

EXHIBIT 3-U

Docket No. DCA-08-MR009

**NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C. 20594**

**Federal Railroad Administration and California Public
Utilities Commission Metrolink Inspections,
June 2008 through January 2009**

	On/Before 9/12/2008										After 9/12/2008											
	Total					Total					Total					Total						
	Fed	Vio	Insp	Fed	Def	Vio	Insp	Fed	Def	Vio	Insp	Fed	Vio	Insp	Fed	Def	Vio	Insp	Fed	Def	Vio	Insp
2008	143	21	16	70	2	3	5	141	21	13	65	1	3	4	1	3	4	1	7	1	7	4
July	8		5	1																		
September	90		11																90			
October	5	1	2	7															5	1	2	7
November	1		1	2															1		1	2
December	105	1	6	29	2	3	5	103	1	3	24											
Total	22	11	5	25															22	11	5	25
January	16	9	5	16															16	9	5	16
February	38	20	10	41															38	20	10	41
Total	143	21	16	70	2	3	5	141	21	13	65								143	21	13	65
2009	143	21	16	70	2	3	5	141	21	13	65											
January	1		1	1															1		1	1
February	1		1	1															1		1	1
Total	1		1	1															1		1	1
Southern California Regional Rail Authority (SCAX)	1		1	1															1		1	1
California	1		1	1															1		1	1
7	1		1	1															1		1	1
213003702																						
213003709																						
MOVING EQUIPMENT FROM THEIR NORMAL DUTY STATIONS																						
213006301																						
213013307																						
213020506																						
213024404																						
214033903																						
2170009A																						
ITS OPERATING RULES, TIMETABLES, AND TIMETABLE SPECIFIC INSTRUCTIONS, INCLUDING VERIFICATION OF COMPLIANCE WITH																						
SUBPART F OF PART 218, IN ACCORDANCE WITH A WRITTEN PROGRAM.																						
2170009B1V																						
==FAILURE OF QUALIFIED RAILROAD OFFICER TO CONDUCT OPERATIONAL TESTS AND INSPECTIONS IN																						
ACCORDANCE WITH THE RAILROADS PROGRAM OF OPERATIONAL TESTS AND PROGRAMS																						
2170009C																						
==NO RECORD OF AN OPERATIONAL TEST AND INSPECTION NOTING DATE, TIME, PLACE OR RESULT OF THAT TEST OR																						
INSPECTION																						
2170009C1																						
==FAILURE TO PROVIDE FOR OPERATIONAL TESTING AND INSPECTIONS UNDER THE VARIOUS OPERATING																						
CONDITIONS ON THE RAILROAD, PARTICULARLY THOSE OPERATING RULES THAT CAUSE OR ARE LIKELY TO CAUSE THE MOST																						
ACCIDENTS OR INCIDENTS, SUCH AS THOSE ACCIDENTS OR INCIDENTS IDENTIFIED IN QUARTERLY OR BI-ANNUAL REVIEWS, AND THE																						
ANNUAL SUMMARIES REQUIRED UNDER PARAGRAPHS (E) AND (F), AS APPLICABLE. THE RAILROADS PROGRAM SHOULD HAVE																						
SPECIFICALLY PROVIDED FOR A MINIMUM NUMBER OF TESTS AND INSPECTIONS PER YEAR COVERING THE REQUIREMENTS OF PART																						
218. SUBPART F OF THIS CHAPTER. (EFFECTIVE JULY 1, 2008.)																						
21800037																						
==FLAG PROTECTION																						
21800059																						
==OPERATION WITH DISABLED SAFETY DEVICE-RAILROAD																						
21800099B																						
==SHOVING OR PUSHING MOVEMENTS: FAILURE TO CONDUCT JOB BRIEFING. USE A QUALIFIED EMPLOYEE, OR																						
ESTABLISH PROPER PROTECTION																						
2180103A																						
==HAND-OPERATED SWITCHES, INCLUDING CROSSOVER SWITCHES: FAILURE TO IMPLEMENT REQUIRED OPERATING																						
RULE																						
2190011G																						
==FAILURE TO MEET SUPERVISORY TRAINING REQUIREMENTS OR PROGRAM OF INSTRUCTION NOT AVAILABLE OR																						
PROGRAM NOT COMPLETE																						
2190701A																						
==FAILURE TO COMPLY WITH PART 40 PROCEDURES IN SUBPART B, D, F OR G DRUGS TESTING																						
2190701B																						
==FAILURE TO COMPLY WITH PART 40 PROCEDURES IN SUBPART B, D, F OR G ALCOHOL TESTING																						
2200021A																						
==RAILROAD OPERATING RULES WITH RESPECT TO RADIO COMMUNICATIONS MUST COMPLY WITH 49 CFR PART 220																						
2200027B1																						
==IDENTIFICATION OF EACH MOBILE STATION, WHEN NOT IN CONNECTION WITH SWITCHING, CLASSIFICATION AND																						
SIMILAR OPERATIONS WHOLLY INSIDE A YARD, DID NOT INCLUDE THE NAME OF THE RAILROAD OR THE INITIALED LETTERS OF THE																						
RAILROAD																						
2200043																						
==RADIO COMMUNICATIONS USED IN CONNECTION WITH RAILROAD OPERATIONS IN A MANNER THAT CONFLICTS WITH																						
THE REQUIREMENTS OF 49 CFR PART 220, FCC REGULATIONS OR THE RAILROAD'S OPERATING RULES																						
(Continued)																						

	On/Before 9/12/2008				After 9/12/2008			
	Total	Fed Defs	Non Insp Defs	Total	Total	Fed Defs	Non Insp Defs	Total
2220021A1	1	1	1	1	1	1	1	1
2290046D1	1	1	1	1	1	1	1	1
2290075K1	4	4	1	4	4	1	4	1
2290075K2	1	1	1	1	1	1	1	1
2290119C1	2	2	2	2	2	2	2	2
2320103N3	1	1	1	1	1	1	1	1
2320103N3III WITHIN	1	1	1	1	1	1	1	1
2320103N4	8	7	6	3	8	7	9	6
234								
234020901	12	12	12	3	8	7	9	9
236000109	1	1	1	1	1	1	1	1
2380307C5	1	1	1	1	1	1	1	1
2380439B1	5	5	5	1	4	4	4	4
2400305B2	1	1	1	1	1	1	1	1
ROR H110	1	1	1	1	1	1	1	1
NAME/ASPECT OBSERVED DURING A TRAIN RIDE INSPECTION								
ROR H199	1	1	1	1	1	1	1	1
RSR S222	1	1	1	1	1	1	1	1
MOVING EQUIPMENT								
RSR S441	1	1	1	1	1	1	1	1
PRESCRIBED WALKWAY	1	1	1	1	1	1	1	1

