

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of  
  
SOUTH KING FIRE & RESCUE,  
  
Applicant,  
  
Requesting Disbursement from the  
Grade Crossing Protective Fund

DOCKET TR-220736

ORDER 01

GRANTING REQUEST FOR  
DISBURSEMENT FROM THE GRADE  
CROSSING PROTECTIVE FUND

**BACKGROUND**

- 1 On August 2, 2021, the Washington Utilities and Transportation Commission (Commission) sent to various interested parties a “Notice of Available Funds for Rail Safety Projects” from the Grade Crossing Protective Fund (GCPF).
- 2 On September 30, 2022, South King Fire & Rescue (South King Fire or Applicant) filed with the Commission an application (Application) requesting \$27,733.96 from the GCPF to purchase two aerial drones for use by the Applicant’s hazardous materials unit (Hazmat 361) in response to railroad accidents in the Auburn valley area. The Hazmat 361 team consists of 12 firefighters, certified as hazardous materials technicians, that are able to respond to, assess, and mitigate hazardous materials incidents within a specific area of King County. Hazmat 361 is the first responding hazardous materials unit for any railroad or crossing incident involving hazardous materials spills. According to the Application, BNSF and Union Pacific Railroad annually handle 75,000 carloads of hazardous materials through the populous Auburn valley area.
- 3 With the requested funds, South King Fire proposes to establish a drone program, including drone training and certification, for hazardous materials responses and train derailments. Drones would allow first responders to quickly deploy and safely assess a railroad hazardous materials incident scene to gather important information including the number of cars involved, access locations or impediments, the type of rail cars involved, railcar markings, and additional relevant information.
- 4 Commission Staff (Staff) evaluated the Application and recommends that the Commission provide funding for one drone at a cost of \$13,866.98. This would allow South King Fire to establish its drone program and evaluate its effectiveness. South King Fire could then provide the results of its evaluation to the Commission and apply for

funding for a second drone in a future GCPF grant cycle. South King Fire supports Staff's proposal and would be responsible for long-term maintenance and repair of the drone. GCPF funds are currently available for this project.

- 5 Staff recommends the Commission approve the request for funding with the following conditions: (1) expenditure from the GCPF must not exceed \$13,866.98, (2) the purchase for which the GCPF disbursement is approved must conform to the description specified in the Application, (3) the Applicant must sign and return the attached project agreement, (4) payment will be made upon presentation of claim for reimbursement and verification by Staff that the purchase has been completed, and (5) the purchase must be completed and the associated request for reimbursement from the GCPF must be filed with the Commission no later than June 15, 2023.

### **DISCUSSION**

- 6 RCW 81.53.281 authorizes the Commission to disburse funds from the GCPF to pay for rail safety projects. We find that the proposed drone purchase will assist first responders in assessing rail incidents and will increase public safety. Accordingly, the Commission grants the Application subject to the conditions that Staff recommends.

### **FINDINGS AND CONCLUSIONS**

- 7 (1) The Commission is an agency of the State of Washington having authority to approve and administer disbursements from the GCPF. RCW 81.53.271; RCW 81.53.281.
- 8 (2) The purchase for which the Applicant seeks disbursement from the GCPF is eligible for funding consideration under Commission rules and complies with the requirements of RCW 81.53.271, RCW 81.53.281, and WAC 480-62.
- 9 (3) Staff investigated the request based on the review criteria specified in the Commission's rules and recommended that it be granted with the conditions set out in paragraph 5, above.
- 10 (4) This matter came before the Commission at its regularly scheduled meeting on January 26, 2023.
- 11 (5) After reviewing South King Fire's Application filed on September 30, 2022, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

**ORDER**

**THE COMMISSION ORDERS:**

12 South King Fire & Rescue's Application for disbursement from the Grade Crossing Protective Fund to purchase a drone for its hazardous materials unit is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$13,866.98.
- (2) The purchase for which the Grade Crossing Protective Fund disbursement was approved must conform to the description specified in the Application.
- (3) South King Fire & Rescue must sign and return the attached project agreement.
- (4) Payment will be made upon presentation of claim for reimbursement and verification by Staff that the purchase has been completed.
- (5) The purchase must be completed and the associated request for reimbursement from the Grade Crossing Protective Fund must be filed with the Commission no later than June 15, 2023.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective January 26, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL  
Executive Director and Secretary