

**Public Utilities
Commission of Ohio**

Memo

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division
Re: PUCO Case No. 10-3054-RR-RCP
Date: January 31, 2011

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

PUCO

2011 JAN 31 PM 3:24

RECEIVED-DOCKETING DIV

C: Legal Department



The Public Utilities
Commission of Ohio

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

January 31, 2011



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

The Ohio Department of Transportation District 7 is the highway authority responsible for State Routes in Mercer, Darke, Auglaize, Shelby, Logan, Miami, Champaign, Clark and Montgomery Counties.

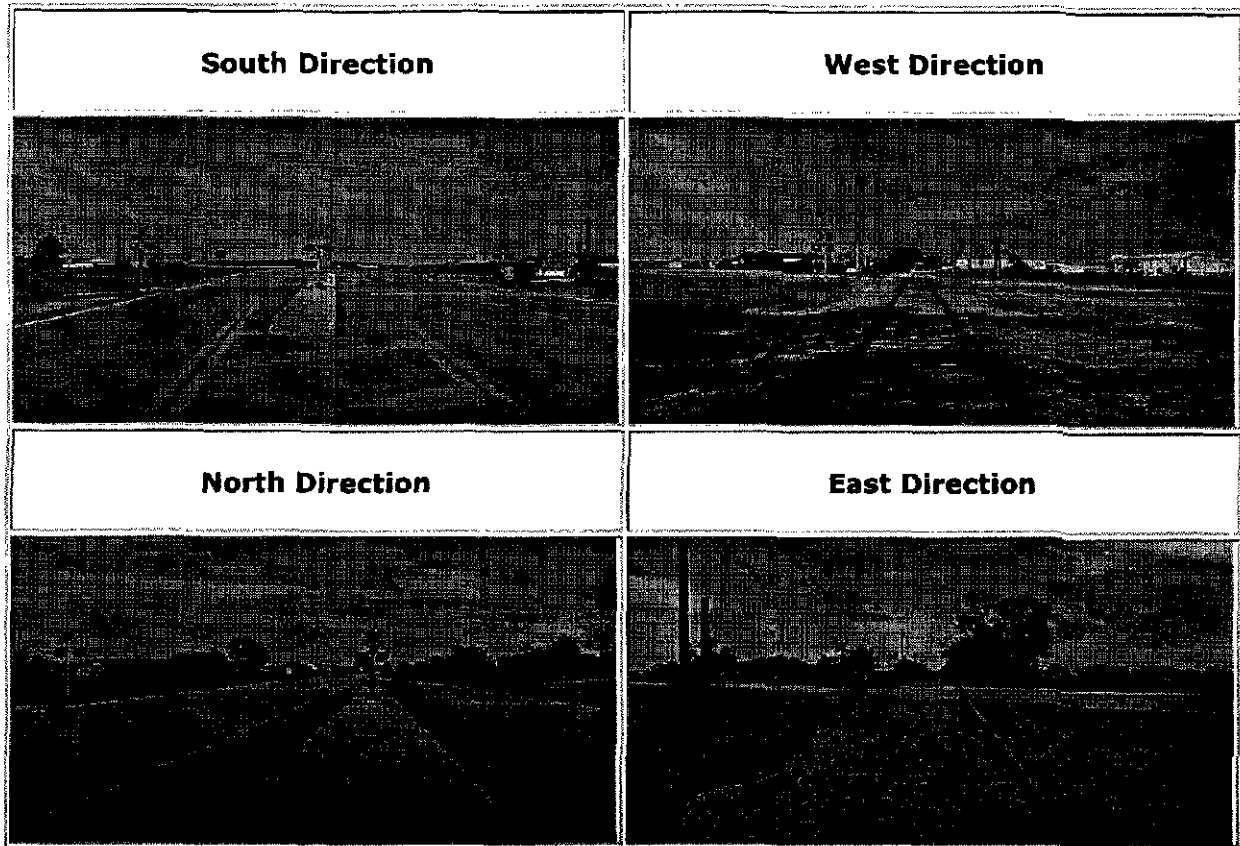
II. PROJECT DESCRIPTION

On December 15, 2010, the Ohio Department of Transportation District 7 filed under Case No. 10-3054-RR-RCP, a request for an exempt crossing designation under ORC 4511.63 at US 33, Auglaize County, DOT# 516868D, just east of Wapakoneta. The crossing is owned by Ametek Westchester Plastics.

