Long Island Rail Road

LONG ISLAND RAIL ROAD

2014

SYSTEM SAFETY PROGRAM PLAN (SSPP)

THINK SAFETY | ACT SAFELY

Working towards an accident-free workplace.

SYSTEM SAFETY PROGRAM PLAN

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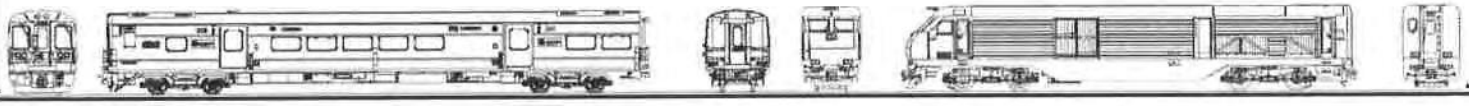

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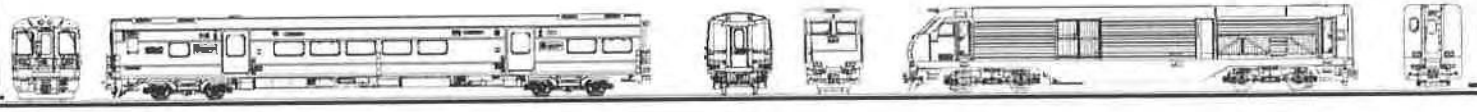

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1.1 Purpose

The MTA Long Island Rail Road (LIRR) System Safety Program Plan (SSPP) provides the basis for identifying hazards that may interfere with customer and/or employee safety, as well as the public at large. It provides for safety reviews of capital improvements, changes in equipment and in operating practices, and will include or refer to methods for mitigation. The SSPP also defines the lines of responsibility and authority for addressing potential hazards in the organization, and establishes safety and security tasks for departmental units that have a lead or support role in implementation of those responsibilities

1.2 Background

Through the use of a formal, planned approach to safety, commuter railroads adhering to system safety concepts have identified and swiftly resolved hazards, responded to emergencies in a more orderly manner, anticipated the impact of capital programs and changes in operations, and maintained safe operation despite changes in key personnel. Four elements of an effective SSPP are:

- A planned approach to system safety program tasks
- Qualified personnel to accomplish the tasks
- Authority to implement the tasks through all levels of management
- Appropriate financial and personnel resources to accomplish the tasks.

1.3 Relationship to APTA Commuter Rail Safety Management Program

This program addresses safety management policies, plans and practices and assesses the extent to which the SSPP conforms to sound transportation practice. LIRR's participation in this program has resulted in an improved awareness of the adequacy of the railroad's safety and security program, providing methods to continually refine and improve program delivery. The capture of effective practices provides the LIRR with an ongoing, benchmarking tool to meet the demands of changing technology and ridership expectations.

1.4 Goals

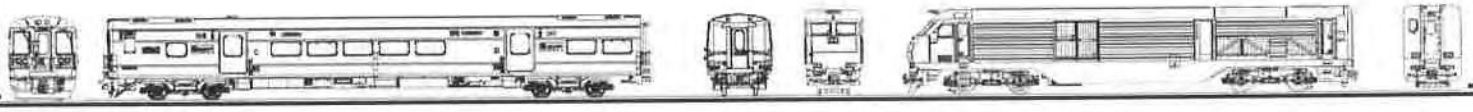
The following include the goals of the LIRR SSPP:

- Assist the LIRR in the pursuit of its corporate safety goals to be a leader in safety in the railroad industry.

- Clearly define all corporate safety related procedures and activities, including individual, managerial and employee responsibilities.

- Document methods used to insure accountability to individual safety responsibilities.
- Promote a uniform safety philosophy throughout the corporation.
- Enhance employee safety and security awareness.
- Minimize accident potential, increase employee safety involvement and maintain a high level of safety throughout the corporation.
- Provide management and employees with a consolidated reference, including all current safety and security policies and procedures in place, for educational and accountability purposes.