==FAILURE TO SOUND HORN WHEN APPROACHING AND OCCUPYING EACH PUBLIC HIGHWAY-RAIL GRADE CROSSING.
 ==DEVICES FOR REGULATING BRAKE PRESSURE DEFECTIVE
 ==WHEEL FLANGE WITH CRACK OR BREAK
 ==WHEEL TREAD WITH CRACK OR BREAK
 ==PASSAGEWAYS AND COMPARTMENTS, FLOORS HAZARDOUS
 ==FAILURE TO FULLY APPLY ALL HAND BRAKES ON ALL LOCOMOTIVES IN LEAD CONSIST OF AN UNATTENDED TRAIN
 ==FAILURE TO FULLY APPLY HAND BRAKE ON THE LEAD LOCOMOTIVE IN AN UNATTENDED LOCOMOTIVE CONSIST WITHIN
 ==FAILURE TO ADOPT OR COMPLY WITH PROCEDURES FOR SECURING UNATTENDED LOCOMOTIVES
 ==INTERFERENCE WITH NORMAL FUNCTIONING OF WARNING SYSTEM WITHOUT TAKING MEASURES TO PROVIDE FOR THE SAFETY OF TRAIN AND HIGHWAY TRAFFIC.
 ==CIRCUIT PLAN FOR CONTROLLED POINT NOT CORRECT.
 ==EMERGENCY LIGHTING SYSTEM NOT IN PLACE OR OPERATIONAL AS REQUIRED
 ==INTERIOR/EXTERIOR MANUAL OVERRIDE FEATURE NOT PROVIDED AS REQUIRED
 ==FAILURE OF CERTIFIED ENGINEER TO DISPLAY CERTIFICATE UPON REQUEST
 ==ONE OR MORE EMPLOYEES IN THE CAB OF A LOCOMOTIVE FAILED TO CALL OR RESPOND TO A CALLED SIGNAL
 ==ONE OR MORE EMPLOYEES OBSERVED DURING A TRAIN RIDE INSPECTION
 ==ONE OR MORE EMPLOYEES FAILED A SPECIFIC ACTION NOT LISTED IN THIS SECTION
 ==ONE OR MORE EMPLOYEES FAILED TO COMPLY WITH THE REQUIREMENTS REGARDING NOT GETTING ON OR OFF MOVING EQUIPMENT
 ==ONE OR MORE EMPLOYEES FAILED TO NOTIFY PROPER AUTHORITY ABOUT KNOWN TRIPPING HAZARD(S) IN PRESCRIBED WALKWAY

PERIOD=On/Before 9/12/2008 YEAR4=2008

Obs	RAILROAD	REGION	MONTH	DAY	DEF	CODE	DEFECT	FED	DEF	VI	DE	F	S	O	H	D	E	F	S	CP	describe
1	SCAX	7	07	22	0		234														WATCH SEVERAL TRAINS THRU ABOVE CROSSING. NO EXCEPTIONS TAKEN AT THIS TIME.
2	SCAX	7	07	22	0		234														WATCHED SEVERAL TRAINS THRU ABOVE CROSSING. NO EXCEPTIONS TAKEN AT THIS TIME.
3	SCAX	7	07	23	0		234														NO EXCEPTIONS TAKEN TO UNITS INSPECTED. PERFORMED A JOINT METROLINK/UNION PACIFIC (UP) HIGHWAY-RAIL GRADE CROSSING INSPECTION WITH FRA S&TC INSPECTOR TONY LOYA. FOUND METROLINK'S HIGHWAY-RAIL GRADE CROSSING EQUIPMENT PERFORMING AS INTENDED. TONY LOYA AND MYSELF MET WITH UP AND METROLINK SIGNAL PERSONNEL. WE EXPRESSED CONCERNS OVER NUMEROUS FALSE ACTIVATIONS THAT HAVE OCCURRED AT PALMDALE BLVD BETWEEN APRIL 2008 AND JULY 2008. REVIEW OF CREDIBLE REPORTS OF CROSSING MALFUNCTIONS AND FIELD INSPECTION DETERMINED THAT THE FALSE ACTIVATIONS WERE NOT CAUSED BY METROLINK'S EQUIPMENT.
4	SCAX	7	07	25	1		214033903														FAILURE OF TRAIN TO GIVE AUDIBLE WARNING WHERE REQUIRED. METROLINK TRAIN #203. LEAD LOCOMOTIVE 874 FAILED TO BLOW WHISTLE FOR ROADWAY WORKGROUP.
5	SCAX	7	09	09	1		2380307C5														EMERGENCY LIGHTING SYSTEM NOT OPERATIONAL AS REQUIRED.
YEAR4																					
PERIOD																					

