT STOP ON TRACKS” signs, and STOP signs. The authorization expires on January 10, 2022.

- **GO 88B – XREQ 2019010007** – On January 30, 2019, staff authorized a request from Alameda County for authority to alter the Main Street At-Grade Highway-Rail Crossing, CPUC Crossing No. 004-36.00 and DOT No. 834169E in the Unincorporated Alameda County. The improvements include removal of medians, restriping, pavement and arrow markings, red curb and parking restrictions. The authorization expires on January 30, 2022.
- **GO 88B – XREQ 2018120002** – On January 23, 2019, staff authorized the City of La Mesa to alter the Spring Street Off-Ramp At-Grade Highway-Rail Crossings identified as CPUC Crossing Number 036D-12.71 and DOT Number 661929M, and CPUC Crossing Number 036D-12.70 and DOT Number 661928F, in the City of La Mesa, County of San Diego. The improvements include a pedestrian access, concrete panels for pedestrians, Commission Standard 9 warning devices for pedestrians, modify the railroad preemption timing, removal of the stop line marking, crosswalks, and five rectangular rapid flash beacons in advance of the proposed crosswalks. The authorization expires on January 23, 2022.
- **GO 88B – XREQ 2018120006** – On January 14, 2019, staff authorized the City of Redlands to alter the Church Street At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-66.07 and DOT Crossing No. 027248P in the City of Redlands, San Bernardino County. The improvements include replacing track, concrete panels, raised medians, Commission Standard 9 warning devices, pedestrian gate warning devices, pedestrian channelization at each quadrant, new signal house, roadway resurfacing, reconstruct curb and gutter, RXR pavement markings, and W10-1 advance warning signs. The authorization expires on January 14, 2022.
- **GO 88B – XREQ 2018120004** – On January 10, 2019, staff authorized the City of San Bernardino to alter the Mill Street At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-58.70 and DOT Crossing No. 027215C in the City of San Bernardino, San Bernardino County. The improvements include two new tracks, concrete panels, raised medians, Commission Standard 9 warning devices, pedestrian gate warning devices, new

signal house, additional roadway lighting, reconstruct curb and gutter, W10-1 advance warning signs, and “RXR” and railroad limit pavement markings. The authorization expires on January 10, 2019.

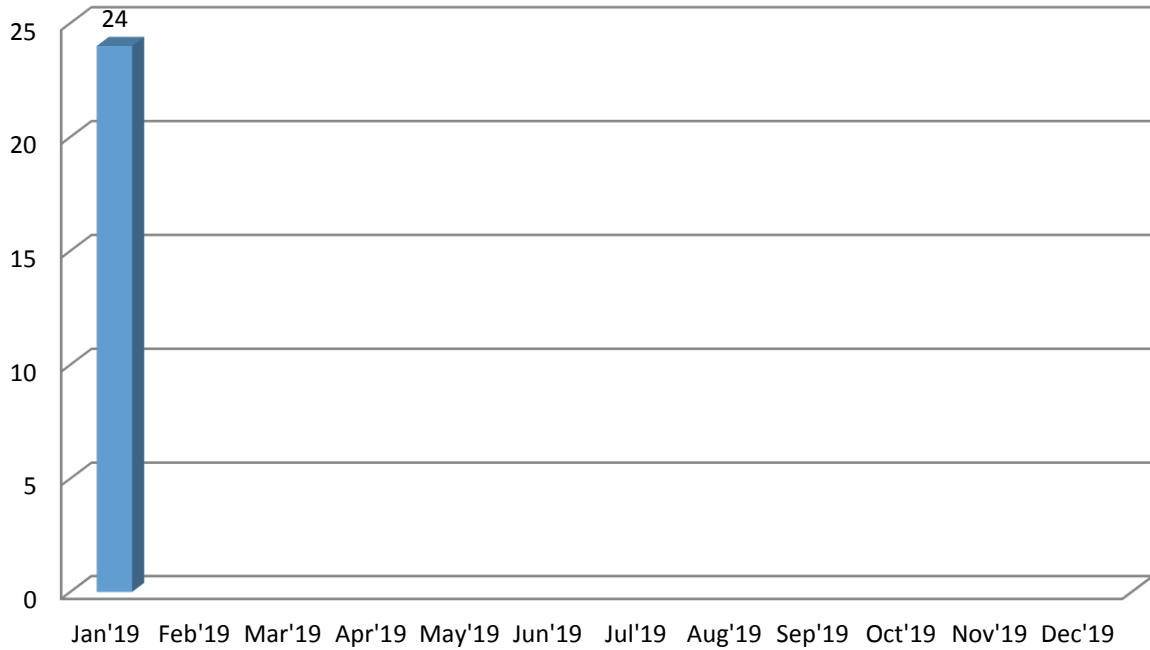
- **GO 88B – XREQ 2018120007** - On January 9, 2019, staff authorized the City of Redlands to alter the New York Street At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-64.82 and DOT Crossing No. 027237C in the City of Redlands, San Bernardino County. The improvements include new track, concrete panels, station platform, and access from Redlands Boulevard, pedestrian pathway, pedestrian gate warning devices, channelization at each approach, new signal house, railroad warning signage and pavement markings. The authorization expires on January 9, 2022.
- **GO 88B – XREQ 2018120008** - On January 9, 2019, staff authorized the City of San Bernardino to alter the Orange Show Road At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-59.57 and DOT Crossing No. 027296E in the City of San Bernardino, San Bernardino County. The improvements include two new tracks, concrete panels, raised medians, Commission Standard 9 warning devices, pedestrian gate warning devices, new signal house, additional roadway lighting, remove vegetation, reconstruct curb and gutter, W10-1 advance warning signs, and “RXR” and railroad limit pavement markings. The authorization expires on January 9, 2019.
- **GO 88B – XREQ 2018120005** - On January 9, 2019, staff authorized the City of San Bernardino to alter the Mountain View Avenue At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-61.87 and DOT Crossing No. 027228D in the City of San Bernardino, San Bernardino County. The improvements include two new tracks, concrete panels, raised medians, Commission Standard 9 warning devices, pedestrian gate warning devices, new signal house, reconstruct curb and gutter, W10-1 advance warning signs, and “RXR” and railroad limit pavement markings. The authorization expires on January 9, 2019.
- **GO 88B – XREQ 2018120003**- On January 10, 2019, staff authorized the City of San Bernardino to alter the Arrowhead Avenue At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-57.94 and DOT Crossing No. 027212G in the City of San Bernardino, San Bernardino County. The improvements include Hilda Street closure, new

Pershing Avenue cul-de-sac, two new tracks, concrete panels, raised medians, Commission Standard 9 warning devices, pedestrian gate warning devices, new signal house, additional roadway lighting, remove vegetation, reconstruct curb and gutter, repave roadway, W10-1 advance warning signs, and “RXR” and railroad limit pavement markings. The authorization expires on January 10, 2019.

