

Rail Safety Division



Monthly Performance Report

May 2020

TABLE OF CONTENTS

COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)	2
MONITORING THE WHISTLEBLOWER WEBSITE	3
<i>Statistics - 1/01/20 – 5/31/20</i>	3
RAILROAD OPERATIONS SAFETY BRANCH – ROSB	4
<i>ROSB Inspection, Investigation & Field Activities</i>	4
RAIL CROSSINGS AND ENGINEERING BRANCH - RCEB.....	12
<i>Rail Crossing Incident Investigations</i>	12
<i>Safety Assessments, Quiet Zones and Reviews</i>	15
<i>Proceedings, Resolutions and G.O. 88B Reviews</i>	16
RAIL TRANSIT SAFETY BRANCH - RTSB	19
<i>Corrective Actions Plans</i>	19
<i>Accident Investigations</i>	19
<i>Major Audits</i>	19
<i>Administrative Accomplishments</i>	21
<i>Safety Certification and Oversight of Rail Transit Agency Projects</i>	21
<i>Statistics Summary</i>	27
<i>Ongoing Data / Trends</i>	29
CORT MONTHLY REPORT.....	31

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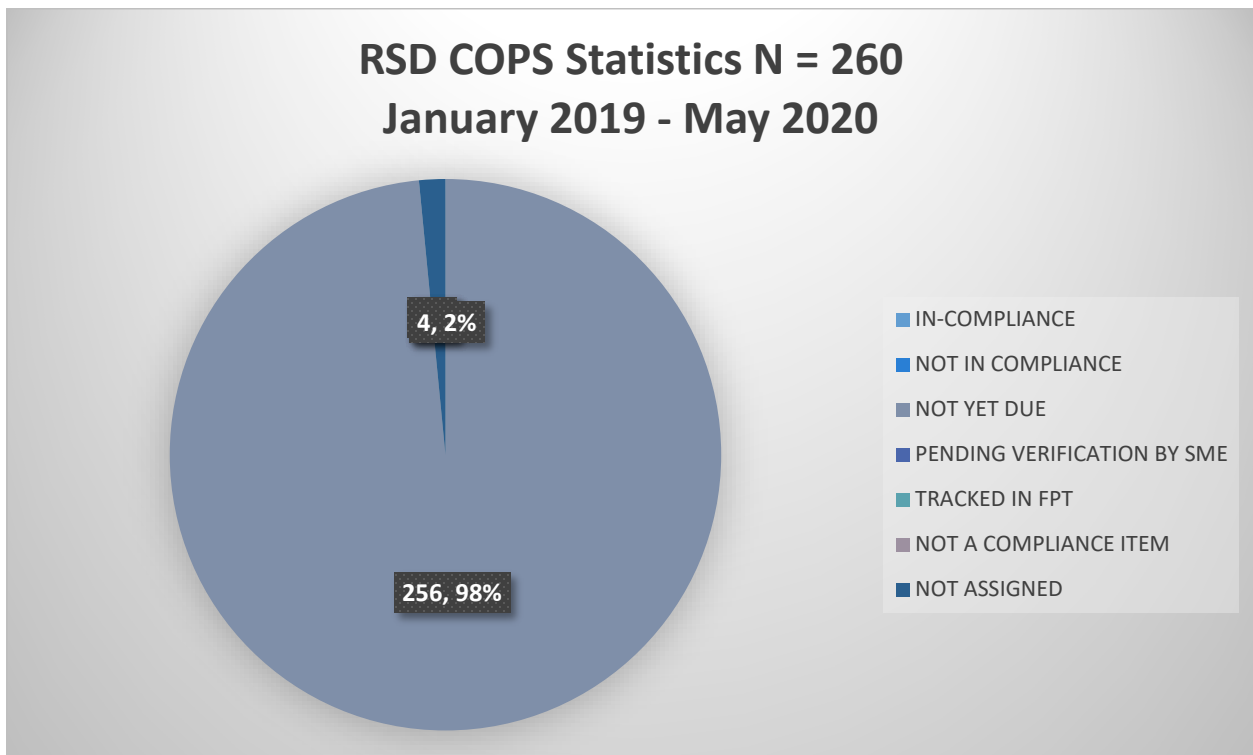
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COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

Through May 31, 2020, the Rail Safety Division (RSD) shows 260 total entries in the COPS system: with 0 reaching compliance, 256 (98%) not yet due for compliance, and 0 (0%) out of compliance. 0 are pending verification. 256 (98%) of all Ordering Paragraphs are assigned to members of staff.

During May 2020, there were 0 new OPs recorded to the COPS database for the Rail Safety Division.

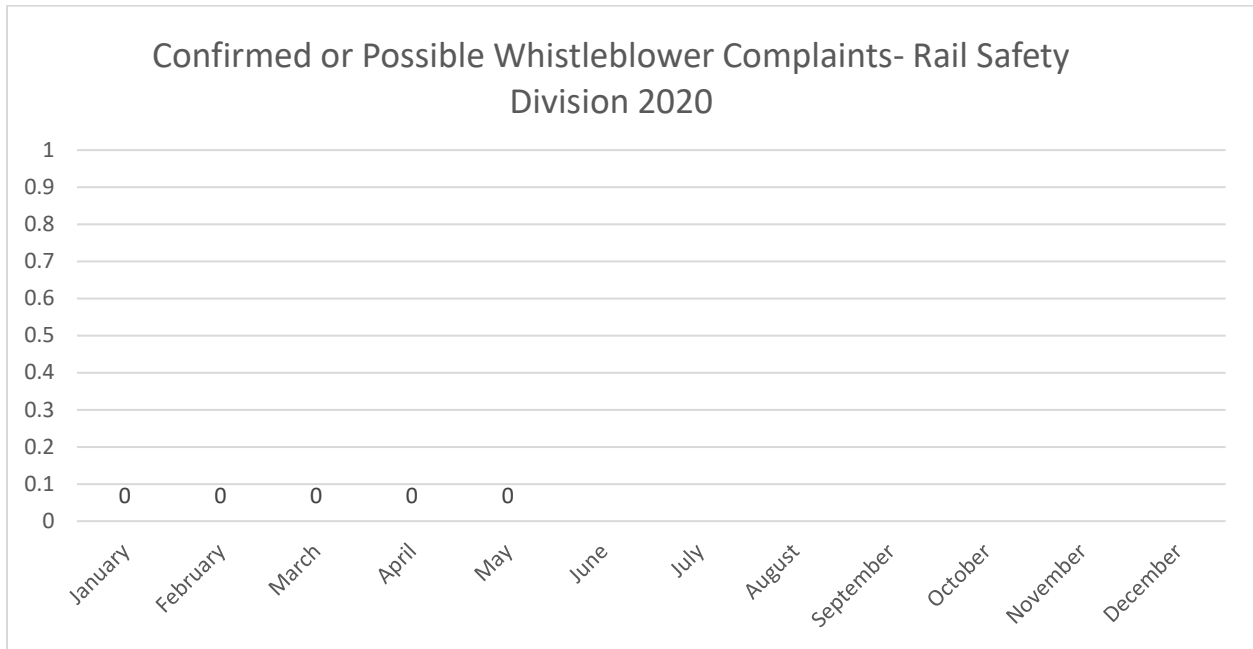


MONITORING THE WHISTLEBLOWER WEBSITE

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 - 1/01/20 – 5/31/20

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



RAILROAD OPERATIONS SAFETY BRANCH – ROSB

In May 2020, RSD Staff’s Railroad Operations group completed the following:

Railroad Operations Safety Branch	May-20	YTD 2020
New Incidents Investigated	4	34
Informal Complaints Investigated	2	13
Safety Assessments/Reviews	14	56
Compliance Actions	1091	5800
Major Inspections Completed	2	14
Operation Lifesaver Presentations	0	11

ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES

May 1, 2020: A CPUC Railroad Safety Inspector made a routine inspection of UPRR train crew operations in West Sacramento, to verify compliance with State General Order 26-D, 72-B, 75-D, and 118-A regulatory requirements. The railroad is responsible to provide a safe work environment for railroad employees operating on UPRR tracks and for the public who cross the tracks at grade crossings. While performing an inspection of a UPRR train crew, the CPUC Inspector observed a grade crossing in West Sacramento that no longer met State General Order 72-B Standard NO. 8 which requires “Concrete Slabs: This type of crossing surface consists of precast or cast in place reinforced concrete panels that may be removed and reinstalled for maintenance and replacement purposes. These panels are usually placed and removed by powered mechanical equipment because of their weight. Flangeway between the gauge shall be not more than two and one-half inches wide”.

The grade crossing in West Sacramento no longer had a smooth surface across the tracks for the public to use. The metal frame that supports the rebar to reinforce the concrete panel was missing, causing the rebar to become exposed. The top of the rail plane was no longer connected with the grade line of the highway creating potholes in the roadway surface near the track. The CPUC Inspector also noted in the other traffic lane there were two crossing panels outside the gauge of the track that were no longer securely fastened to the railroad ties below.

Creating a hazardous condition for the public who traversed the grade crossing daily. The CPUC Inspector notified the UPRR Manager of Track Maintenance (MTM) on May 1st regarding the unsafe condition, the MTM stated he would have his crews temporarily fill the broken crossing panel with asphalt because their boom truck was in the shop for repairs.

