

Questionnaire

Washington Military Department, Emergency Management Division

1. Company Name: _____ Company Contact: Joan Sterling

2. How many employees do you have?
 Full time: 73
 Part time: _____ (days or hours/year)

3. What was the gross and net annual cost and revenue of your Washington operation for the past five years?

4. Please complete the following Table by indicating yes or no in the appropriate box?

Rules	Does the rule apply to your company? (y/n)	Status Does the rule require you to change your current Practices? (y/n)	Implication			
			Does the rule provide benefits to: (y/n)		Does the rule create costs to: (y/n)	
			Customers	Company	Customers	Company
Blockage of Public Grade Crossings (WAC 480-62-X2.5)	N	N	Y	Y	N	N
Railroad Community Notice Requirements (WAC 480-62-X3.2) <i>As drafted, not if original draft</i>	N	Y	Y	Y	Y	Y
Crossing Surfaces (WAC 480-62-X2.6)	N	N	Y	Y	N	N
Accident Reports (WAC 480-62-X3.3)	Y	Y	Y	Y	N	N
Flaggers (WAC 480-62-X2.8)	N	N	Y	Y	N	N
Passenger Carrying Vehicles (WAC 480-62-X2.9-10)	N	N	N	N	N	N
Miscellaneous Reporting Requirements (WAC 480-62-X3.4)	N	N	Y	Y	N	N
On Track Equipment (WAC 480-62-X2.11)	N	N	Y	Y	N	N
Remote Controlled Operations (WAC 480-62-X3.5)	N	N	N	N	N	N
Crossing Signal Circuitry (WAC 480-62-X2.3)	N	N	Y	Y	N	N
Railroad Police Officers (WAC 480-62-X3.6)	N	N	N	N	N	N

5. Please provide the direct benefits (e.g., reduced accidents, reduced litigation costs) and indirect benefits (increased volume of sales) from the implementation of each of the proposed rules.

Rules	Direct Benefit		Indirect Benefit	
	Qualitative	Quantity or monetary value	Qualitative	Quantity or monetary value
Blockage of Public Grade Crossings (WAC 480-62-X2.5)	reduced emergency response times at local or state level		known need for responding emergency responders	
Railroad Community Notice Requirements (WAC 480-62-X3.2)	recommend former staff version.	# of calls unknown - would require additional duty officers		
Crossing Surfaces (WAC 480-62-X2.6)	reduced accidents probability of		increased pay off	
Accident Reports (WAC 480-62-X3.3)	Unrecorded Accident reporting would reduce liability Complies w/ State CEMP		decreased negotiation time; Saves local responders materials from unnecessary and costly response	
Flagger (WAC 480-62-X2.8)	flagger safety, making indications for drivers reduce accidents		increases safety	

Rules	Direct Benefit		Indirect Benefit	
Miscellaneous Reporting Requirements (WAC 480-62-X3.4)	Local Emergency Managers can know (who) to call for emergencies			
On Track Equipment (WAC 480-62-X2.11)	reduce accidents		increase safety	
Remote Controlled Operations (WAC 480-62-X3.5)				
Crossing Signal Circuitry (WAC 480-62-X2.3)	increase warning		increase safety	
Railroad Police Officers (WAC 480-62-X3.6)				

If there are qualitative benefits that you cannot quantify, please explain these benefits for each rule below.

- Blockage of Public Grade Crossings (WAC 480-62-X2.5)
primarily a local emergency response, quantification depends upon community, how often RR impacts, and other accessible routes
- Railroad Community Notice Requirements (WAC 480-62-X3.2)
of current draft, which was at EMD's suggestion, the cost would be additional staff for what is now identified as an exponential unknown number
- Crossing Surfaces (WAC 480-62-X2.6)
of general notifications, which may not be within the best scope of emergency notifications
local emergency response issue
- Accident Reports (WAC 480-62-X3.3)
while this is an appropriate issue for EMD, the number of accidents vary, since accidents, like other emergencies, are not planned.
- Flagger (WAC 480-62-X2.8)
local community issue
- Passenger Carrying Vehicles (WAC 480-62-X2.9-10)
- Miscellaneous Reporting Requirements (WAC 480-62-X3.4)
local emergency / community issue
- On Track Equipment (WAC 480-62-X2.11)
local emergency / community issue
- Remote Controlled Operations (WAC 480-62-X3.5)
- Crossing Signal Circuitry (WAC 480-62-X2.3)
local emergency / community issue
- Railroad Police Officers (WAC 480-62-X3.6)

8. If you are aware of similar rules in other states, compare the effect of these rules in Washington State (please discuss).

