



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

Joan E. Sterling, Legislative & Policy Analyst
Washington Military Department
Emergency Management Division
Camp Murray, WA 98430-5122

January 2, 2001

Dear Ms. Sterling:

The Washington Utilities and Transportation Commission is in receipt of your comments regarding the proposed revisions to Chapter 480-62 WAC. Thank you for the time and effort you spent to review the various drafts of the rules, and for the suggested revisions that are included in your comments. All of the comments that we have received have been instrumental in developing the proposed rules and have assisted Commission staff in recognizing the concerns of interested parties. Comments from the Washington Military Department's Emergency Management Division have been especially valuable throughout the process.

As you are aware, staff has made every attempt to achieve consensus with stakeholders. For the most part this goal was realized, however, there are areas where staff did not incorporate stakeholder comments. It is the intention of this letter to explain the reasons for not including some of your suggested revisions to WAC 480-62-220, Blockages of public grade crossings, and WAC 480-62-305, Community notice requirements.

Your comments regarding WAC 480-62-220 request that the section include the language, "blockages of grade crossings, planned or unplanned of over ten minutes must be transmitted to the public safety answering point (PSAP) ... Such notice shall include an estimate of the duration of the blockage. For blockages over thirty minutes, the PSAP shall be notified when the grade crossing has been returned to normal service." In addition, comments regarding WAC 480-62-305, Community notice requirements, also suggested that the rules require notification to PSAPs under that section.

Staff agrees that these are appropriate suggestions, as the requirements would benefit emergency services personnel by alerting them of blocked routes. At this stage of the rulemaking, however, additional notice requirements would constitute substantive changes within the rules, and thus would require filing an additional CR-102 with the Office of the Code Reviser. Since some of the proposed rules were adopted as emergency rules on March 1, 2000, the proposed rules need to be adopted as permanent rules no later than March 1, 2001. Staff is interested in pursuing your suggestions in a subsequent rulemaking, and will begin exploring the possibility when the current rulemaking has been completed.

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I would like to thank you once again for your review of the proposed rules and the comments that you have submitted. The Commission will consider the proposed rules for adoption at its regular open meeting, on January 11, 2001 at 9:30 at the Commission's headquarters, located at:
1300 S. Evergreen Park Drive SW
Olympia, WA 98501

If you would like to further discuss any of the comments that you have submitted or have any questions regarding the status of the current railroad operations rulemaking, please contact me at (360) 664-1345.

Sincerely,

Ahmer Nizam
Washington Utilities and Transportation Commission

Attachment