

FILE

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Public Utilities
Commission of Ohio

Memo

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division *GM*
Re: PUCO Case No. 10-1250-RR-UNC
Date: September 17, 2010

Please docket the attached staff report in the above referenced case.

PUCO

2010 SEP 17 PM 12:52

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The Public Utilities
Commission of Ohio

A report by the Staff of the
Public Utilities Commission of Ohio

September 17, 2010



INTRODUCTION

Rail Division

The Public Utilities Commission of Ohio (PUCO) works with local highway authorities and communities to provide safety for the citizens of Ohio at highway-railroad grade crossings.

The PUCO has the statutory authority to regulate and promote the welfare and safety of railroad employees and the traveling public pursuant to Ohio Revised Code Section 4905.471; and

The PUCO has the authority to close public at grade crossings pursuant to Ohio Revised Code Sections 4907.474 and 4907.475. The sections set forth a variety of factors to be considered by the Commission in determining whether there is a demonstrable need for any public grade crossing to exist and whether any such crossing could be closed to vehicular traffic, pedestrian traffic, or both and the travel over the grade crossing diverted to other grade crossings.

The PUCO is responsible for evaluating public highway-railroad grade crossings to determine the need for upgrading the warning devices and apportioning the cost thereof pursuant to Ohio Revised Code Section 4907.471.

The PUCO has the authority under Ohio Revised Code Section 4511.63 (B) to declare a grade crossing exempt, whereby vehicles normally required to stop at a grade crossing under that title and Code of Federal Regulations Title 49, 392.10 would be able to proceed through the crossing without stopping.

The PUCO enforces all aspects of the Federal Railroad Administration regulations through inspections and evaluations of Ohio's public highway-railroad grade crossings.

I. DESCRIPTION OF APPLICANT

First Student is passenger transportation company which contracts with local school districts to provide student transportation to and from schools and school related events.

The Union County Engineer is an elected official responsible for public roadway, bridge, and culvert maintenance and improvements in Union County.

II. PROJECT DESCRIPTION

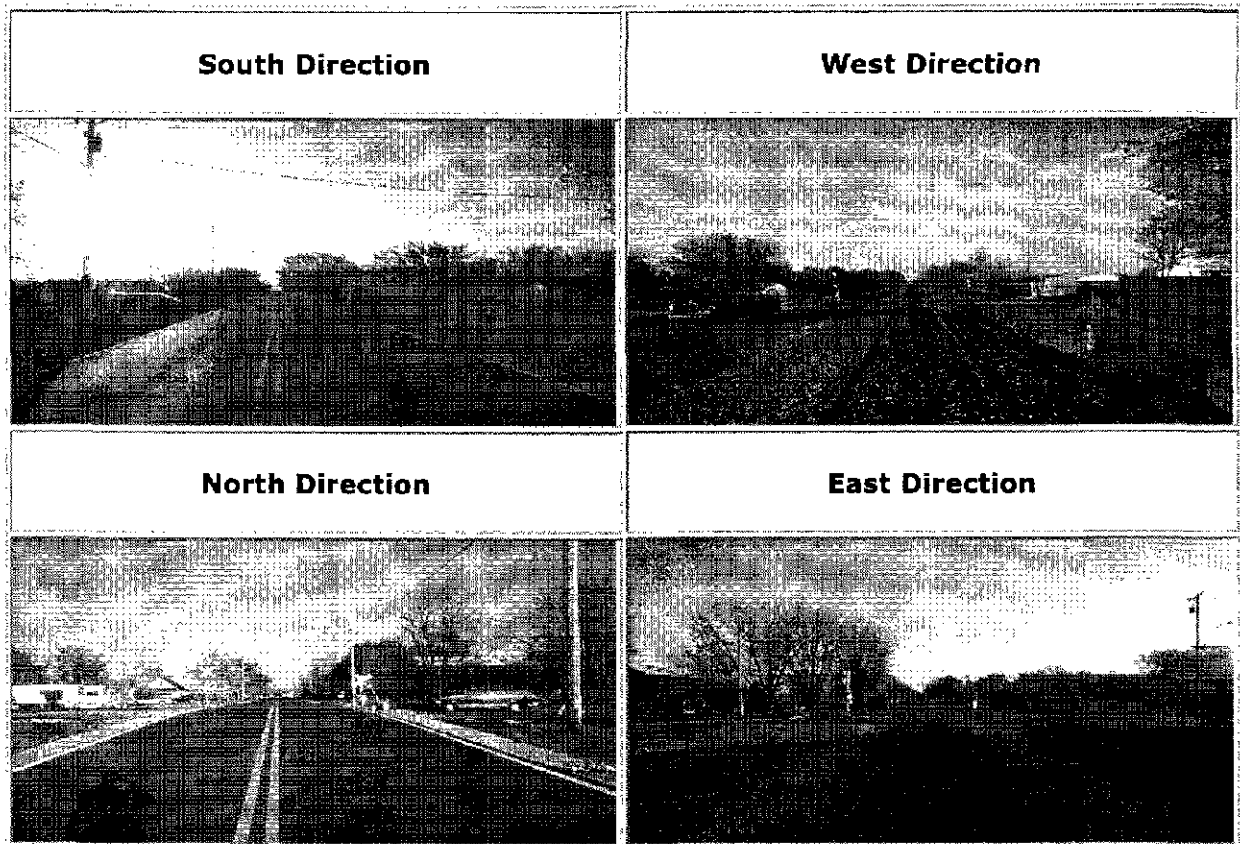
On August 25, 2010, First Student filed under PUCO Case No. 10-1250-RR-UNC, a request for a grade crossing exemption under Ohio Revised Code section 4511.63, whereby vehicles transporting passengers and/or placardable amounts of certain hazardous materials would be exempted from stopping at the Raymond Road/CR 191 grade crossing in Union County, DOT# 903-791K.

