

THOMAS P. DINAPOLI
COMPTROLLER



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ALBANY, NEW YORK 12236

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

February 27, 2019

Mr. Fernando Ferrer
Acting Chairman
Metropolitan Transportation Authority
2 Broadway
New York, NY 10004

Re: Unexpected Delays and Events
Report 2018-S-30

Dear Mr. Ferrer:

Pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution and Section 2803 of the Public Authorities Law, we audited the Metropolitan Transportation Authority – Long Island Rail Road to determine if it has plans in place to address unexpected delays or events, including addressing the needs of its passengers and reassessing and revising its plans after such events, and whether these plans were implemented as planned once the unexpected occurred. This audit covered events that occurred from January 1, 2015 to July 31, 2017. In addition to this report, on August 7, 2018, we issued report 2017-S-37: *Management of Unexpected Delays and Events During Winter 2017-18*. That report focused on 11 events during winter 2017-18 and examined the Long Island Rail Road's planning and compliance with its plans.

Background

The Metropolitan Transportation Authority (MTA) is a State public authority created pursuant to Article 5, Title 11 of the Public Authorities Law. One of six MTA constituent agencies, the Long Island Rail Road (LIRR) is both the largest commuter railroad and the oldest railroad in America operating under its original name. It extends from three major New York City terminals – Penn Station, Manhattan; Atlantic Terminal, Brooklyn; and Hunterspoint Avenue, Queens – through a major transfer hub at Jamaica to the easternmost tip of Long Island. The LIRR operates 24 hours a day, 7 days a week, including all holidays, with service intervals varying by destination and time of day. On an average weekday, the LIRR carries 311,054 passengers on its ten branches and the City Terminal Zone.

According to its mission statement, the LIRR is committed to providing excellent rail transportation service that exceeds customer expectations and is worthy of the public's trust and support. It pledges to operate a safe, accessible, clean, cost-effective, customer-focused transportation system that runs on time; is comfortable and user-friendly; and provides the region with a valued and indispensable service.

The LIRR's Public Information Office (PIO) is responsible for communicating with train crews, the media, and the public via phone, web, customer email, tweet, postings on station message boards and displays, MTA's Train Time phone app, and other methods. The MTA Police Department (MTA PD) provides crowd control, police assistance, and coordination with local emergency responders over the entire LIRR system. The Transportation Services Department's (Transportation) Movement Bureau oversees the movement of trains and train dispatchers in its Operations Center (Center) in Jamaica. It also communicates with train crews and signal towers across the railroad to prioritize train movements and handle incidents and unusual occurrences. The Center is considered the central command and control facility of the LIRR.

The tracks and tunnels used by the LIRR from Penn Station in Manhattan to Sunnyside in Queens are owned, managed, and maintained by Amtrak. Other than this area, the LIRR owns, manages, and maintains its track, stations, passenger cars, and locomotives. It is also host to New York and Atlantic Railway, which operates its freight services on LIRR track.

The Center has Operational Incident Guidelines (Guidelines) that describe its Incident Response Structure and various plans for addressing incidents. To address the needs of its passengers during an incident, the LIRR, as part of its incident response, may request that MTA Bus Company (MTA Bus) and New York City Transit (NYCT) cross-honor LIRR tickets or provide emergency bus service. It can also call upon the six bus companies under contract to perform busing services as required to transport passengers. Emergency bus service is defined by the LIRR's Bus Call-Out Procedure as a request for buses in response to an acute disruption in scheduled train service where alternative bus service must be immediately provided.

Results of Audit

We reviewed 49 events over a 2½-year period and found that, in some cases, the needs of passengers were not adequately addressed. All notifications or appropriate communications were not always made, alternative transportation arrangements were not documented, and procedures were not clear.

In 8 of the 49 events in our sample, customers either were not informed about late trains or were told about late trains after the train was supposed to arrive. For 26 events, the LIRR ordered buses; however, in two cases, buses were not available. While the LIRR noted that 204 buses were "delivered," it could not document that the buses had actually arrived at the scene and were used to move passengers for any of these events because there were no LIRR On-Scene Representatives on site. (On-Scene Representatives are LIRR personnel who are at the station where bus service is supposed to be provided and who complete the Emergency Bus Call Log.) See Table 1 for a summary of incidents.

Table 1 – Summary of Incidents

Incident Category	Events Where Buses Were Ordered	Documented Buses That Arrived	Communications to Customers Not Made or Made Late (≥ 10 Minutes After the Initial Event)
Amtrak Related	2	0	3
Train Delays of 45 Minutes or More	10	0	2
Delays of 10 Trains or More	3	0	2
Federal Railroad Administration	6	0	0
Entire Branch Delays	5	0	1
Totals	26	0	8

The LIRR held 24 “Lessons Learned” meetings during the scope period and generated 217 recommendations from the participants, some of which addressed the customer experience. However, the LIRR did not compile and track the status of these recommendations.

