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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

April 22, 1999

Washington Utilities and Transportation Commission
1300 S. Evergreen Drive. S.W.
P.O. Box 47250
Olympia, WA 98504-7250

RE: Railroad Company Operations Rulemaking
Chapter 480-62 WAC
Docket No. TR-981102

I very much appreciate the opportunity to comment on the proposed rulemaking referenced above. I live on a piece of property near Stevenson that is separated from Highway 14 by the main line of BNSF. I have testified several times before the Commission relative to the problems that have been created by the railroad.

This land was owned and occupied long before the railroad existed. In 1906 the railroad came through and the property owners were forced to sell a strip of land to the railroad. The property was still served by Highway 14 which crossed the rail line at two points adjacent to this property. Later on in the 1920's, Highway 14 was rerouted so that it did not cross the rail lines, and a single crossing was put in to serve the property. This crossing was declared a private crossing.

There are basically two problems with the railroad. First, the crossing is blocked for inordinate periods of time. We are willing to put up with the crossing being blocked for ten or twenty minutes, but occasionally the crossing is blocked for 30 minutes, or 60 minutes, or two hours and in one case for over a day. A log of the times the crossing has been blocked for more than 25 minutes is attached. Please bear in mind that this is merely a sampling of when we were inconvenienced by the crossing being blocked. I would estimate that the crossing was blocked possibly as much as five times the number of incidents shown in this table.

The second problem involves train speed and safety. According to a report by a member of your own WUTC, there is inadequate time to get across this crossing without being hit by a passing train. These problems are well known to your Commission and BNSF, yet BNSF still would like to increase the train speeds. The tragic train accident in the Midwest could well happen right here at this crossing. Passenger trains go by here and there is inadequate time to get across the tracks before a train could come around the corner and strike you.

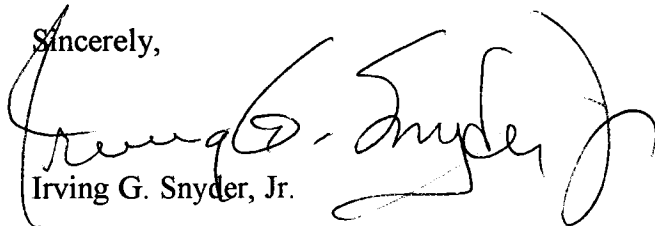
According to a film distributed by your own safety people, which film is part of a nationwide Operation Lifesaver program, it takes 12 seconds for a truck to cross one track at grade level. The crossing serving several residences here involves a hump across the tracks, and there are two tracks. I enclose a copy of the report from Hank Naumann of your department. Item number 4 covers the crossing that I have been talking about. The minimum sight distance is 500 feet, which provides the following times to get across the tracks:

At 45 MPH train speed, 7.6 seconds
At 60 MPH train speed, 5.7 seconds
At 65 MPH train speed, 5.3 seconds
At 79 MPH train speed, 4.3 seconds.

This is just a time bomb waiting to explode. One person here has a 38 foot motor home. Another has a 20 foot truck with a 29 foot trailer. There are cement trucks, lumber trucks, cranes and other construction equipment coming across this crossing. Every time one of these larger vehicles crosses the track, it is a gamble. This problem has been pointed out to everyone from the state to federal legislators, and every regulatory body that might be able to influence the railroad. So far, this specific safety problem at my crossing has been ignored because this crossing is not within the city limits.

I am proud that the WUTC is tackling these thorny issues. If there is any further information or assistance that I can provide, please do not hesitate to contact me.

Sincerely,



Irving G. Snyder, Jr.

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TRAIN BLOCKING SNUG HARBOR CROSSING

<u>DATE</u>	<u>TIME BLOCKED</u>	<u>MINUTES BLOCKED</u>
10-16-96	1800 - After 1900	Over 60 minutes.
10-17-96	1148 - 1226	38 minutes.
10-17-96	1815 - After 1858	Over 43 minutes.
10-18-96	0733 - 0751	18 minutes.
10-19-96	Before 1656 - 1720	Over 24 minutes.
10-20-06	Before 0950 - After 1025	Over 35 minutes. This required my wife and I to climb through the train in our Sunday clothes and walk 1.5 miles to church in a drizzling rain.
10-22-96	1449 - 1536 W. bound train 1536 - 1553 E. bound train	64 minutes. This required a woman who is 8 months pregnant to climb through the train so she could get home.
10-24-96	1301	Train across entry, but broken very soon. Thank you.
10-24-96	1615 - 1638	Train put together at 1615, and then it pulled ahead and blocked entry for the next 23 minutes.
10-27-96	0640	Engine stopped just before crossing. Good sign.
10-27-96	0702 - 0812	Engine pulled forward and blocked the crossing for the next 70 minutes.
10-27-96	0838 - 0907 0907 - 0938	First train blocks the crossing for 29 minutes. Two trains across crossing. First train moves, but second train remains on crossing until 0938. Crossing blocked for 60 minutes. The last two Sundays are clearly a problem.
10-28-96	0819 - 0856	37 minutes.
10-31-96	0744 - 0719	35 minutes.
10-31-96	1720 - 1814	54 minutes. This delay held my wife up for 45 minutes as she returned home. This train also held up the neighbors husband. A man working here was held up for 40 minutes.