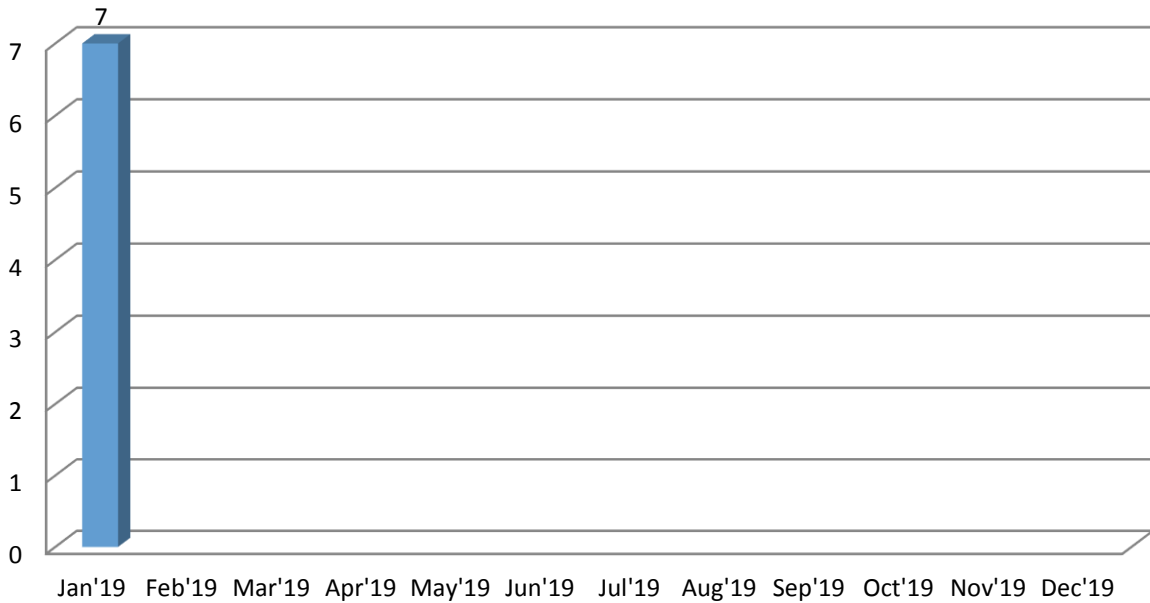
- **GO 88B – XREQ 2018120009** - On January 14, 2019, staff authorized the City of San Bernardino to alter the Sierra Way At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-58.21 and DOT Crossing No. 027213N in the City of San Bernardino, San Bernardino County. The improvements include two new tracks, concrete panels, raised medians, Commission Standard 9 warning devices, exit gates, pedestrian gate warning devices, new signal house, additional roadway lighting, remove vegetation, reconstruct curb and gutter, repave roadway, W10-1 advance warning signs, and “RXR” and railroad limit pavement markings. The authorization expires on January 14, 2019.
- **GO 88B – XREQ 2018120012** - On January 14, 2019, staff authorized the City of Redlands to alter the 6th Street At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-65.70 and DOT Crossing No. 027245U in the City of Redlands, San Bernardino County. The improvements include new track, concrete panels, raised median, Commission Standard 9 warning devices, pedestrian gate warning devices, roadway lighting, new signal house, pavement of roadway, new curb and gutter, railroad warning signage and pavement markings. The authorization expires on January 14, 2022.
- **GO 88B – XREQ 2018120011** - On January 14, 2019, staff authorized the City of San Bernardino to alter the Waterman Avenue At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-59.76 and DOT Crossing No. 027220Y in the City of San Bernardino, San Bernardino County. The improvements include two new tracks, concrete panels, Commission Standard 9 warning devices, exit gates, pedestrian gate warning devices, new signal house, additional roadway lighting, remove vegetation, reconstruct curb and gutter, repave roadway, W10-1 advance warning signs, and “RXR” and railroad limit pavement markings. The authorization expires on January 14, 2019.