Review of Events

Of the 49 events we reviewed, 3 resulted in passengers being required to evacuate. Evacuations entail the use of the LIRR’s Train Rescue and Evacuation Plan. For each incident, an employee is designated as the On-Site Supervisor-in-Charge (OSSIC). OSSICs coordinate with other responding agencies (e.g., MTA PD) and are the liaison to the Center. Such communications ensure that the events run as smoothly as possible. For two of the three incidents, no OSSIC was designated. For our entire sample of 49 events, we found that an OSSIC was designated for only 10 incidents. Of concern, 13 of the 49 events involved fatalities or crime scenes, which require the OSSIC to carry out specific responsibilities detailed in the Guidelines. However, an OSSIC was not documented as being on site for 4 of the 13 incidents. Without documentation, there is limited assurance that the evacuations or other actions were conducted in an efficient manner that best served the customers. See Table 2 for a summary of the events reviewed.

Table 2 – Review of Events

Incident Causes	Number of Incidents	OSSIC	Evacuations
Amtrak	13	0	0
Fatality	8	7	1
Derailment	5	1	0
Motor Vehicle on Tracks	5	2	0
Weather	5	0	1
Signal	4	0	0
Equipment Trouble	3	0	1
Track Condition	1	0	0
Other	5	0	0
Totals	49	10	3

Notification of Departments and Entities

The Center developed and maintains an Event Notification Matrix (Matrix) listing the LIRR officials and departments, regulatory and external agencies, and union representatives that must be contacted for specific types of events/incidents. This information may be included in the Daily Log as the Incident Notification Report (Report). While this Report is not required, the notifications from the Matrix are. We found that, in 38 of the 49 events in our sample, all the necessary notifications to departments and/or entities were not documented. In one event, none of the required 15 notifications were made. For another event, there was no documentation that 14 of the required 26 notifications were made. According to LIRR officials, some of the notifications were done face to face or over unrecorded lines and, therefore, were not documented.

Alternative Transportation

Buses

The Bus Call-Out Procedure indicates that bus service will be provided when LIRR emergencies result in cancellation of trains, late trains, missed connections, or service shutdowns. The LIRR ordered buses for 26 of the 49 sampled events. It was unable to secure buses for 2 of the 26 events because buses were not available. While the Emergency Bus Call Log indicates the number of buses that were supposed to arrive, there was no On-Scene Representative listed for any of the 24 events. The LIRR could only document that buses had arrived using invoices and payments, which are based on the bus company's records. There is no evidence showing that buses actually arrived and how they were deployed and used to accommodate passengers.

Responsibility for the management of buses has changed multiple times and, currently, there is no staffing assigned to the role. In its response to Report 2017-S-37, the LIRR stated that, by third quarter 2018, the Stations Department will assume full responsibility for calling out and tracking bus activities for emergency events.

NYCT Cross-Honoring

LIRR officials stated that, when incidents occur, they call NYCT, inform them of the situation, and request cross-honoring (enabling customers to use their ticket or pass on an alternate travel mode). However, there is no procedure as to what parameters warrant cross-honoring, and there is currently no written agreement with NYCT. We found that, during nine events (which occurred in the Penn Station area), cross-honoring – which is an opportunity to reduce further delays and cost – was not used, even though customers were delayed up to 58 minutes. There was no note in the Daily Log indicating if NYCT was even contacted. Without procedures or an agreement, there is no assurance that customers will be offered alternatives that will minimize the disruption of delayed LIRR service.

In response to our preliminary findings, the LIRR pointed out that the LIRR/NYCT Reciprocal Emergency Management Procedures are included in the Winter Storm Operating Procedures (WSOP). However, while the WSOP includes the reciprocal agreement, it is specific to winter

storm preparedness. At the closing conference, LIRR officials stated that the WSOP was previously entitled “Standard Operating Procedures for Weather and Other Contingencies,” which is why that section of the WSOP is applicable for any event. However, if the intention is for this plan to apply to all incidents, the LIRR should clarify within its procedures that the WSOP applies to all incidents, and not just winter storms.

Additionally, while the LIRR/NYCT Reciprocal Emergency Management Procedures reference subway service, they do not mention MTA Bus service. At the closing conference, the LIRR stated that it does not cross-honor with MTA Bus because buses only hold 50 passengers, which is inadequate for the number of people on a train.