III. Photo's from RRIS Database



Public Utilities Commission of Ohio



Site Information	
AARDOT:	516868D
AARDOT Source:	Database
Adj. AARDOT:	
Adj. AARDOT Source:	Field
Survey Site ID:	AUG906
Init. Agency for Change:	State
Reason for Change:	Updated Record

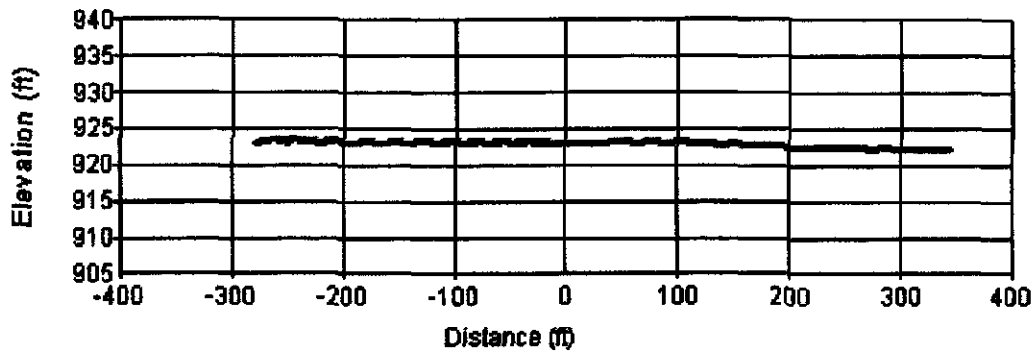
Effective Date:	Nov 29 2010 12:00AM
Railroad Information	
Operating RR:	Ametek Westchester Plastics
Division:	
Sub-Division:	
Branch/Line Name:	
Milepost:	80.78
Railroad ID:	
Nearest Time Table Station:	WAPAKONETA
Parent RR Company:	AMKZ
Crossing Owner:	AMKZ
Location and Classification Information	
County:	AUGLAIZE
(Nearest) City:	WAPAKONETA
Street:	US33
Highway and SLM:	US33-16.69
High Speed Corridor:	
County Map Ref. Number:	
ODOT NLF ID:	SAUGUS00033**C
Latitude:	40.5550400
Longitude:	-84.1637696
Elevation (ft):	922.9791
Crossing Type:	Public
Position:	At-Grade
Emergency Contact:	419-739-3224
Railroad Contact:	
State Contact:	
LHA:	State
LHA2:	
Dev. Type:	Open Space

Crossing Angle:	30-59 Degrees
Tracks:	0
Lanes:	3
Warning Devices	
Crossbucks, Standard:	4
Crossbucks, Buckeye:	0
Lights, Mast Mounted:	4
Lights, Cantilevered:	0
Lights, Other:	
Gates:	0
Traffic Information	
Day Thru Trains:	0
Day Switching Trains:	0
Night Thru Trains:	0
Night Switch Trains:	0
Date of Train Count:	
Highway AADT:	4928
Date of AADT:	2007

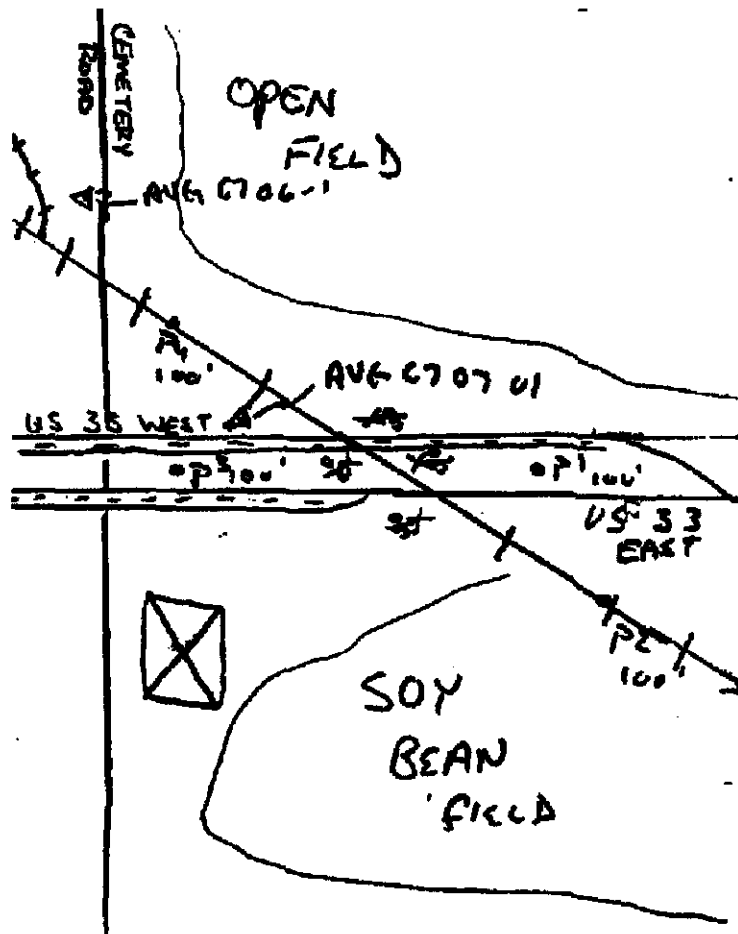
Highway Information	
Distance to Nearest Intersection:	275
Type of Intersection:	Highway
Number of HW-HW Intersections:	0