On September 9, 2010, The Union County Engineer filed in this docket a memorandum in support of the petition with certain reservations which are addressed in the staff investigative summary.

III. Photo's from PUCO Database



Public Utilities Commission of Ohio



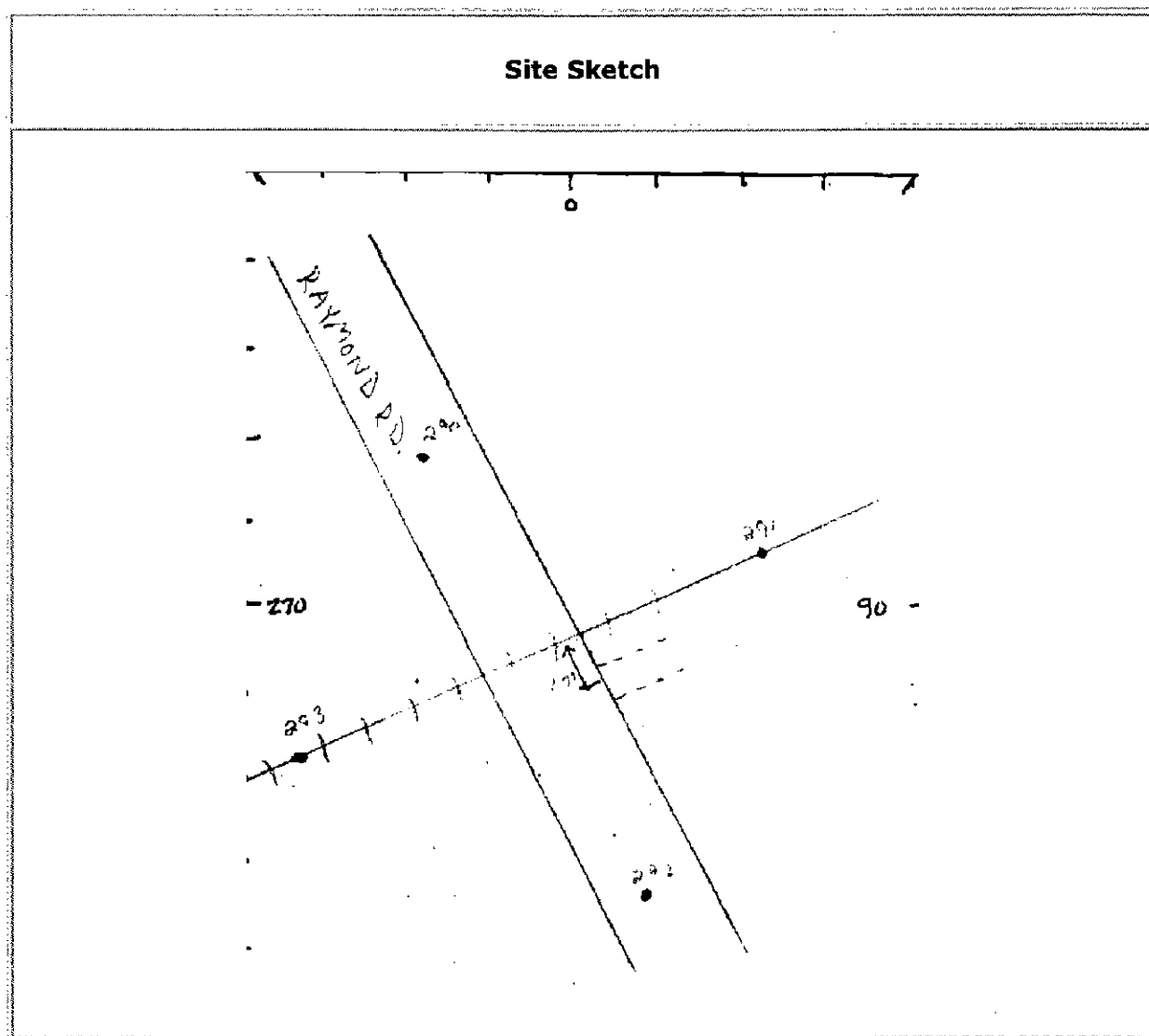
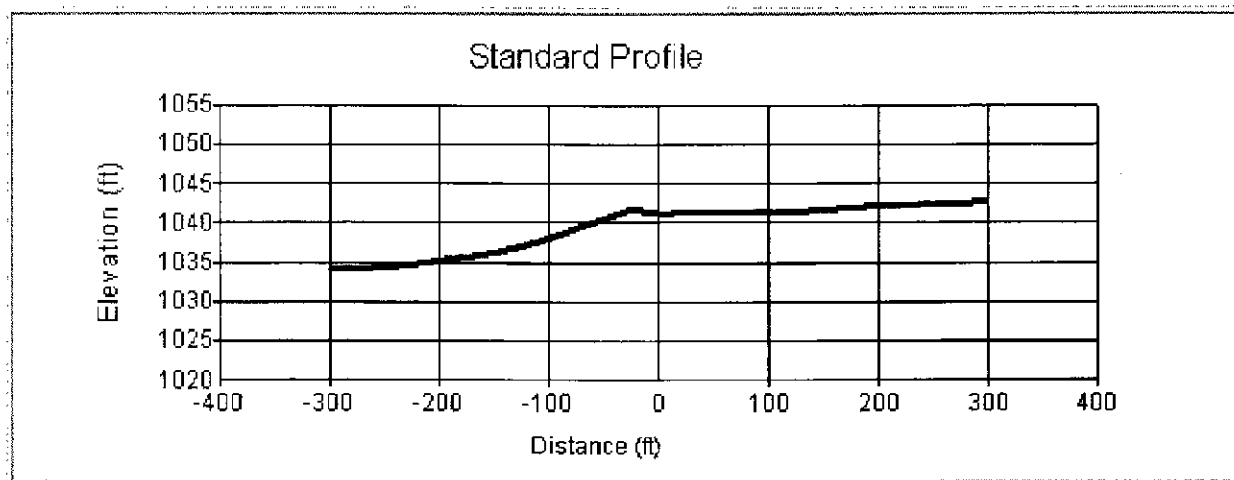
Site Information	
AARDOT:	903791K
AARDOT Source:	Field
Adj. AARDOT:	
Adj. AARDOT Source:	Field
Survey Site ID:	UNI032
Init. Agency for Change:	State
Reason for Change:	Updated Record
Effective Date:	Aug 26 2010 12:00AM