Customer Communication (Off-Train)

We found that customer communications were often late during the time period of our sampled events. The PIO Check List for Delays and Service Disruptions states that a Public Affairs PIO Supervisor/Officer will issue a customer email and a tweet when an individual train is delayed 10 minutes (possible with standing/stranded trains). In eight events, customers were not initially informed of the incident or its effect on their commute until 11 to 35 minutes after the incident occurred. Such delays were particularly pronounced during summer 2017 as, based on a directive issued in late spring/early summer 2017, there were several more steps involved to sending a message, including several levels of approval.

In response to our preliminary findings, the LIRR stated that, for six of the events, a message was not required because either the incident did not result in a delay or information had previously been communicated to the public in anticipation of delays. In other cases, the LIRR believes the message was communicated timely, relative to when the incident was identified as having had an impact on on-time performance, and/or within prescribed time frames. We reviewed LIRR comments for these events and, based on information provided, our conclusion has not changed. For example, for one train, the PIO indicated that the notifications were done on time. The PIO was alerted at 6:15 p.m. that the train lost time due to intermittent signal trouble. At 6:25 p.m., the train was timed as 10 minutes late and a notification was not issued until 6:35 p.m. For another event, a train had to be reversed due to a car on the tracks. According to the PIO, the message was sent in compliance with the protocol when the move was complete. However, the protocol the LIRR provided states that the messages are to be made once the train is moving in reverse, not when the move is complete.

In our prior report, the LIRR stated that one of the initiatives in “LIRR Forward” is aimed at improving communications with customers. As part of this initiative, it will be updating communication protocols and manuals to enhance how the LIRR responds to various situations.

Lessons Learned

Transportation arranges a Lessons Learned meeting for all departments to review actions taken during an event to determine their effectiveness and any necessary improvements after each major event/incident. Lessons Learned meetings are held after each winter storm, after

Long Island Power Authority events, and at the discretion of the Chief Transportation Officer. We were informed that the LIRR does not compile a list of Lessons Learned recommendations and their status for each year. Instead, we were provided the minutes of 24 Lessons Learned meetings, which documented 217 recommendations and information on the status of each, including: closed, open, ongoing, and complete. In eight cases, it explained the recommendations and the follow-up actions being taken. According to the LIRR, recommendations with a “completed” status indicate that the recommendation was implemented. These minutes did not include the date of the actual meeting, only the date of the related event. They also did not identify the individuals who attended, only the department. The status information from these meetings indicated that 130 of the 217 recommendations were “completed.” However, documentation was presented for only one of the completed recommendations. The LIRR also provided documentation for seven recommendations in “closed” status (could not be done at the time) that were actually implemented. These could have been identified and kept updated if a comprehensive list was compiled and monitored.

In response to our preliminary findings, the LIRR stated that Transportation has begun to compile and maintain a list of Lessons Learned recommendations showing when and how they were implemented. Further, Transportation will add meeting dates and names of attendees in addition to the attending departments in the meeting minutes.

Recommendations

1. Work with other constituent agencies (e.g., NYCT, MTA Bus) to develop procedures for cross-honoring, including specific parameters that would require cross-honoring.
2. Compile a list of all Lessons Learned recommendations and the status of each. Document when and how each recommendation was implemented and by whom (e.g., department, unit, individual).

Audit Scope, Objectives, and Methodology

Our audit objectives were to determine whether the LIRR has plans in place to address unexpected delays or events, including addressing the needs of its passengers and reassessing and revising its plans after such events, and whether these plans were implemented as planned once the unexpected occurred. The audit covered January 1, 2015 to July 31, 2017.

We obtained lists of trains that met certain criteria for the period January 1, 2015 through July 31, 2017. These lists covered five categories and were chosen to identify significant delays and unexpected events. Three of these criteria are maintained as specific causes of delays and unexpected events by the LIRR (Amtrak, ten or more trains, and Federal Railroad Administration). The five categories and the number of events for each are: Amtrak (107), 45 Minutes or More (1,210), 10 Trains or More (682), Federal Railroad Administration (141), and Entire Branch (47). We randomly selected ten trains in each category for a total sample size of 50 events. Our sample was reduced to 49 (see Exhibit) because two of our sampled records were a part of the same event (a New York and Atlantic Railway derailment that lasted two days). Our sample was not designed to be projected to the entire population.

To accomplish our objectives and evaluate the relevant internal controls, we reviewed the LIRR's related policies, procedures, and guidelines as well as regulations and laws. We interviewed officials and employees of the LIRR to obtain an understanding of the plans for unexpected delays and unexpected events.