PERIOD=After 9/12/2008 YEAR4=2008

Obs	RAILROAD	REGION	MONTH	DAY	DEF	CODE	DEFECT	FED	DEF	VI	DE	F	S	O	H	D	E	F	S	CP	describe
6	SCAX	7	09	15	1		2290075K1														L #1.2 AND R #1.2 WHEELS HAD THERMAL CRACKING.
7	SCAX	7	09	22	1		2180059														OPERATION WITH DISABLED SAFETY DEVICE-RAILROAD. TRAIN OPERATED FROM CP AVERY TO OCEANSIDE WITH DISABLED SAFETY DEVICE AT S RESPONDER. ENGINEER PROPERLY SECURED ABSOLUTE BLOCKS FOR OPERATION.
8	SCAX	7	09	24	1		2200043														RADIO COMMUNICATIONS USED IN CONNECTION WITH RAILROAD OPERATIONS IN A MANNER THAT CONFLICTS WITH THE REQUIREMENTS OF 49 CFR PART 220, FCC REGULATIONS OR THE RAILROAD'S OPERATING RULES. ENGINEER CAUTIONED THAT SIGNAL INDICATIONS OF ALL SIGNALS MUST BE RELAYED TO THE CONDUCTOR AS REQUIRED BY JOINT SYSTEM SPECIAL INSTRUCTIONS. ENGINEER REQUIRED TO TRANSMIT ALL SIGNAL AND DELAYED IN BLOCK ON RADIO FOR COMPLIANCE WITH EO-20 CIRCUIT PLAN FOR CONTROLLED POINT NOT CORRECT. DURING FIELD TESTING OF THE SIGNAL SYSTEM AT CP TOPANGA, IT WAS DISCOVERED THAT THE EASTBOUND SIGNAL AT CP TOPANGA COULD NOT DISPLAY A FLASHING YELLOW SIGNAL ASPECT. SIGNAL TESTING PROVED THAT SIGNAL ASPECTS ARE CORRECT AND THE SIGNAL SYSTEM IS FUNCTIONING AS DESIGNED. THE SIGNAL ASPECTS ARE MORE RESTRICTIVE THAN CIRCUIT PLAN INDICATES.
9	SCAX	7	09	25	1		236000109														REVIEWED SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY RAILROAD SUPERVISORS RECORDS TO DETERMINE IF THEY HAD RECEIVED THE MINIMUM 3 HOURS ALCOHOL/DRUG TRAINING (2 HOURS SIGNS & SYMPTOMS AND 1 HOUR POST-ACCIDENT TESTING PER 219.11 (G) CONNEX EMPLOYEES FOURTEEN SUPERVISORS. ALL HAVE COMPLETED THE REQUIRED TRAINING WITH THE EXCEPTION OF TWO SUPERVISORS WHO LACKED THE DOCUMENTED ONE HOUR TRAINING ON POST ACCIDENTS. METROLINK EMPLOYEES SEVENTEEN SUPERVISORS. THREE SUPERVISORS HAVE COMPLETED THE REQUIRED TRAINING. SIX HAVE NOT RECEIVED TRAINING. SIX HAVE HAD THE TWO HOUR SIGNS AND SYMPTOMS BUT LACK THE ONE HOUR POST ACCIDENT, TWO HAVE HAD THE ONE HOUR POST ACCIDENT BUT LACKED THE TWO HOUR SIGNS AND SYMPTOMS (IN NON COMPLIANCE)
10	SCAX	7	10	14	1		2190011G														FAILURE TO COMPLY WITH PART 40 PROCEDURES IN SUBPART B, D, F OR G DRUGS TESTING. THE COLLECTOR MARKED THE DRUG CCF "NIDA 5" BLOCK "OTHER" INSTEAD OF THE PROPER DRUG TEST PANEL. REFERENCE INFORMATION IN CFR PART 40.45
11	SCAX	7	10	15	1		2190701A														

PERIOD=After 9/12/2008 YEAR4=2008

Obs	RAILROAD	REGION	MONTH	DAY	DEFECT	FEDDEF	VIOLDEF	OTHDEF	CP	DESCRIBE
12	SCAX	7	10	16	2190701A	30				FAILURE TO COMPLY WITH PART 40 PROCEDURES IN SUBPART B, D, F OR G DRUGS TESTING. CFR PART 40.45 (C) STATES: AS A PARTICIPANT IN THE DOT DRUG TESTING PROGRAM, YOU ARE NOT PERMITTED TO MODIFY OR REVISE THE CCF EXCEPT AS FOLLOWS. 30 CCF FORMS REVIEWED FOR PRE-EMPLOYMENT AND RANDOM TESTS FOR CALENDAR YEAR 2007 HAD A NEW NIDA 5 PANEL INSERTED ON THE CCF FORM. COLLECTORS ARE MARKING THE OTHER CATEGORY FOR DRUG TESTS AND MARKING THE NIDA 5 PANEL AS WELL. COLLECTORS SHOULD USE THE STANDARD DOT TEST MARKED THC/COC/PCP/OPI/AMP ON THE CUSTODY AND CONTROL FORMS. FORMS WERE FOUND FOR THE FOLLOWING DATES 1/5, 2/20, 3/9, 3/19, 3/22, 4/10, 4/20, 5/2, 5/3 5/5, 5/10, 5/18, 6/11, 6/26, 7/16, 7/25, 8/7, 9/5, 9/13, 9/17, 10/1, 10/19, 1/05 MULTIPLE ERRORS ON SOME DATES. INSPECTOR HAS CONTACTED COLLECTOR TO ADVISE AND COLLECTOR STATED THAT ALL COLLECTORS WILL BEGIN FILLING FORM OUT CORRECTLY.
13	SCAX	7	10	16	2190701A	36				FAILURE TO COMPLY WITH PART 40 PROCEDURES IN SUBPART B, D, F OR G DRUGS TESTING. ALL 36 RANDOM TESTING CUSTODY AND CONTROL FORMS WERE MARKED IMPROPERLY. INSTEAD OF SELECTING THE THC, COC, PCP, OPI, AMP BOX, A BOX ADDED BY THE LABORATORY MARKED "7634H NIDA 5 DRUG PANEL" WAS SELECTED. THE ADDITIONAL BOX IS NOT APPROVED FOR USE ON THE FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM AND SHOULD BE DELETED.
14	SCAX	7	10	16	2190701B	1				FAILURE TO COMPLY WITH PART 40 PROCEDURES IN SUBPART B, D, F OR G ALCOHOL TESTING. A DOT ALCOHOL TEST FORM DATED 5/30/2006 DID NOT HAVE A REASON FOR TEST BOX SELECTED.
15	SCAX	7	10	16	2380307C5	1				EMERGENCY LIGHTING SYSTEM NOT OPERATIONAL AS REQUIRED
16	SCAX	7	10	16	2380439B1	1				BL DOOR DOES NOT OPERATE AS REQUIRED. WILL NOT STAY OPEN WITH THE KEY REMOVED
17	SCAX	7	10	16	2380307C5	1				EMERGENCY LIGHTING SYSTEM NOT OPERATIONAL AS REQUIRED
18	SCAX	7	10	20	2380307C5	1				EMERGENCY LIGHTING SYSTEM NOT OPERATIONAL AS REQUIRED. DEFECTIVE EMERGENCY LIGHT AT THE UPPER MAIN LEVEL. B END LEFT SIDE.
19	SCAX	7	10	20	2380307C5	1				EMERGENCY LIGHTING SYSTEM NOT OPERATIONAL AS REQUIRED. ONE LIGHT OUT AT THE B END INTERMEDIATE LEVEL AND ONE OUT AT THE A END OF THE UPPER MAIN LEVEL.
20	SCAX	7	10	28	213006301	1				RUNOFF IN ANY 31- FEET OF RAIL AT END OF RAISE EXCEEDS ALLOWABLE. (RUNOFF MEASURED 1.78 ON A FIELD VERIFICATION, ON THE EAST APPROACH OF LYONS ROAD CROSSING)
21	SCAX	7	11	18	2400305B2	1				FAILURE OF CERTIFIED ENGINEER TO DISPLAY CERTIFICATE UPON REQUEST. ENGINEER TRAINEE FAILED TO HAVE CERTIFICATION ON HIS PERSON WHILE OPERATING TRAIN. TRAINEE ENGINEER PRESENTED HIS CERTIFICATE TO INSPECTOR UPON ARRIVAL AT LANCASTER.
22	SCAX	7	11	18	2290119C1	1				PASSAGEWAYS AND COMPARTMENTS, FLOORS HAZARDOUS. EXCESS OIL ON REAR WALKWAY OF LOCOMOTIVE. NOTIFIED ENGINEER.
23	SCAX	7	11	18	2180037	1				FLAG PROTECTION THREE FUSES ABOARD LOCOMOTIVE TO PROVIDE FOR FLAGGING. INSUFFICIENT AMOUNT PER GCOR.
24	SCAX	7	11	19	2290119C1	1				PASSAGEWAYS AND COMPARTMENTS, FLOORS HAZARDOUS. OIL BLOWING OUT OF REAR LOCOMOTIVE CAR BODY ONTO REAR WALKWAY AND GRAB IRONS. SLIPPING HAZARD FOR EMPLOYEES.
25	SCAX	7	11	20	234				1	1.) 12:10 PM, RESPONDED TO METROLINK TRAIN # 306 SIDE SWIPE COLLISION ON METROLINK'S SAN GABRIEL SUBDIVISION AT CP LILAC MP 52.4 IN THE CITY OF RIALTO CA. 2.) DOWNLOADING CROSSING AT CEDAR AVE.
26	SCAX	7	11	20	234				1	2.) DOWNLOADING HXP AND CROSSING AT CACTUS AVE.
27	SCAX	7	11	25	234020901	1				INTERFERENCE WITH NORMAL FUNCTIONING OF WARNING SYSTEM WITHOUT TAKING MEASURES TO PROVIDE FOR THE SAFETY OF TRAIN AND HIGHWAY TRAFFIC.
28	SCAX	7	12	09	2290075K2	1				WHEEL TREAD WITH THERMAL CRACKS AT THE R3 LOCATION.