Railroad Information	
Operating RR:	CSX Transportation, Inc.
Division:	INDIANAPOLIS
Sub-Division:	
Branch/Line Name:	SCOTTS LAWN SEC
Milepost:	97.2
Railroad ID:	608122S
Nearest Time Table Station:	MARYSVILLE
Parent RR Company:	CSX
Crossing Owner:	CSX
Location and Classification Information	
County:	UNION
(Nearest) City:	LIBERTY
Street:	RAYMOND RD
Highway and SLM:	CR191
High Speed Corridor:	
County Map Ref. Number:	
ODOT NLF ID:	CUNI0091
Latitude:	40.3145881
Longitude:	-83.4473856
Elevation (ft):	1041.292
Crossing Type:	Public
Position:	At-Grade
Emergency Contact:	
Railroad Contact:	
State Contact:	
LHA:	UNION COUNTY
LHA2:	
Dev. Type:	Residential
Crossing Angle:	60-90 Degrees

Tracks:	1
Lanes:	2
Warning Devices	
Crossbucks, Standard:	0
Crossbucks, Buckeye:	2
Lights, Mast Mounted:	0
Lights, Cantilevered:	0
Lights, Other:	0
Gates:	0
Traffic Information	
Day Thru Trains:	0
Day Switching Trains:	0
Night Thru Trains:	0
Night Switch Trains:	0
Date of Train Count:	Aug 25 2010 12:00AM
Highway AADT:	1953
Date of AADT:	2007

Highway Information	
Distance to Nearest Intersection:	16
Type of Intersection:	Unknown
Number of HW-HW Intersections:	0

Site Comments



**PUBLIC UTILITIES COMMISSION OF OHIO
TRANSPORTATION DEPARTMENT**

Rail Division

Date of Assignment: August 25, 2010

Date (s) of Investigation: August 26 & 31, 2010

Subject: PUCO Case No. 10-1250-RR-UNC – Raymond Road grade crossing
& American Electric Power Spur, CSX Transportation, Peoria,
Union County, Ohio DOT No. 903-791K

FINDINGS

On receipt of the present petition, I inspected the subject grade crossing on August 25th. My inspection disclosed that conditions along the track exist as alleged in the petition. The track intersecting Raymond Road is overgrown with high weeds and it is readily apparent that no rail traffic has used this crossing for a substantial period. Subsequent contacts with railroad personnel confirmed that no rail movements have occurred on this track for two to four years. It is my understanding that the last use of this spur track was for storage of maintenance of way cars.

The spur track diverges from the main track switch on the Scottslawn Subdivision at about milepost 97.5 and connects with the Marysville 750 KV station of American Electric Power Company, about one and one-half miles distance.

I took no exception to surface condition, although there was a crossbuck not set to standard height above the roadway surface per Manual of Uniform Traffic Control Devices, although the signage is clearly visible from the roadway.

Subsequent to my observations at the crossing, I inspected the connecting switch at the main track, and also had the opportunity to discuss the status of the spur track with a CSX Transportation maintenance of way employee who confirmed that the track is "out of service" and under consideration for elimination of the

switch connection. It is noted, however, that no firm plans or schedule are established to remove the main track connection.

My inspection of the switch providing access to the spur track disclosed three separate securements of the switch preventing entry into the track. They are:

1. Application of a Maintenance of Way lock (cannot be unlocked by transportation personnel).
2. The switch points are spiked.
3. A switch point stop/clip is applied.