11-01-96	0830 - 0914	44 minutes.
11-02-96	1018 - 1117	59 minutes.
11-03-96	0920 - 1000	40 minutes.
11-06-96	Before 1411 - 1443	More than 32 minutes.
11-08-96	0752 - 0851	59 minutes.
11-11-96	1512 - 1657	105 minutes. This was the grain train headed west, standing on the siding track.
11-11-96	1708 - 1824	76 minutes. This was another grain train headed west, standing on the main track.
11-23-96	1311 - 1400	49 minutes. Train was on the main track headed west.
11-26-96	1634 - 1705	31 minutes. There were several trains going both ways, but the crossing was blocked continuously.
12-05-96	Before 0700 - 0926	More than 146 minutes. I called the Chief Clerk at Wishram at 0815 and asked when we could get out. He called the Dispatcher who agreed to break the train. A BN employee came wandering up the track slowly, arriving an Snug Harbor crossing at 0845. He looked at the car waiting to cross the track and looked at the train and then walked away. The train started backing up at 0900. It backed and stopped with the engine 7 cars west of our crossing. The train sat there until 0926, when it moved east and cleared the crossing. Why didn't the BN employee break the train at 0845. With the engine only a few hundred yards from our crossing, why didn't someone come back and break the train.
12-05-96	1229 - 1256	27 minutes.
12-12-96	Before 1000 - 1038	More than 38 minutes.
12-13-96	Before 0855 - 0956	More than 61 minutes. A person coming to pick up some things here tried to cross at cemetery crossing, but this was blocked also for the entire time.
12-13-96	Before 1619 - 1700	More than 105 minutes.
12-15-96	Before 0915 - 1010	More than 55 minutes. My wife was in charge of the Sunday school and had all the lessons with her. She never made it.

12-19-96	1425 - 1457	32 minutes.
12-21-96	Before 0945 - 1046	More than 61 minutes.
12-29-96	Before 0700 -	
12-30-96	1230	More than 29.5 hours. I called the Fort Worth number at 0900 on 12-30-96 and the man that answered said he was surprised that the train had been left and had not been broken. It was unlikely that the train would be moved for two days or more. I asked for his supervisor, whose name was Terry. He gave me her number, and I called her. She also was surprised than the train had been left with neither cemetery nor Snug Harbor crossings left open. She said that there was a train crew in a motel in Stevenson, and she would call them and have them break the train. The train was broken 3.5 hours later. I am curious why this train was not broken at the crossings, as the dispatchers thought it should be, when the crew left the train.
01-01-97	Before 1709 - After 2215	We went out to meet some people at 1715 and there was a train across the tracks. We crawled through the train. We returned at 2215 and there was another train across the tracks. We waited for 15 minutes and then crawled through this train.
01-05-97	0855 - 0934	Three trains had the crossing blocked continuously for 36 minutes.
01-09-97	1426 - 1603	97 minutes.
01-09-97	Before 1941 - 2045	More than 64 minutes. The train was broken only after I went to the County Sheriff's office and filed a complaint.
01-18-97	1404 - 1440	36 minutes.
01-18-97	Before 1458 - 1554	More than 56 minutes.
01-19-97	Before 0003 - After 0105	More than 62 minutes. We drove up and the train was blocking Snug Harbor crossing at 0003. 17 minutes later a trainman came along checking the brake pressure. He said the train would be moving shortly. Approximately 14 minutes later the train started up and went forward about 100 feet and

stopped. After another 25 minutes of sitting, we went up to the Sheriff's office and asked that they contact the train engine and ask when they planned to move. The Sheriff's office said they could not contact the engine, but they could contact the dispatcher in Fort Worth. The dispatcher said that there was a tree across the tracks, and it would be at least another 30 minutes before the train would move. The deputy asked if they could let us through the crossing so we could get to our home. The dispatcher said no, we would just have to wait. We talked to the deputies for 20 minutes and then went to the Snug Harbor crossing. We arrived at 0122 and the train was gone.

