

## MEMORANDUM OF UNDERSTANDING

Between

THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

And

THE WASHINGTON STATE MILITARY DEPARTMENT –  
EMERGENCY MANAGEMENT DIVISION

### PROPER HANDLING OF RAILROAD ACCIDENT REPORTS

This Memorandum of Understanding (MOU) between the Washington Utilities and Transportation Commission (UTC) and the Washington State Military Department – Emergency Management Division (EMD) identifies the expectations and procedures of UTC and EMD for the handling of railroad accident reports received by EMD in its capacity as UTC's reporting "designee" under WAC 480-62-310.

EMD currently processes these accident reports using the procedures in Attachment A to this MOU ("C-21 Railroad Incidents"). Certain of these procedures that apply specifically to EMD's role as UTC's reporting designee under WAC 480-62-310 are restated below for emphasis:

1. Documentation. Upon receipt of a telephonic report, EMD should assign an incident number and record the following information, if available:
  - a. Name of the railroad(s) involved
  - b. Reporting party name, position, and call-back number
  - c. Time and date of the event
  - d. Mile post marker of the rail line
  - e. Circumstances of the event
  - f. Number of injuries and/or fatalities
  - g. Type of rail cars involved (tank, hopper, box, flat, etc.)
  - h. Type and amount of hazardous materials spilled
  - i. Additional details that will help identify the necessary response
  - j. Name and phone number of on-scene contact person
  - k. Railroad incident number for the event
2. UTC Notification. As soon as possible after receipt of a telephonic report, EMD should notify UTC by e-mailing a description and/or documentation of the incident to UTC staff at [WUTCRailIncidentRptg@UTC.wa.gov](mailto:WUTCRailIncidentRptg@UTC.wa.gov). If the incident is unusually serious, EMD should also notify UTC staff by telephone.

EMD will follow the above procedures when processing railroad accident reports received under WAC 480-62-310.

UTC and EMD further agree to the following general provisions:

- EMD will maintain records of telephone reports it receives under WAC 480-62-310 consistent with its record retention schedule. EMD understands that UTC may rely on EMD to produce such records for UTC investigative or enforcement purposes.

- EMD will promptly notify the UTC of any changes to its procedures contained in Attachment A (“C-21 Railroad Incidents”).
- To the extent this MOU conflicts with Attachment A (“C-21 Railroad Incidents”), this MOU controls.
- To the extent this MOU conflicts with WAC 480-62-310, the latter controls.
- This MOU will remain in effect until terminated in writing and by mutual agreement of the parties.

Agency contacts:

Utilities & Transportation Commission Kathy Hunter, Rail Safety Manager 1300 Evergreen Park Drive Southwest P.O. Box 47250 Olympia, WA 98501-7250 Phone: (360) 664-1257 Email: khunter@utc.wa.gov	Washington Military Department Emergency Management Division Chris Utzinger, Response Section Manager Building 20/MS: TA-20 Camp Murray, WA Phone: (253) 512-7033 Email: chris.utzinger@mil.wa.gov
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IN WITNESS THEREOF, the parties hereto have executed this Agreement on the last date specified below.

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

WASHINGTON MILITARY  
DEPARTMENT

STEVEN V. KING  
Executive Director and Secretary

RICHARD A. WOODRUFF  
Contracts Administrator

  
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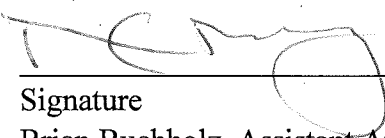
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Date

3/18/2016  
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Date

APPROVED AS TO FORM

APPROVED AS TO FORM

  
\_\_\_\_\_  
Signature Date 3/22/16  
Julian Beattie, Assistant Attorney General

  
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Signature Date 3/16/16  
Brian Buchholz, Assistant Attorney General

# C-21

## RAILROAD INCIDENTS

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**PURPOSE:** To establish procedures for the Washington State Emergency Operations Officer (SEOO) to respond to a railroad accident or incident.

### **GENERAL INFORMATION:**

Washington's Utilities and Transportation Commission (UTC) Rail Safety Program serves the public and railroad employees in overseeing rail operations and safety. Attachment 2 lists railroad companies operating in Washington.