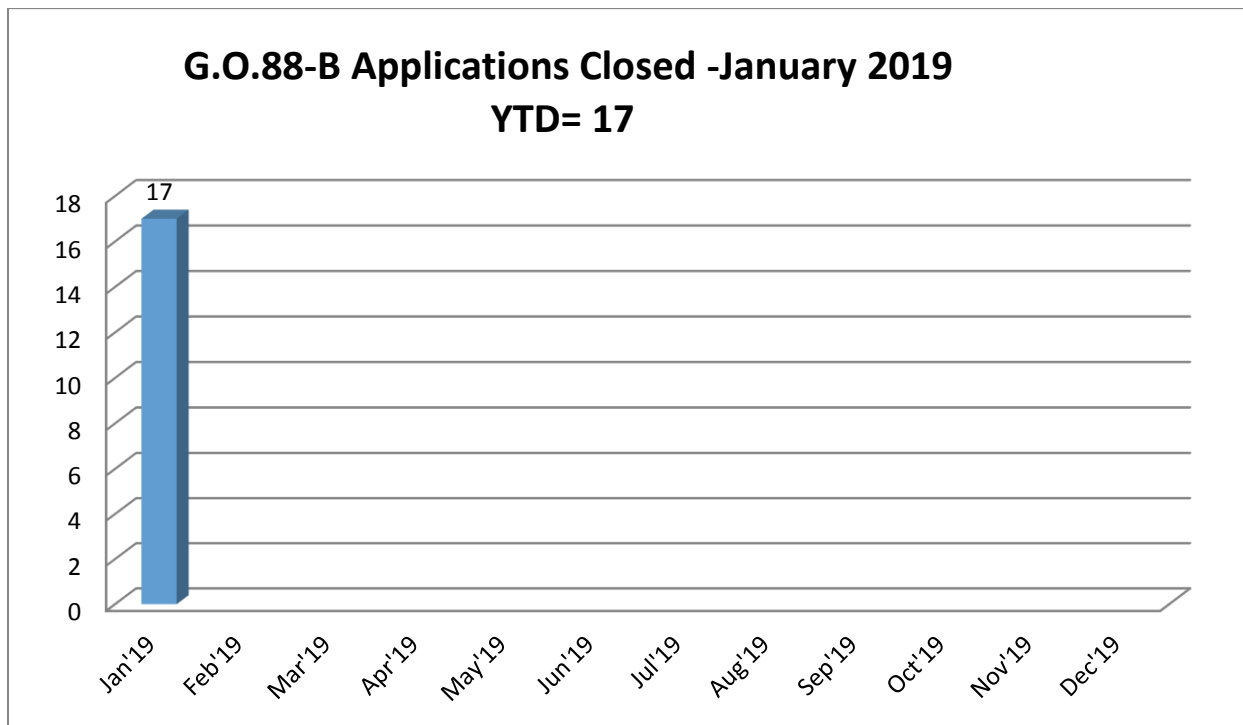
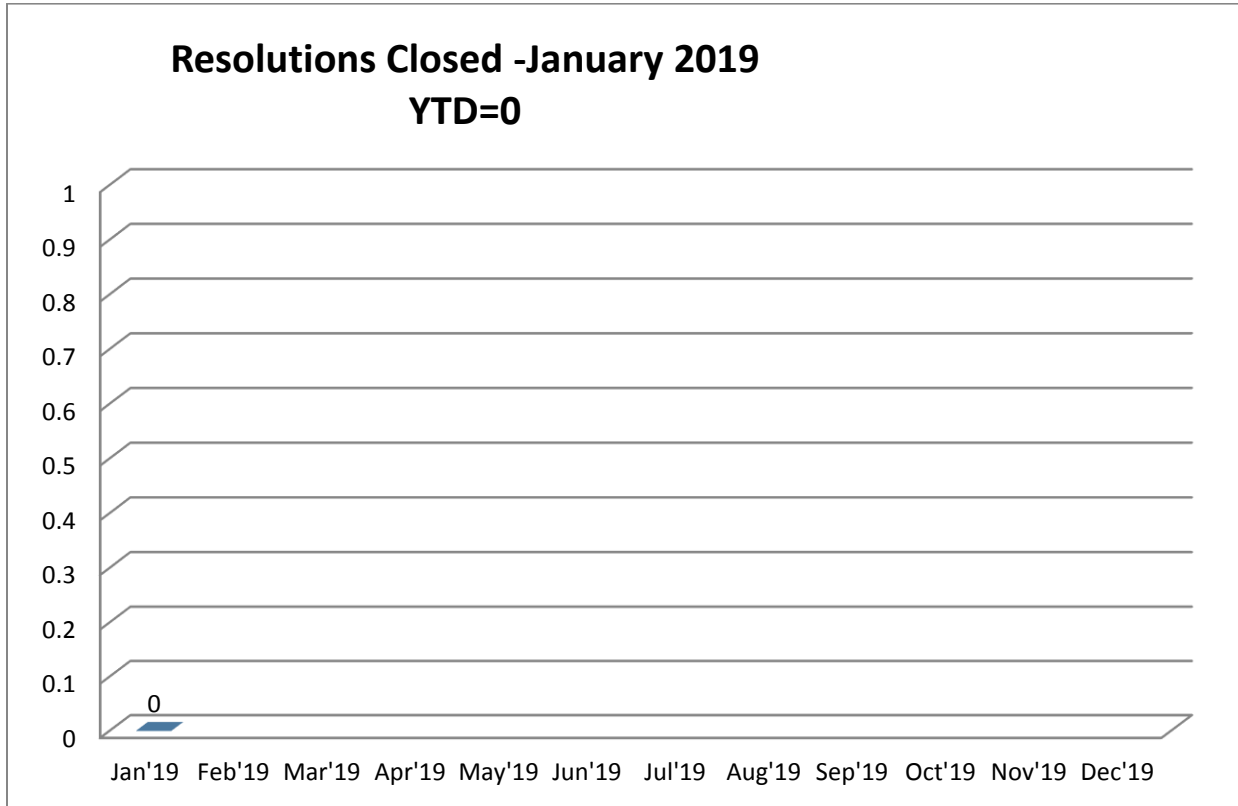
- **GO 88B – XREQ 2018120013** - On January 14, 2019, staff authorized the City of Redlands to alter the 7th Street At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-65.76 and DOT Crossing No. 027246B in the City of Redlands, San Bernardino County. The improvements include new track, concrete panels, raised median, Commission Standard 9 warning devices, remove Standard 1 assemblies, roadway lighting, new signal house, pavement of roadway, new curb and gutter, railroad warning signage and pavement markings. The authorization expires on January 14, 2022.
- **GO 88B – XREQ 2018120014** - On January 14, 2019, staff authorized the City of Redlands to alter the Colton Street At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-64.20 and DOT Crossing No. 027234G in the City of Redlands, San Bernardino County. The improvements include new track, concrete panels, modify medians, Commission Standard 9 warning devices, exit gates, pedestrian gates, new signal house, pre-signal, advance preemption, pavement of roadway, new curb and gutter, railroad warning signage and pavement markings. The authorization expires on January 14, 2022.
- **GO 88B – XREQ 2018120010** - On January 14, 2019, staff authorized the City of Redlands to alter the Texas Street At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 101SG-65.07 and DOT Crossing No. 027239R in the City of Redlands, San Bernardino County. The improvements include new track, concrete panels, raised median, Commission Standard 9 warning devices, new signal house, pavement of roadway, new curb and gutter, railroad warning signage and pavement markings. The authorization expires on January 14, 2022.
- **GO 88B – XREQ 2018120018** – On January 17, 2019, staff authorized the California High-Speed Rail Authority (CAHSR) to alter the Poso Avenue At-Grade Highway-Rail Crossing Identified as CPUC Crossing No. 002-912.50 and DOT Crossing No. 028300V in the City of Wasco, Kern County. The improvements include construction of a grade separation over Pose Avenue for BNSF tracks, construction of a grade separation for two CAHSR tracks, construction of an underpass below the mentioned bridges, and a shoofly track to maintain BNSF rail during bridge construction. The authorization expires on January 17, 2022.