Why if there was a tree across the tracks did they put the train together so that we could sit and wait for another hour?

01-20-97	Before 0849 - After 0925	More than 36 minutes.
01-24-97	Before 0720 - After 0815	More than 55 minutes.
01-28-97	Before 1247 - 1447	120 minutes. If the train had pulled ahead two car lengths, the crossing would have been clear.
02-07-97	0820 - 0848	28 minutes.
On Vacation		
02-27-97	Before 0832 - 0920	More than 48 minutes.
02-28-97	Before 1502 - 1539	More than 37 minutes.
02-28-97	Before 1805 - 1839	More than 34 minutes.
03-05-97	1453 - 1521	28 minutes.
03-06-97	0655 - 0731	36 minutes.
03-21-97	Before 1155	Train broken at crossing, but the car is left right on the edge of the crossing creating an extremely hazardous situation. The car at Cemetery crossing is only pulled back 172 feet. Called BNSF Superintendent in Vancouver and reported condition. Train car pulled back from crossing at 1553.

03-22-97	1758 - 1837	39 minutes.
03-25-97	1145	Train broken at Snug Harbor. Car to the east 39 feet from crossing. Car to the west 192 feet from the crossing. Train broken at cemetery crossing. Car to the east 75 feet from the crossing. Car to the west 222 feet from the crossing.
03-25-97	1434 - 1525	51 minutes.
03-27-97	0808	Train broken at Snug Harbor. Car to the west, ATSF 317612, was 94 feet from the crossing. Car to the east not measured due to rain, but it was no more than 200 feet from the crossing. Train broken at cemetery crossing. Cars not measured, but they were no more than 125 feet from the crossing on both ends.
04-02-97	Before 1412 - After 2130	End of train, caboose BN12508, only 120 feet from cemetery crossing.
04-04-97	Before 1810 - 1924	Train broken at Snug Harbor. Car west of crossing, BN 471543, was only 150 feet from the crossing. There were two cars between the 250 foot marks on the tracks and the crossing.
04-15-97	Before 1632 - After 1715	Car BN 249718 parked 30 feet west of cemetery crossing. The engine on this train was a little less than 250 feet from the Russel Street crossing.
07-05-97	2130 - 2252	82 minutes.
07-08-97	0615 - 0805	110 minutes.
07-12-97	1249	Last car on train, BCOL 80327, parked 40 feet from crossing.
07-28-97	Before 1744 - 1813	More than 29 minutes.
07-31-97	Before 1010 - 1046	More than 36 minutes. Train would have been clear of crossing if it had moved four cars ahead.
08-08-97	1755 - 1823	28 minutes.
08-10-97	Before 0914 - 1036	More than 82 minutes.
08-12-97	0646 - 0729	43 minutes.
09-03-97	2121 - 2207	46 minutes. Dispatcher said train should have been broken. Train moved ahead so I could get in the driveway.
09-16-97	Before 0640 - 0758	More than 78 minutes.