As a result, movement into this track cannot be made without extraordinary measures. Further investigation disclosed that there is also an "out of service bridge" between the Raymond Road crossing and the AEP station. Although the bridge condition would not preclude movement over the Raymond Road crossing, repairs would have to be performed prior to providing service to the station. Finally, I made an inspection of the general area of the AEP Marysville Station, where I observed that a section of track had been removed at the station fence line further breaking the connection between the main track and the line end user.

SUMMARY, CONCLUSIONS & RECOMMENDATIONS

The AEP spur track intersecting Raymond Road is presently out of service and would require significant work to be brought into use. Its out of service status is clearly confirmed by physical evidence 1.) at the switch providing access; 2.) at the Raymond Road grade crossing, and; 3.) along the track itself.

In the absence of a physical break in the connection and/or removal of the crossing, a request to exempt the subject crossing from the requirements of Section 4511.63, O.R.C., would be well made and is recommended, subject to stipulating operational requirements over any incidental train movements that might occur in the future.

Rand Patterson
PUCO/FRA Inspector
September 9, 2010

LIST OF ATTACHMENTS

1. CSX Transportation Bridge Report for Bridge QT 97.43A
2. PUCO Bridge Inspection Report – Inspector Gibson
3. Photograph – Main track switch providing access to Spur, Peoria showing mechanical fasteners securing switch point
4. Photograph – Main track switch providing access to Spur, Peoria showing switch stand maintenance of way locking device applied
5. Photograph – General view, Main track switch providing access to Spur, Peoria
6. Photograph – General view, AEP Spur diverging from main track towards Raymond Road, Peoria
7. Photograph – General view of AEP Spur looking west from Raymond Road, Peoria
8. Photograph – General view of AEP Spur looking east from Raymond Road, Peoria
9. Photograph – General view of Raymond Road grade crossing, looking north, Peoria
10. Photograph – General view of Raymond Road grade crossing, looking north, Peoria



PUBLIC UTILITIES COMMISSION OF OHIO
RAIL DIVISION
190 East Broad Street
Columbus, Ohio 43215-3793

TRACK AND STRUCTURE INSPECTION REPORT

JEG-0020-001209

Page 1 of 1

1. Inspector	Gibson, Jerry	2. Date Inspected	4/6/2010	3. Railroad Official Reviewing Report (include title)	N/A	4. Railroad	CSX Transportation, Inc.	(code)	CSX
5. Railroad Division	POWER PLANT SPUR	6a. Line or Branch Name	SCOTTS LAWN	6b. No.	009	7. Primary Reason for Inspection	A. Accident B. Abandonment C. Complaint D. Tunnel E. Clearance Variance F. Crossing Project Change G. Other (Specify)	I. Inspection Request J. Routine K. Other (Specify)	8. Related Case No.
8. Inspection Summary	a. Line Miles Inspected 1.00	b. Highway Grade Crossings Inspected 0	c. Bridges Inspected 1	d. Tunnels Inspected 0	e. Records Checked 0	f. Other Inspected 0	g. Track Miles Inspected 0	h. Defects Noted 0	PUCO-BC-008230
10. Inspection Segment	a. From County UNION	b. From Location PEORIA	c. From Milepost 97.43	d. To County UNION	e. To Location PEORIA	f. To Milepost 97.43			
11. UNITS INSPECTED									
1. Main Line	2. Type Code (1)	3. Ident. Code (2)	4. Identification	5. Sub Pnt	6. Rule	7. Sub Rule	8. Description of Defect	9. Time Code	10. Railroad Follow-up (5)
1	97.43	1	POWER PLANT	B	QT-97.43-A		NO DEFECTS NOTED. SPUR IS LOCKED OUT OF SERVICE BY CSX MAINTENANCE AND INSPECTION PRIOR TO RAIL SERVICE IS REQUIRED BY FRA CODE AND SUBSTANTIAL WORK WOULD BE REQUIRED BEFORE SERVICE COULD OCCUR.		
12. DEFECTS NOTED									

- (1) Track Types
- 1 Industrial lead, spur
 - M Main "spur"
 - S Siding
 - X Crossover, interchange, wye
 - Y Yard, terminal
 - O Other (Specify in next column)

- (2) Structure Types
- B Bridge
 - O Overpass
 - T Tunnel
 - V Clearance variance
 - X Hwy, grade crossing
 - Y Yard, terminal
 - O Other

- (3) Time Codes
- 1 Defect must be corrected within 24 hours
 - 2 Defect must be corrected within 10 days
 - 3 Defect must be corrected within 30 days
 - 4 Correction of defect scheduled within 30 days. Progress reported monthly to the PUCO until correction completed