PERIOD=After 9/12/2008 YEAR4=2008

Obs	RAILROAD	REGION	MONTH	DAY	DEF	CODE	DEFECT	FED	DEF	VI	DEF	OTH	DEF	CP	describe
29	SCAX	7	12	11	0		RSR S441							1	EXCEPTION: ONE OR MORE EMPLOYEES FAILED TO NOTIFY PROPER AUTHORITY ABOUT KNOWN TRIPPING HAZARD(S) IN PRESCRIBED WALKWAY. INSPECTIONS FOUND M/U CABLE AND 480 VOLT POWER CABLE IN TOE PATHS AT WEST NORTH END OF SERVICE TRACKS. NON-COMPLIANCE WITH CONNEX RAILROAD/METROLINK SAFETY INSTRUCTIONS, RULE 5201 (A).
													103	1	3
YEAR4															

PERIOD=After 9/12/2008 YEAR4=2009

Obs	RAILROAD	REGION	MONTH	DAY	DEF	CODE	DEFECT	FED	DEF	VI	DEF	OTH	DEF	CP	describe
30	SCAX	7	01	05	0		ROR H199							1	OBSERVED TWO SETS OF EQUIPMENT ARRIVING LAUPT AT 1245PM (SCAX 859 TRAIN COUPLED TO SCAX 874 TRAIN), WHEN THE EQUIPMENT WAS SEPARATED, THE CONDUCTOR STEPPED IN BETWEEN THE RAIL (TRACK 6) WITH BOTH FEET AND KNELT DOWN IN ORDER TO SECURE THE AIR HOSES ON SCAX 859. THE EQUIPMENT WAS PROPERLY SEPARATED, HOWEVER, A DISREGARD OF PERSONAL SAFETY WAS NOTED. CREW MEMBER WAS ASKED ABOUT THE ISSUE, BUT REMARKED THE EQUIPMENT WAS PROPERLY SEPARATED.
31	SCAX	7	01	06	1		2170009B1IV							1	FAILURE OF QUALIFIED RAILROAD OFFICER TO CONDUCT OPERATIONAL TESTS AND INSPECTIONS IN ACCORDANCE WITH THE RAILROADS PROGRAM OF OPERATIONAL TESTS AND PROGRAMS, WHILE OBSERVING CONNEX MANAGERS PERFORMING EFFICIENCY TESTS AT MOORPARK, CA., MANAGERS FAILED TO POSITION AN OFFICER AT THE STOP SIGNAL TO VERIFY CORRECT ASPECT.
32	SCAX	7	01	13	0		234							1	NO EXCEPTIONS TAKEN TO UNITS INSPECTED ABOVE. MERCED AVENUE VISUAL INSPECTION ONLY.
33	SCAX	7	01	14	1		2170009C							1	NO RECORD OF AN OPERATIONAL TEST AND INSPECTION NOTING DATE, TIME, PLACE OR RESULT OF THAT TEST OR INSPECTION - REVIEW OF RAIL EFFICIENCY TEST REPORT, EMPLOYEES TEST DETAIL, 09/01/2008 TO 12/31/2008. BOOK: OPERATING INDICATE EFFICIENCY TEST TAKEN ON THE FOLLOWING DATES AND TIMES WHEN TRAIN LISTED IS NOT SCHEDULED TO OPERATE: DATE TIME TEST TRAIN OFFICER TIME TRAIN LISTED OPERATES 09/10/08 02:20 1,15 325 O'CONNELL 13:00-14:30 12/10/08 01:15 1.5 DAHL 13:20-14:50 12/10/08 01:15 1.10 (2 EMP TESTED) 312 DAHL 13:20-14:50 CONTINUED NEXT LINE...
34	SCAX	7	01	15	1		2170009C1							1	FAILURE TO PROVIDE FOR OPERATIONAL TESTING AND INSPECTIONS UNDER THE VARIOUS OPERATING CONDITIONS ON THE RAILROAD - REVIEW OF THE CONNEX - METROLINK RAIL EFFICIENCY TEST REPORT, EMPLOYEES TEST DETAIL, FROM 09/01/08 TO 12/31/08, BOOK: OPERATING, DOES NOT COMPLY WITH WRITTEN EFFICIENCY TESTING GUIDE. THE GUIDE STATES: "TESTS SHOULD BE SPREAD OUT OVER ALL DAYS OF THE WEEK AND INCLUDE WEEKENDS AND NIGHTS IN APPROXIMATE PROPORTION TO THE HOURS OF TRAIN OPERATION ON ANY TERRITORY." REVIEW OF DATA INDICATES OF 5532 TOTAL OPERATING TESTS, GIVEN IN THIS TIME FRAME, 418 TEST WERE GIVEN ON WEEKENDS. THIS IS 7.55% OF THE OPERATING TESTS GIVEN IN THIS TIME FRAME WHEN THE SCHEDULE INDICATES ROUGHLY 60 TRAINS A WEEKEND OR ABOUT 17% OF WEEKLY TRAIN OPERATIONS OCCUR ON WEEKENDS. (THIS PERCENTAGE DOES NOT TAKE INTO ACCOUNT ANY NON-REVENUE TRAIN MOVEMENTS. ONLY TRAINS LISTED IN THE SCHEDULE WERE USED TO CALCULATE THIS PERCENTAGE. THERE IS OPPORTUNITY FOR MORE TRAINS TO OPERATE ON THE WEEKENDS)
35	SCAX	7	01	16	1		2170009B1IV							1	CONDUCTED INSPECTION OF OPERATIONS TESTING PROGRAM FOR CONNEX THE OPERATING CONTRACTOR FOR METROLINK AT THE POMONA OFFICE. INSPECTION WAS FOR THE TIME PERIOD JUNE 1, 2008 TO SEPTEMBER 11, 2008. FOUND COMPANY