Site Comments	
Three train moves at this crossing per week. GM, 11/29/2010. CSX is the operator.	

Profile



Site Sketch



**PUBLIC UTILITIES COMMISSION OF OHIO
TRANSPORTATION DEPARTMENT
RAIL DIVISION**

Date of Assignment: December 29, 2010

Date of Inspection: January 10, 2011

Subject: 10-3054-RR-RCP – Request of exemption status for crossing located on SR 33, Wapakoneta, Auglaize County, Ohio, Ametek Corporation

DOT No: 516-868D

FINDINGS

On January 10th, 2011, I reviewed the State Route 33 crossing, AARDOT # 516-868D, to the southeast of Wapakoneta in Auglaize County, owned by Ametek Westchester Plastics. The review was conducted in regards to a request for exemption status to the crossing by the Ohio Department of Transportation, District Seven, which was received by our office on December 17th, 2010.

The crossing consists of a single track, running northwest and southeast, which is crossed by a three lane divided state highway, running east and west, at approximately a 45 degree angle. The crossing also consists of a pair of operating flashing lights, two lights to a pair, for each direction of traffic, on each side of the highway lanes as well as advance warning signs and pavement markings in all lanes. The highway speed at the crossing is 55 mph and the maximum train speed over this crossing is 10 miles per hour; however, typical speed is only one to five miles per hour due to proximity of industry switch and end of track.

The westbound direction of the highway consists of two lanes that split from a single lane approximately 200 feet to the east of the crossing. The eastbound direction consists of a single lane that forms from a double lane approximately 350 feet to the west of the crossing when the northern most lane becomes a turn lane and ends. Average daily

traffic reported for this section of highway by the Ohio Department of Transportation is 4,230 counted in 2010 with 1,410 being trucks.

The railroad track crosses Cemetery Road approximately 180 feet to the northwest of State Route 33 (this is also the location of the Ametek industry switch) and connects to the mainline of CSX Transportation to the northwest of the crossing in Wapakoneta. The track terminates 720 feet to the southeast of the crossing where a derail, two passenger coaches, and track bumpers mark the end of the track. The two coaches are not currently movable by rail; and the crossing, as well as trackage to the southeast of the crossing, is only used for headroom to get railroad cars in and out of Ametek.

In discussions with an Ametek representative, he mentioned that Ametek requests railroad cars to be switched generally in the daytime on Monday, Wednesday, and Friday by CSX Transportation. During these switches the crossing is reported crossed an average of three times for each day of switching, making it approximately nine times a week that the crossing is traversed by a train. In addition to normal train traffic, Ametek also has a railcar mover that sits on the rail and is used to switch cars in the industry. The representative stated that the railcar mover has not been used for a long period now due to decreased economic demand, however, if demand increased the railcar mover would be utilized again. The railcar mover consists of a horn, bell, and headlight like that of a locomotive and it activates the signal system at the crossing when used. Ametek's standard procedure for moving across the crossing is to pull up close to the crossing and stop until it is determined that the highway traffic has stopped before occupying the crossing.