On May 8th, the CPUC Inspector returned to the grade crossing in West Sacramento to verify the temporary repair had been completed. The inspector arrived while the UP crew was in the process of repairing the broken reinforced concrete panel. As a result of this temporary repair the vehicles that traverse this crossing are no longer in danger of puncturing their tires while driving or impeding traffic while going over the railroad tracks. Wheelchairs and bicycle users could now safely navigate across the railroad tracks without the danger of their tire or wheel becoming stuck in the gap caused by the broken crossing panel. The CPUC Inspector will continue requesting repair updates for the UPRR management regarding the final completion of repairs of the grade crossing in West Sacramento.

May 4, 2020: A CPUC Railroad Safety Inspector performed a routine inspection of freight equipment on the California Northern Railroad (CFNR) in the City of American Canyon. The following General Order defects were observed in the Lombard Yard on the North side of track 3215: Staff observed vegetation (tree) in the walkway obstructing and creating a tripping hazard for railroad employees and contractors working in the area. This is not in compliance of General Order 118-A, which provides standards for the construction, reconstruction, and maintenance of walkways adjacent to railroad tracks to provide a safe area for railroad employees to work. The regulation also requires a gradual slope not to exceed approximately 1 inch to 8 inches. Additionally, the inspector observed tree branches that were hanging down impairing the side clearance of the track creating a contact hazard for railroad employees riding the side of equipment. This is not in compliance with state General Order 26-D, which establishes minimum clearances from railroad tracks for on track equipment and prohibits obstruction. The purpose of 26-D is to prevent injuries and fatalities to railroad employees, by providing these standards.

The Inspector immediately notified Mechanical Manager and he committed to work with the Track Manager and have the vegetation removed. Staff was notified on May 7, 2020 that the vegetation removal was complete, and a follow-up inspection was performed on May 15, 2020 to verify and obtain a remediation photo.

May 5, 2020: During a bridge observation, a CPUC Bridge Investigator found a private road crossing faded and a damaged standard railroad crossing sign that is required at all private crossings in the state of California. The local railroad management was notified of the non-compliant defective conditions for correction. On May 20th, the investigator conducted a follow-up inspection and verified the defective conditions were brought into compliance. The sign has been installed as stated in California State General Orders and Federal Track Safety Standards. These items are addressed by the Inspectors and discussed with the local railroad managers. If defective safety conditions are not identified and corrected, the conditions may cause an injury or result in a catastrophic event to the public or railroad personnel.

May 6, 2020: On February 25, 2020, CPUC Railroad Safety Inspectors conducted a CPUC General Order 118-A (Walkways) Inspection at Union Pacific Railroad's (UPRR), Gemco Yard, in Van Nuys, CA. Decommissioned rail area near MP 445.0 had residual rail components in the walkway, which was non-compliant with CPUC General Order 118-A (Construction, reconstruction and maintenance of walkways and control, of vegetation adjacent to railroad tracks.) An accompanying UPRR Manager of Track Maintenance (MTM) responsible for Gemco Yard agreed to a timeframe for removal of residual rail components in the walkway. The rail components were verified to have been removed and the walkway was compliant with GO 118-A after a visual inspection was conducted by a CPUC investigator on May 6, 2020.

May 7, 2020: CPUC Railroad Safety Inspectors performed a hazardous materials compliance inspection at the Union Pacific Railroad Yard, located in Santa Fe Springs, California. The inspection focused on federal compliance of labeling, marking, stenciling, placarding, proper handling, and the securement of closures on tank cars containing hazardous materials.

On the day of inspection, the following defects were noted. Code of Federal Regulations (CFR) 173.31 D1IV states shippers are responsible to assure all closures on tank cars and determine that the closures and all fastenings securing them are properly tightened in place by the use of a bar, wrench, or other suitable tool. A potential leak of UN 1987 (Alcohols N.O.S.) could have catastrophic consequences. Tank car TILX 731105 containing UN1987, Alcohols N.O.S., class (3) were found in transportation with loose Bottom Outlet Cap. Secondary closure plugs not properly secured and not tool tight per federal regulations. The Union Pacific Railroad Operations Manager on duty was immediately notified of the non-compliant defects for corrective repairs. A shipper subsidiary in the area traveled to the yard and performed the required corrective repairs and the tank car placed back into transportation. The shipper was notified of the defect and retrained their employees about proper procedures for securing tank cars for shipment.

May 15, 2020: A CPUC Railroad Safety Inspector conducted a routine inspection of the Long Beach Container Terminal in the city of Long Beach. The Inspection discovered non-compliance with minimum requirements of blue signal protection of workmen. Blue signal protection is designed to reduce the number of serious accidents resulting from human factors when followed properly. The CPUC inspectors conduct routine inspections of railroad equipment and facilities unannounced. Investigators conduct a field inspection of railroad shops and facilities. Routine Inspections may discover hazardous conditions along walkways that determine if the rail carrier was diligent in providing a safe work environment for crew members and other employees within their facilities. This routine inspection discovered seven electronic derails that were not properly secured and tamper resistant. The Terminal Manager immediately added multi-lock hasps so that each department can lock out the manual throw bar to prevent an unintentional removal of the derail used to protect the workmen on all affected tracks within the LBCT Terminal. The CPUC inspector recommended Civil Penalties against the railroad.

May 19, 2020: CPUC Railroad Safety Inspectors performed a routine General Order inspection on BNSF in the city of Hesperia. During the inspection, several track wires were observed laying

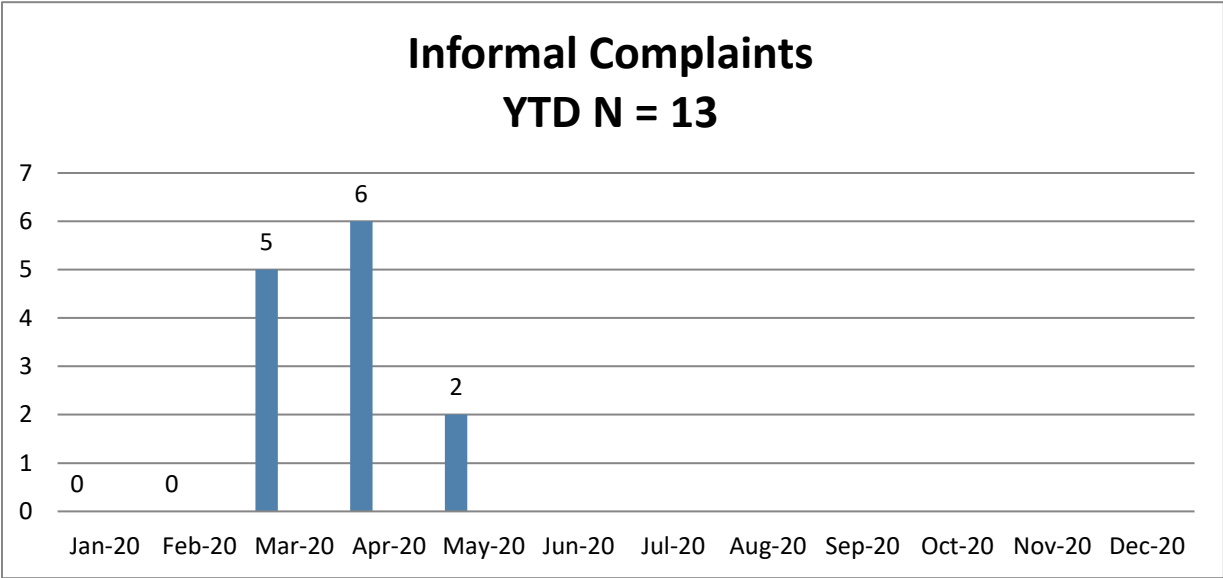
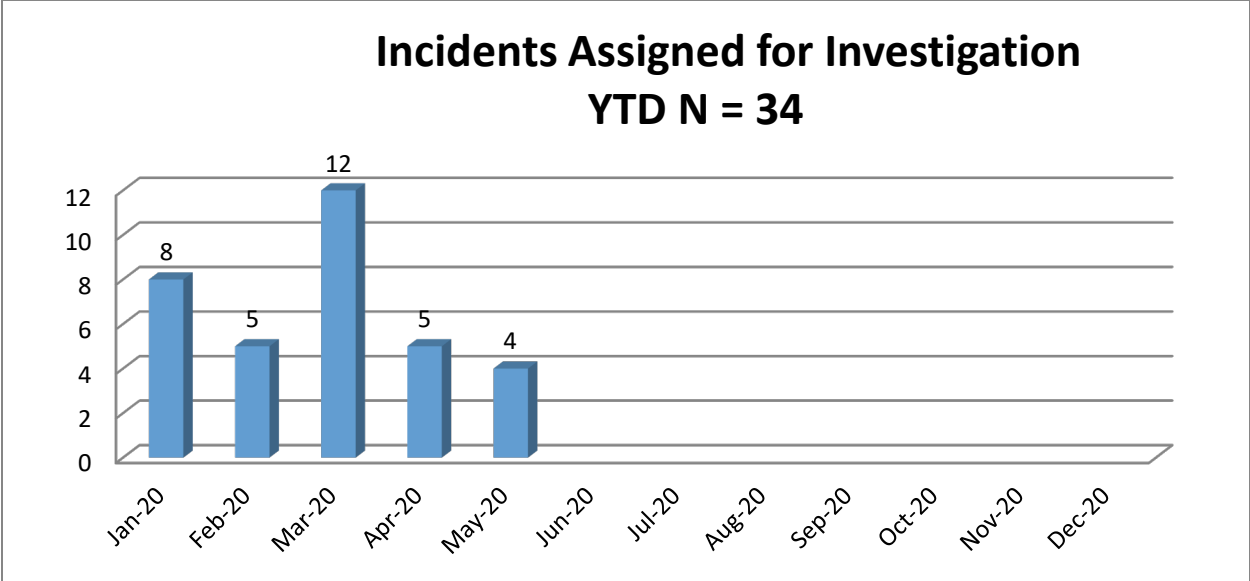
on the ground over the walkway next to the Tracks. This condition hazardous to railroad employees especially train crews that must walk along the train at night. The wires are thermite welded to the rail causing a non-movable hazard that is difficult to see in low light and dark conditions. The BNSF Signal Supervisor was notified of the hazardous condition and the track wires were buried under the ballast the next day. BNSF was given a defect citation for General Order 118-A.103 Debris of various types in the walkway creates a tripping hazard.