All of the corporate documents referenced in the Plan support these goals. This Plan has been developed and implemented, and will be subject to no less than one(1) review/assessment every two (2) years to maintain current, accurate documentation of all safety related activities (see Element 6 for SSPP control and update procedures).



2.1 –2.2 Organization & Element Categories

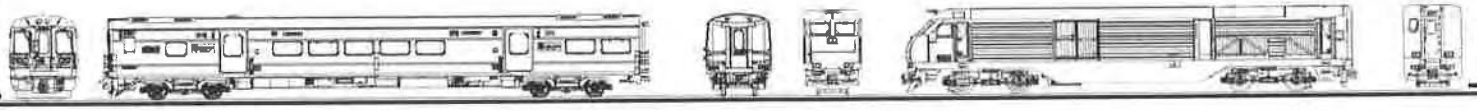
In order to achieve the goals of SSPP, sections have been dedicated to functions that will support the overall goal:

Section 3: Safety Management Administrative Requirements – Elements 1-7

Section 4: Safety Program Implementation – Elements 8-17

Section 5: Safety Engineering Techniques and Analysis – Elements 18-21

Section 6: Safety Assurance – Elements 22 and 23



3.1.1 Policy Statement

The primary objective of the MTA Long Island Rail Road (LIRR) is to provide a safe and efficient means of transportation in all aspects of daily operations, for the benefit of its customers, employees, and the general public.

The Corporate Safety & Training Department continues to provide support to all departments, and assists in identifying and resolving conditions that may have a negative impact on safety and health.

In accordance with its Corporate Employee Safety Policy & Procedure, the LIRR strives to provide a safe and healthful travel and work environment. Through the utilization of safety inspection procedures, accident investigation procedures, proactive analyses and safety committee activities, remedial measures to eliminate, mitigate, or control identified hazards will be implemented and monitored for effectiveness.

The LIRR SSPP has been authorized by the Metropolitan Transportation Authority (MTA), and has been approved and accepted by the President and all members of senior staff at the LIRR. The LIRR Company is a public benefit corporation of the State of New York, and a wholly owned subsidiary of the Metropolitan Transportation Authority of the State of New York. The Railroad is operated pursuant to Article 5 Title 11 of the Public Authorities Law of the State of New York.

The President is ultimately responsible and accountable for safety performance policy; however, each department head, officer, manager, and supervisor is responsible for safety within their respective jurisdiction. Safety and accident prevention must be incorporated into the performance of every employee task. Each employee is responsible for accident prevention, and for complying with and maintaining safety standards consistent with their position and organizational function.

Through a cooperative team effort and compliance with the corporate SSPP, LIRR's safety goals will be achieved.

[redacted] *Signature*

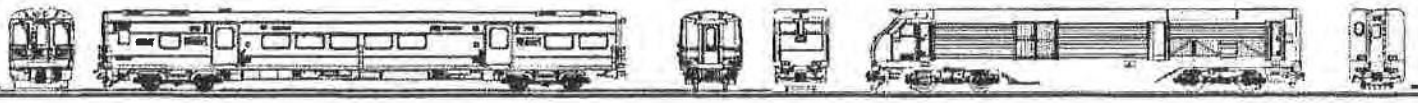
Helena E. Williams, President

[redacted] *Signature*

Neil Yellin, Senior Vice President - Administration

[redacted] *Signature*

Loretta A. Ebbighausen- Chief Safety Officer



3.1.2 Authority

The MTA Long Island Rail Road (LIRR) is a wholly owned subsidiary of the Metropolitan Transportation Authority (MTA) and is a public benefit corporation, organized and operating pursuant to the New York State Public Authorities Law. The railroad is operated as a Class 3 railroad, as defined by the Federal Railroad Administration (FRA).