We reviewed the operational activities of Transportation's Movement Bureau and the communication activities of the PIO and reviewed records and interviewed officials of both. We also interviewed officials from six of the departments (Transportation, Engineering, Maintenance of Equipment, Claims, Safety, and MTA PD) to confirm they were notified of the incidents, and reviewed documentation from each department regarding reporting and resolution of the incident.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

Reporting Requirements

A draft copy of this report was provided to MTA officials for their review and comment. Their comments were considered in preparing this final report and are attached in their entirety, except for a working paper that provided detailed updates related to missing notifications. The working paper cannot be displayed in a usable format as part of the final report and, therefore, is not appended to it. Instead, the materials will be retained on file at the Office of the State Comptroller. We reviewed the information in this working paper and revised the report to reflect new information related to the required notifications.

In their response, MTA-LIRR officials stated that they have completed several initiatives in "LIRR Forward" to improve service to LIRR riders. They disagree with the finding related to required notifications, stating that these incidents were exceptions and the notifications may not have been necessary. However, this is not documented in LIRR policies or procedures, nor was a rationale recorded at the time these exceptions occurred. LIRR officials also replied that they were already in compliance with our recommendations. However, we disagree. For instance, we recommended that the LIRR work with other constituent agencies, including MTA Bus, to develop

procedures for cross-honoring. Based on the presence of a “long standing agreement” with NYCT, the MTA stated it complied. However, this agreement does not include MTA Bus because it predates 2004, when MTA Bus became part of the MTA. Our response to certain MTA-LIRR comments are included in the report’s State Comptroller’s Comments.

Within 90 days after the final release of this report, as required by Section 170 of the Executive Law, the Chairman of the Metropolitan Transportation Authority shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where the recommendations were not implemented, the reasons why.

Major contributors to this report were Robert C. Mehrhoff, Erica Zawrotniak, Anthony Belgrave, Urszula Boczon, and Svitlana Morokhovych.

We wish to thank the management and staff of the Metropolitan Transportation Authority and the Long Island Rail Road for the courtesy and cooperation extended to our auditors during this audit.

Very truly yours,

Carmen Maldonado
Audit Director

cc: M. Fucilli, MTA Auditor General
D. Jurgens, MTA Audit Director
NYS Division of the Budget

Exhibit

Count	Sample #	Date	Event
1	A-1	2/9/2015	Switch trouble in F Interlocking
2	A-2	5/15/2015	Multiple Amtrak caused operational issues between Harold Interlocking and PSNY
3	A-3	10/13/2015	Amtrak-related track circuit failure in Line 3, Penn Station
4	A-4	5/25/2016	Disabled Amtrak track car in Harold Interlocking
5	A-5	8/5/2016	Amtrak-related 3rd rail condition in F Interlocking
6	A-6	2/21/2017	Amtrak-related smoke condition in Line 3, Penn Station
7	A-7	4/13/2017	Amtrak-related power outage
8	A-8	5/9/2017	Amtrak - Line 4 out of service A Interlocking and NJT6610 with medical asst.
9	A-9	6/6/2017	Amtrak-related speed restriction in Penn Station
10	A-10	7/11/2017	Amtrak - Penn Station track repair program
11	45-1	2/20/2015	Extreme cold
12	45-2	7/17/2015	Engineer - Inappropriate action
13	45-4	12/28/2015	Motor vehicle on tracks
14	45-5	2/14/2016	Extreme cold
15	45-6	7/22/2016	Public - Trespasser DOA - Hit by train
16	45-7	8/18/2016	Public - Trespasser DOA - Hit by train
17	45-8	12/9/2016	Signals - Supervisory systems
18	45-9	2/9/2017	Snow
19	45-10	5/30/2017	Engineering - 3rd rail power
20	10-1	2/3/2015	Weather-related loading delays
21	10-2	4/29/2015	Radio phone comm. failure Verizon
22	10-3	7/30/2015	High water condition
23	10-4	10/22/2015	Equipment trouble
24	10-5	2/2/2016	Door by pass
25	10-6	6/15/2016	T. 2709 close to trespasser
26	10-7	9/8/2016	Track conditions
27	10-8	12/16/2016	Signal trouble/switch control loss
28	10-9	3/22/2017	Track circuit failure
29	10-10	6/1/2017	3rd rail signal power loss
30	F-1	2/16/2015	Dolly derailment