The request for the exemption from the Ohio Department of Transportation states "We have had several reports from School Bus and Tanker Truck Drivers of near rear end collisions with motorist that aren't required by law to stop at this railroad crossing." I discussed this situation with an officer of the Wapakoneta State Highway Patrol post that has its' office less than a mile from this crossing. The officer stated that they had indeed seen numerous times when people would apply the brakes hard to avoid hitting someone that had stopped at the tracks; however, there had been no reported accidents.

SUMMARY

This highway railroad crossing is connected to the national rail infrastructure through a mainline with CSX Transportation and does have rail traffic using the crossing. However, the nature of the crossings' use and proximity of the end of the track restrict train speed to a minimum and operating flashing warning devices at the crossing provide substantial warning and stopping time for both the highway users and railroad traffic. Since this crossing is still open and active and there are a large number of highway users with a relatively small amount of rail traffic, changing the crossing status to exempt is a viable solution in reducing the potential for an accident at the crossing.

RECOMMENDATIONS

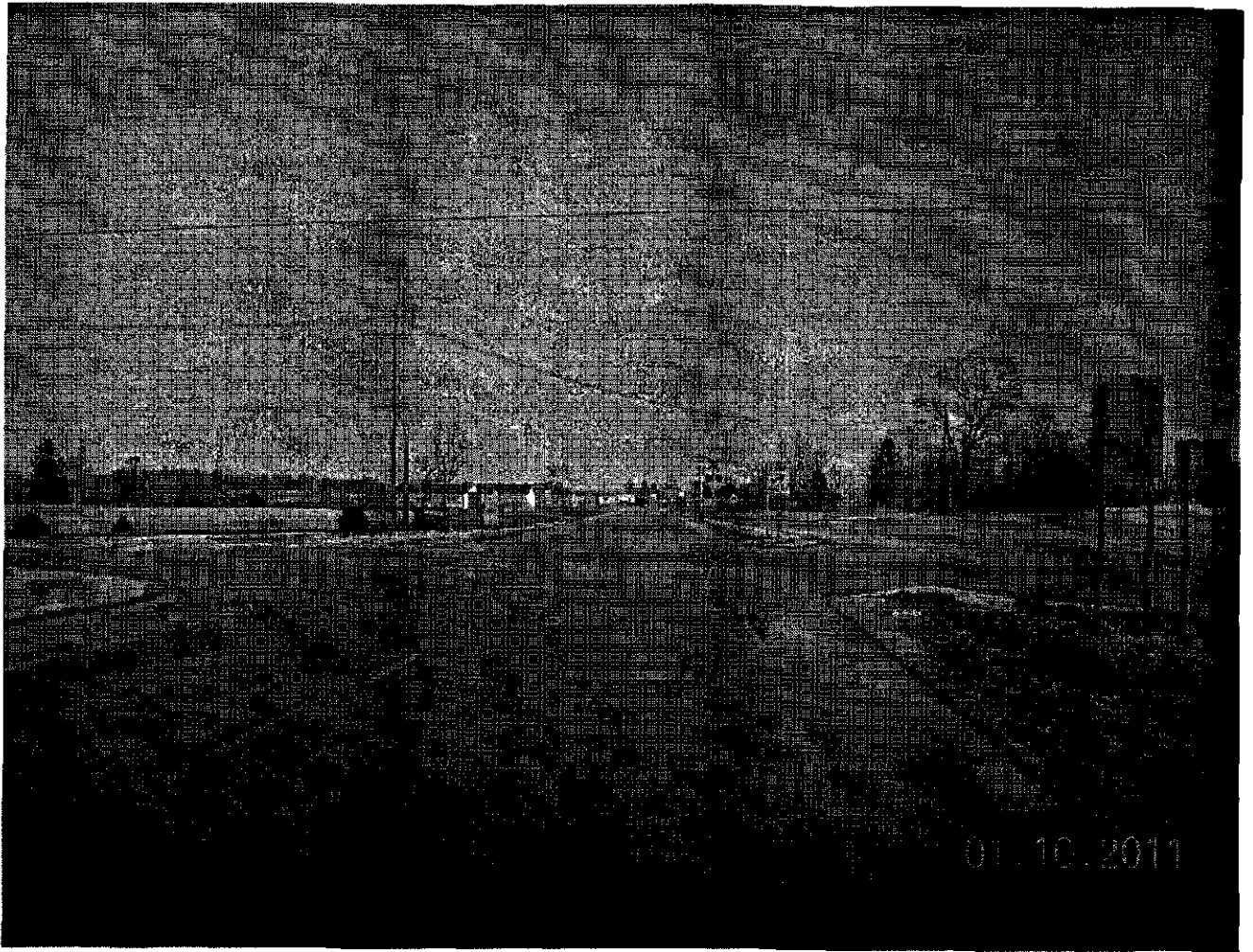
I recommend that the Public Utilities Commission of Ohio proceed with necessary actions towards placing this crossing into exempt status with the requirements of Section 4511.63 of the Ohio Revised Code.