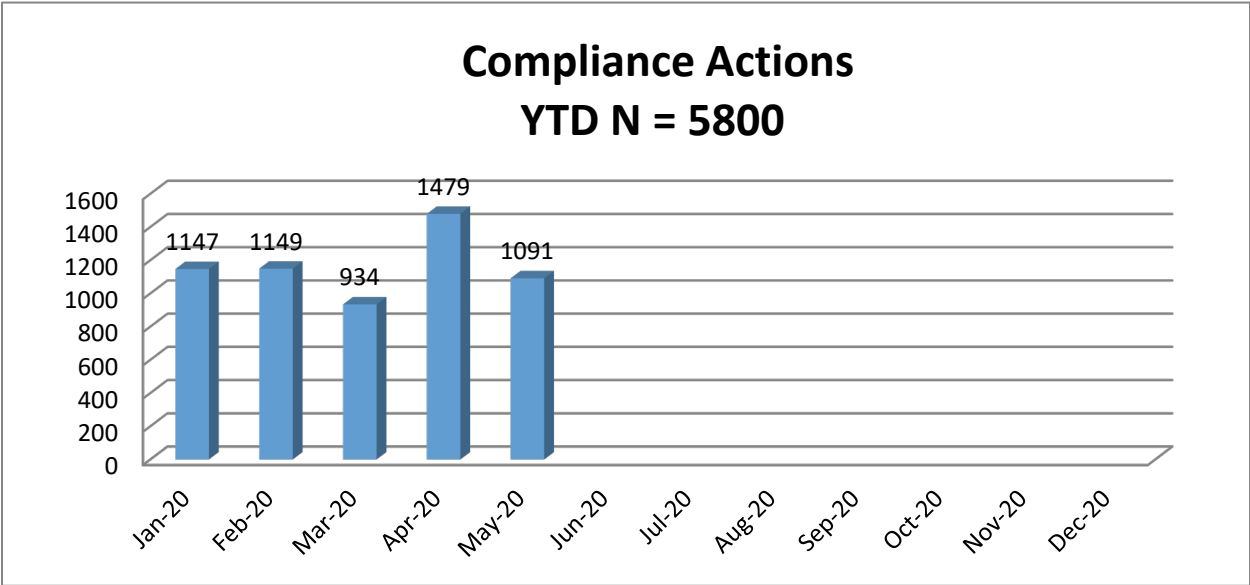
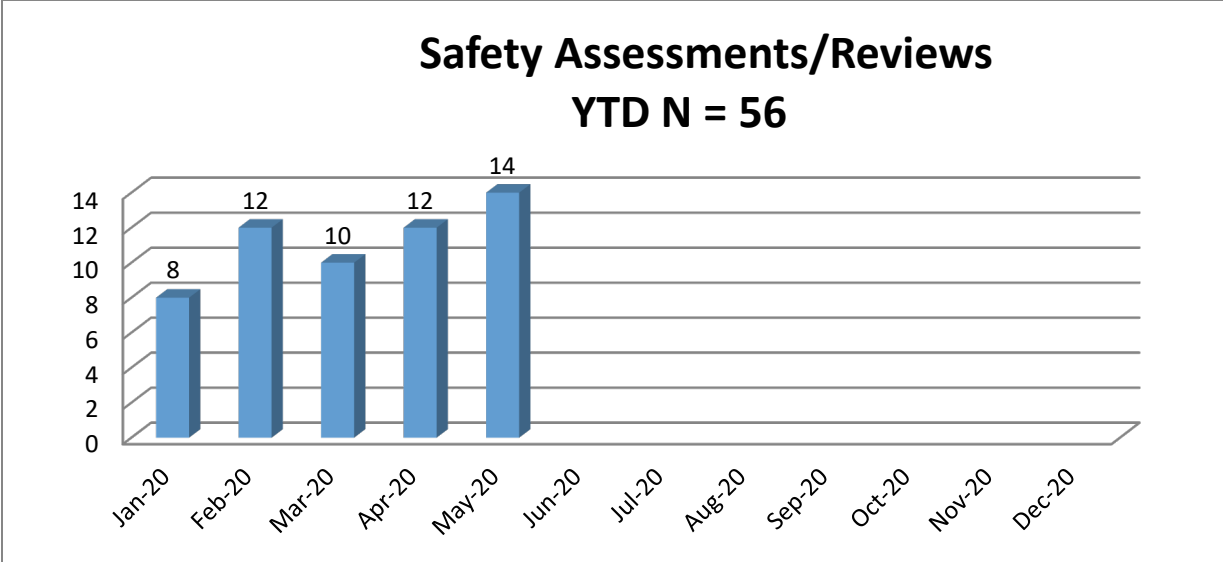
May 26, 2020: A CPUC Railroad Safety Inspector conducted a routine Operating Practice (OP) inspection of UPRR 4th Street Railroad yard in Los Angeles, CA. The inspection identified a switch stand on the east end of the yard with an unlocked switch lock. The switch stand with the unapplied lock is not in compliance with 49 CFR 218.103(b)(8) (Hand-operated switches, including crossover switches) and UP GCOR Rule 8.8 which states, “when not in use, switches must be locked, hooked, or latched if so equipped.” A recommendation for a civil penalty was submitted for this non-compliant issue, as this was the second time within six months such an infraction has occurred in the same location. The Superintendent for this region was informed of the violation. The Superintendent committed to correcting the issue as soon as possible. The un-locked switch lock could lead to possible vandalism or the ability of a trespasser to operate the switch and potentially derail a train, causing injury to a railroad worker or the public. Later the same day as the inspection the CPUC Inspector received confirmation from the UPRR Manager that the condition had been corrected. In discussing the issue with the UP manager, he committed to making safety contacts with all regularly assigned train crews that work in the yard with the focus on reinforcement of the rule violation, and the potential danger the issue could cause.

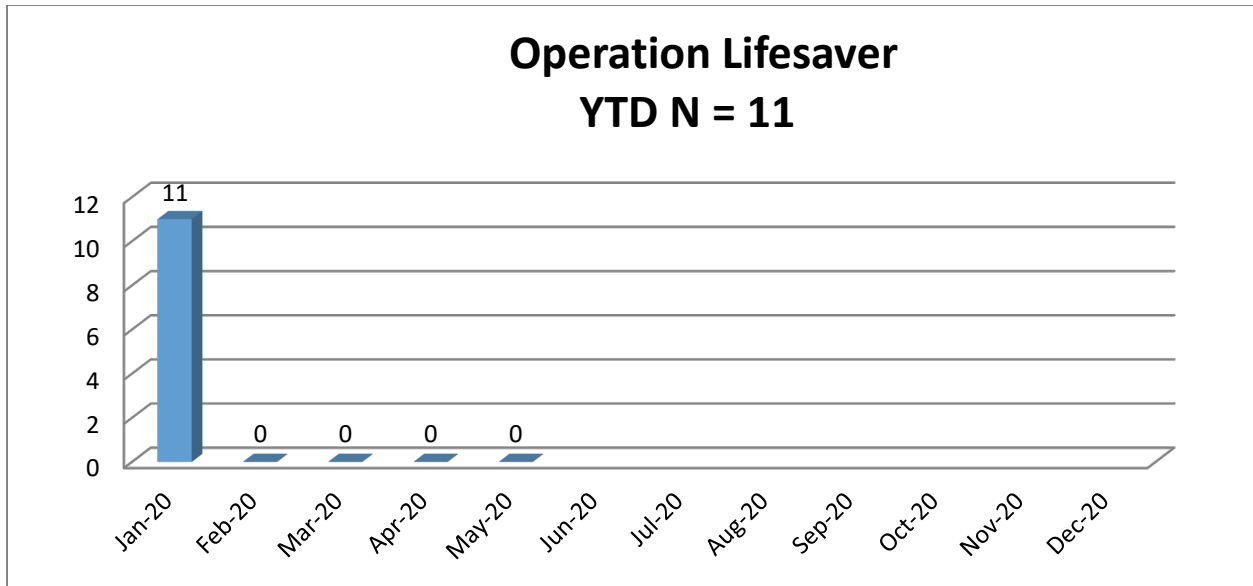
May 27, 2020: A CPUC Railroad Bridge Inspector, along with CPUC Track, & FRA Inspection team conducted a walkway inspection of the UPRR Transfer Track MP. 3.16 on the San Pedro Subdivision in Los Angeles, California. A small palm tree growing in the walkway created a Tripping Hazard and an unsafe walkway adjacent to a Main track switch. The UPRR Track & Structures Team was contacted, and UPRR responded by removing the palm tree and providing an evidentiary photograph.