31	F-2	4/21/2015	Struck farm tractor
32	F-3	7/9/2015	Trespasser strike
33	F-4	10/9/2015	Derailment
34	F-5	1/27/2016	Trespasser strike
35	F-6	7/17/2016	Tamper car derailment
36	F-7	9/2/2016	Trespasser strike
37	F-8	12/18/2016	Bomb scare
38	F-9	3/28/2017	Trespasser strike
39	F-10	6/11/2017	Train struck vehicle
40	E-1	3/2/2015	Car struck by train
41	E-2	5/13/2015	Person struck by train
42	E-3	9/15/2015	Freight derailment
43	E-4	1/23/2016	Blizzard
44	E-5	4/23/2016	Downed wires
45	E-6	8/30/2016	Signal trouble
46	E-7	11/23/2016	Police activity
47	E-8	1/7/2017	Vehicle struck by train
48	E-9	3/6/2017	Switch trouble
49	E-10	7/18/2017	Disabled train

Agency Comments

2 Broadway
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212 878-7000 Tel

Fernando Ferrer
Acting Chairman



Metropolitan Transportation Authority

State of New York

January 29, 2019

Ms. Carmen Maldonado
Audit Director
The Office of the State Comptroller
Division of State Government Accountability
59 Maiden Lane, 21st Floor
New York, NY 10038

Re: Draft Report #2018-S-30 (Long Island Rail Road: Unexpected Delays and Events)

Dear Ms. Maldonado:

This is in reply to your letter requesting a response to the above-referenced draft report.

I have attached for your information the comments of Phillip Eng, President, MTA Long Island Rail Road, which address this report.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fernando Ferrer".

Fernando Ferrer

c: Veronique Hakim, MTA Managing Director
Michael J. Fucilli, Auditor General, MTA Audit Services

Attachments

The agencies of the MTA

MTA New York City Transit
MTA Long Island Rail Road

MTA Metro-North Railroad
MTA Bridges and Tunnels

MTA Capital Construction
MTA Bus Company

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Phillip Eng
President



Mr. Fernando Ferrer
Acting Chairman
Metropolitan Transportation Authority
2 Broadway
New York, NY 10004

**RE: MTA Long Island Rail Road
Unexpected Delays and Events
Report 2018-S-30**

Dear Acting Chairman Ferrer:

Detailed below are actions that have already been taken by the LIRR or will soon be taken based upon the recommendations contained in the State Comptroller's (OSC) Audit of the Long Island Rail Road's (LIRR's) Management of Unexpected Delays and Events.

While there are numerous variables that can influence the severity of an incident and the nature of the LIRR's response, the LIRR has a robust program to manage unexpected events efficiently and effectively. When such incidents occur, the LIRR communicates critical Incident Response Structure (IRS) roles. However, because of the fast-paced and dynamic environment resulting from the emergency event, roles may, at times be verbally communicated. At the forefront of any emergency or unexpected event is the safety of our customers and employees. As such, when an event occurs, the focus of the employees filling the roles of the IRS is on the operation and management of the incident, which can be fluid and requires the responders' full attention.

The LIRR has progressed a number of initiatives unilaterally to improve its performance. Earlier this year, the LIRR launched *LIRR Forward* designed to manage and expedite critical infrastructure work with a new sense of urgency to proactively address the root cause of delays at the highest priority locations to reduce service disruptions and their impacts; and streamline internal communications to provide customers with consistent, clear and timely information. Examples of completed LIRR Forward initiatives include:

- ✓ Outfitting of grade crossings with reflective safety delineators;
- ✓ Upgrade of track circuits at Harold and Queens Interlockings;
- ✓ Installation of 60 snow switch covers;
- ✓ Welding of over 1,900 rail joints; and
- ✓ Upgrade of the 10 most problematic switches.

Additionally, the LIRR has recently implemented enhancements to its IRS, including a new coding system that classifies events by levels based on the incident's anticipated impact to service, documenting the Incident Commander during major incidents, and a pilot initiative spanning the next six (6) months to one (1) year to evaluate the feasibility of documenting additional IRS roles assumed by personnel during an incident. The coding classifications

The agencies of the MTA

MTA New York City Transit
MTA Long Island Rail Road

MTA Metro-North Railroad
MTA Bridges and Tunnels

MTA Capital Construction
MTA Bus Company

allow individuals to understand the severity of an event, with the potential impact to service, creating awareness of urgency for all departments. The documentation will allow for a specific point of reference when reviewing post-incident performance.

In 2018, the LIRR developed and completed a new and intensified professional training program of all PIO and Ushers. A primary focus has been to provide clearer and more concise customer announcements. Refresher training will be provided in 2019.