09-17-97	0851 - 0919	28 minutes.
09-22-97	Before 0810 - 0839	More than 29 minutes.
09-26-97	0646 - 0842	116 minutes.
09-29-97	1800	Train broken at crossing. Car ATSF 611190 was only 60 west of Snug Harbor crossing. Car BN 321615 was 38 feet east Snug Harbor crossing. The engine was 60 feet east of Cemetary crossing.
10-03-97	Before 1616 - 1645	More than 29 minutes.
10-09-97	1822	Train broken at Snug Harbor crossing. Car BN 447882 was 30 east of the crossing. The other car was 200 feet west of the crossing.
10-16-97	1930 - 2030	Snug Harbor crossing blocked 60 minutes.
10-19-97	1512 - 1629	Crossing blocked for 77 minutes.
10-22-97	2027 - After 2112	More than 45 minutes. 25 feet of the last car on the train hung over the crossing.
10-26-97	1245 - 1352	Crossing blocked 67 minutes.
10-30-97	Before 0823 - 0848	Blocked more than 25 minutes.
10-30-97	1115 - 1205	Blocked 20 minutes.
10-30-97	Before 1448 - 1535	Blocked more than 47 minutes.
10-31-97	1445	Train broken at Snug Harbor crossing. Car BN 445305 was 90 feet west of the crossing. Car BN 445315 was 108 feet east of the crossing.
11-2-97	Before 0949 - 1034	Crossing blocked more than 45 minutes.
11-2-97	1141	Car DTTX parked 111 feet east of Snug Harbor crossing.
12-14-97	0705 - 0802	Crossing blocked 57 minutes.
01-17-98	Before 0750 - 0849	Crossing blocked more than 58 minutes.
02-12-98	0710 - 0746	Crossing blocked 36 minutes.
02-26-98	Before 1539 - 1610	Crossing blocked more than 31 minutes.
03-01-98	1637 - 1718	Crossing blocked 41 minutes.
03-05-98	0758 - 0836	Crossing blocked 38 minutes.
03-11-98	1655	Engine 6346 parked 50 feet from Snug Harbor crossing.
03-25-98	0744 - 0832	Crossing blocked 48 minutes.
03-29-98	1057 - 1141	Crossing blocked 44 minutes.
03-29-98	1500 - 1535	Crossing blocked 35 minutes.
03-31-98	1725	Train car BN 439018 parked six feet from the crossing on the south track. At 1822 the Amtack train came roaring by.

		If someone had been trying to get out of the driveway, they would have been hit by the Amtrack train because they could not see around the parked BN train.
04-01-98	0630 - 0724	Crossing blocked 54 minutes.
04-02-98	Before 1658 - 1904	Crossing blocked for more than 126 minutes.
04-08-98	Before 1615 - 1715	Crossing blocked for more than 60 minutes.
04-08-98	1743	Train car BN 249747 parked 111 feet from the crossing.
05-02-98	Before 0734 - 0815	Crossing blocked more than 41 minutes.
05-06-98	Before 1155 - 1235	Crossing blocked more than 40 minutes by two trains.
05-12-98	Before 1845 - 1923	Crossing blocked more than 38 minutes by two trains.
05-15-98	Before 1730 - 1809	Crossing blocked more than 39 minutes.
09-02-98	1759 - 1854	Crossing blocked 54 minutes.
09-17-98	Before 1130 - 1241	Crossing blocked more than 72 minutes.
09-19-98	Before 0825 - 1045	Crossing blocked more than 140 minutes.
09-19-98	Before 1634 - 1721	Crossing blocked more than 47 minutes.
09-30-98	1024 - 1058	Crossing blocked 34 minutes.
10-01-98	1727 - 1814	Crossing blocked 47 minutes.
10-17-98	0753 - 0847	Crossing blocked more than 54 minutes.
10-18-98	0800 - 0839	Crossing blocked 39 minutes.
11-12-98	Before 1542 - 1642	Crossing blocked more than 60 minutes.
11-13-98	Before 1758 - 1827	Crossing blocked more than 29 minutes.
11-14-98	Before 0748 - After 0830	Crossing blocked more than 42 minutes.
11-19-98	Before 1425 - 1527	Crossing blocked more than 62 minutes.
01-12-99	1249 - 1327	Crossing blocked 38 minutes.
01-17-99	1720 - 1831	Crossing blocked 71 minutes.
01-20-99	Before 0620 - 0659	Crossing blocked more than 39 minutes.
01-22-99	Before 0748 - 0819	Crossing blocked more than 31 minutes.
01-26-99	Before 1700 - 1802	Crossing blocked more than 62 minutes.
01-28-99	Before 1949 - 2049	Crossing blocked more then 60 minutes.
02-04-99	Before 1735 - 1806	Crossing blocked more than 31 minutes.
02-06-99	Before 0800 - 0830	Crossing blocked more than 30 minutes.
02-11-99	1308 - 1433	Crossing blocked 85 minutes.
02-11-99	1451 - 1526	Crossing blocked 35 minutes.
02-13-99	0830 - 0919	Crossing blocked more than 49 minutes.
02-13-99	Before 1633 - 1713	Crossing blocked more than 40 minutes.
02-18-99	Before 0752 - 0818	Crossing blocked more than 26 minutes.
03-11-99	Before 1545 - 1642	Crossing blocked more than 57 minutes.
03-17-99	1117 - 1213	Crossing blocked 56 minutes.
03-25-99	Before 2009 - 2057	Crossing blocked more than 48 minutes.
03-29-99	0716 - 0815	Crossing blocked 59 minutes.
03-30-99	0740 - 0817	Crossing blocked 37 minutes.
04-11-99	0747 - 0816	Crossing blocked 29 minutes.