**Proceedings, Resolutions, and G.O.88-B Applications  
Closed -January 2019  
YTD= 24**



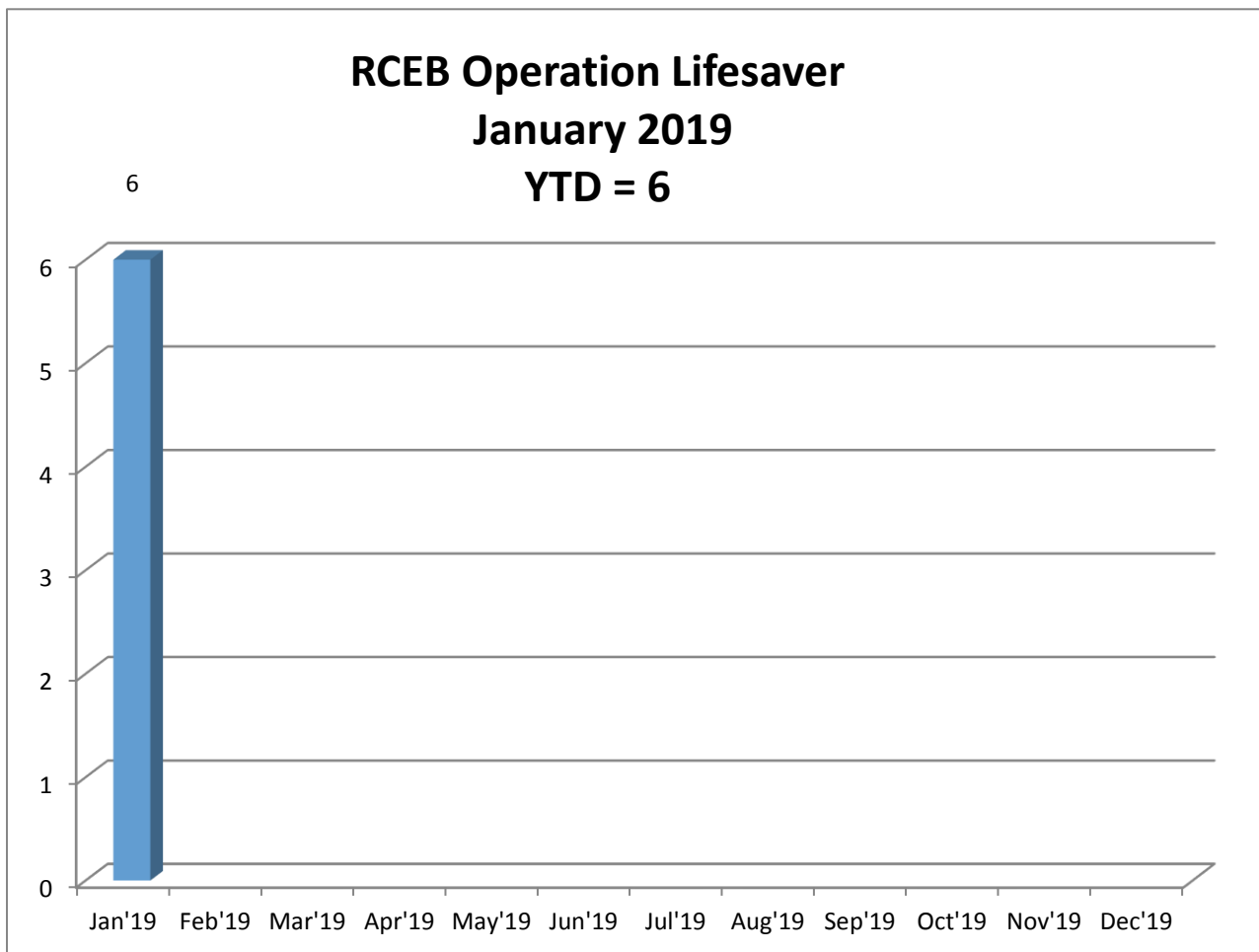
**Proceedings -ALJ Closed -January 2019  
YTD= 7**





OPERATION LIFESAVER INC.

In January 2019, RCEB Operation Lifesaver Inc. (OLI) volunteers shared the OLI rail safety message with two groups. On January 20, 2019, staff manned a booth for the CalVans Driver Recognition event in Modesto. Staff shared the OLI rail safety message in English and Spanish to a group of 34 adults and children. On January 23, 2019, staff shared the OLI rail safety message at the San Joaquin Ag-Venture event at the San Joaquin County Fairgrounds. Staff completed five OLI presentations to a total of 107 K-8 students. As time permits, staff participates in presentations, fairs, and community events to share the OLI rail safety message to the public and professional drivers.





## OFFICE OF RAIL SAFETY

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### RAIL TRANSIT - RTSB

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In January 2019, the Rail Transit Safety Branch (RTSB) completed the following activities:

#### CORRECTIVE ACTIONS PLANS

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- Thirty (30) Corrective Action Plans (CAP's) were opened.
- Thirty-seven (37) were closed.

#### INCIDENT INVESTIGATIONS

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- Thirty-four (34) incidents were reported by Rail Transit Agencies (RTA).<sup>3</sup>
- Seventy (70) incident investigations were closed.

#### MAJOR AUDITS

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- A Triennial Safety and Security Review of North [San Diego] County Transit District (NCTD) was conducted in August. The review covered the twenty-one (21) System Safety Program Plan and five (5) System Security Plan elements required by General Order 164-E. In addition, Staff reviewed agency compliance with other General Orders, such as General Orders 172 and 175-A. RTSB met with NCTD on December 19 to present Staff's findings and recommendations. Staff is drafting a report. The draft report will be subject to a thirty-day comment period.
- RTSB and Bay Area Rapid Transit (BART) met on May 29 to discuss the BART Triennial Safety Review Draft Audit Report. The objective was to discuss any concerns BART may have with the draft. BART sent RTSB their comments on the draft report. RTSB incorporated the valid comments into its revised draft report. RTSB plans to place a proposed resolution to adopt

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<sup>3</sup> Per General Order 164-E, the Commission must be notified within 2 hours by rail transit agencies of incidents if they include one of the following: a fatality (occurring at the scene, or within 30 calendar days following the incident); one or more persons suffering "serious injury" (as defined in GO 164-E); a collision involving a rail transit vehicle and another rail transit vehicle, or individual; a derailment of any rail transit vehicle at any location, at any time, whatever the cause; an evacuation for life safety reasons; or a runaway train.

## California Public Utilities Commission | Safety and Enforcement Division

the BART Triennial Safety Review Audit Report on an upcoming Commission meeting agenda. A draft of the proposed resolution and report was routed to Legal Division and the Legal Division comments are under review.

### ADMINISTRATIVE ACCOMPLISHMENTS

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- **RTSB Management Meeting:** On January 23rd, the RTSB Management Team held a day-long meeting in the Natomas office to plan major activities for the Branch.
- **Training:**
  - Madeline Ocampo and Ariana Merlino completed the Transit Rail System Safety course presented by the Transportation Safety Institute in Los Angeles.
  - Ainsley Kung and Daniel Kwok renewed their Rail Safety Certification program certificate issued through the Los Angeles County Metropolitan Transportation Authority (LACMTA).

### PROCEEDINGS / RESOLUTIONS / OTHER FORMAL ACTIONS

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- **Citation Issued:** The Commission issued Citation # 1807001 to San Francisco Municipal Transportation Agency (SFMTA or MUNI) on December 11. The citation levied a fine of one hundred twenty thousand dollars (\$120,000). The citation was the result of repeated violations of General Order 172, (Personal Electronic Devices) Sections 3.1(a), 3.1(c), 5.1., and 5.2(a) and for violations of the SFMTA Rail Rule Book's Personal Electronic Devices Rules 2.15.3 and 2.15.4. The violations included non-compliant cell phone use or stowage. Staff observed these violations during several RTSB safety inspections of SFMTA property and personnel observations from late 2017 through July 18, 2018. Staff documented the violations in inspection reports and provided them to SFMTA. The failure of SFMTA management to prevent continued violations compelled RTSB to issue the citation. The agency was notified of its right to appeal the citation. On January 11, SFMTA responded with a letter to SED Deputy Director Clugston outlining the corrective actions the agency intends to implement and enclosed a Citation Compliance Agreement along with payment for the full amount of the penalty.