As of August 2018, the LIRR's Stations Department was fully staffed in the Movement Bureau (MB) with Managers providing newly established 24/7 hands-on coverage and overall support related to bus service during emergency events, including but not limited to calling out buses and recording pertinent information such as the number of buses ordered, number of buses that arrive, release times, and use (i.e., buses used to transport customers or as standby). Bus arrivals are also verified by Stations field personnel and the Managers in the MB in conjunction with the bus company dispatchers, as needed, Conductors on-board and Transportation Managers dispatched to a disruption site. Also, the LIRR Public Information Office (PIO) currently notifies customers of the availability of bus service as soon it receives the information to relay. The PIO also encourage customers to take alternate branches, as applicable (e.g., if the number of buses available will not accommodate the number of customers affected by a major incident).

Below please find detailed responses to the specific findings and recommendations in this report, as well as clarifications to statements included herein.

Recommendation No. 1

Work with other constituent agencies (e.g., NYCT, MTA Bus) to develop procedures for cross-honoring, including specific parameters that would require cross-honoring.

LIRR Response:

The LIRR already complies with this recommendation and such procedures currently exist as have been noted to OSC. The LIRR previously provided to the OSC pages from its Winter Storm Operating Procedure (WSOP) detailing the already in-place Reciprocal Emergency Management Procedures updated as of November 2017. The WSOP has since been renamed to Operating Plan for Winter Storms and Other Contingencies. To further ensure appropriate access for customers, LIRR employees are deployed at key transit entrances when the event warrants it and staff are available. Strategic placement of LIRR staff ensures LIRR cross honored customers en route to the subway are not turned away immediately upon a completed repair and allows for a smooth transition to normal service.

In addition, there is a longstanding agreement between the LIRR and New York City Transit (NYCT) describing the role of each agency when major service disruptions occur and establishing operating procedures, personnel deployment strategies and alternate service for LIRR customers allowing them to reach their destination.

* Comment 1

*See State Comptroller's Comments, Page 21.

LIRR Implementation Status: Implemented and ongoing

Recommendation No. 2

Compile a list of all Lessons Learned recommendations and the status of each. Document when and how each recommendation was implemented and by whom (e.g., department, unit, individual).

LIRR Response:

The LIRR already complies with this recommendation. Transportation Services (TS) compiles and maintain a list of Lessons Learned to show when and how recommendations are implemented. In addition, TS includes meeting dates and names of attendees in addition to attending departments in the meeting minutes. In addition to lessons learned reviews, the LIRR conducts weekly operational meetings to review the week's incidents. Additionally, included in the weekly operational meetings of the LIRR is the review of public messaging by the LIRR, which ensures on an ongoing basis messaging issues are reviewed and resolved. The LIRR is in the process of providing real time information to customers to better allow them to make travel decisions before they enter a train.

* Comment 2

LIRR Implementation Status: Implemented

Other Clarifications

1. On page 3 under Review of Events the report states "*For our entire sample of 49 events, we found that an OSSIC was designated for only 11 incidents.*" However, Table 2 on page 4 shows 10.
2. Please refer to Attachments A and A.1 for updates to findings related to missing notifications.

* Comment 3

* Comment 4

Please contact me should you require additional information.

Sincerely,



Phillip Eng
President

Attachment A

Responses to findings of 2018 NYS Comptroller audit

The following are responses to the findings from the comptroller office audit regarding missed notifications. Many of the responses were found to have been made; and in a few situations, notifications were not made to certain entities based on the circumstances surrounding the incident.

The following is a listing of findings (by Sample Number) showing notifications that were in fact made; and explanations as to why certain entities were not notified if applicable.

Sample#	Date	Findings
A1	9/9/15	Transportation Manager: PSCC STM K. Bautista for this event as noted in Chief log. Power/ Track/ROW: This was in Zone A (Amtrak Territory); NY trouble desk (Amtrak Power, Track ROW) was notified as per PSCC log. LIRR Power Dept./ ESO would not be notified.
A2	5/15/15	Senior VP- Operations: Senior VP Kubicek 11:49 am notified as per Chief log.
A3	10/13/15	Power Dept. / ESO: This was in Zone A (Amtrak Territory); NY trouble desk and Amtrak C&S would be notified by PSCC. LIRR Power Dept./ ESO would not be notified.
A4	5/25/16	Transportation Manager: PSCC STM R. Ciavorlella notified for this event. M of E and Road Foreman: The incident involved Amtrak equipment, so LIRR Road Foreman nor LIRR M of E would not be notified.
A6	2/21/17	Safety: For this incident (Smoke condition) fire marshal White was notified as per Chief's log.
A7	4/13/17	Transportation Manager: PSCC STM R. Ciavorlella reported incident per Chief log, PSNY T/M V. Depalo notified per Chief log. Signal/Power/ESO: This was in Zone A (Amtrak Territory); NY trouble desk (Amtrak Power, Track ROW) was notified as per PSCC log. LIRR Power Dept./ ESO would not be notified.
A8	5/9/17	NJT Medical assistance on track 9 PSNY PSCC TOC notified.