04-13-99	Before 0758 - 0833	Crossing blocked more than 35 minutes.
04-22-99	0950 - After 1030	Crossing blocked more than 40 minutes.

The information since the last FAX is shown after the space above.

MEMORANDUM

February 13, 1997

Assignment No. 1-012R-97

TO: Alan Scott, Rail Compliance Manager

FROM: H.C. Naumann, Railroad Safety Investigator

SUBJECT: Complaint on Burlington Northern - Santa Fe trains blocking private crossing at mile post 55.3, DOT#90152S, Private Crossing at mile post 55.71, DOT #90153Y and Public Crossing to the cemetery at mile post 54.76, DOT#90151K near Stevenson, Washington.

On February 5, 1997, I inspected the crossings in question including the Public Crossing at Russell Road in Stevenson, Washington.

- #1 - Russell Road is equipped with shoulder mounts and gates, the train speed is posted, passenger 45 mph and freight 45 mph. Russell Road is at mile post 53.89.
- #2 - At mile post 54.21 is an underpass not recorded on the inventory or BN-SF Track Profile. The road is dirt and gravel, one lane under the track and beside Kanaka Creek. The road is very narrow but passable to SR-14 with a pickup or auto at this time. There is overhead clearance problems for big trucks.
- #3 - There is a public crossing at mile post 54.76, Cemetery Road, to the cemetery and one residence. The residence is only occupied part time per the neighbors in the area. The cemetery has two Cross Bucks - two track signs and two stop signs and consists of a passing track and one main line track. The passenger speed is 60 mph and freight speed is 55 mph. The sight distance at 25 feet is as follows:

	W N	NE	SW	SE
25'	650'	700'	250'	400'

A driver traveling out of the cemetery must pass over the siding track, main line and about 25 feet to the SR-14 roadway.

- #4 - There is a private crossing at BN-SF mile post 55.03 and is in the County. The crossing is constructed of wooden planks and has two stop signs and private permit signs. The crossing consists of one main track and one side passing track. The mail line track is about 25 feet from SR-14. The sight distance at 25 feet is as follows:

	W N	NE	SW	SE
25'	800'	500'	800'	650'

The DOT # is 90152S and the crossing serves two residences.

There is a private crossing at BN-SF mile post 55.71, DOT #90153Y and serves several residences and a trailer park. The private crossing has two stop signs and two private permit signs. The crossing has two tracks, one main line track and one passing track. The main line track is about 25' from SR-14. The sight distance at 25 feet is as follows:

	NW	NE	SW	SE
25'	900'	300'	450'	600'

There has not been a complaint on this crossing as to blocking vehicle or pedestrian traffic, probably on account of the east end of the passing track.

On February 5, 1997, I contacted Mr. Snyder Jr., a resident at the private crossing at BN-SF mile post 55.03, DOT #90152S. The contact was in reference to BN-SF blocking the crossing for extended lengths of time. Mr. Snyder Jr. recorded part of the times he was blocked from using the crossing from October 16, 1996 to January 19, 1997, a total of 39 times. The crossing was blocked from 20 to 30 minutes to 29.5 hours. To get to the doctors, drugstores, grocery stores, church and airport Mr. and Mrs. Snyder Jr. have had to climb over the train and have friends pick them up to perform their duties and obligations. This is not acceptable for their safety and disrespect of the BN-SF trains.

Under WUTC rules, if railroad cars are separated at a crossing, car must be at least 100 feet from edge of crossing on both sides. At Mr. Snyder Jr.'s crossing 100 feet clearance is not enough distance to allow a driver to view enough distance down the track for the driver's safety. With the curves in the track, both east and west directions, a driver must be able to see to the curves to allow him a safe margin of time to cross over the main line track to SR-14. Railroad cars placed too close to the crossing do not allow the necessary time. Passenger trains travel at 60 mph and freights trains at 55 mph in the area. Train dispatchers know how long trains are going to be on the passing tracks and must instruct the crew to uncouple the train and separate the cars from being on the crossing.

The same problem occurs at the Cemetery Public Crossing at mile post 54.76, DOT #90151K. In the past, a funeral procession occupied SR-14 for over an hour blocking traffic on SR-14 requiring 4 to 6 police officers to flag traffic before the train on the passing track moved. This in itself could cause accidents on SR-14 without flagging personnel.

The area residence have had several complaints lodged with the Sheriff's Department and the BN-SF personnel.