PERIOD=After 9/12/2008 YEAR4=2009

Obs	RAILROAD	REGION	MONTH	DAY	DEF	CODE	DEFECT	FEDDERS	VIODEFS	OTHDEFS	ep	describe
35												OFFICERS WITH LESS THAN HALF OF THEIR OPERATIONS TESTING CONDUCTED AWAY FROM THE CREW BASE. ACCORDING TO THE CONNEX EFFICIENCY TESTING GUIDE DATED JUNE 25, 2007 AND REVISED JULY 1, 2008 PAGE 3 UNDER MAINTAINING THE QUALITY OF OPERATION TESTING, LINE 4, STATES THAT UNLESS A SUPERVISOR IS ASSIGNED TO LAUPT, AT LEAST HALF OF EACH SUPERVISORS TESTS SHOULD BE CONDUCTED AWAY FROM THEIR CREW BASE OR TERMINAL. INSPECTION REVEALED: MANAGER CONDUCTING 531 TESTS WITH ONLY 241 AWAY FROM THE CREW BASE. MANAGER CONDUCTING 357 TESTS WITH ONLY 159 AWAY FROM THE CREW BASE. MANAGER CONDUCTING 438 TESTS WITH ONLY 209 AWAY FROM THE CREW BASE. MANAGER CONDUCTING 627 TESTS WITH ONLY 277 AWAY FROM THE CREW BASE. OF THE 11 MANAGERS INSPECTED FOUND ONLY 2 IN COMPLIANCE. FAILURE TO SOUND HORN WHEN APPROACHING AND OCCUPYING EACH PUBLIC HIGHWAY-RAIL GRADE CROSSING. ENGINEER HAS TENDENCY TO "SHORT WHISTLE" AND NOT TO CONTINUE SOUNDING HORN THROUGH ENTIRE LENGTH OF GRADE CROSSINGS WHEN OCCUPYING. DISCUSSED WITH ENGINEER AND EXPLAINED NECESSITY TO PROPERLY SOUND HORN FOR PROTECTION OF AUTO PEDESTRIAN TRAFFIC AT GRADE CROSSINGS.
36	SCAX	7	01	20	1		2220021A1					
37	SCAX	7	01	20	1		2200021A					
38	SCAX	7	01	20	1		2200027B1					
39	SCAX	7	01	20	0		ROR H110					RAILROAD OPERATING RULES WITH RESPECT TO RADIO COMMUNICATIONS MUST COMPLY WITH 49 CFR PART 220. LOCOMOTIVE ENGINEER ABOARD SOUTHBOUND TRAIN NO.212 INITIATED RADIO CONVERSATION WITH NORTHBOUND TRAIN NO.205 AT APPROXIMATELY 10:00 AM AT THE SOUTH END OF SAUGUS SIDING. CONVERSATION WAS JUST GENERAL CONVERSATION, AND HAD NOTHING TO DO WITH RAILROAD BUSINESS OR TRAIN MOVEMENTS. ENGINEER ON TRAIN NO. 212 FAILED TO PROVIDE IDENTIFICATION OF EACH MOBILE STATION, WHEN NOT IN CONNECTION WITH SWITCHING, CLASSIFICATION AND SIMILAR OPERATIONS WHOLLY INSIDE A YARD, DID NOT INCLUDE THE NAME OF THE RAILROAD OR THE INITIALED LETTERS OF THE RAILROAD. ONE OR MORE EMPLOYEES IN THE CAB OF A LOCOMOTIVE FAILED TO CALL OR RESPOND TO A CALLED SIGNAL NAME/ASPECT OBSERVED DURING A TRAIN RIDE INSPECTION. QUALIFYING ENGINEER SPENT MORE TIME TRYING TO MAKE OPERATING NOTES DURING TRIP AND FAILED TO REPLY TO SIGNAL INDICATIONS CALLED BY ENGINEER. DISCUSSED NECESSITY TO ANSWER ALL SIGNALS CALLED AND TO OBSERVE ALL SIGNALS PERTAINING TO TRAIN MOVEMENTS. ISSUE WAS CORRECTED.
40	SCAX	7	01	22	0		234					REVIEW PAXTON STREET PERIODIC TEST RECORDS. NO EXCEPTIONS TAKEN.
41	SCAX	7	01	22	0		RSR S222					ONE OR MORE EMPLOYEES FAILED TO COMPLY WITH THE REQUIREMENTS REGARDING NOT GETTING ON OR OFF MOVING EQUIPMENT
42	SCAX	7	01	22	1		2320103N3III					FAILURE TO FULLY APPLY ALL HAND BRAKES ON THE LEAD LOCOMOTIVE IN AN UNATTENDED LOCOMOTIVE CONSIST WITHIN YARD LIMITS. LOCOMOTIVE, SDNX-2104, LEFT UNATTENDED WITH NO HANDBRAKE APPLIED TO PROVIDE SECUREMENT.
43	SCAX	7	01	22	1		2180103A					HAND-OPERATED SWITCHES, INCLUDING CROSSOVER SWITCHES: FAILURE TO IMPLEMENT REQUIRED OPERATING RULE. OBSERVED EMPLOYEE LINING SWITCHES WITHOUT INSPECTING SWITCH POINTS BEFORE OR AFTER LINING SWITCHES.
44	SCAX	7	01	22	1		2320103N3I					FAILURE TO FULLY APPLY ALL HAND BRAKES ON ALL LOCOMOTIVES IN LEAD CONSIST OF UNATTENDED TRAIN. LOCOMOTIVE, SCAX-893, LEFT UNATTENDED ON RIVER TRACK WITH NO HANDBRAKE APPLIED TO PROVIDE SECUREMENT.
45	SCAX	7	01	22	1		2290046D1					DEVICES FOR REGULATING BRAKE PRESSURE DEFECTIVE. AIR BRAKE CYLINDERS RELEASING WITH THE AUTOMATIC BRAKE VALVE SET AT FULL SERVICE. AFTER TROUBLE SHOOTING THE AIR SYSTEM MECHANICS FOUND THE SERVICE PORTION VALVE DEFECTIVE.