### Ongoing:

- **I.16-06-010 Investigation into Fatal Accident on BART Tracks (Commissioner Randolph/AJ Kim)** - On June 28, 2016, the Commission instituted a formal Investigation in response to a two fatality BART accident on October 19, 2013. A final Decision was issued on October 22 in the form of Decision Regarding Alleged Violations by San Francisco Bay Area Rapid Transit District Relating to the October 19, 2013 Fatal Accident (Decision 18-10-020). In part, the Decision imposed a total fine of \$1,348,000 against San Francisco Bay Area Rapid Transit District (BART). The Commission stayed half of the fine under that condition that “San Francisco (BART) remains in compliance with the directives in this Decision during the probationary period.” In accordance with the Decision, BART will be on probation for three years from the date of issuance. On November 16, BART filed an Application for Rehearing of the above referenced Decision. In its Application, among other arguments BART contends that the Decision exceeds the Commission’s jurisdictional authority and further that the Decision is unlawful, an abuse of discretion and a violation of BART’s right to due process. The filing also requests oral argument and that the Decision be suspended until the Application is decided. In a December 3<sup>rd</sup> Response, SED recommends denial of the Application in its response concluding the following: “The findings in D.18-010-020 are lawful and supported by substantial evidence in light of the whole record. Under Public Utilities Code Section 1757(a)(4) and for the reasons discussed...the Application for Rehearing in this proceeding should be denied in its entirety.”<sup>4</sup> A Commission Order issued on January 10 denied and disposed of the Request for Suspension of D.18-10-020. However, the Investigation continues to be held open to address the associated Application for Rehearing.

### SAFETY CERTIFICATION AND OVERSIGHT OF RAIL TRANSIT AGENCY PROJECTS

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- **AirTrain Extension Project:** On August 10, 2017, Resolution ST-205 approved the San Francisco International Airport’s AirTrain Automated People Mover (AirTrain) Extension

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<sup>4</sup>THE SAFETY AND ENFORCEMENT DIVISION’S RESPONSE TO THE APPLICATION FOR REHEARING OF THE BAY AREA REGIONAL TRANSIT DISTRICT: p. 11. Document filed on December 3, 2018 in the Investigation 16-06-010.

Safety Certification Plan (SCP). The project expands the existing AirTrain system to include a new Long-term Parking (LTP) Garage Station and an additional in-line Hotel Station serving a future hotel. Additional planned changes include an upgrade to line-of-sight (LOS) train to wayside signaling and communications, field retrofits of 39 vehicles to LOS technology, an upgrade to the Central Control, a 2000 ft. guideway extension, four additional guideway crossover switches, additional traction power system, and 3 new Innovia APM 100 vehicles. The project will have three Safety Certification Verification Reports as it has three phases. Project culmination and start of revenue service is anticipated to take place in 2020. Staff observed a vehicle dynamic test on January 22 during which they identified no items of concern.

- **Angel's Flight Development Company (AFDC) Retrofits:** In early 2018, Staff identified serious concerns related to the interaction between the steel haul and safety rope cables, the guideway, and the guide and support rollers. Because of the potential severity of the issues, Staff required AFDC management to develop and implement corrective action plans (CAPs) that included procedural and engineering solutions to mitigate the identified hazardous conditions. In response, AFDC increased the frequency of inspections performed and suspended revenue service in November and December to implement their CAPs pertaining to physical modifications. AFDC hired specialized metal, construction, and steel cable companies to perform some of the work. From November 27-28 AFDC contractors altered a support bracket in the emergency walkway to accommodate the relocation of the rollers. From November 28-29 AFDC relocated the rollers to eliminate unintended contact between the haul ropes and guideway components. Staff was present for the work on November 29. After work was completed, Staff verified that CAPs scheduled for November had been completed and safety concerns had been addressed. Finally, from December 10-13 AFDC contractors replaced the safety rope cable and AFDC installed missing rail securements. Staff returned December 13 to verify that CAPs scheduled for December had been completed and remaining safety concerns addressed. With the approval of SED management, Angel's Flight resumed service on December 14, 2018.

- **BART New Vehicle Procurement:** BART is in the process of procuring 775 new rail vehicles. BART submitted its Interim Safety and Security Certification Verification Report on October 30, 2017, and a Request Letter on January 12, 2018 to place 10 new cars into revenue service. RTSB approved this request with a letter dated January 17, 2018. Since that date, RTSB has approved by letter to BART's General Manager six other requests for BART to place new vehicles into revenue service. Sixty new vehicles have been approved and placed into revenue service. There are two types of new vehicles, D-Cars and E-Cars. D-Cars have an operator's cab while E-Cars do not.
- **BART Hayward Maintenance Complex Project:** On November 16, 2018, RTSB approved the first phase of this project, the Component Repair Shop, to commence operations.
- **Silicon Valley Berryessa Extension (SBVX):** BART and Santa Clara Valley Transportation Authority (VTA) are currently in the process of constructing a 10-mile BART system track extension and two new stations – the Milpitas and Berryessa stations.
- **Downtown Sacramento Streetcar Project:** The Federal Transit Administration (FTA) has provided funding for preliminary engineering and development for this project, but they have not received an FTA full-funding grant award. A Joint Powers Authority has been established as the system owner/operator involving the City of Sacramento and City of West Sacramento. They are utilizing the expertise of Sacramento Regional Transit District (SRTD) in the provision of design and construction oversight, and they will be the eventual system operator. This will be helpful for the project, as the Streetcar will operate over a portion of the existing SRTD tracks.
- **Central Subway Project (CSP):** SFMTA is excavating 1.7 miles of tunnel to extend the Muni Metro Third St. Line to provide a direct transit link between the Bayshore and Mission Bay areas to SoMa, downtown San Francisco, and Chinatown. SFMTA estimates a start of revenue service on December 10, 2019. For the past two months, Staff have noted concerns regarding the disposition of some of the conformance checklist items being submitted for verification review. During the January 17 Safety and Security Certification Review Committee (SSCRC) meeting, CPUC and SFMTA staff discussed these concerns and potential means of resolution.

- **LACMTA P3010 New Vehicle Procurement Project:** The Los Angeles County Metropolitan Transportation Authority (LACMTA) is in the process of procuring up to 235 new rail vehicles. These vehicles are intended to expand passenger capacity for the recently completed projects (Expo Phase 2 and Foothill Extension Phase 2) and the future LAX/Crenshaw line currently under construction. Staff continues to follow a recently revised approval process whereby Staff provide a conditional approval based on monthly review of the open item lists and the reports on vehicle test performance. Staff will recommend official approval to RTSB management after a successful review of the Car History Books (CHBs) in person.
- **LACMTA HR4000 Heavy Rail Vehicle Procurement:** LACMTA is in the process of procuring a base order of 64, with options for up to 282, new heavy rail vehicles (HRV) to provide for the future expansions of Regional Connector and Purple Line Extensions, and to replace the aging HRV fleet operating on the Red Line subway. Resolution ST-185 approved the procurement option. To date, there have been no vehicles delivered.
- **LACMTA Regional Connector Project:** Staff regularly attends LACMTA's monthly Fire Life Safety and Security Meetings, as well as SSCRC meetings, and has approved a temporary shoofly track to allow tunnel boring to commence. The Regional Connector Project celebrated its 50% completion on May 19 with a "Halfway There!" community celebration that was free and open to the public.
- **LACMTA Purple Line (Westside) Extension Project:** LACMTA is currently extending the Purple Line. The Westside Purple Line Extension, previously named the Westside Subway Extension, extends service from the terminus at Wilshire/Western Station to Westwood (UCLA and Veteran's Administration Hospital). This extension will consist of nearly nine miles of heavy rail subway and seven stations. Tunneling of the first segment commenced on October 11<sup>th</sup>, 2018. As of October 22, 2018, the Tunnel Boring Machines (TBMs) have excavated approximated 62 ft. The first segment is approximately 9,670 ft in length, from La Brea Blvd to Western Ave. The TBMs are anywhere from 35 to 95 ft underneath Wilshire Blvd.