Unknown

9. Please provide any estimates of incremental costs to your business for each of the rules listed in the table below:

Rules	Costs due to the rules (incremental)	
	Total Cost	Cost/employee
Blockage of Public Grade Crossings (WAC 480-62-X2.5)		
Railroad Community Notice Requirements (WAC 480-62-X3.2)		
Crossing Surfaces (WAC 480-62-X2.6)		
Accident Reports (WAC 480-62-X3.3)		
Flaggers (WAC 480-62-X2.8)		
Passenger Carrying Vehicles (WAC 480-62-X2.9-10)		
Miscellaneous Reporting Requirements (WAC 480-62-X3.4)		
On Track Equipment (WAC 480-62-X2.11)		
Remote Controlled Operations (WAC 480-62-X3.5)		
Crossing Signal Circuitry (WAC 480-62-X2.3)		

*NR-C-extra cost is NOT Anticipated, as reports are already received and
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acked upon*

10. Given your estimates in the Table on the previous page, do you believe that these rule (individually or jointly) affect the profitability of your business? If so, in what way do you think the Commission could minimize/mitigate these impacts?

State, not for profit. Part of statutory functions

11. Over what time frame could these rules be implemented without unduly affecting your business?
Please Explain.

Could occur immediately w/o affecting business functions.

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 OCT 16 2000
 WASH. UT. & TP. COMM.

Questionnaire

Mount Vernon Terminal Railway

1. Company Name: _____

Company Contact: *George Stephenson*

2. How many employees do you have?

Full time: _____

Part time: *2 @ 4 hrs/yr.* (days or hours/year)

I'll buy one stamp to address this bureaucracy!

3. What was the gross and net annual cost and revenue of your Washington operation for the past five years? *'99 - 36,691, (57,642) '98 - 47,717, (61) '97 - 73,364, 230. '96 - 40,012, (3,927) '95 - 75,392, (35,351)*

4. Please complete the following Table by indicating yes or no in the appropriate box?

Rules	Does the rule apply to your company? (y/n)	Status Does the rule require you to change your current Practices? (y/n)	Implication			
			Does the rule provide benefits to: (y/n)		Does the rule create costs to: (y/n)	
			Customers	Company	Customers	Company
Blockage of Public Grade Crossings (WAC 480-62-X2.5)	y	y/n	n	n	n	y
Railroad Community Notice Requirements (WAC 480-62-X3.2)	y	y	n	n	y	y
Crossing Surfaces (WAC 480-62-X2.6)	y	y	n	n	y	y
Accident Reports (WAC 480-62-X3.3)	y	y	n	n	y	y
Flaggers (WAC 480-62-X2.8)	y	y				
Passenger Carrying Vehicles (WAC 480-62-X2.9-10)						
Miscellaneous Reporting Requirements (WAC 480-62-X3.4)						
On Track Equipment (WAC 480-62-X2.11)						
Remote Controlled Operations (WAC 480-62-X3.5)						
Crossing Signal Circuitry (WAC 480-62-X2.3)						
Railroad Police Officers (WAC 480-62-X3.6)						

I started in to fill in this questionnaire, but it is too time consuming, much the same as a lot of the above. The costs in \$ + time would be an extreme burden on a RR

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such as mine. Everybody, especially in the private sector cannot afford to have someone around to call, do paper work, etc.

5. Please provide the direct benefits (e.g., reduced accidents, reduced litigation costs) and indirect benefits (increased volume of sales) from the implementation of each of the proposed rules.

Rules	Direct Benefit		Indirect Benefit	
	Qualitative	Quantity or monetary value	Qualitative	Quantity or monetary value
Blockage of Public Grade Crossings (WAC 480-62-X2.5)				
Railroad Community Notice Requirements (WAC 480-62-X3.2)				
Crossing Surfaces (WAC 480-62-X2.6)				
Accident Reports (WAC 480-62-X3.3)				
Flaggers (WAC 480-62-X2.8)				

*** NOTIFY ON ALL INCIDENTS**

Notification Date	24 hr. Time	Person Notified	Remarks
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* 1) LOCAL CONTACT: See TEL 1

* 2) ECOLOGY:

SW (360) 407-6300

NW (206) 649-7000

CENT (509) 575-2490

EAST (509) 456-2926

Note: Notify the appropriate regional Dept of Ecology Office regarding hazardous material incidents or potential hazardous material incidents involving vessels or to report the arrival of vessels into Washington State waters.