ALL SCAX, FROM JUNE 2008 TO PRESENT

04:24 Wednesday, February 18, 2009

PERIOD=After 9/12/2008 YEAR4=2009

Obs	RAILROAD	REGION	MONTH	DAY	DEF CODE	DEFECT	FED	DEFS	VI	ODEFS	OTH	DEFS	CP	Describe
46	SCAX	7	01	28	1	2180089B	1							SHOVING OR PUSHING MOVEMENTS: FAILURE TO CONDUCT JOB BRIEFING, USE A QUALIFIED EMPLOYEE, OR ESTABLISH PROPER PROTECTION OBSERVED METROLINK TRAIN 609 WITH LOCOMOTIVE 856 PUSHING STOP AT ORANGE STATION AT 1641 HRS AND THEN SHOVE BACK WITH NO JOB BRIEFING, AND NO POINT PROTECTION. FAILURE OF 49 CFR 218.99 SHOVING OR PUSHING MOVEMENTS.
47	SCAX	7	01	29	1	2320103N4	1							LOCOMOTIVE 864 LEFT UNATTENDED WITH NO HANDBRAKE. CREW WAS INSIDE CREW BASE PERFORMING JOB BRIEFING AND HAD CUT OUT THE LOCOMOTIVE AND CUT IN THE CAB CAR. CAB CAR HAD HANDBRAKE. UNDER CONNEX RAILROAD AIR BRAKE AND TRAIN HANDLING INSTRUCTIONS, PAGE 25, RULE 4.8 LEAVING UNATTENDED TRAINS. ALL LOCOMOTIVES MUST HAVE A HANDBRAKE APPLIED. AN INSPECTION OF THE SCAX OPERATIONAL TESTING FOR PROPER DATA RECORDED AS AN OPERATIONAL TEST. EXCEPTION TAKEN: THE CXRR 172, EMPLOYEE EFFICIENCY AND SAFETY TEST REPORTS & CXRR 175 CONNEX LOCOMOTIVE ENGINEER EVALUATION FORM, IS BEING ADDED TO THE OPERATIONAL TESTING DATA. THESE TWO REPORTS ARE FORMS USED TO RECORD SAFETY RULES AND ENGINEER EVALUATION SHOULD NOT BE ADDED TO THE OPERATIONAL TEST DATA.
48	SCAX	7	01	29	1	2170009B11V	1							FAILURE TO ADOPT OR COMPLY WITH PROCEDURES FOR SECURING UNATTENDED LOCOMOTIVES. TRAIN NO.215 LEFT UNATTENDED ON SIDING, LANCASTER WITH NO HANDBRAKE APPLIED TO PROVIDE SECUREMENT, LOCOMOTIVE ISOLATION SWITCH LEFT IN "RUN" POSITION, AND GENERATOR FIELD SWITCH LEFT IN "Up" OR "ON" POSITION. FAILURE TO COMPLY WITH CONNEX RAILROAD AIR BRAKE AND TRAIN HANDLING RULES 4.7.1 AND 4.8.1, AND GCOR RULE 7.6
49	SCAX	7	01	29	1	2320103N4	1							FAILURE TO ADOPT OR COMPLY WITH PROCEDURES FOR SECURING UNATTENDED LOCOMOTIVES. TRAIN NO.217 LEFT UNATTENDED FIRST ON MAIN TRACK AT LANCASTER WHILE CREW DETRAINED AND DELIVERED PERSONAL BAGS TO STATION OFFICE, LEAVING TRAIN UNATTENDED; AND SECONDLY AFTER MOVING TRAIN ON SIDING AT LANCASTER WITH NO HAND BRAKE APPLIED TO PROVIDE SECUREMENT, LOCOMOTIVE ISOLATION SWITCH LEFT IN "RUN" POSITION, AND GENERATOR FIELD SWITCH LEFT IN "Up" OR "ON" POSITION. FAILURE TO COMPLY WITH CONNEX RAILROAD AIR BRAKE AND TRAIN HANDLING RULES 4.7.1, 4.8.1, AND GCOR RULE 7.6.
50	SCAX	7	01	29	1	2320103N4	2							FAILURE TO ADOPT OR COMPLY WITH PROCEDURES FOR SECURING UNATTENDED LOCOMOTIVES. TRAIN NO.217 LEFT UNATTENDED FIRST ON MAIN TRACK AT LANCASTER WHILE CREW DETRAINED AND DELIVERED PERSONAL BAGS TO STATION OFFICE, LEAVING TRAIN UNATTENDED; AND SECONDLY AFTER MOVING TRAIN ON SIDING AT LANCASTER WITH NO HAND BRAKE APPLIED TO PROVIDE SECUREMENT, LOCOMOTIVE ISOLATION SWITCH LEFT IN "RUN" POSITION, AND GENERATOR FIELD SWITCH LEFT IN "Up" OR "ON" POSITION. FAILURE TO COMPLY WITH CONNEX RAILROAD AIR BRAKE AND TRAIN HANDLING RULES 4.7.1, 4.8.1, AND GCOR RULE 7.6.
51	SCAX	7	01	29	1	2320103N4	2							FAILURE TO ADOPT OR COMPLY WITH PROCEDURES FOR SECURING UNATTENDED LOCOMOTIVES. TRAIN NO.219 LEFT UNATTENDED FIRST ON MAIN TRACK AT LANCASTER WHILE CREW DETRAINED AND DELIVERED PERSONAL BAGS TO PRIVATE VEHICLES, LEAVING TRAIN UNATTENDED WITH NO HAND BRAKE APPLIED, GENERATOR FIELD SWITCH IN "UP" OR ON POSITION AND LOCOMOTIVE ISOLATION SWITCH IN "RUN" POSITION. CREW THEN DROVE VEHICLES TO OPPOSITE END OF PLATFORM, MOVED TRAIN ONTO SIDING AT LANCASTER AND LEFT TRAIN UNATTENDED WITH NO LOCOMOTIVE HAND BRAKE APPLIED. FAILURE TO COMPLY WITH CONNEX RAILROAD AIR BRAKE AND TRAIN HANDLING RULES 4.7.1, 4.8.1, AND GCOR RULE 7.6.
52	SCAX	7	01	29	1	2320103N4	1							FAILURE TO ADOPT OR COMPLY WITH PROCEDURES FOR SECURING UNATTENDED LOCOMOTIVES. TRAIN NO.221 LEFT UNATTENDED ON MAIN TRACK AT LANCASTER WHILE CREW DETRAINED AND DELIVERED PERSONAL BAGS TO STATION OFFICE, LEAVING TRAIN UNATTENDED WITH NO HAND BRAKE APPLIED; FAILURE TO COMPLY WITH CONNEX RAILROAD AIR BRAKE AND TRAIN HANDLING RULES 4.7.1, 4.8.1, AND GCOR RULE 7.6.
53	SCAX	7	01	30	1	2170009C	1							NO RECORD OF AN OPERATIONAL TEST AND INSPECTION NOTING DATE, TIME, PLACE OR RESULT OF THAT TEST OR INSPECTION. A REVIEW OF METROLINK (CONNEX) OPERATIONAL TESTING RECORDS COVERING A PERIOD OF JULY 1, 2008 THROUGH SEPTEMBER 30, 2008 FOUND SEVERAL IRREGULARITIES IN HOW CONNEX MANAGERS WERE CONDUCTING AND ENTERING TEST DATA. RECORDS INSPECTED