- **LACMTA/MGLFECA Foothill Extension Phase 2B:** LACMTA and Metro Gold Line Foothill Extension Construction Authority (MGLFECA) have submitted the project's SCP. Resolution ST-194 provided approval for the document on January 19, 2017. Phase 2B alignment is from the current terminus of LACMTA Gold Line, Azusa Station, to the City of Montclair. It will traverse six cities with six new stations on 12.3 miles of light rail transit (LRT) at-grade track.
- **LACMTA Crenshaw/LAX Corridor Project:** LACMTA is constructing a new LRT line through the Crenshaw/LAX Corridor. The Line will travel 8.5 miles from the existing Metro Exposition Line at Crenshaw and Exposition Boulevards to the Green Line and will serve the cities of Los Angeles, Inglewood, El Segundo and portions of unincorporated Los Angeles County. The project is currently in the construction phase that Staff monitors via regular meetings. The review team has approved the Safety Certification Design Checklists. The next step is the SSCRC's verification of the Safety Certification Construction Checklists. The project is nearly 80% complete. However, the project has experienced significant delays and is an estimated 6 months behind schedule. The substantial completion date was rescheduled from May 1, 2019 to December 2019. While the forecasted revenue service date has been pushed from October 31, 2019 to May 2020.
- **Los Angeles Streetcar:** The Los Angeles Streetcar is a project that is advancing under the Los Angeles County Measure M funding. The preliminary design is proceeding despite the lack of LACMTA's identification for near term funding.
- **LAWA Automatic People Mover Project:** Los Angeles World Airports (LAWA), the governing body of Los Angeles International (LAX) and Van Nuys airports, is developing a multi-billion-dollar upgrade to the ground transportation system at LAX. The Landside Access Modernization Program (LAMP) includes a landside Automated People Mover (APM), a Consolidated Rent-A-Car (CONRAC) facility, multiple Intermodal Transportation Facilities (ITFs), and a comprehensive network of roadway improvements. The APM system will feature the design and construction of an approximate 2.25-mile-long, elevated dual-lane guideway, consisting of six stations. Three stations will connect new rental car, airport parking, and Metro facilities to the airline terminals. Three stations in the Central Terminal

Area will provide fast and easy connections to nine airline terminals with a pedestrian walkway system. The Commission approved Resolution ST-212 on October 11, 2018. This Resolution adopted LAWA's Safety and Security Certification Plan (SSCP).

- **Orange County Transportation Authority (OCTA) OC Streetcar Project:** The OC Streetcar (OCSC) project consists of 4.15 miles of track between the Santa Ana Regional Transportation Center in the City of Santa Ana and the Harbor Boulevard/Westminster Avenue intersection in the City of Garden Grove. Revenue service is scheduled to commence in 2021. Staff continues to attend the SSRCR and Fire Life Safety Committee (FLSC) meetings for this project. On November 30, 2018, the Federal Transit Administration awarded a full-funding grant agreement for \$129 M to OCTA for the project.
- **SFMTA LRV4 Procurement to Expand and Replace the Rail Fleet:** This project is scheduled for completion in 2027. The safety and security certification-related aspects of this project are being monitored by Staff through regular meetings, review of records produced pursuant to the requirements of the project SSCP (e.g. Certificates of Conformance and associated supporting documentation for certifiable elements at pertinent project milestones), and observations of vehicle testing. In January, Staff authorized SFMTA to place eight more LRV4 cars into revenue service.
- **San Diego Trolley, Inc. (SDTI) Mid-Coast Corridor Project:** The San Diego Metropolitan Transit System's (SDMTS) Mid-Coast Corridor Project is a 10.9-mile double-track light-rail transit line, which begins at the Old Town Transit Center in San Diego. The project provides future SDTI revenue service to the Linda Vista, Clairemont, University of California at San Diego (UC San Diego) and the University City areas. The additional stations will be Tecolote Road, Clairemont Drive, Balboa Avenue, Nobel Drive, potential Veterans Administration (VA) Medical Hospital, UC San Diego West (along Voigt Drive), UC San Diego East (along Voigt Drive), Executive Drive, and University Town Center (UTC) Transit Center. Construction started in 2016 and revenue service is planned to begin late 2021. Staff continues to attend the System Safety Review Committee Project Meetings and FLSC Project Meetings.



- **San Diego Light Rail Vehicle Procurement:** SDTI is procuring 45 light rail vehicles (LRV) for the Mid-Coast Corridor Project. The procurement process began January 2018 with an expected schedule completion and acceptance of all 45 LRV's by June 2021. Commission Resolution ST-217 formally accepts the SDMTS LRV Procurement SCP and was approved on October 11, 2018. Car Nos. 5001-5003 are currently on-site at the SDTI Yard and are undergoing static tests. Staff will be participating in the acceptance testing throughout the procurement process.