Nathan Vance
PUCO/FRA Rail Inspector
January 28, 2011

Picture 1



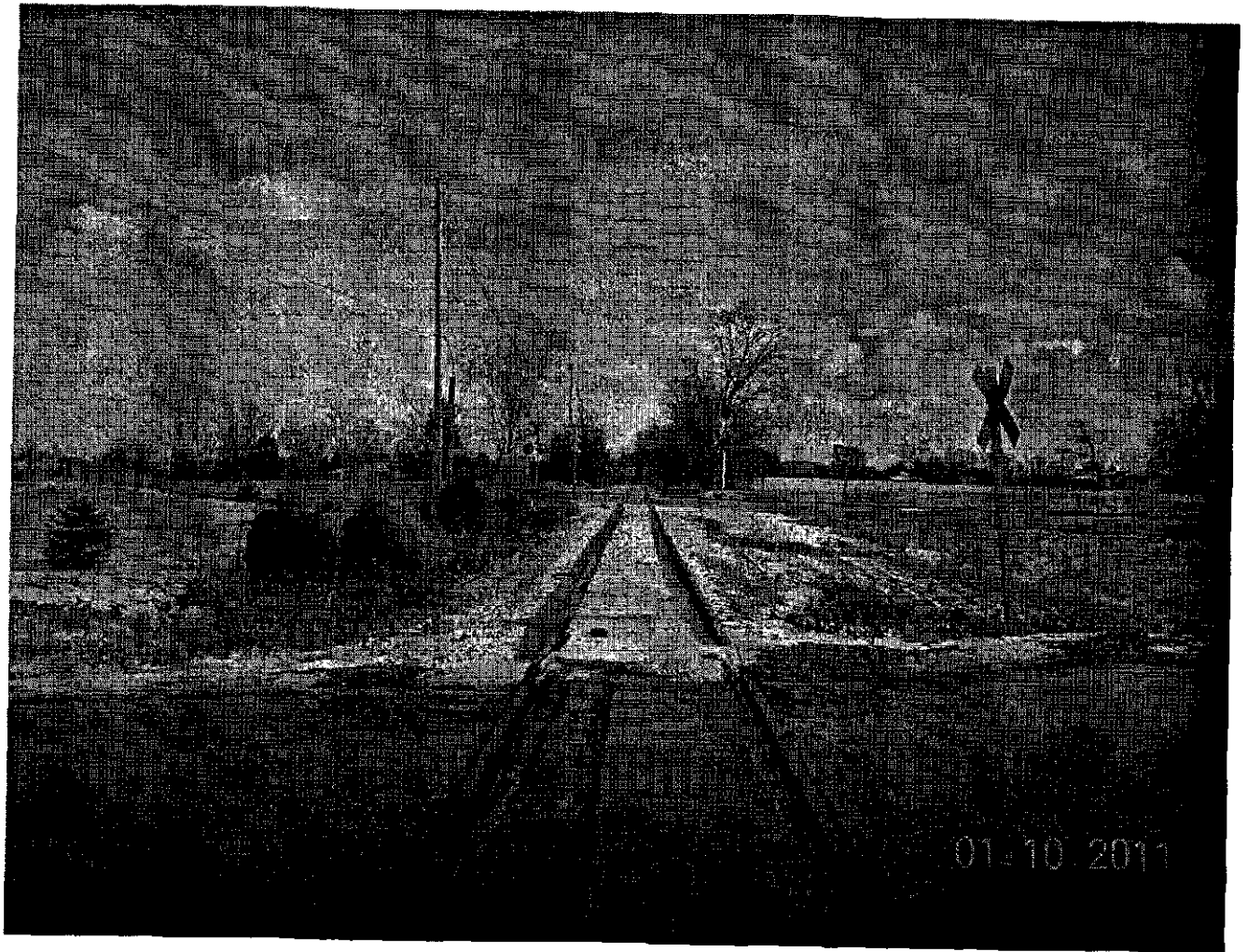
Picture 2



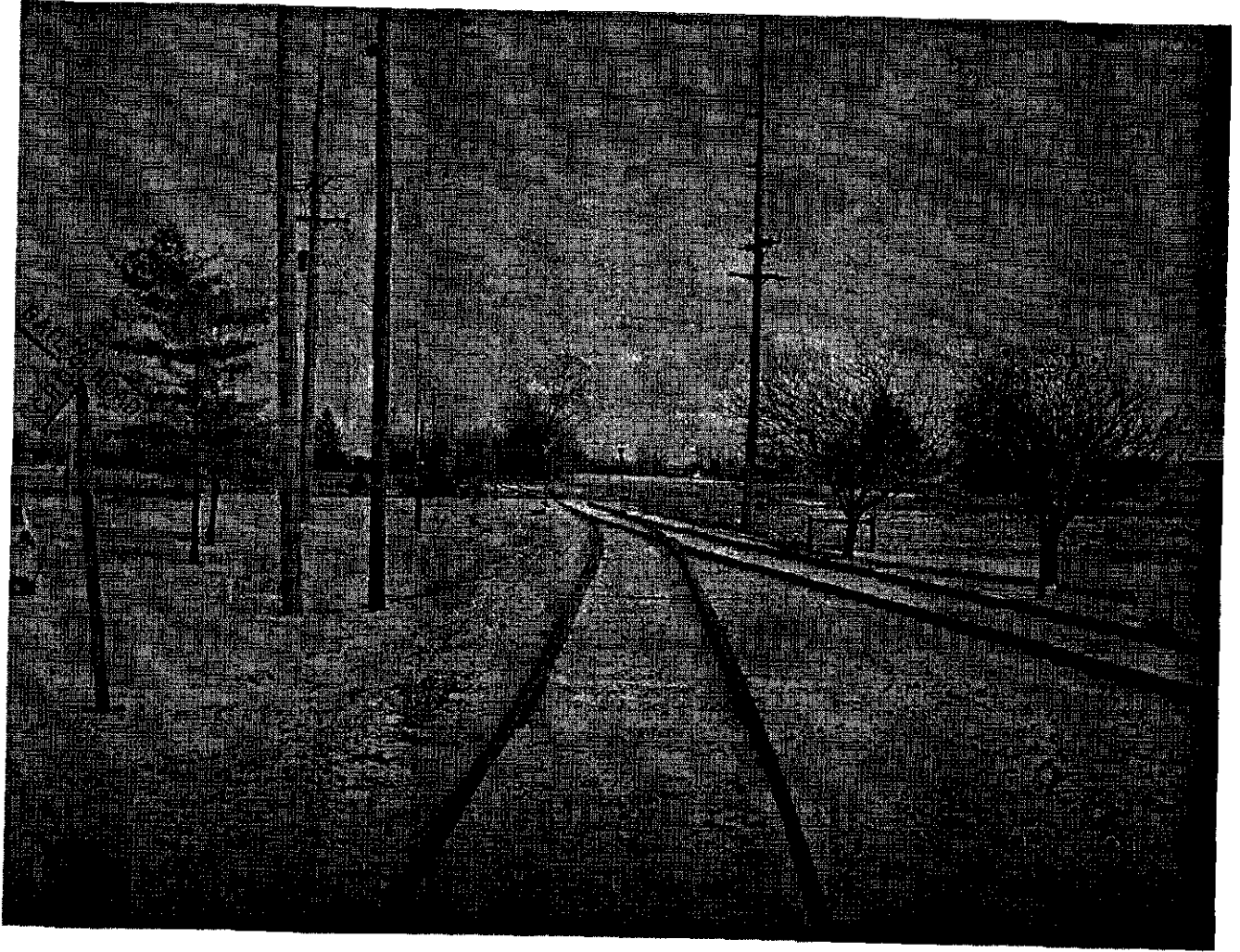
Picture 3



Picture 4



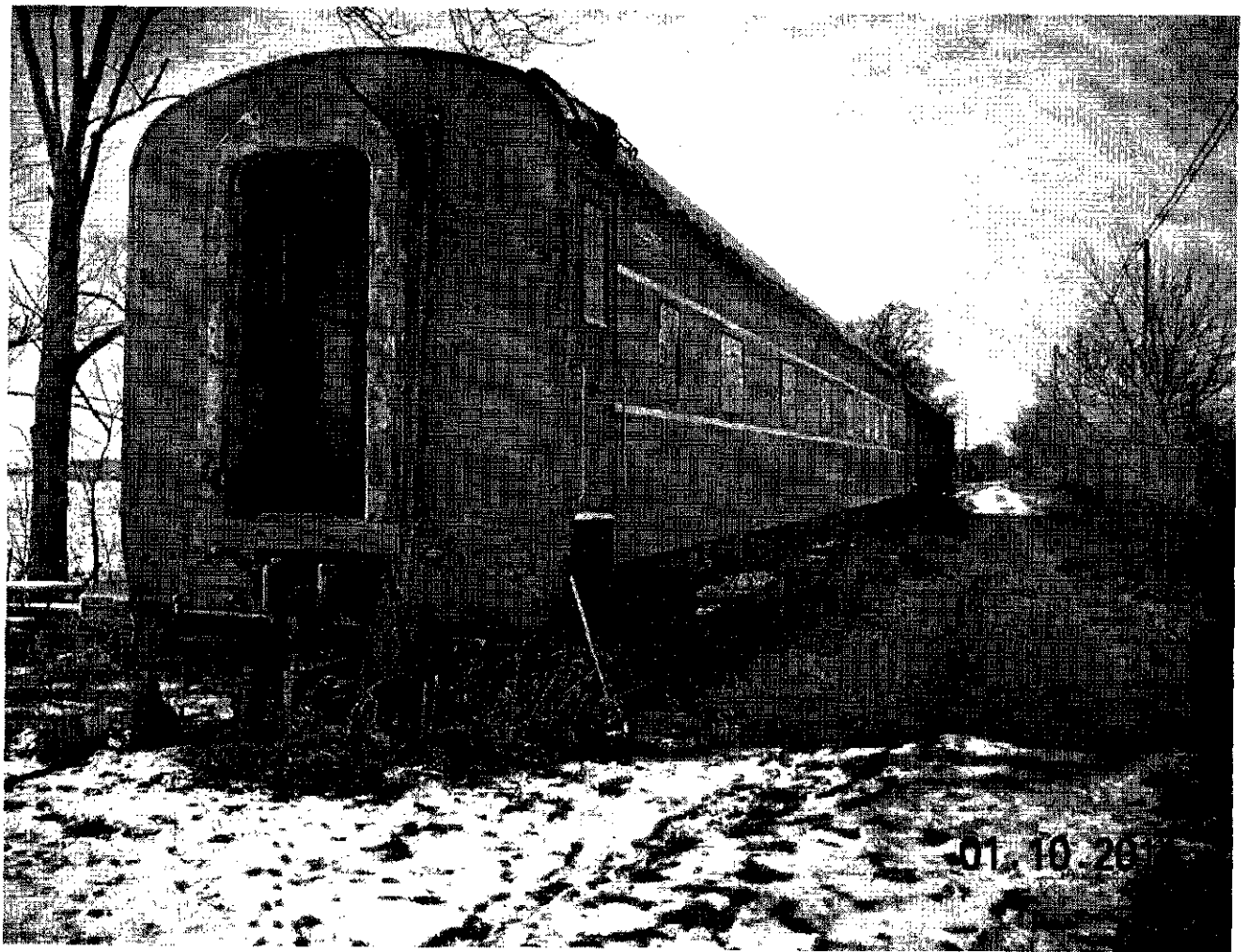
Picture 5



Picture 6



Picture 7



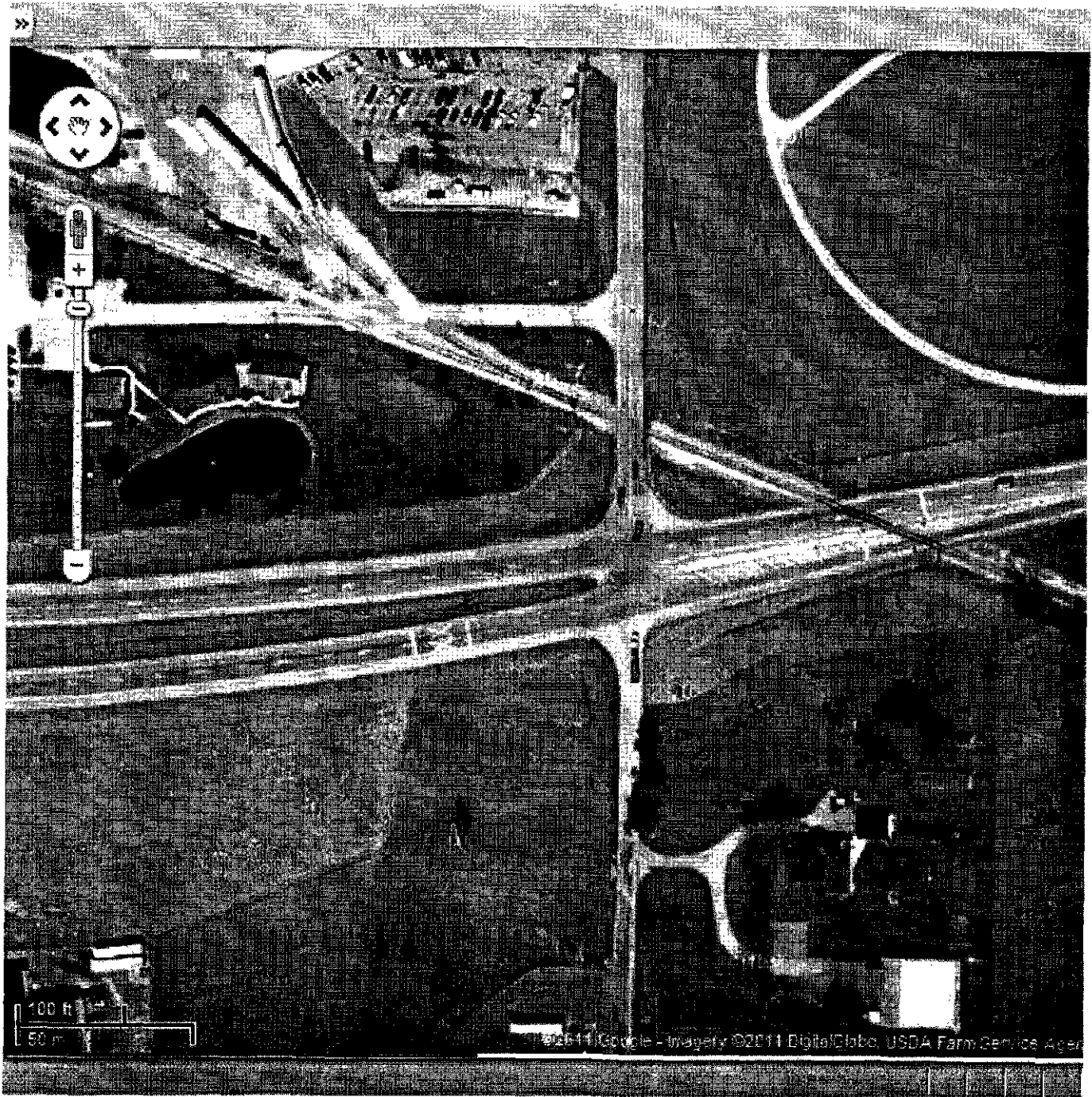
Picture 8

[Web](#) [Images](#) [Videos](#) [Maps](#) [News](#) [Shopping](#) [Gmail](#) [more](#) ▼

Google maps

wapakoneta, oh

Search



PICTURE DESCRIPTIONS

1. West view of crossing for eastbound traffic lanes.
2. West view of westbound traffic lanes.
3. East view of crossing for all lanes.
4. East view of crossing for all lanes.
5. View of switch location for Ametek industry lead (switch is at Cemetery Rd).
6. Rail view of crossing from southeast direction. Stop signs indicate end of track, and are located directly in front of passenger cars.
7. Passenger cars at end of track and view of bumpers (wheel stops) attached to end of rail.
8. Satellite view of SR 33 crossing and surrounding area.

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
John Kasich, Governor • Stephen D. Lesser, Chairman
180 E. Broad Street, Columbus, Ohio 43215-3793 • *An Equal Opportunity Employer and Service Provider*