PERIOD=After: 9/12/2008 YEAR4=2009

Obs	RAILROAD	REGION	MONTH	DAY	DEF	CODE	DEFECT	FED	DEFS	VI	DEFS	OT	DEFS	CP	DESCRIBE
53															COVER TESTS CONDUCTED BETWEEN JULY 1, 2008 AND SEPTEMBER 11, 2008. A TOTAL OF 21 RECORDS REVIEWED FOUND FIVE CONNEX MANAGERS WERE TEAM TESTING AND DUPLICATING TEST ENTRIES IN ESSENCE, AN INFLATION OF TESTING EVENTS. A CIVIL PENALTY IS RECOMMENDED.
54	SCAX	7	01	30	1		2170009B11V	1		1					AN INSPECTION OF THE TESTING RECORDS THAT IS REQUIRED BY THE TESTING SPEED (RULE 6.31) FOR COMPLIANCE WITH TRAIN OPERATING SPEEDS. ITEM C TESTING GUIDELINES: SINCE A SUPERVISOR SHOULD ALWAYS BE MONITORING TRAIN SPEEDS WHILE RIDING TRAINS, THIS SHOULD NOT BE RECORDED DURING ON-BOARD OBSERVATIONS UNLESS A FAILURE IS ENCOUNTERED. EXCEPTION TAKEN: 182 OPERATIONAL TESTS WERE RECORDED BY NINE OFFICERS NOT TAKING ANY FAILURE. THE OFFICERS RECORDED THE TRAIN SPEED BY USING THE SPEEDOMETER. THE TESTING GUIDE INSTRUCTS THE MANAGER NOT TO USE THE SPEEDOMETER TO INDICATE THE SPEED OF THE TRAIN THAT IS RECORDED IN THE TESTING DATA.
55	SCAX	7	02	02	0	234				1					NO EXCEPTIONS TAKEN TO UNITS INSPECTED. (MIRALOMA AVE)
56	SCAX	7	02	02	0	234				1					NO EXCEPTIONS TAKEN TO UNITS INSPECTED. (TUSTIN AVE)
57	SCAX	7	02	02	0	234				1					NO EXCEPTIONS TAKEN TO UNITS INSPECTED. (JEFFERSON STREET)
58	SCAX	7	02	02	1	2170009A		6		6					FAILURE TO PERIODICALLY CONDUCT OPERATIONAL TESTS AND INSPECTIONS TO DETERMINE COMPLIANCE WITH ITS OPERATING RULES, TIMETABLES, AND TIMETABLE SPECIFIC INSTRUCTIONS, INCLUDING VERIFICATION OF COMPLIANCE WITH SUBPART F OF PART 218, IN ACCORDANCE WITH A WRITTEN PROGRAM. INSPECTION OF TESTING RECORDS FOR MANAGER A W GIDEON REVEALED THAT FOR THE PERIOD 7/1/2008 THROUGH 11/30/2008 NO TESTS FOR 218 SUB PART F WERE MADE. CONNEX RAILROAD PROGRAM OF OPERATIONAL TESTS AND INSPECTIONS REQUIRES THAT "APPLICABLE MANAGERS WILL PROVIDE 24 TESTS AND INSPECTIONS PER YEAR COVERING THE REQUIREMENT OF PART 218. THE FREQUENCY OF TESTS WILL BE 2 PER MONTH PER APPLICABLE MANAGER."
59	SCAX	7	02	02	1	2170009B11V		1		1					FAILURE OF RAILROAD OFFICERS TO COMPLY WITH RAILROADS PROGRAM OF OPERATIONAL TESTS AND INSPECTIONS AS STIPULATED IN RAILROADS EFFICIENCY TESTING GUIDE. INSPECTION OF CONNEX'S RECORDS REVEALED THAT TESTING OFFICERS PERFORMED LESS THAN THE REQUIRED MINIMUM OF (50%) OPERATING RULES AND SPECIAL INSTRUCTIONS TESTS FOR THREE 30 DAY INSPECTION PERIODS: (JUNE, JULY AND AUGUST) 2008; THEREFORE, DID NOT MAINTAIN THE QUALITY OF OPERATIONAL TESTS AS REQUIRED BY THAT PROGRAM
60	SCAX	7	02	03	0	234				1					NO EXCEPTIONS TAKEN TO UNITS INSPECTED. (SAN CLEMENTE PIER ROAD)
61	SCAX	7	02	03	1	2170009A		1		1					FAILURE TO PERIODICALLY CONDUCT OPERATIONAL TESTS AND INSPECTIONS TO DETERMINE COMPLIANCE WITH ITS OPERATING RULES, TIMETABLES, AND TIMETABLE SPECIFIC INSTRUCTIONS, INCLUDING VERIFICATION OF COMPLIANCE WITH SUBPART F OF PART 218, IN ACCORDANCE WITH A WRITTEN PROGRAM. INSPECTION OF TESTING RECORDS FOR ALL APPLICABLE TESTING MANAGERS (13) FOR PERIOD 6/1/2008 THROUGH 1/30/2008. INSPECTOR FOUND NO TEST HAD BEEN MADE FOR SOFA RULES 5001, 5204, 5400 AND 5503 AS REQUIRED BY CONNEX RAILROADS PROGRAM OF OPERATIONAL TESTS AND INSPECTIONS. VIOLATION RECOMMENDED.
62	SCAX	7	02	04	1	213013307		1							WORN OR MISSING COTTER PINS. (CP SERRA)
63	SCAX	7	02	04	1	213020506		1							LOOSE, WORN, OR DEFECTIVE PARTS OF DERAIL. (FASTENERS WERE LOOSE ON DERAIL)
64	SCAX	7	02	05	1	2170009A		1							RAILROAD FAILED TO PERIODICALLY CONDUCT OPERATIONAL/SAFETY TESTS AND INSPECTIONS IN ACCORDANCE WITH A WRITTEN PROGRAM. INSPECTION OF RECORDS REVEALED THAT WHILE METRO LINK MANAGERS RECORDED 1168 SAFETY TESTS FOR THE 6 MONTH PERIOD REVIEWED. MANAGERS FOCUSED ON TEN SAFETY RULES, OUT A TOTAL OF 75, WHILE ALL SAFETY RULES ARE IMPORTANT,