Washington Administrative Code (WAC) 480-62-310 stipulates that railroad companies must make a telephonic report to the SEOO within 30 minutes of learning of any event connected to the operation of the railroad company that results in any of the following:

- a. Release of hazardous materials;
- b. Death of any person;
- c. Injury to any person involved in a railroad accident that requires medical treatment in addition to first aid;
- d. Damage to any property amounting to \$50,000 or more;

Accidents involving joint railroad company operations must be reported by the railroad company that controls the track and directs movement of trains where the accident has occurred (i.e., AMTRAK running on BNSF track – BNSF sends report)

The National Response Center receives calls on its "railroad hotline" from rail carriers reporting on HAZMAT accidents or incidents, and for the reporting of railroad accidents.

### **PROCEDURES:**

1. Record the following information on EM 105 and assign an incident number (for HAZMAT events, complete EM 114). Obtain the following details if available, if the railroad company cannot provide any of the information below, let the UTC know:
  - a. Name of the railroad(s) involved;
  - b. Reporting party name, position and call back number;
  - c. Time and date of the event;
  - d. Mile post marker of the rail line (if known);
  - e. Circumstances of the event;
  - f. Number of injuries and/or fatalities;
  - g. Type of rail cars involved (tank, hopper, box, flat, etc.);
  - h. Type and amount of hazardous materials spilled;

- i. Additional details that will assist in identifying the necessary response;
  - j. Ask for the name and phone number of the local contact person on scene;
  - k. Ask if there is a railroad incident number for the event. (This helps Dept of Ecology in the follow-up on the incident).
2. Instruct the railroad representative to email the incident report to UTC Rail Safety Office at [WUTCRailIncidentRptg@utc.wa.gov](mailto:WUTCRailIncidentRptg@utc.wa.gov) or send by fax to 360-586-1172.
3. Notify as applicable:
- a. Affected local jurisdiction (ask if event occurred on or near tribal land)
  - b. Affected tribal nation if applicable
  - c. The appropriate **Washington Department of Ecology regional office** for **ALL** train derailment and train/vehicle collision reports regardless of whether or not there is a HAZMAT incident.
  - d. UTC Rail Safety Group by:
    - **AlertSense**: Rail Safety Group, or
    - **Email**: SEOO Rail Safety Group (forward any incident reports)
  - e. Affected WSP regional dispatch center if state or federal highways are impacted.
  - f. Affected WA DOT Regional Traffic Management Center (**TEL 29**) if state or federal highways are impacted.
  - g. EOC Manager if an event could result in an increase in State EOC phased response (review SOP G-7, WA State CEMP ESF-1 and other ESFs as applicable). Discuss additional actions and notifications to include:
    - WA State Fusion Center: 877-843-9522.
    - AlertSense message to agencies and Emergency Management Department (EMD) staff as appropriate.
    - DHS National Operations Center: 202-282-9051
    - FEMA Region 10
4. Refer to the following Standard Operating Procedure (SOP)s for incident specific actions and notifications as applicable:
- **C-12** Security or Terrorist Incident (security breach, Railway Alert Network security posture change)
  - **C-14** Mass Casualties

**KEY RAILROAD EMERGENCY PHONE NUMBERS:**

- **Burlington Northern Sante Fe Ops Center: 800-832-5452; Option 1**  
Speed dial **#8889** (Use Coordination Numbers Phone – Group 39)  
Track maintenance/status: 817-593-6823, option 1  
[www.bnsf.com](http://www.bnsf.com)

- **Union Pacific Response Management Communications Center:**  
**888-877-7267**  
Speed Dial #8888 (Use Coordination Numbers Phone – Group 39)  
Non-critical calls: 888-870-8777
- **Sound Transit (Security):** 206-398-5268
- **AMTRAK (Security)** 800-331-0008

**RAILROAD ADMINISTRATIVE CONTACTS:**

- **Washington State Utilities and Transportation Rail Safety Manager:**
  - See TEL 22 or,
  - [WUTCRailIncidentRptg@UTC.wa.gov](mailto:WUTCRailIncidentRptg@UTC.wa.gov)
- **Federal Railroad Administration Railroad Safety Region 8 (Vancouver, WA):**  
**800-724-5998**  
[www.fra.dot.gov](http://www.fra.dot.gov)
- **BNSF Government Affairs Contact (WA, OR, BC):** Johan Helman  
Office: 206-625-6135, Cell: 206-953-7592 ; fax: 206-625-6125
- **AMTRAK - Northwest Regional Emergency Manager:**  
  
Elizabeth F Klute - Lis  
Regional Emergency Manager, Northwest (OR/WA/ID/MT/ND)  
Emergency Management & Corporate Security Department  
National Railroad Passenger Corporation - Amtrak  
187 S Holgate St, Seattle, WA 98134  
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