- (4) Defect Codes are listed separately

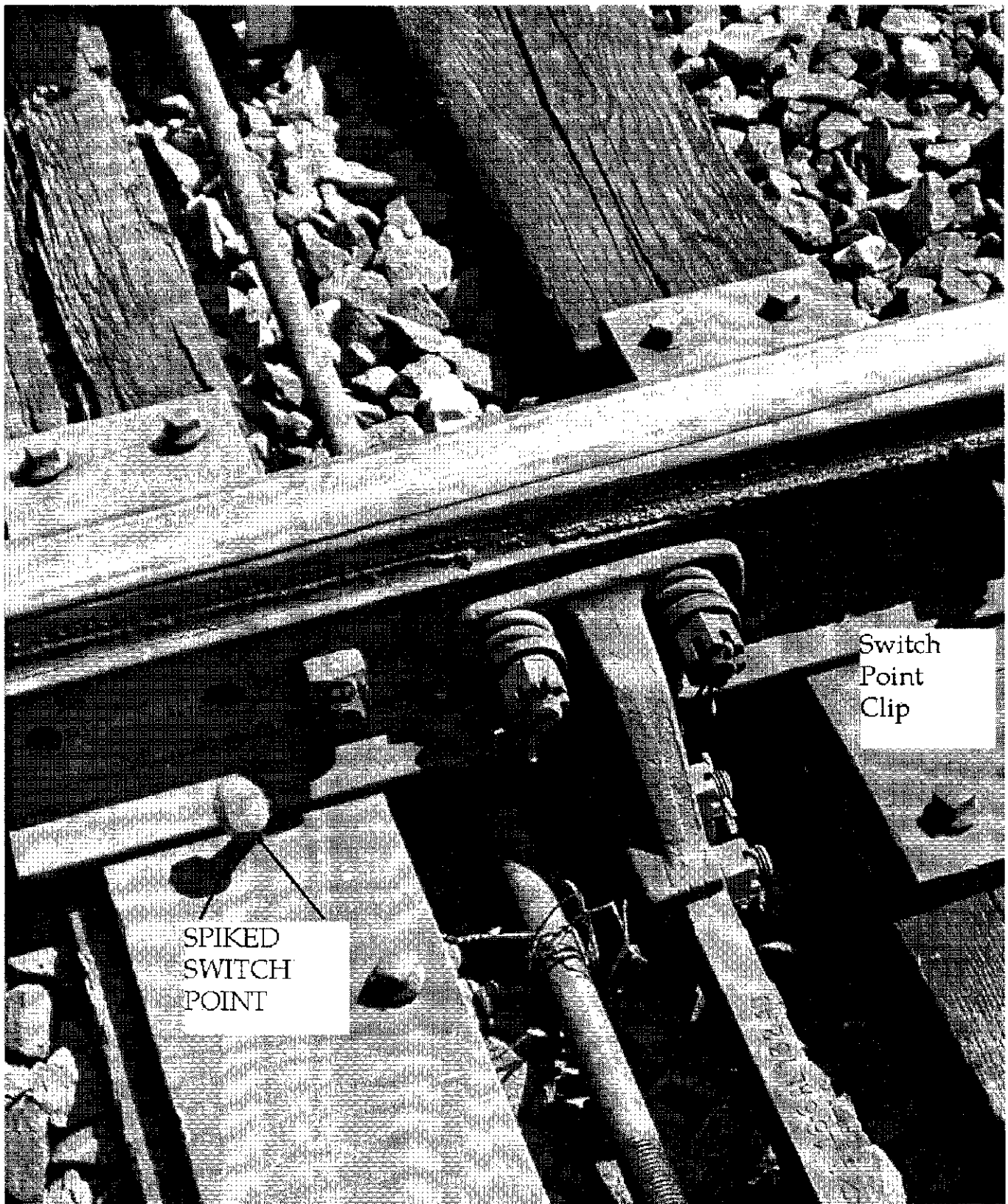
- (5) Railroad instructions are on the reverse side

Inspector (Signature)