LIRR is subject to safety oversight by, among other government agencies, the Federal Railroad Administration, the New York State Department of Labor, and the New York State Public Transportation Safety Board.

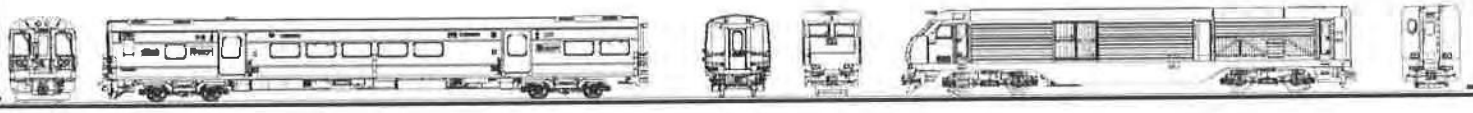
Background and History

The LIRR was chartered in Albany in the year 1834, and is the oldest railroad in the nation operating under its original name.

In 1900, the Pennsylvania Railroad purchased and operated the LIRR and continued to directly operate the Railroad until 1954 when New York State passed legislation whereby the railroad was operated as a railroad redevelopment corporation.

New York State created the MTA; and on January 20, 1966, the MTA purchased the capital stock of the LIRR from the former Pennsylvania Railroad, and re-incorporated the LIRR as a public benefit corporation subsidiary of the MTA in 1980.

The LIRR provides commuter passenger services for New York City (Brooklyn, Manhattan, Queens) and Long Island (Nassau, Suffolk). The LIRR is the busiest commuter railroad in North America operating an average weekday on 740 daily trains. The LIRR carried 83.4 million riders in 2013, an increase of 1,640,716 passengers over the previous year. The LIRR system is comprised of over 700 miles of track on 11 different branches, stretching 120 miles from Montauk on the eastern end of Long Island to Penn Station in the heart of Manhattan, and Atlantic Terminal in Brooklyn.



3.2 Purpose

The purpose of the SSPP is to provide the LIRR with a comprehensive corporate safety outline including references to all current safety policies, procedures and activities that have been designed and implemented to maximize safe operations, and ensure that all mandated regulatory and corporate safety requirements are satisfied.

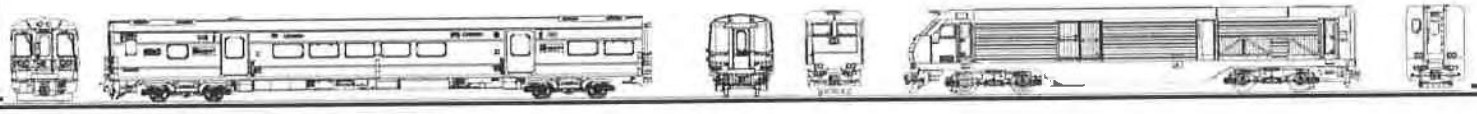
The Plan is a useful management tool which identifies both corporate and departmental safety procedures, and provides a clearly defined method for maintaining a high degree of management control for all safety responsibilities, at all levels, within the corporation.

One of the major objectives of the Plan is to promote a formalized system-wide safety philosophy. To ensure corporate acceptance and clearly defined departmental safety responsibilities, participation of management representatives from all departments within the organization contributed to the formulation, development, and implementation of this Plan.

This Plan has been developed in accordance with the American Public Transportation Association (APTA) guidelines, and the LIRR is an active member of the APTA System Safety Audit Program. This Plan has been approved for implementation under the MTA's authority, and accepted by the President and Senior Management staff at the LIRR. As required under state mandate, this Plan is also submitted to the Public Transportation Safety Board (PTSB) for review and approval.

The implementation and distribution of this Plan throughout the organization will assist in assuring that safety is included in all aspects of daily operations, including but not limited to, administration, management, train operations, maintenance of equipment and physical plant, design plan review, construction, procurement, as well as abatement and disposal activities.