PERIOD=After 9/12/2008 YEAR4=2009

Obs	RAILROAD	REGION	MONTH	DAY	DEF	CODE	DEFECT	FED	DEF	DEF	DEF	DEF	DEF	DEF	DEF	DEF	DEF	DEF
64																		
65	SCAX	7	02	06	0		234											
66	SCAX	7	02	10	1		2320103N4											
67	SCAX	7	02	10	1		213003709											
68	SCAX	7	02	10	1		213003702											
69	SCAX	7	02	11	1		213024104											
70	SCAX	7	02	11	1		213024104											
<p>OF THE TEN RULES FOCUSED ON ONLY THREE 5000, (5500 AND 5303 OF WHICH A TOTAL OF 9 TESTS WERE MADE), WERE SAFETY RULES WHICH WERE ACTUALLY SAFETY CRITICAL RULES. OF THE 968 5000 TESTS RECORDED, 490 WERE NOT EFFICIENCY TESTS BUT RATHER INFORMATIONAL MEETINGS HELD BY MANAGERS. NO EXCEPTIONS TAKEN ON UNITS INSPECTED AT DEL OBISPO STREET FAILURE TO ADOPT OR COMPLY WITH PROCEDURES FOR SECURING UNATTENDED LOCOMOTIVES. "CONNEX RAILROAD AIR BRAKE AND TRAIN HANDLING RULES AND INSTRUCTIONS" EFFECTIVE SUNDAY, JULY 1, 2007 RULE 4.8.1 STATES, "WHEN LEAVING TRAINS UNATTENDED, OTHER THAN LOCATIONS WHERE TRAINS ARE SERVICED OR MAINTAINED, THE FOLLOWING WILL APPLY: HAND BRAKE MUST BE APPLIED ON ALL LOCOMOTIVES". IT GOES ON TO STATE THE OTHER REQUIREMENTS FOR SECURING EQUIPMENT. THE WORDS "OTHER THAN LOCATIONS WHERE TRAINS ARE SERVICED OR MAINTAINED" IS A VIOLATION OF 232.103.(N)(1)(I) REQUIRING ALL UNATTENDED EQUIPMENT TO BE SECURED, REGARDLESS OF LOCATION. VEGETATION BRUSHING SIDES OF ROLLING STOCK THAT PREVENTS EMPLOYEES FROM VISUALLY INSPECTING MOVING EQUIPMENT FROM THEIR NORMAL DUTY STATIONS.</p> <p>VEGETATION OBSTRUCTS VISIBILITY OF RAILROAD SIGNS AND FIXED SIGNALS. FAILURE OF INSPECTOR TO PROVIDE REQUIRED INFORMATION. (THERE WAS NO DOCUMENTATION OF THE SIDING(S) BEING TRANSVERSED IN JANUARY, ON THE PASADENA SUBDIVISION.)</p> <p>FAILURE OF INSPECTOR TO PROVIDE REQUIRED INFORMATION. (THE RECORD ON THE RIVERSIDE SUBDIVISION STATED THAT THE MAIN TRACK(S) WERE INSPECTED, WHILE ACCORDING TO THE INSPECTOR HE ONLY INSPECTS THE YARD TRACKS. THE REPORTS NEED TO BE SPECIFIC TO WHAT TRACKS WERE ACTUALLY INSPECTED.)</p>																		
YEAR4								38	20	10								
PERIOD								141	21	13								
								143	21	16								