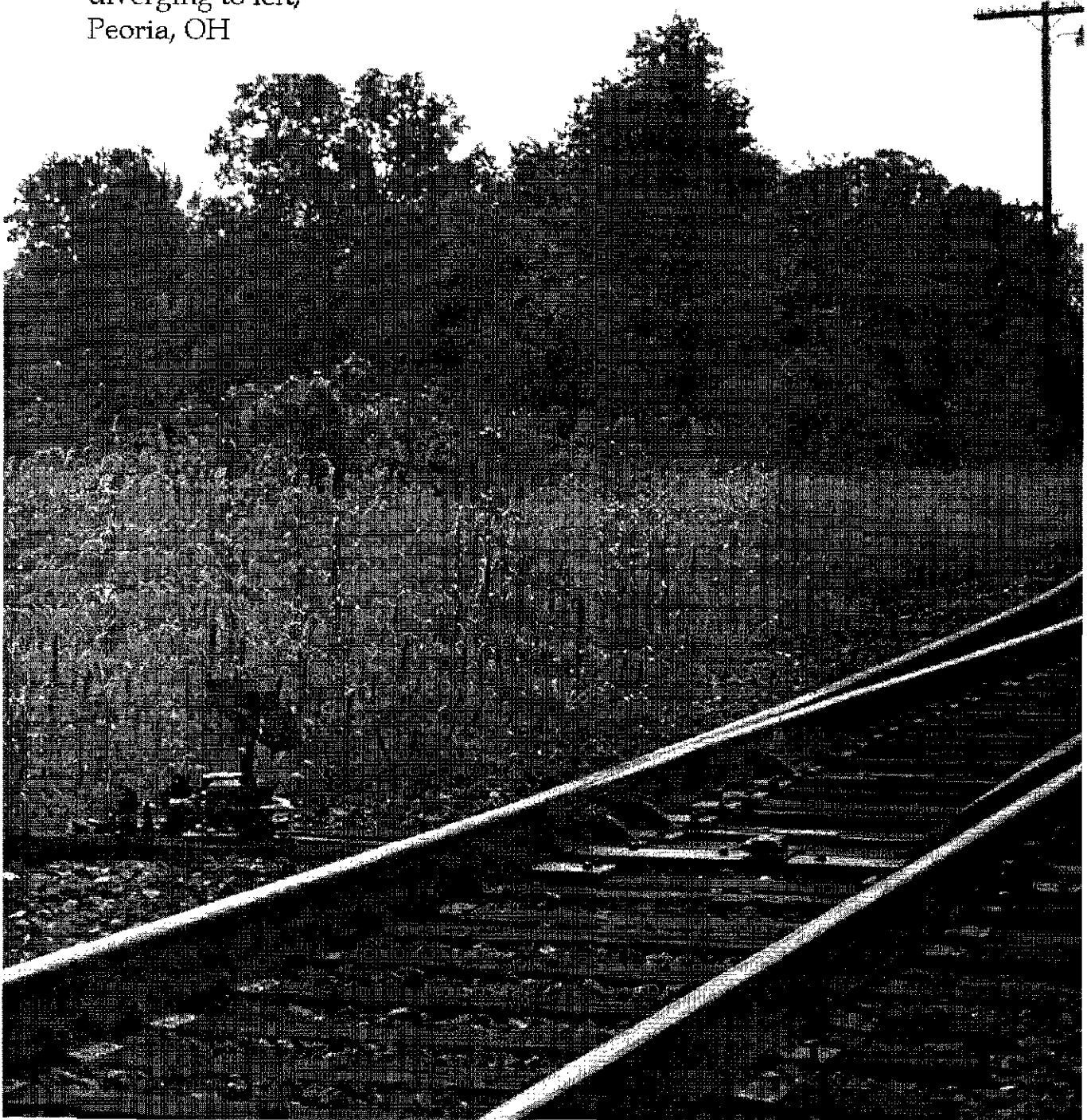
Date

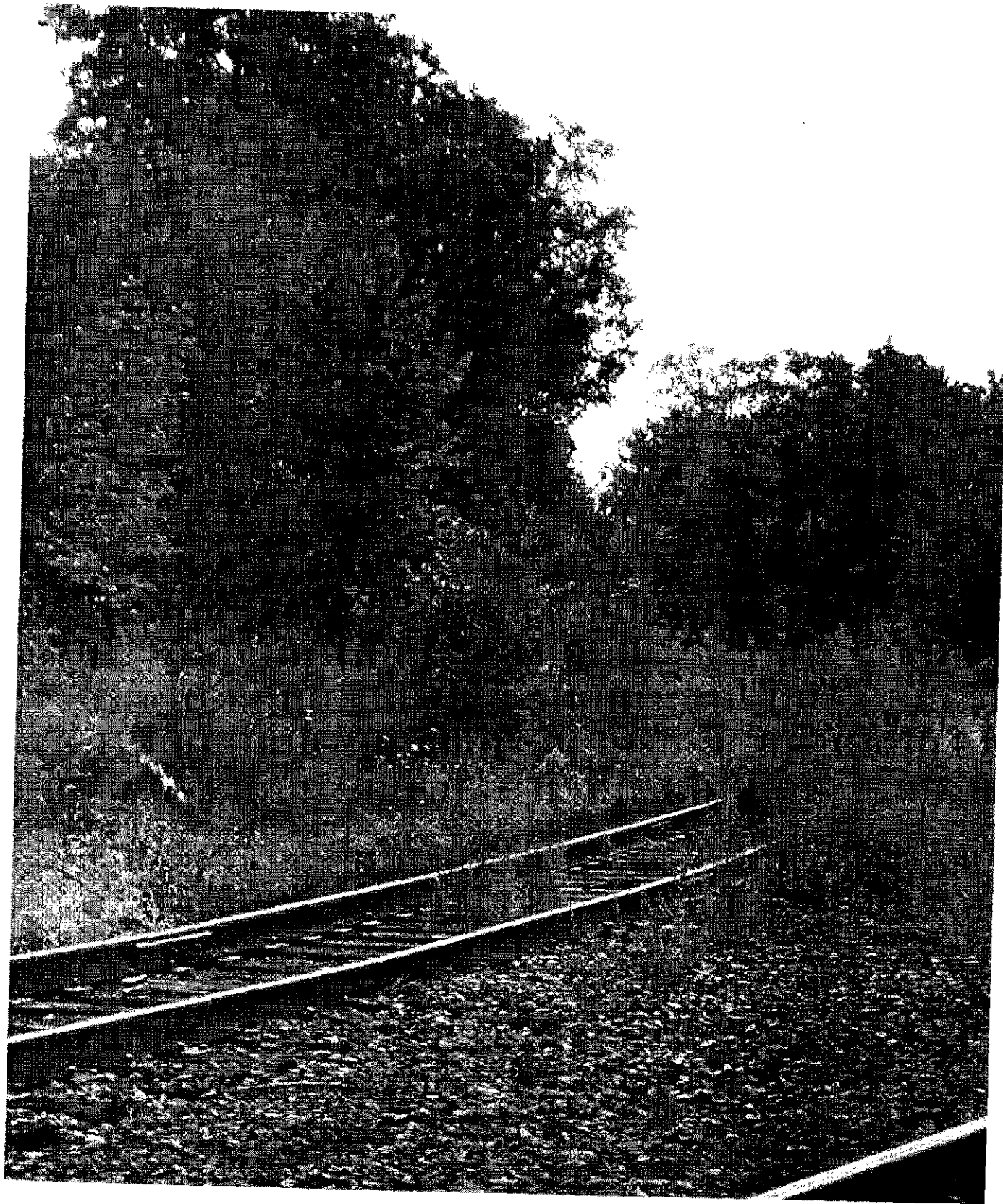