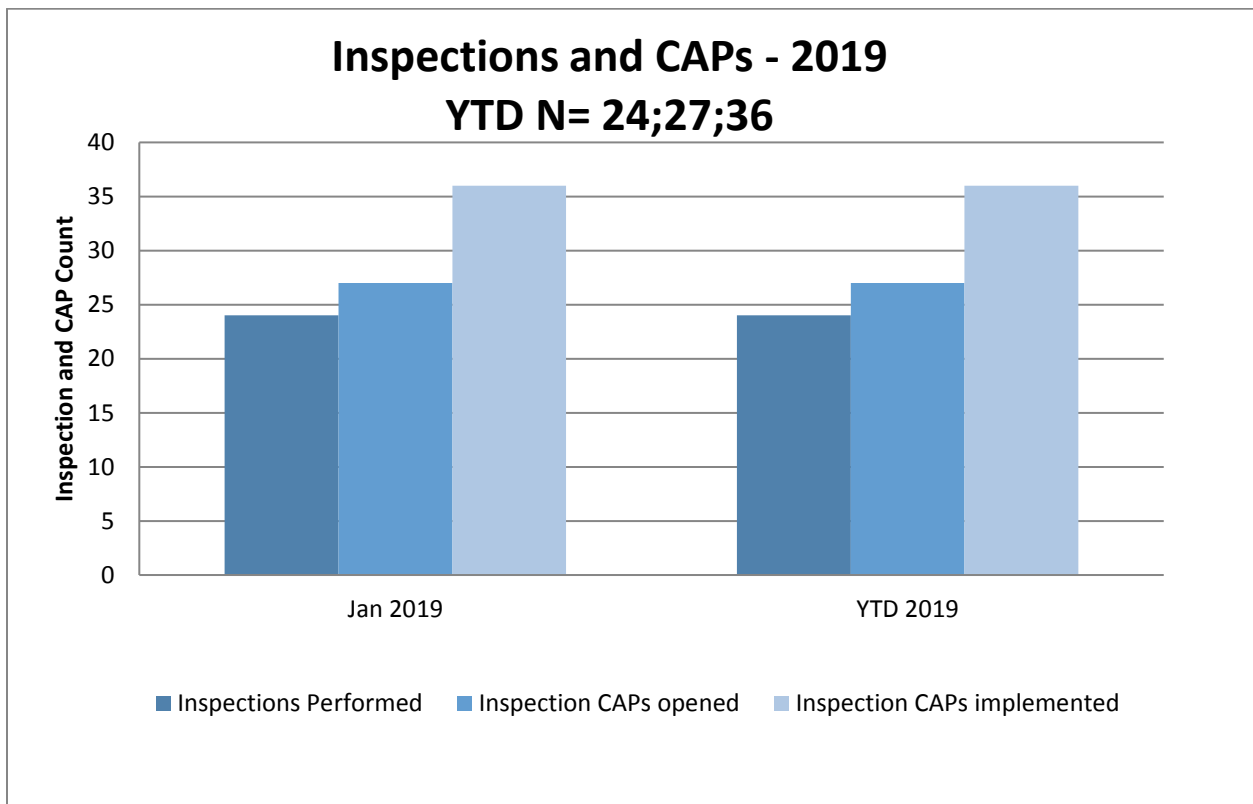
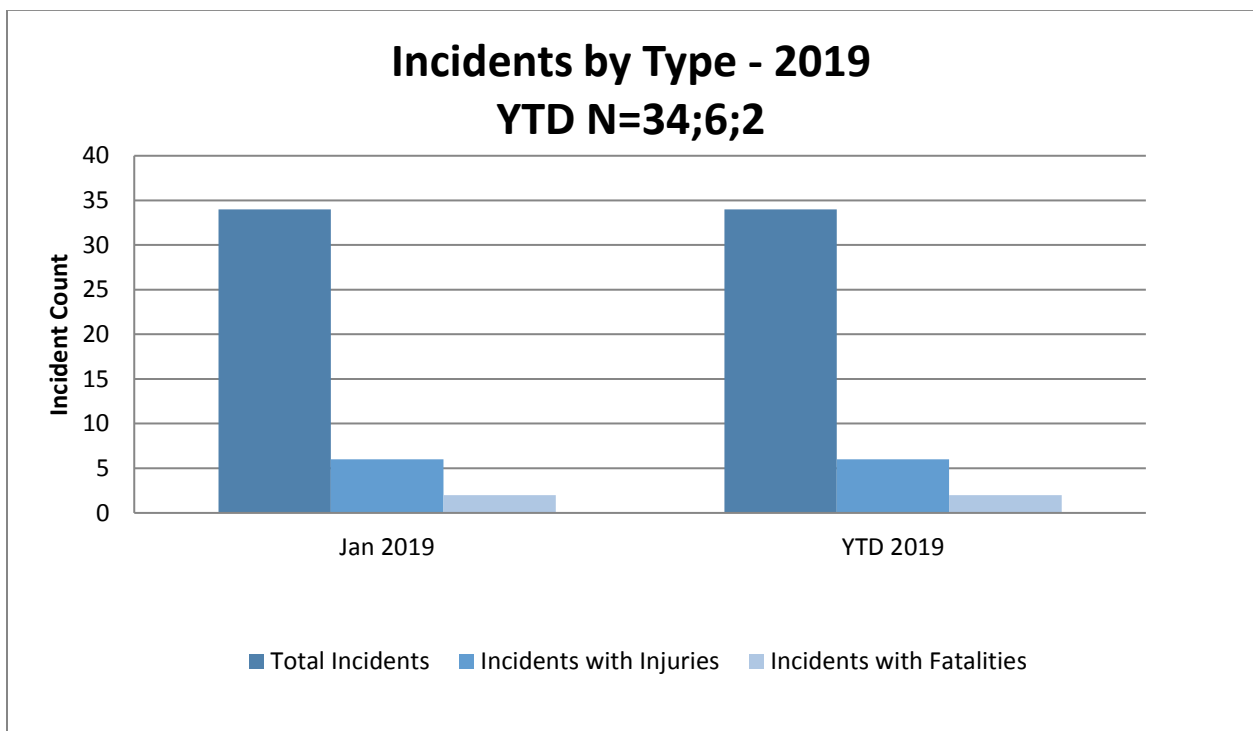
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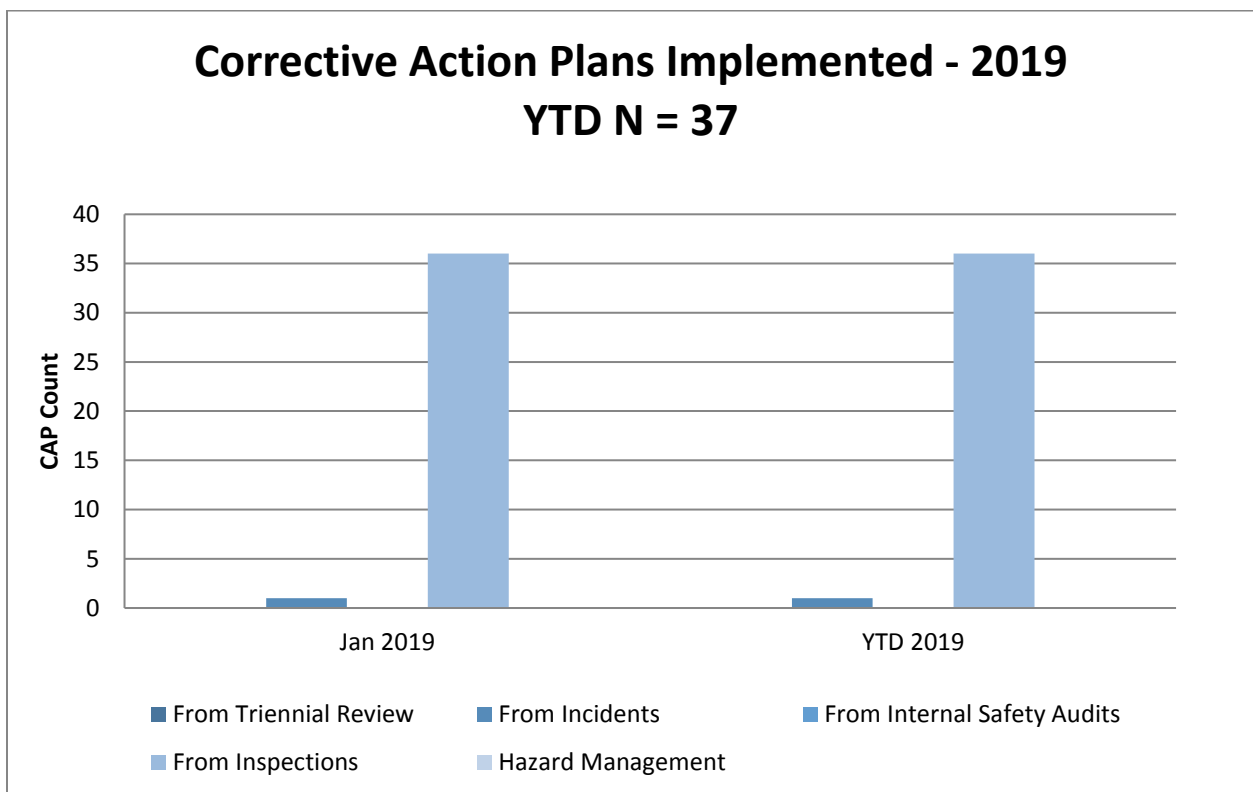
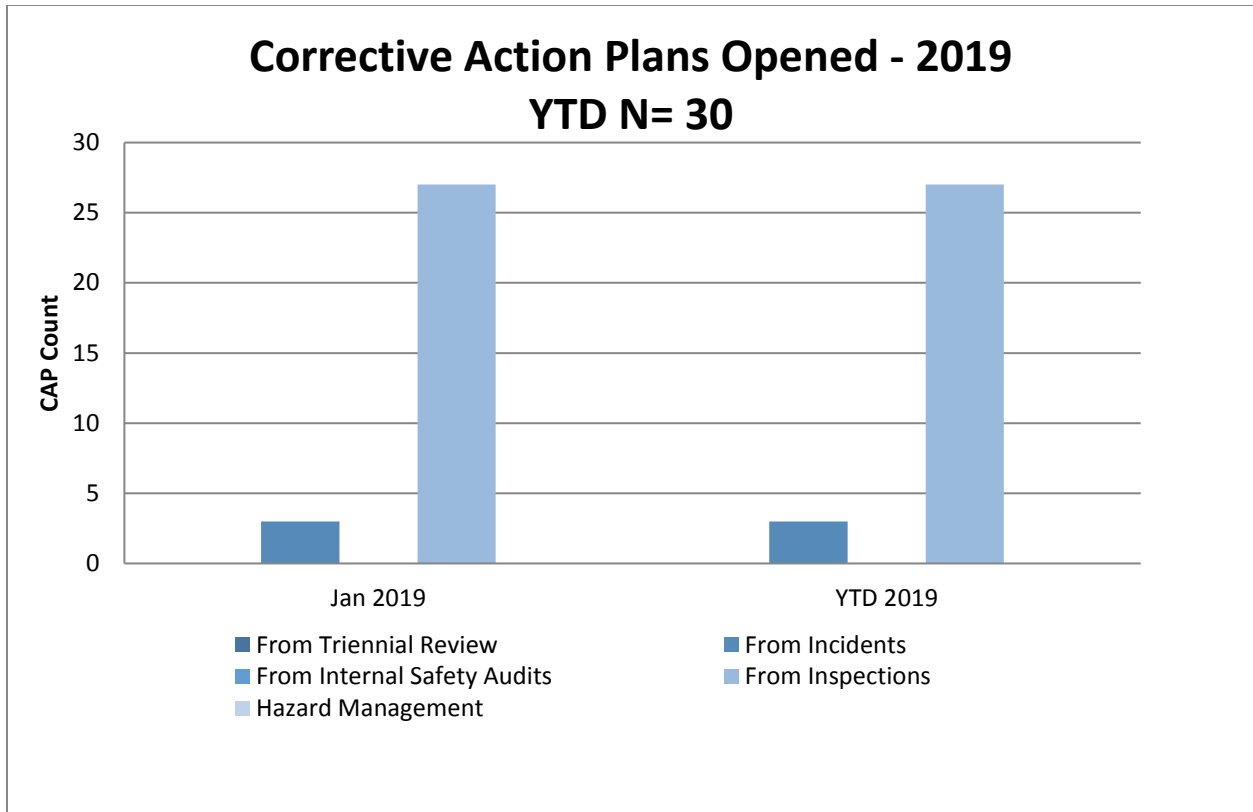
### STATISTICS SUMMARY