3) W.S.P. DISPATCH

(All state right of way incidents. Use WSP micro line for applicable region or tel 22)

4) EM OPERATIONS MANAGER

(If there is threat to life and/or property. Discuss notification of EM Director and/or activation of EOC)

5) FISH & WILDLIFE:

Notify on incidents involving the actual or potential release of hazardous materials (in the case of petroleum, more than 20 gallons) into, or draining into, bodies of water. 24-hr pager numbers: primary: (360) 534-8233 alternate: (360) 534-3502 .If pager number does not answer, refer to Tel- 22

6) HEALTH:

For radiological incidents - (206)682-5327

For hazardous materials or radiological incidents where public health is endangered - primary: (day 360-236-4416)(night: unlisted) (pager: unlisted) (alternate: see tel 22 DOH)

7) AGRICULTURE:

(Any agricultural chemical, pesticide, fertilizer or possible contamination of foodstuffs. See tel 22)

8) LABOR AND INDUSTRIES:

(Involves worker/responder exposure to toxic substances. See tel 22)

9) UTIL. & TRANS. (Trans. Div.)

(If incident involves a railroad line or public highway and poses a serious threat to life or property. See tel 22)

10) FIRE MARSHAL:

(If incident involves the transport, storage or disposal of common or special fireworks (class B & C explosives) 360-753-0400

11) NATURAL RESOURCES:

(If incident affects state lands. See tel 22)

12) INDIAN COMMISSION:

(If incident affects Tribal lands. See tel 22)

13) B.C. PEP 1-800-663-3456

14) Oregon "OERS" (503) 378-6377

15) U.S. EPA: (206) 553-1263

16) U.S.CG (Seattle)(206)217-6232 24-hr.

17) U.S.CG (Portland) (503) 240-9300

18) US FISH & WILDLIFE:

(360) 753-9440

19) FAA: (253) unlisted

20) FEMA: (206) 487-4600

(For hazardous materials and radiological incidents involving major threat to life and property)

WASHINGTON STATE

INCIDENT NUMBER(s)

OPENING DUTY OFFICER

EMERGENCY MANAGEMENT

STATE: _____

CLOSING DUTY OFFICER

HAZARDOUS MATERIALS INCIDENT WORKSHEET

LOCAL: _____

INITIAL INFORMATION

1) DATE OPENED TIME OPENED TIME OF OCCURRENCE DATE CLOSED TIME CLOSED
mo. day yr. 24 hr. Clock 24 hr. Clock mo. day yr. 24 hr. Clock

2) REPORTING PARTY NAME: R/P COMPANY/ AGENCY NAME: R/P CALLBACK PHONE NUMBER: () or ()

3) R/P ADDRESS: CITY: STATE: ZIP:

4) BRIEF DESCRIPTION OF SITUATION:

5) INCIDENT LOCATION: CITY/COUNTY:

6) WHAT IS THE MATERIAL (USE EXACT SPELLING)

7) HOW WAS MATERIAL CONTAINED/PACKED: TOTAL QUANTITY: QUANTITY RELEASED: [] pounds [] cubic feet [] gallons []

8) AGENCIES NOTIFIED/ON SCENE/RESPONDING: [] Fire [] Police [] Sheriff [] WSP [] WDOE [] USCG [] USEPA [] DOT [] OTHER

9) IS MATERIAL PETROLEUM AND MORE THAN 100 GALLONS? (diesel, hydraulic, gasoline, oil, etc) [YES] [NO] [UNK]

10) IS HUMAN HEALTH/SAFETY AFFECTED? [YES] [NO] [UNK]

11) IS GROUND OR SURFACE WATER AFFECTED? [YES] [NO] [UNK]

SARA TITLE III

1) EMERGENCY RELEASE REPORT [] CONTINUOUS RELEASE REPORT []

2) DATE(S) OF RELEASE: TIME(S) DURATION: (minutes/hours) (Began) (Ended) (Began) (Ended)

3) SUBSTANCE: AMOUNT RELEASED:

4) IS IT ON LIST (Section 302a)? (As determined by Reporting Party) [YES] [NO] MINIMUM QUANTITY FOR REPORTING:

5) ENVIRONMENT: (air, water, ground, etc) AIR FLOW DIRECTION: FROM TO

6) ARE THERE INDIVIDUALS EXPOSED TO THIS RELEASE ON OR OFF SITE: [YES] [NO] EXPLAIN:

7) CAUSE OF RELEASE:

8) POSSIBLE HEALTH RISKS: INJURIES?