May 28, 2020: A CPUC Railroad Safety Inspector did an inspection of the walkways adjacent to a yard departure track in Roseville, CA for compliance with California State General Orders. The inspection revealed a switch with the ballast level below the level of the switch ties creating a tripping hazard not in compliance with California State General Order 118-A. Upon notification of the defective conditions the carrier corrected the area of non-compliance by bringing the ballast level up to the level of the switch ties.

May 28, 2020: CPUC Railroad Safety Inspectors conducted a routine inspection at LATC Union Pacific Yard in Los Angeles, California. While inspecting the outbound extended haul train: ZLCMN-28, inspectors identified numerous defects affecting quality and safety of the freight train released for service. Defects ranged from high flange wheels to side bearing clearance out of tolerance, ineffective brakes on car, and severely unsafe safety appliances. This trend continues at Union Pacific Los Angeles Basin locations. Even though inspectors' issue numerous recommendations for civil penalties, and there is no improvement of compliance from the carrier as it has been promised. For now, CPUC mechanical inspectors will visit those locations more often and hopefully the FRA will take notice, and some type of remedial action to correct the non-compliance that is taking place. Below are a few examples of the non-compliant defects found which prevented the train from departing until the cars were set out from the train or repaired.







RAIL CROSSINGS AND ENGINEERING BRANCH - RCEB

In May 2020, the Rail Crossings and Engineering Branch (RCEB) completed the following:

	May New	Received YTD	May Closed	Closed YTD
Crossing Incident Reviews	11	66	13	132
Safety Assessments/Quiet Zones/Reviews/Training	68	227	68	227
Proceedings, Resolutions and G.O. 88-B Reviews	2	24	10	44
Operation LifeSaver Presentations	0	11	0	11

RAIL CROSSING INCIDENT INVESTIGATIONS

In May 2020, the RCEB assigned 11 new incidents at highway-rail at-grade crossings (crossings) for review. These incidents resulted in five fatalities and one injury. RCEB completed 10 crossing incident reviews and three reviews along the rail right of way. These 13 incidents resulted in seven fatalities and two injuries.

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May 2020 Incidents Reviewed

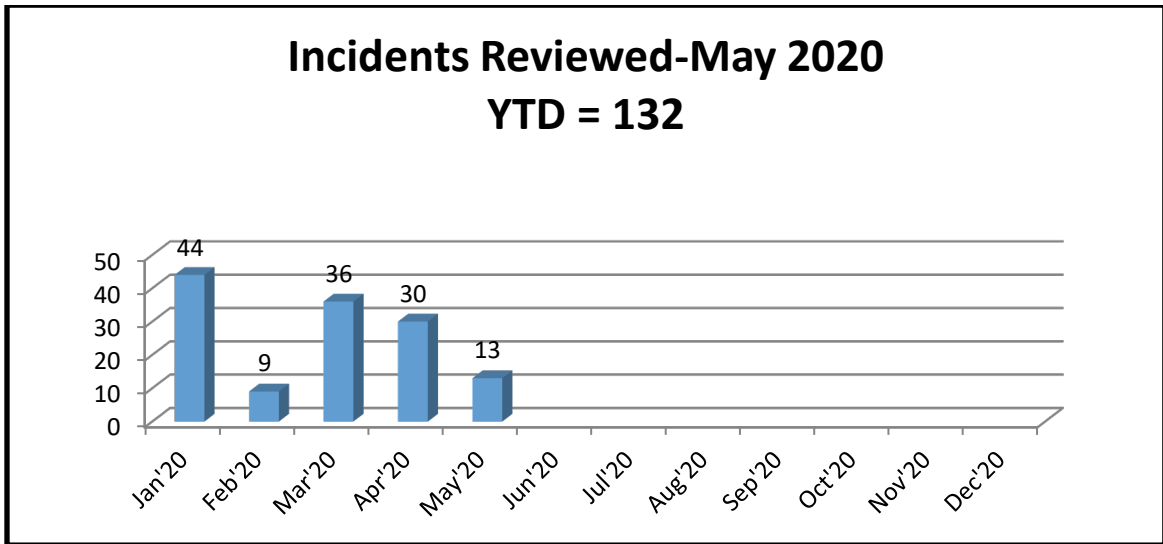
INCX	Incident Date/Time	Summary	RCEB Findings
INCX2019070012	July 22, 2019, at 07:51 hours	An ACEX train struck a vehicle at Junction Ave grade crossing in the City of Livermore, Alameda County, resulting in a fatality.	The train struck a vehicle stopped at the mainline in the path of the oncoming train. The incident resulted in a fatality.
INCX2019090006	September 12, 2019, at 20:11 hours	An AMTRAK train struck two pedestrians at Third and Hearst Street grade crossing in the City of Berkeley, Alameda County, resulting in fatality.	The train struck two distracted bicyclists who were waiting on the tracks. The incident resulted in fatalities to both bicyclists.
INCX2019090007	September 15, 2019, at 10:58 hours	A UP train struck a vehicle at High Street grade crossing in the City of Alameda, Alameda County.	The train hit a vehicle who was trapped on the crossing due to traffic. No injuries were reported.
INCX2019090010	September 13, 2019, at 14:11 hours	A BNSF train struck a vehicle at Westwood Road in the City of Thornton, San Joaquin County, resulting in a fatality.	The train struck a vehicle who drove around the lowered gates. The incident resulted in a fatality.
INCX2019110012	November 12, 2019, at 08:12 hours	A UP train struck a vehicle at Atlantic Street grade crossing in the City of Union City, Alameda County.	The train struck a vehicle at the crossing. No injuries were reported.
INCX2019120004	November 17, 2019, at 12:48 hours	An AMTRAK train struck a trespasser at the rail right of way near Martinez subdivision in the City of Fairfield,	The train struck a trespasser who tried to jump onto an oncoming train. The incident resulted in injuries.

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INCX	Incident Date/Time	Summary	RCEB Findings
		Solano County.	
INCX2019120006	November 02, 2019, at 05:59 hours	An unidentified train struck a pedestrian at the rail right of way near Peninsula subdivision in the City of Mountain View, Santa Clara County, resulting in a fatality.	The train struck a pedestrian at the rail right of way resulting in a fatality.
INCX2019120013	December 19, 2019, at 09:29 hours	A UP train struck a vehicle at a private grade crossing in the town of Portola, Plumas County.	The train hit an abandoned vehicle at the crossing. No driver was present. No injuries were reported.
INCX2020010019	January 17, 2020, at 08:49 hours	A UP train struck a pedestrian at the rail right of way near Depot Road grade crossing in the City of Hayward, Alameda County, resulting in a fatality.	The train struck a pedestrian. The incident resulted in a fatality.
INCX2020030011	March 10, 2020, at 19:58 hours	An AMTRAK train struck a vehicle at the California Avenue grade crossing in the City of Fresno, Fresno County.	The train struck an abandoned vehicle at the crossing. No driver was present. No injuries were reported.
INCX2020030012	March 08, 2020, at 17:53 hours	A BNSF train struck a pedestrian at the Laurel Street grade crossing in the town of Gridley, Butte County, resulting in a fatality.	The train struck a pedestrian who walked around the crossing arms into the path of the train. The incident resulted in a fatality.
INCX2020030015	March 25, 2020, at 03:18 hours	A UP train struck a vehicle at the Willow Ave grade crossing in	The train struck a vehicle at the crossing. No injuries were

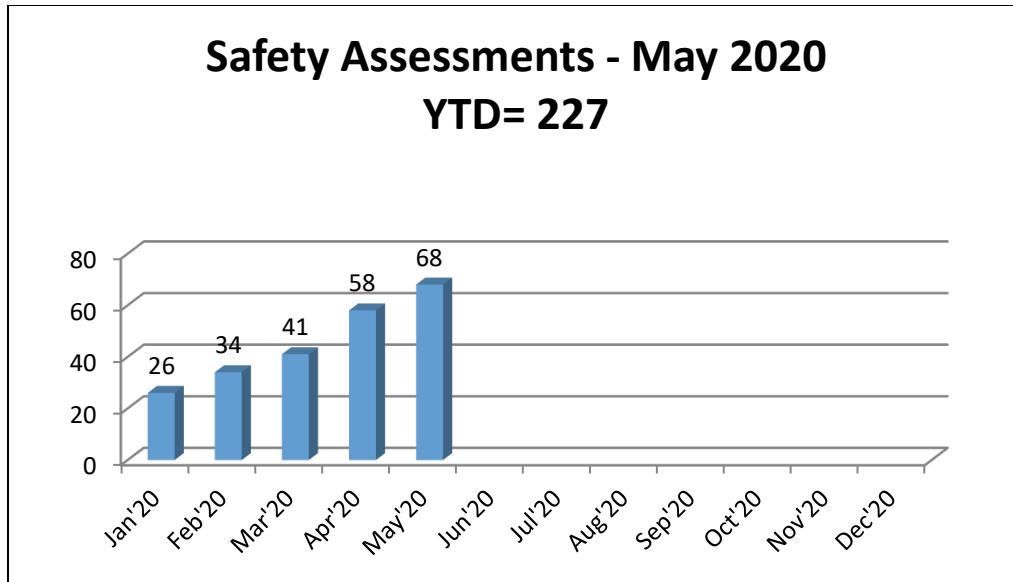
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INCX	Incident Date/Time	Summary	RCEB Findings
		the City of Malaga, Fresno County.	reported.
INCX2020040005	April 09, 2020, at 08:00 hours	A BNSF train struck a pedestrian at Belmont Avenue grade crossing in the City of Fresno, Fresno County.	The train struck a pedestrian at the crossing resulting in injuries.



SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

In May 2020, RCEB completed 68 rail-crossing safety assessments involving: communications, field inspections, meetings, quiet zone reviews, staff training, and diagnostic reviews with railroads and local agencies. These activities review existing crossings and proposed changes to crossing warning devices.



PROCEEDINGS, RESOLUTIONS AND G.O. 88B REVIEWS

In May 2020, RCEB assigned one resolution, and received one new General Order 88-B applications for changes to an existing crossing. This month the Commission approved five proceedings. RCEB approved four General Order 88-B applications.

- **RESL-TED-267** – On May 20, 2020, the CPUC granted an extension of time required for construction of a new public at-grade highway-rail crossing over the tracks of St. Paul and Pacific Railroad at Parade Street, Aptos in an unincorporated area of Santa Cruz County.
- **PROC A1802017** - On May 07, 2020, Decision 20-03-030 granted California High-Speed Rail Authority to construct two new grade separated crossings over the proposed high-speed rail tracks operated by California High-Speed Rail Authority at Kansas Avenue Mile Post 231.18 and Kent Avenue Mile Post 232.21 in the County of Kings, California.
- **PROC A1802018** – On May 07, 2020, Decision 20-03-030 granted California High-Speed Rail Authority to construct three new grade separated crossings over the proposed high-speed rail tracks operated by California High-Speed Rail Authority at Excelsior Avenue Mile Post 218.87, Flint Avenue Mile Post 220.86 and Fargo Avenue Mile Post 221.88 in the County of Kings, California.

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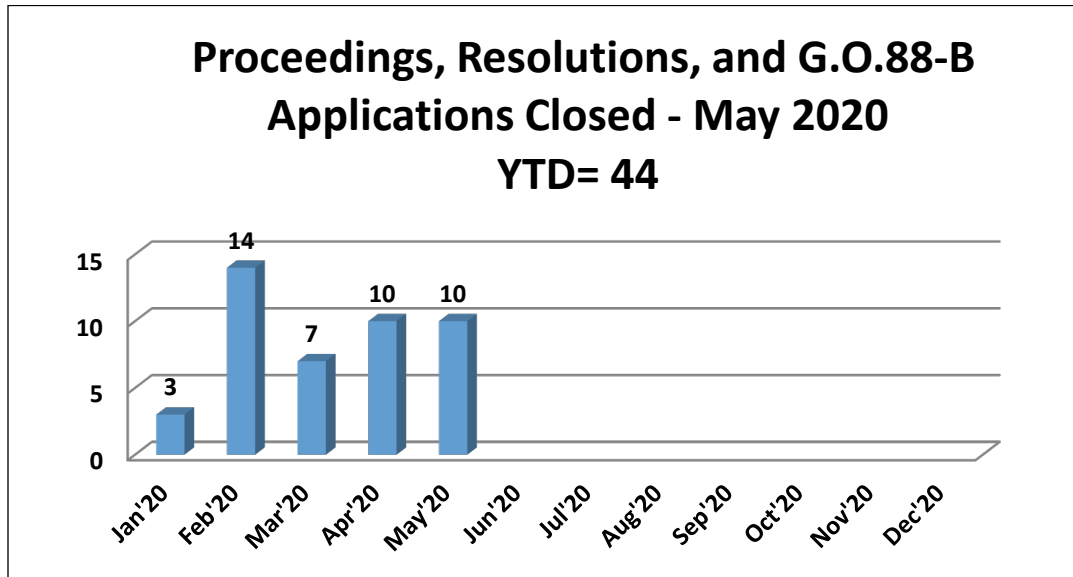
- **PROC A1804021** – On May 28, 2020, Decision 20-04-030 granted Metro Gold Line Foothill Extension Construction Authority to construct two grade-separated light rail tracks, and alterations of two at-grade commuter rail tracks and up to one freight track, at two highway-rail crossings at Indian Hill Blvd and Towne Avenue in the Cities of Claremont and Pomona in Los Angeles County.
- **PROC A1805020** – May 07, 2020, Decision 20-03-030 granted California High-Speed Rail Authority to construct five new grade separated crossings over the proposed high-speed rail tracks operated by California High-Speed Rail Authority at Dover Avenue Mile Post 217.82, Hanford-Armona Road Mile Post 224.92, Houston Avenue Mile Post 225.96, Idaho Avenue Mile Post 227.96, and Jackson Avenue Mile Post 228.97, and one underpass grade separated crossing at Grangeville Boulevard Mile Post 222.91 located in the County of Kings, California.
- **PROC A1806017** – May 07, 2020, Decision 20-03-030 granted California High-Speed Rail Authority for approval to construct two new underpass grade separated crossings, under the proposed high-speed rail tracks at 9th Avenue Mile Post 215.67 and Cairo Avenue Mile Post 216.09 located in the County of Kings, State of California.

Approved GO 88-B Applications

G.O.88B XREQ ID -Review Date	Agency	Location	Crossing(s) CPUC/DOT	Modifications	Expiration Date
2020040004 May 01, 2020	City of Watsonville	Santa Cruz County	Ohlone Parkway 017B-2.25 752389W	Request granted to alter the Ohlone Parkway at-grade highway-rail crossing.	April 30, 2023
2020040006 May 12, 2020	Port of Stockton	San Joaquin County	Navy Drive/Fyffe Street 123-1.67 976445W	Request granted to alter Navy Drive/Fyffe Street at-grade highway-rail crossing.	May 11, 2023
2020050001 May 11, 2020	City of Watsonville	Santa Cruz County	Lee Road 017B-2.80 768289P	Request granted to alter Lee Road at-grade highway-rail	May 10, 2023

California Public Utilities Commission | Rail Safety Division

G.O.88B XREQ ID -Review Date	Agency	Location	Crossing(s) CPUC/DOT	Modifications	Expiration Date
				crossing.	
2020050006 May 29, 2020	Los Angeles County Metropolitan Transportation Authority	Los Angeles County	First Street Bridge 084E-1.01-BT 084E-1.03-BT 084E-1.01-BT/101RI-141.10-A 027622F 084E-1.01-BT/101RI-483.10-A 811229W 084E-1.01-BT	Request granted to modify First Street Bridge grade-separated rail crossing of the Los Angeles County Metropolitan Transportation Authority, BNSF Railway, and UPRR Railroad Company.	May 28, 2023



RAIL TRANSIT SAFETY BRANCH – RTSB

In May 2020, the Rail Transit Safety Branch (RTSB) completed the following activities:

CORRECTIVE ACTIONS PLANS

- Twenty-three (23) Corrective Action Plans (CAP's)¹ were opened.
- Seven (7) were closed.

ACCIDENT INVESTIGATIONS

- Seven (7) accidents were reported by Rail Transit Agencies (RTA).²
- Twenty-three (23) accident investigations were closed.

MAJOR AUDITS

- A Triennial Safety and Security Review of North [San Diego] County Transit District (NCTD) was conducted in August 2018. The security report and resolution have been approved by management and legal staff. A draft resolution of the safety report is under managerial review.
- A Triennial Safety and Security Review of San Francisco Municipal Transit Agency (SFMTA) was conducted in October 2018. The agency's 30-day review comments were received, and staff have prepared a draft that is under managerial review.

¹ General Order 164-E defines Corrective Action Plan as a plan developed by an RTA that describes the actions the RTA will take to minimize, mitigate, control, correct, or eliminate risks and hazards, and the schedule for implementing those actions.

² Per General Order 164-E, the Commission must be notified within 2 hours by rail transit agencies of accidents 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. "Courtesy notices" are not included in these statistics.

- A Triennial Safety Review of Sacramento County Department of Airports (SCDOA) was conducted in May 2019. The agency's 30-day review comments were received, and staff have prepared a draft that is under managerial review.
- A Triennial Safety and Security Review of the San Francisco Airport AirTrain (AirTrain) Automated People Mover (APM) was conducted in June 2019. A draft of the security report and safety report that will be subject to 30-day RTA review is being finalized by management.
- A Los Angeles Metropolitan Transportation Authority (LACMTA) Triennial Safety and Security Review was conducted in September 2019. A draft of the security report and safety report that will be subject to 30-day RTA review is being finalized by Staff for management review.
- The BART Oakland Airport Connector (OAC) Triennial Safety and Security Review checklists are complete, and the findings and recommendations are under Supervisor review.
- The Getty Tram Triennial Audit Triennial Safety and Security Review has been postponed due to conditions arising from the COVID-19 pandemic.
- The Santa Clara Valley Transportation Authority (VTA) Triennial Safety and Security Review is scheduled for October 19 to 30 of the current year and may be postponed due to conditions arising from the COVID-19 pandemic.
- The Sacramento Regional Transit District (SRTD) Triennial Safety and Security Review is scheduled for August 3 to 14 of the current year and may be postponed due to conditions arising from the COVID-19 pandemic.
- The Bay Area Rapid Transit (BART) Triennial Safety and Security Review is tentatively scheduled for November 30 to December 11 of the current year and may be postponed due to conditions arising from the COVID-19 pandemic.
- The Angels Flight Triennial Safety and Security Review is planned for the current year for a date yet undetermined.