PUC 3501

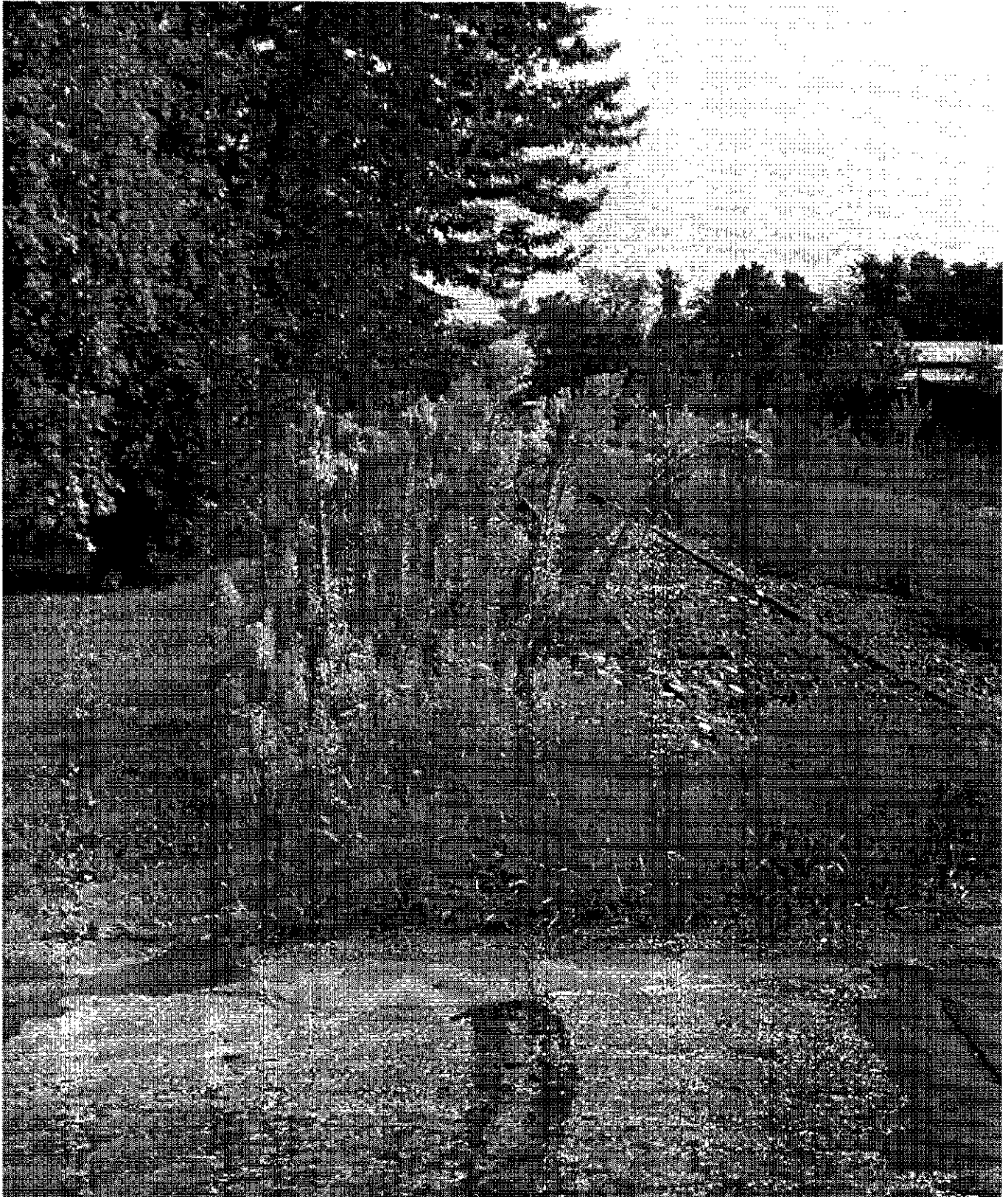
Form PUC 750-1 (10-2004)