Responses to findings of 2018 NYS Comptroller audit

Sample#	Date	Findings
A9	6/6/17	As per Chief log, SVP Kubicek, CTO R. Free, GST S. Papanikolatos, Supt. K. Kenny, Supt. Train Movement C. Deronde all notified as per Chief log.
A10	7/11/17	Notification sheet shows SR VP operations Kubicek, CTO R. Free, GST S. Papanikolatos, areas Supt. V. Campasano, Supt. Train Movement Deronde notified. Station ops wasn't notified due to no service disruptions.
45-2	7/17/15	Power/Track/ROW: Listed as "Load dispatcher" on notification sheet. K. Colfer from load dispatcher office notified as per notification sheet.
45-5	2/14/16	NYC Transit Authority: Would have been notified only if we needed them to cross-honor customer at Jamaica, PSNY, Atlantic Terminal.
45-6	7/22/16	Track Dept.: On overnight ESO gets notified, ESO Domingo notified as per notification sheet. Station Ops- Listed as customer service on notification sheet- J. Kelly notified as per notifications sheet. Crew dispatcher wasn't notified due to a Yard Crew being brought to incident train by Road foreman. Crew dispatcher would be called by responding manager to put incident crew off and give crew dispatcher other information (statements, interviews, etc.).
45-7	8/18/16	Track Dept.: listed as "ESO" on notification sheet- ESO Rohner notified as per notification sheet. Crew dispatcher wasn't notified due to a Yard Crew being brought to incident train by Road foreman. Crew dispatcher would be called by responding manager to put incident crew off and give crew dispatcher other information (statements, interviews, etc.).
45-9	2/9/17	Due to several weather-related issued throughout the day, the CTO, General Superintendent Transportation, Lead Transportation Managers, Transportation Managers, Public Affairs (PIO), Signal, Power/ Track (ESO), and PSCC were notified, by incident as per the Chief log and the A&I log.

Responses to findings of 2018 NYS Comptroller audit

Sample#	Date	Findings
10-1	2/3/15	Public affairs (PIO): All day weather event- the PIO will put out timely alerts as to weather loading. Transportation manager notified on isolated weather loading issues if necessary.
10-2	4/29/15	Supt. Train Movement C. Deronde notified as per Chief log. Transportation Manager: in this incident PSCC STM R. Ciavorlella notified per chief log.
10-3	7/30/15	Track Dept./ ROW: After 3:00 pm Load Dispatcher (ESO) gets notified. K. Colfer was notified as per notification sheet.
10-6	6/15/16	B&B: After 3:00 pm Load Dispatcher (ESO) gets notified. ESO Broderick was notified as per notification sheet.
F1	2/16/15	No record of this incident (Dolly derailment) in any of the logs for this date. PLEASE VERIFY
F2	4/21/15	Area Superintendent: On notification sheet listed as Appropriate Superintendent- M. Bendick notified as per notification sheet. B&B/Dept.: listed as "Load Dispatcher" on notification sheet. K. Colfer notified as per notification sheet.
F3	7/9/15	Area Superintendent: On notification sheet listed as Appropriate Superintendent- R. Murray notified as per notification sheet. B&B/Dept.: Noted as Load Dispatcher, Chung notified as per notification sheet. Station Ops: On sheet as Customer service; Thomas notified as per notification sheet. Crew dispatcher wasn't notified due to a Yard Crew being brought to incident train by Road foreman. Crew dispatcher would be called by responding manager to put incident crew off and give crew dispatcher other information (statements, interviews, etc.).
F4	10/9/15	Power/ROW: Load dispatcher Rodriguez notified. This incident was a New York and Atlantic Railway derailment that occurred on an industry track maintained by NYAR, clear of the LIRR right of way. Due to the incident involved a NYAR crew and NYAR equipment, the LIRR Crew dispatcher, LIRR M of E, LIRR stationmaster, LIRR PIO, BLE and UTU would not be notified. NYAR would also make the contact to FRA, FTA, NTSB if applicable.