9) APPROPRIATE PRECAUTIONS:

10) WILL THE RELEASE AFFECT GROUND/SURFACE WATERS OR ANY OTHER ENVIRONMENTAL AREAS?

11) CONTINUOUS RELEASE PRODUCTS:

state, in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof. The ballot title for this act shall be: "Shall enhanced 911 emergency telephone dialing be provided throughout the state and be funded by a tax on telephone lines?" [1991 c 54 § 17.]

Reviser's note: "This act," chapter 54, Laws of 1991, was adopted and ratified by the people at the November 5, 1991, general election (Referendum Bill No. 42).

Severability -- 1986 c 266: See note following RCW 38.52.005

Severability -- 1973 1st ex.s. c 154: See note following RCW 2.12.030.

Hazardous and radioactive wastes: Chapters 70.98, 70.99, 70.105, 70.136 RCW.

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If you have any questions, please contact me:  
*Joan Sterling, CEM, Legislative and Policy Analyst*  
*Washington Military Department; Emergency Management Division*  
*MS: TA-20, Building 20; Camp Murray, WA 98430-5122*  
*(253) 512-7007 (voice); (253) 512-7207 (fax)*  
*j.sterling@emd.wa.gov*

Penny, Once again, my thanks to you, Mike and Ahmer for inviting Emergency Management to the October 2 workshop on railroad rule making. I apologize that it has taken this long to respond to the request. I would like to invite WUTC and the railroads to tour the state EOC and duty officers in the near future. Contact for the EOC is Ken Parrish, Emergency Operations Center Supervisor, at (253) 342-7022.

#### State Duty Officer Procedures

In accordance with the Washington State Comprehensive Emergency Management Plan, EMD coordinates and updates notification lists, maintains and updates the CEMP, and maintains a 24-hour notification capability. The State Duty Officer system serves as the single point of contact for hazardous materials spills, wild land fires, and other emergency reports in support of several agencies and their stakeholders statewide.

The hazardous materials incident form is used by the duty officers when notified of any accident. The form has been slightly modified--unlisted numbers or those normally in another section of an operating procedure are not listed. We want to make it clear that the Military Department, Emergency Management Division, would be the WUTC's designee for reporting/notification and that the duty officer notifies affected agencies, as appropriate. Unless clearly designated and trained, the duty officers would not be conducting investigations--only taking down critical information for notification for emergency responders such as:

- what's on the train, if critical hazardous material or above
- who is injured
- what is known on potential release

The duty officers are not familiar with railroad marker numbering, although they can pass along the information to local authorities, it is not known in the duty room what junction is affected.

Referring to the incident form, who or which agency is called, is the discretion of the duty officer. The following order is the most likely calling sequence by the duty officer:

- 911 (indicate accident occurred, whether or not a hazardous material incident has occurred. If no hazmat, then the jurisdiction does not need to respond to the worse case scenario with expensive equipment)
- if derail, discretion is 911 (release or injury notification -- yes or no)
- Ecology (immediately if necessary, next day--if call is after hours and is not life threatening and nonevent)
- WUTC (immediately if necessary, next day if nonevent--to ensure the Governor and Commission is aware)
- Other agencies notified based on type and size of event. These include fire, police, sheriff (if not 911); WSP dispatch, USCG, USEPA, DOT, local emergency management, WDFW, DOH, Ag, L&I, State Fire Marshal, DNR, Indian Commission, BC PEP, Oregon EM, US Fish and Wildlife, FAA, and/or FEMA.

An option is that when the Railroad calls the National Response Center (NRC)/FRC, option would be to conference in the duty officer to obtain information at the same time. An issue is that if it were to occur at night, there may be one duty officer who is responsible to all other events and calls, also, which may detract from listening to the conference call.

Thirty minute notification would be appropriate for WAC 480-62-X3.4 Miscellaneous reporting requirements. In reviewing recent notifications, it appears that the timeframe for notification to NRC and then faxing to the state EOC averages about