ADMINISTRATIVE ACCOMPLISHMENTS

- **RSSIMS Replacement Project:** The three rail branches (RCEB, ROSB, and RTSB) share a database called Rail Safety and Security Information Management System (RSSIMS). RTSB is participating in activities to identify upgrades for the next version of the database.
- **New On-line Platform for Tracking CAPs:** RTSB is working with CPUC's Information Technology Services Division on developing a new on-line platform to automate the process for routing and tracking Inspection Reports and CAPs. The proposed system will allow both CPUC staff and RTA employees to submit, retrieve and manage the information in a centralized database, thereby greatly enhancing efficiency, speed, and accuracy of tracking CAPs to minimize, mitigate, control, correct, or eliminate safety risks and hazards. RTSB management is working on Stage 1 Business Analysis (S1BA).
- **Proposed Revision to GO 143-B:** RTSB management is continuing its work on drafting proposed changes to General Order 143-B entitled "Safety Rules and Regulations Governing Light-Rail Transit."

SAFETY CERTIFICATION AND OVERSIGHT OF RAIL TRANSIT AGENCY PROJECTS

- **AirTrain Extension Project:** On August 10, 2017, Resolution ST-205 approved AirTrain's Extension Safety Certification Plan (SCP). The project expands the existing AirTrain system to include a new Long-term Parking Garage Station and an additional in-line Hotel Station serving a future hotel. Several additional upgrades to facilities and equipment are part of the project. The project will have three Safety and Security Certification Verification Reports (SSCVR) as it has three phases. Project culmination and start of revenue service is anticipated to take place in 2020. RTSB management approved the SSCVR that allowed the Hotel Station (Phase 2) to begin revenue service in October 2019. To date, thirty-three (33) cars have been approved with line-of-sight communication upgrades.
- **BART (Bay Area Rapid Transit) CTBC (Communications Based Train Control):** BART entered a \$798 million contract with Hitachi Rail STS USA, Inc to design and build a modern Communications Based Train Control (CTBC) system. The agency intends for this project to

“greatly improve (its) train service.” The Project’s SCP was approved by the Commission via Resolution ST-206. Once funds are secured, BART will issue the contractor a ‘Notice to Proceed.”

- **BART Traction Power System Improvements Project (TPSIP):** Five sites have been identified for installation of new traction power substations to support the traction power system improvements portion of the Transbay Core Capacity Program. The two West Bay sites are Civic Center Station and Montgomery Street Station and have estimated completion dates by the end of 2020. The three East Bay sites are in Oakland at Thirty Fourth Street, Concord at David Avenue and Minert Road and Richmond at Yard East with completion dates not yet estimated. West Bay sites received construction bids in January 2020. East Bay sites are in the engineering design phase. BART submitted a signed SCP in May. The project will be subject to review under a Commission resolution proceeding (ST-239). Staff attend the project’s monthly Safety and Security Review Meetings.
- **BART Irvington Station (IRV) Project:** The Irvington Station Project includes construction of a new station halfway between the existing Fremont and Warm Springs / South Fremont stations. The estimated completion year is 2027. The Project is in the engineering design phase. BART submitted a signed SCP in April. The project will be subject to review under a Commission resolution proceeding (ST-240).
- **BART Forms Fire Life Safety Department:** The agency has hired a Deputy Director for its Fire Life Safety Department. This department was approved in the 2020 BART budget. The BART FLS Dept has identified three main functions: training and drills, inspections and coordinating with the Office of the State Fire Marshal. BART FLS is in internal discussions regarding the establishment of a group to act as a review committee for BART projects. The objective of this committee would be to identify and mitigate FLS issues. The goal is to establish and activate this group by the end of the current year.
- **BART New Vehicle Procurement:** BART is in the process of procuring one thousand two hundred (1,200) new rail vehicles. There are two types of new vehicles, D-Cars and E-Cars. D-Cars have an operator’s cab while E-Cars do not. Upon submittal by BART, Staff reviews

testing and certification documents for each group of cars prepared for service and verifies compliance with the testing and certification plan before authorizing the cars for revenue service. To date, RSTB management has certified and approved two hundred and four (204) vehicles for revenue service.

- **BART Hayward Maintenance Complex Project:** This project is comprised of two phases. On November 16, 2018, RTSB management approved an element of the first phase of this project, the Component Repair Shop, to commence operations. The Central Warehouse is a second element of Phase One. An SSC meeting and walk-through of that element is scheduled for June 25. BART plans to submit Certificates of Conformance, Design Criteria Checklists and supporting documents for the Certifiable Element of Central Warehouse of the Hayward Maintenance Complex (HMC) Project as approved by the Commission under Resolution ST-181. This will essentially be an interim SSCVR for Phase One. Construction on the Hayward Maintenance Complex Phase II East Storage Yard began on March 1, 2019. This yard will provide a storage venue for BART revenue vehicles and provide egress to the BART A1 and A2 Mainline Tracks and the Hayward Test Track. Due to funding constraints, BART has sub-divided the HMC Phase II Project into three separate contracts. At the end of the Hayward Maintenance Project, BART will submit a final SSCVR indicating the completion of the entire HMC Project, which will cover both Phase I and Phase II.
- **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. The project currently has estimated dates of December 4, 2020 for substantial completion of the project and the end of 2021 for service commencement. Staff note that important progress has been made over the past few months. However, that there have been challenges that required amendments to SFMTA's target dates for the completion of construction. Heavy construction on stations was scheduled to finish this Summer, but now will continue into the Fall and finish by the end of the year. A major project milestone was the completion of an emergency exit for the Chinatown Rose Pak Station on Stockton St near Jackson St.

- **LACMTA P3010 New Vehicle Procurement Project:** LACMTA is in the process of procuring as many as two hundred thirty-five (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. As cars are prepared for service, Staff will recommend official approval to RTSB management after a successful review of the Car History Books (testing documentation) in person. To date, RTSB management has certified for revenue service one hundred eighty-five (185) vehicles.
- **LACMTA HR4000 Heavy Rail Vehicle Procurement:** LACMTA is in the process of procuring a base order of sixty-four (64), with options for up to two hundred eighty-two (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. The project has been delayed approximately 4-5 months due to global production delays created by COVID-19. It is estimated that in February/March 2021, the first 6 HRVs will be shipped to Los Angeles for final testing.
- **LACMTA Regional Connector Project:** Staff regularly attends LACMTA's monthly Fire Life Safety and Security Meetings, as well as Safety and Security Certification Review Committee (SSCRC) meetings. Staff has approved a temporary shoofly track to allow tunnel boring to commence. The Regional Connector revenue service date has also slipped, largely due to contractor difficulties in attracting construction labor in a tight construction market, and now is predicted to be completed in mid-2022.
- **LACMTA D (formerly Purple) Line (Westside) Extension Project:** LACMTA is currently extending the Purple Line. The Westside D 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. The planned revenue service years for D Line Segments 1, 2, and 3 are 2023, 2025, and 2027. The first Segment 1 tunnel boring machine (TBM) left from Wilshire/Fairfax in late May and is anticipated to break

through Wilshire/La Cienega this August. The first Segment 2 TBM has launched from Century City/Constellation Station and will continue eastbound for approximately 2 years before meeting with Segment 1. Preparation is continuing for the TBM tail track excavation shaft (TTES) on the VA Hospital Campus, near the Westwood/VA Hospital Station, where Segment 3 terminates. The TBMs will launch at the TTES for Segment 3.

- **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. Due to funding issues, the current terminus of the alignment will be changed to Pomona Station. In August 2019, the Foothill Gold Line Construction Authority awarded the Design-Build contract for the project to Kiewit-Parsons, a Joint Venture. Major construction is expected to start in August of the current year. Estimated completion of the Pomona segment is 2025. If funding is secured in time, the estimated project completion of the Montclair segment is 2028. So far, CPUC has approved 46 of 49 grade crossings submitted for the segment from Glendora to Montclair, and approval of the remaining 3 is anticipated to occur within the next 6-12 months.
- **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 expected substantial completion date is December 2020 or January 2021. Revenue service is expected to commence in 2021.
- **LACMTA New A (formerly Blue) Line Project:** LACMTA is making improvements to its A Line that runs from Downtown Los Angeles to Long Beach. The Blue Line was renamed the "A Line" prior to opening. The "A Line" re-opened to the public on November 2, 2019. Staff continue to monitor the project as there remains one pedestrian crossing under

construction at the Willowbrook/Rosa Parks Station. On April 22, 2020 CPUC issued a GO-88 authorization for modifications to warning devices on the eastern half of the southern pedestrian crossing. On the western half, Metro is waiting for Union Pacific Railroad (UPRR) to complete its crossing work, which is immediately adjacent to the station.

- **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. Of the six new stations, three will connect new rental car, airport parking and Metro facilities to the airline terminals. Those in the Central Terminal Area will provide fast and easy connections to nine airline terminals with a pedestrian walkway system. The Project's Safety and Security Certification Design Checklist Review is scheduled to start within the next few months. Staff continue to participate in regularly scheduled safety certification meetings
- **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 SSRC and Fire Life Safety Committee (FLSC) meetings for this project.
- **SFMTA LRV4 Procurement to Expand and Replace the Rail Fleet:** This project is scheduled for completion in 2025.
- **San Diego Trolley, Inc. (SDTI) Mid-Coast Corridor Project:** The San Diego Metropolitan Transit System's (MTS) Mid-Coast Corridor Project is a 10.9-mile double-track light-rail transit line that begins at the Old Town Transit Center in San Diego. The project will provide future SDTI revenue service to the Linda Vista, Clairemont, University of California at San Diego (UC San Diego) and the University City areas. Construction started in 2016 and

California Public Utilities Commission | Rail Safety Division

revenue service is planned to begin late 2021. To date, no construction delays are anticipated. An on-site construction tour is tentatively scheduled for June 4 subject to MTS' determination regarding whether it can provide adequate social distancing for the participants.