| Investigations for Month       |    | YTD 2019 |
|--------------------------------|----|----------|
| Incidents Reported             | 34 | 34       |
| Incident Investigations Closed | 70 | 70       |
| Complaints Investigated        | 0  | 0        |
| Rail Transit Inspections       | 24 | 24       |
| Triennial Review               | 0  | 0        |

|                                       |           | YTD 2019  |
|---------------------------------------|-----------|-----------|
| <b>New Corrective Action Plans</b>    | <b>30</b> | <b>30</b> |
| From Triennial Review                 | 0         | 0         |
| From Incidents                        | 3         | 3         |
| From Internal Safety/Security Audits  | 0         | 0         |
| From Rail Transit Inspections         | 27        | 27        |
| From Hazard Management                | 0         | 0         |
| <b>Closed Corrective Action Plans</b> | <b>37</b> | <b>37</b> |
| From Triennial Review                 | 0         | 0         |
| From Incidents                        | 1         | 1         |
| From Internal Safety/Security Audits  | 0         | 0         |
| From Rail Transit Inspections         | 36        | 36        |
| From Hazard Management                | 0         | 0         |

ONGOING DATA / TRENDS





## CORT MONTHLY REPORT

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In California during the month of January:

- The railroads moved 7 trains with 700 crude oil cars via unit train
- Via manifest train the railroads moved 90 crude oil cars

During the month of December seven (7) crude oil trains were delivered to **Plains All America** in Taft, California. Each train consisted of 100 cars: all seven (7) were heavy crude coming from Edmonton, Canada. These trains were spotted by the San Joaquin Valley Railroad (SJVR) originating from their yard in Bakersfield.

For the month of February three (3) crude oil trains are expected, this lower amount is due to weather in Canada none of these trains will be Bakken crude.

The SJVR also spots unit trains for **Kern Oil** which is a refinery operating in Bakersfield. The management at Kern Oil stated they do not have a train schedule lined up for 2019. They will keep the team informed when the schedule becomes available.

Kern is expecting one train next month originating in New Mexico.

**Delta Trading** is a trans-loading facility located in Bakersfield where California oil cars are moved by manifest train. Their cars are loaded in Natrona, Wyoming after the oil is piped across from Canada. The SJVR also spots cars at this facility the crew picks up the cars in their Bakersfield Yard and moves them to two (2) holding tracks outside the facility until needed. In the month of December Delta processed ninety (90) crude oil cars.

### IN OTHER NEWS

Spoke with the San Ardo Station Superintendent regarding operation of the new truck loading facility which is totally operational. They are able to load three (3) trucks simultaneously, completing the process in twenty minutes. On average they are processing 9,500 barrels per day and receiving 10,000 barrels from the fields. One of the original concerns had to store incoming product in storage tanks that has not become an issue. The two tank strings are still waiting as backup.