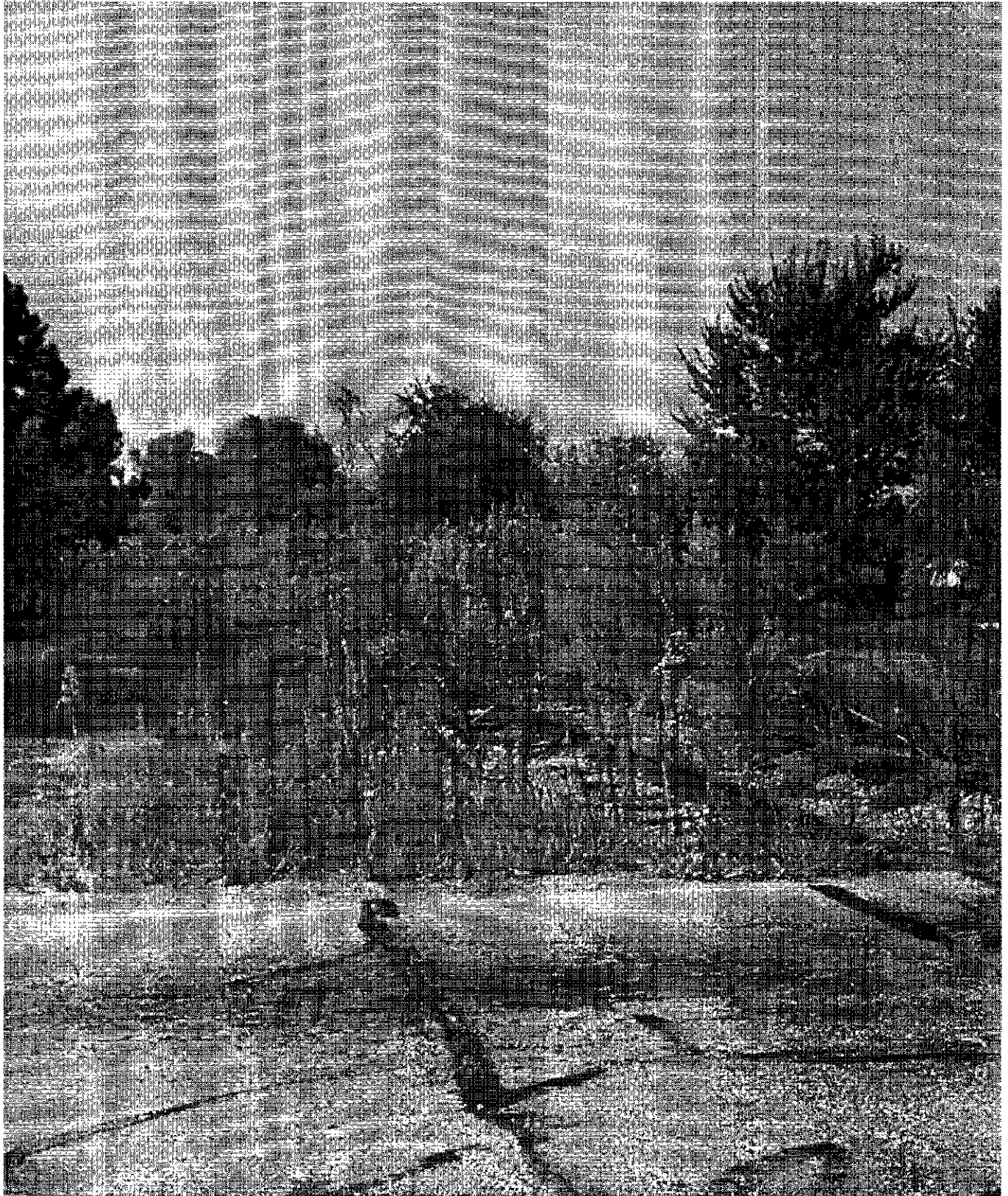


Switch providing
access to AEP Spur,
diverging to left,
Peoria, OH









Ohio's Rail Grade Crossing Programs

Ohio is a national leader in terms of railroad operations. Ohio is home to nearly 40 railroads that operate thousands of trains in Ohio every day over approximately 5,200 miles of track and 6,000 public grade crossings. The Public Utilities Commission of Ohio (PUCO) is the state agency with regulatory authority over railroads operating in Ohio. The Commission works in partnership with the Federal Railroad Administration to ensure that rail operations and infrastructure are safe and in compliance with federal and state regulations.

In addition to central office planners and other support staff, the PUCO employs federally certified railroad inspectors throughout Ohio. These inspectors respond to inquiries and complaints and conduct specialized inspections of railroad tracks and equipment, rail operations, hazardous material transportation, and grade crossing signal circuitry. The inspectors also monitor railroad rights-of-way and grade crossings for surface conditions, view obstruction, fencing and drainage concerns, conditions on railroad equipment and at rail yards and other facilities, and related safety concerns of both the PUCO and railroad employees.

PUCO inspectors investigate all grade crossing and railroad employee fatalities and monitor company inspections of rail bridges throughout the state.

Safety is our highest priority

Grade crossing safety is one of the PUCO's highest priorities, and we are proud of our accomplishments. Since 1990, motor vehicle/train crashes at grade crossings in Ohio have declined by 66 percent and the number of fatalities has dropped by 77 percent. This dramatic improvement has been achieved during a period of steady increase in the amount of train traffic and in the number of registered motor vehicles and licensed drivers in Ohio. Over the past 10 years, the PUCO has participated in the installation of lights and gates at more than 1,000 grade crossings across Ohio. We look forward to working with your community to help make grade crossings as safe as possible.

Questions or Concerns?

Call the Ohio Rail Hotline at (866) 814-RAIL or log on to www.OhioRail.ohio.gov for answers to all of your railroad crossing needs.

The Public Utilities Commission of Ohio
Ted Strickland, Governor • Alan R. Schriber, Chairman
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