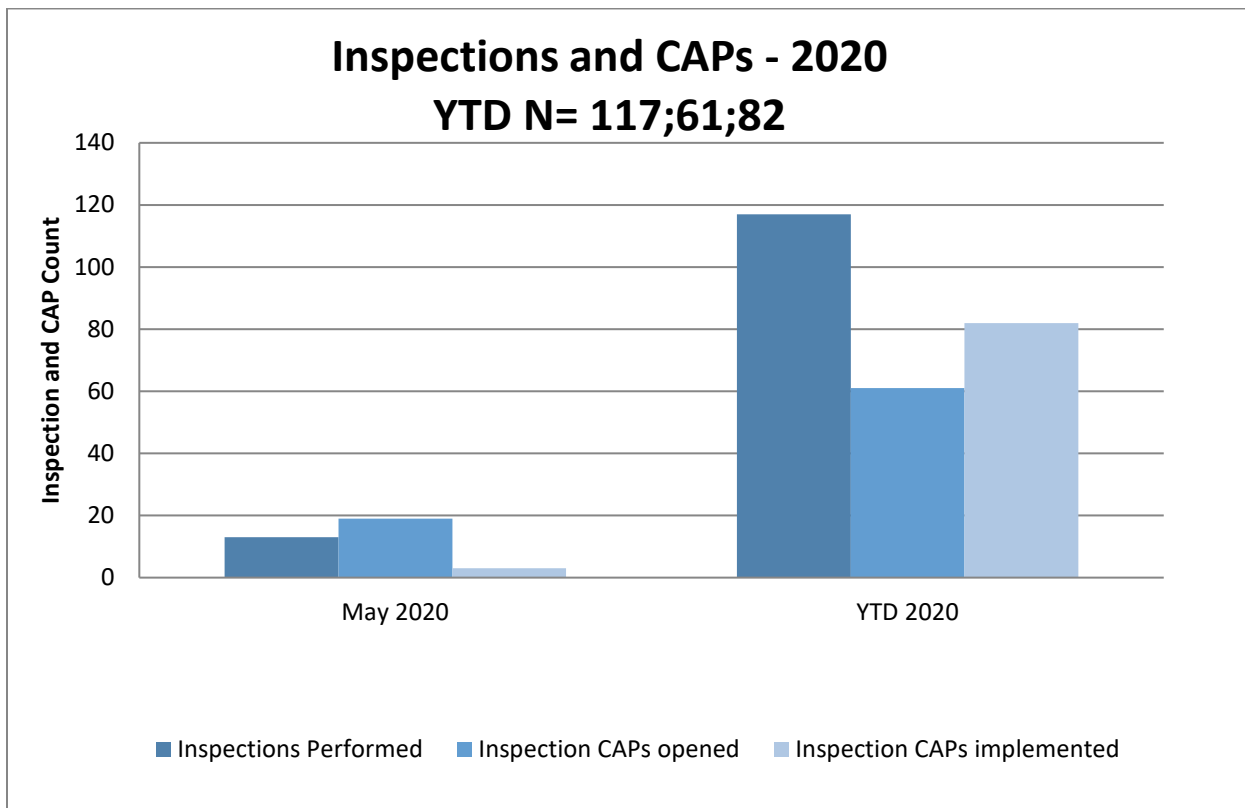
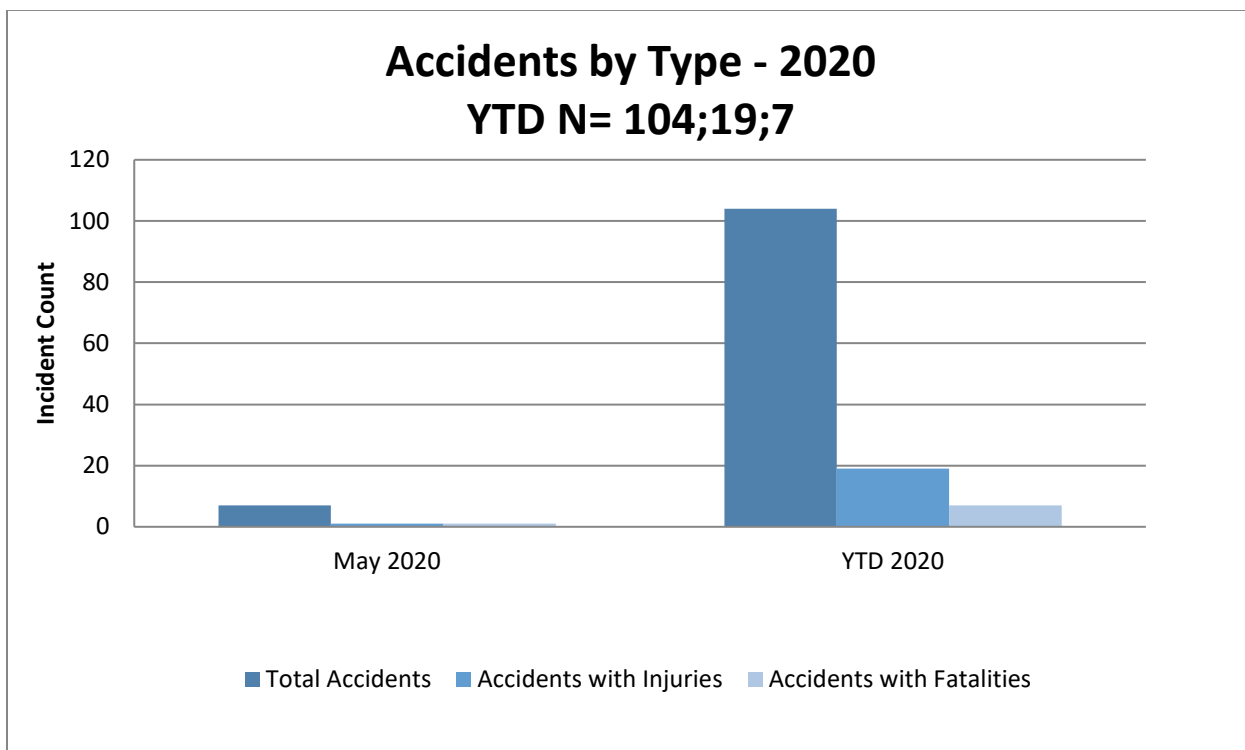
- **San Diego Light Rail Vehicle Procurement:** SDTI is procuring forty-five (45) light rail vehicles (LRV) for the Mid-Coast Corridor Project. The procurement process began January 2018 with an expected schedule completion and acceptance of all forty-five LRV's by June 2021. As Siemens delivers cars on-site at the SDTI Yard, they are undergoing commissioning and dynamics tests. Staff is participating in the acceptance testing throughout the procurement process. To date, 31 cars have been approved for revenue service.

STATISTICS SUMMARY

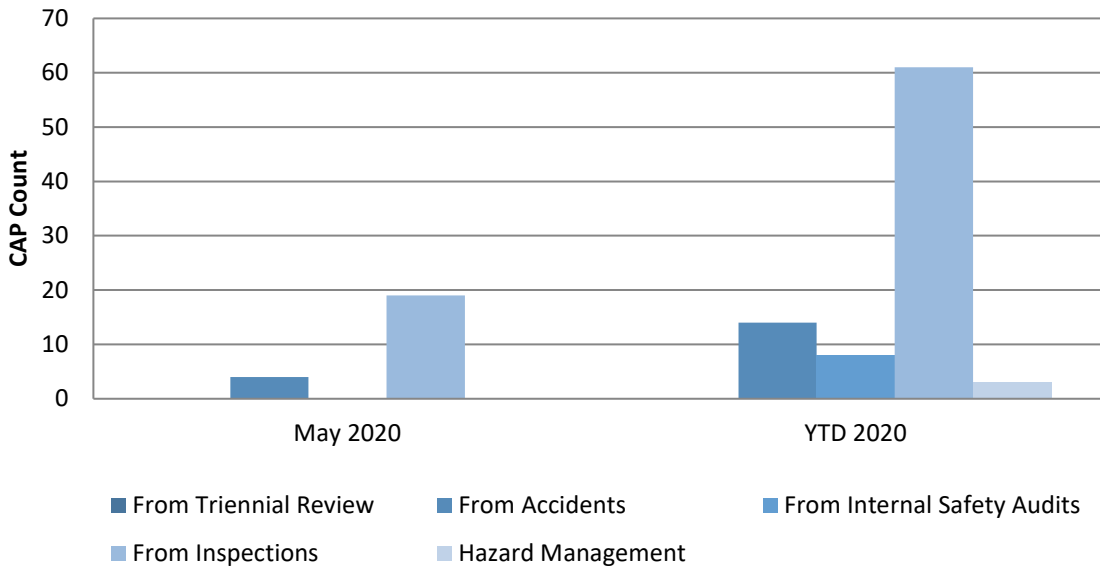
Investigations for Month		YTD 2020
Accidents Reported	7	104
Accident Investigations Closed	23	165
Complaints Investigated	0	1
Rail Transit Inspections	13	117
Triennial Review	0	0