Responses to findings of 2018 NYS Comptroller audit

Sample#	Date	Findings
F5	1/27/16	Area Supt: noted as Appropriate Superintendent on notification sheet; M. Bendick was notified as per notification sheet. Track: Shows ESO Dept. Vassal notified. Station Ops: listed as customer service- Garbowski notified as per notification sheet. Crew dispatcher and EAP not notified due to no train involved in the incident.
F6	7/17/16	Due to track equipment derailed, M of E would not be notified, track dept. has their own equipment maintenance personnel.
F7	9/2/16	Track Dept.: After 3:00 pm ESO gets notified, ESO Hein notified as per notification sheet. Crew dispatcher wasn't notified due to a Yard Crew being brought to incident train by Road foreman. Crew dispatcher would be called by responding manager to put incident crew off and give crew dispatcher other information (statements, interviews, etc.).
F8	12/18/16	Area Supt: listed as Appropriate Superintendent- O.Valdez notified per notification sheet. Station Ops: listed as Customer service Persico notified. BLE/UTU not notified due to no train involved in the incident.
F9	3/28/17	Area Supt: listed as Appropriate Superintendent- M. Bendick notified as per notification sheet. Crew dispatcher wasn't notified due to a Yard Crew being brought to incident train by Road foreman. Crew dispatcher would be called by responding manager to put incident crew off and give crew dispatcher other information (statements, interviews, etc.).
F10	6/11/17	Area Supt: listed as Appropriate Superintendent- J. Reilly notified as per notification sheet. B&B/Power- on weekend covered by load dispatcher- K. Colfer notified as per notification sheet.
E1	3/2/15	Area Supt: listed as Appropriate Superintendent- R. Murray notified as per notification sheet.

Responses to findings of 2018 NYS Comptroller audit

Sample#	Date	Findings
E2	5/13/15	<p>Area Supt: listed as Appropriate Superintendent- R. Murray notified as per notification sheet.</p> <p>Station Ops: listed as customer service- M. Baudier notified as per notification sheet</p> <p>Power Dept.: This is also covered by Load dispatcher. Rodriguez from Load dispatcher office notified as per notification sheet.</p> <p>Crew dispatcher wasn't notified due to a Yard Crew being brought to incident train by Road foreman. Crew dispatcher would be called by responding manager to put incident crew off and give crew dispatcher other information (statements, interviews, etc.).</p>
E3	9/15/15	<p>Area Supt: listed as Appropriate Superintendent- R. Murray notified as per notification sheet.</p> <p>R.O.W.: C Schalik and Aikens from Load dispatcher office notified as per notification sheet.</p> <p>Due to the incident involved a NYAR crew and NYAR equipment, the LIRR Crew dispatcher, BLE and UTU would not be notified since the crew in question are not LIRR employees.</p>
E4	1/23/16	<p>On this date there was a major snowstorm with a system shutdown included. As per the Winter SOP, the situation room is manned by all the entities that would be notified under normal circumstances. In this situation, there is a liaison assigned to the Movement Bureau that will communicate pertinent information to the situation room where it is disseminated and then personnel are delegated accordingly.</p> <p>As part of the Winter SOP, there are WSOP conference calls and meetings at various times during the day to provide updates of all incidents to all entities to return the system back to normal service in a timely fashion.</p>
E5	4/23/16	<p>Station Ops: listed as customer service- T. Dorsey notified as per notification sheet</p>
E6	11/23/16	<p>Power Director/Track not notified due to the incident being a signal issue, not a power or track issue.</p>

Responses to findings of 2018 NYS Comptroller audit

Sample#	Date	Findings
E7	11/23/16	Area Supt: Superintendent- K. Kenny notified as per the accident and injury log for this date. NYC Transit Authority- As per the Accident and injury log and NYCT notification sheet, Williams was notified at 9:50 pm.
E8	1/7/17	Area Supt: listed as Duty Superintendent- J. Saunders notified as per notification sheet. B&B/Track- on weekend covered by load dispatcher (ESO) Langlan notified as per notification sheet.
E9	3/6/17	As per PSCC log, Amtrak C&S (Signal dept.) and NY trouble desk (Power and track dept.) notified. Due to this incident occurring within the confines of PSNY (Amtrak territory) LIRR Power director, LIRR track department and LIRR signal department would not be notified unless specifically requested by Amtrak.

State Comptroller's Comments

1. The LIRR is not in compliance with Recommendation 1 because the 1992 agreement between the LIRR and NYCT does not include MTA Bus, which became an MTA agency in 2004.
2. The response indicates that the LIRR is already in compliance with Recommendation 2. The LIRR provided a list of Lessons Learned starting with calendar year 2018. However, it did not provide any additional information about the 217 recommendations from earlier Lessons Learned.
3. We revised the report based on information provided in response to the draft report.
4. Although LIRR officials replied that all of the required notifications on the Matrix were not necessary due to the nature of certain events (e.g., Amtrak and New York and Atlantic Railway are involved, the departments were not manned), there was nothing in writing to support these exceptions, nor is there anything within LIRR policies or procedures that exempts these situations from notification. If the LIRR wishes to exempt these events from notification, it should amend its current policies and procedures or document why an exception was made.