		CAPs YTD
New Corrective Action Plans	23	86
From Triennial Review	0	0
From Incidents	4	14
From Internal Safety/Security Audits	0	8
From Rail Transit Inspections	19	61
From Hazard Management	0	3
Closed Corrective Action Plans	7	130
From Triennial Review	2	13
From Incidents	2	27
From Internal Safety/Security Audits	0	5
From Rail Transit Inspections	3	82
From Hazard Management	0	3

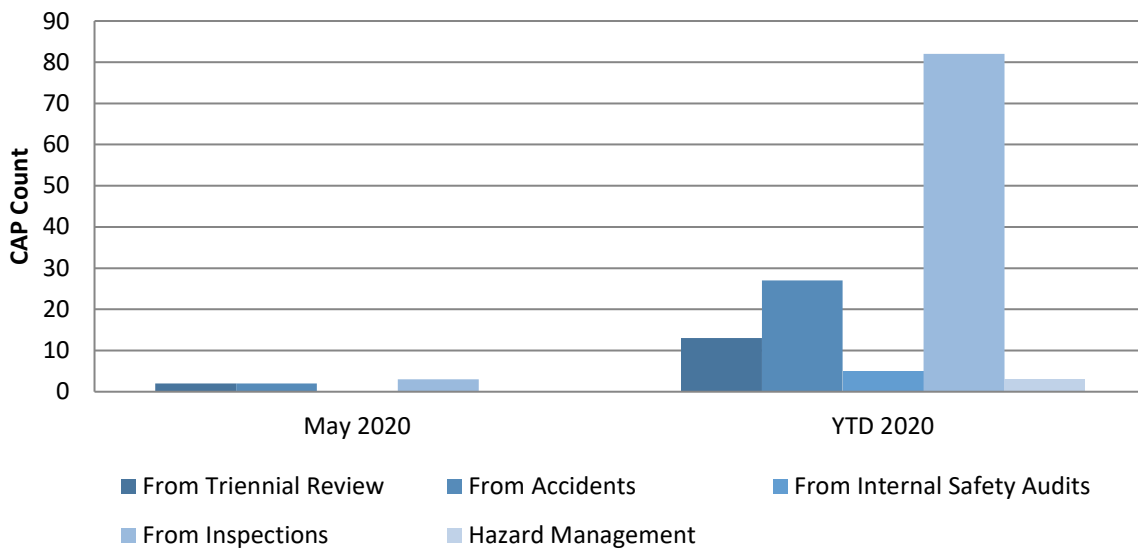
ONGOING DATA / TRENDS



Corrective Action Plans Opened - 2020 YTD N= 86



Corrective Action Plans Implemented 2020 YTD N = 130



CORT MONTHLY REPORT

In California during the month of May:

- The railroads moved 1 train with 96 crude oil cars via unit train
- Via manifest train to Delta Trading the railroads moved 0 crude oil cars
- The railroads moved 8 trains with 783 ethanol cars via unit train

Plains All America in Taft, California received zero (0) crude oil trains. Each train consisted of 100 cars: zero (0) was lite and zero (0) 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 June zero (0) crude oil trains are expected; none of these trains will be Bakken crude.

- The SJVR also spots unit trains for **Kern Oil** which is a refinery operating in Bakersfield. Kern received one (1) trains this month following their plan of one per month given at the beginning of the year.
- **Delta Trading** is a trans-loading facility located in Bakersfield where California oil cars are moved by manifest train. Delta is still seeking a new customer.

IN OTHER NEWS

May 12, 2020: PHMSA preempts Washington state's crude-by-rail law

The U.S. Pipeline and Hazardous Materials Safety Administration (PHMSA) yesterday issued a ruling that preempts Washington State's crude-by-rail law, allowing for the transport of crude by rail nationwide.

PHMSA announced federal hazardous material transportation law preempts Washington state's vapor pressure requirement for transportation of crude by rail, agency officials said in a press release.

A study conducted by Sandia National Laboratories concluded that imposing vapor press limits would not reduce the risks of transporting crude oil and other flammable liquids by rail, PHMSA officials said.

On April 28, the U.S. Department of Energy submitted its report on the Sandia lab's "Crude Oil Characterization Research Study" to Congress. U.S. Sens. John Hoeven and Kevin Cramer and U.S. Rep. Kelly Armstrong, all Republicans representing North Dakota, previously made the case to PHMSA and U.S. Transportation Secretary Elaine Chao for preempting Washington's law. They said the law would effectively block Pacific Northwest refineries as a destination for North Dakota Bakken crude. They also wrote to Washington Gov. Jay Inslee asking him to veto the law, claiming it lacked a scientific basis or solid legal foundation.

In a statement issued yesterday, the North Dakota lawmakers thanked PHMSA for its ruling.

"Today's decision is much needed good news for North Dakota's oil producers as they battle the COVID-19 pandemic and the global oil price war," they said. "Washington's legislation was an obvious example of overreach, not scientifically founded, and could have ultimately driven their state refineries to foreign sources of crude oil, further harming America's energy dominance."

Also yesterday, PHMSA announced it has withdrawn its January 2017 advanced notice of proposed rulemaking (ANPRM) regarding vapor pressure for unrefined petroleum products and other flammable liquids. The agency's decision also stemmed from the Sandia study, as well as the review of public comments about the role of vapor pressure limits in the transportation of crude oil and other flammable liquids by rail.

"In its decision to withdraw the ANPRM, PHMSA is no longer considering vapor pressure limits for the transport of crude oil by rail," agency officials said in a press release.

Ethanol October 2019 Report

Kinder Morgan is a pipeline and off-loading facility located in Wilmington, California adjacent to the Burlington Northern Santa Fe Yard Watson Yard which provides them spot service. The unit trains they receive are either ninety-six (96) or sixty-four (64) cars in length. The trains come

from various suppliers and states but travel through California on BNSF lines only on their way to their destination. When the train is ahead of schedule and the facility is not ready to receive them the cars are held in the ACTA 1 siding which is two (2) miles away; they are not held more than forty-eight (48) hours.

- During the month of May they received seven (7) ethanol unit trains totaling 687 cars, and currently have one train holding in California.

Nu Star Energy: is an energy provider in Selby, California that is currently receiving ethanol via unit-train delivered by the Union Pacific Railroad. NuStar Selby's rail service is back on-line, and in May received one (1) train totaling ninety-six (96) ethanol cars.

Storage of Hazardous Material Cars

Arizona-California RR is a short line railroad that was a subdivision of the Atchison, Topeka, and Santa Fe Railway. The ARZC began operations on May 9, 1991 and runs between Cadiz, California and Matthie, Arizona. A former branch line from Rice - Blythe - Ripley, CA. has been shortened as a spur for freight car storage. The tracks at Rice are owned by the Arizona-California RR but leased by PBF Energy. PBF currently has in storage at the site two hundred eleven (211) empties.

Pacific Sun Railroad: The Pacific Sun Railroad (PSRR) began operations October 26, 2008, as Watco's first railroad in California. The 68 miles of track serves freight customers of the Escondido subdivision, Miramar industrial spur and between Stuart Mesa and San Onofre. The manager said they store empty cars for Phillip 66, the total ranges from (20) twenty to (30) and rollover in less than thirty days. Currently Viper Storage has twenty-nine (29) empties there.

Santa Maria Railroad: The Santa Maria Valley Railroad, serving the Santa Maria Valley's rail transportation needs since 1911 is located about 250 miles south of San Francisco and 175 miles north of Los Angeles on the Central Coast of California. The Santa Maria Railroad's system consists of 14 miles of main line track interchanging with the Union Pacific Railroad in Guadalupe. Viper Rail Car Storage, a major broker that operates in the United States and Canada. Their contact is Bill Dankers at info@viperstorage.com and he coordinates the western

United States. They currently have forty (40) loads and one hundred fifty-nine (159) empties. All Viper Storage cars are LPG, and when cars are released the Santa Maria Railroad checks them for compliance prior to release.

Sierra Northern Railway: Sierra Northern Railway operates over 100 miles of track in Mendocino county, Tuolumne, and Stanislaus counties, and Yolo county. Sierra Northern provides rail shipping to all of California through interchanges with the BNSF and UP. Their major customer for storage is Viper Rail Storage; Viper Rail provides storage services for their primary customer and others (Chevron is their primary customer). They are currently holding in West Sacramento twenty-five (25) empties.

West Oakland Pacific Railroad: Formerly known as the Oakland Terminal Railway operating on 10 miles of industrial track surrounding the Oakland Army Base. Jointly acquired in 1943 by the Western Pacific Railroad and Atchison, Topeka and Santa Fe Railway and used to interchange with the ATSF near the Southern Pacific 16th street station in Oakland. They are currently storing twenty-seven (27) empties for Viper Rail.

Northwestern Pacific Railroad: is a regional railroad that serves the North Coast of California. Its main line is 271 miles long and runs between Schellville and Eureka. An additional portion of the line runs from the Ignacio Wye to the edge of San Rafael. Currently, only the 62 mi stretch between Schellville and Windsor is in operation with freight and Sonoma–Marin Area Rail Transit (SMART) commuter trains. Bill Dankers of Viper stated that Sierra Northern and Northwestern work together to store their cars if Sierra Northern runs out of track capacity Northwestern stores the excess. Currently Viper has thirty-five (35) loads stored there. NWP also has twenty-one (21) and seventy-five (75) empties LPG cars stored for Tesoro.



U.S. Shale Oil Production Favorable Ruling