This all inclusive SSPP reinforces the LIRR corporate safety commitment, and provides detailed information regarding methods used to ensure safe operation, increase safety awareness throughout the organization and reduce the potential for accidental incidents.



3.3.1 Goals

The following include the goals of the LIRR SSPP:

- Assist the LIRR in the pursuit of its corporate safety goals and to be a leader in safety in the railroad industry.
- Clearly define all corporate safety related procedures and activities, including individual, managerial and employee responsibilities.
- Document methods used to insure accountability for individual safety responsibilities.
- Promote a uniform safety philosophy throughout the corporation.
- Enhance employee safety and security awareness.
- Minimize accident potential, increase employee safety involvement, and maintain a high level of safety throughout the corporation.
- Provide management and employees with a consolidated reference, including all current safety and security policies and procedures in place, for educational and accountability purposes.

3.3.2 All of the corporate documents referenced in the SSPP support these goals. This SSPP has been developed and implemented, and will be subject to no less than one(1) review/assessment every two(2) years to maintain current, accurate documentation of all safety related activities.

3.3.3 Mission Statement

"We the Employees of the Long Island Rail Road are committed to providing excellent rail transportation service which exceeds Customer expectations and is worthy of the Public's trust and support. Individually, we pledge to be professional and courteous to our Customers at all times; respect and support one another at all times and take pride in everything we do; seek efficient, streamlined, and innovative ways to serve our Customers. Together, we pledge to operate a safe, accessible, clean, cost effective, Customer focused transportation system that runs on time, is comfortable, user-friendly, and provides the region with a valued and indispensable service."

All goals and objectives of the SSPP support the LIRR's Mission Statement

3.4.1 The following are objectives of our SSPP that are attainable through the on-going activities listed below:

SSPP:
Develop and implement a corporate SSPP. Certify and include in the Plan documentation of all safety related activities.

Conduct bi-annual review of Plan and update as necessary to ensure that the Plan is current and accurate.

3.4.2 Methodology for Implementing Objectives
Present Accident Prevention Safety Orientation to all newly hired employees.

Continue educational training programs and certification procedures for operating employees.

Passenger Train Emergency Preparedness Training (49 CFR Part 238 - Passenger Safety Equipment Standards - Modules 1-8).

Continue presentation of the award winning T.R.A.C.K.S. Program (Together Railroads And Communities Keeping Safe) to community groups, including primary and secondary school systems.

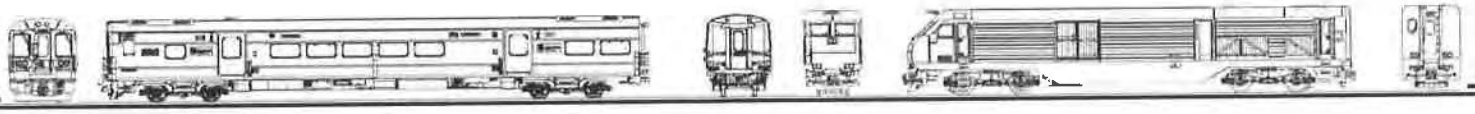
Presentation of Defensive Driving Course to all employees driving company vehicles.

Present employee Safety and Accident Prevention Workshops.

Presentation of Emergency Train Evacuation Procedures and Tunnel Emergency Procedures instruction to all newly hired Transportation Department train and engine service employees, and to all other current employees and managers who have the responsibility to respond to train emergencies.

Presentation of APTA CFR 238 Modules 1-8, to all newly hired Maintenance of Equipment Department employees who are required to inspect or perform specific maintenance tasks

(For further information regarding Employee Safety Programs, see Element 13 of this Plan).



Presentation of Rail Equipment Familiarization Program to Emergency Response Agency personnel, including Fire, Police, EMS and other Emergency Services Agencies responsible to respond to a LIRR emergency incidents.

Conduct a safety briefing prior to commencing all meetings, regardless of its location. The safety briefing must be the first agenda item, designate emergency action personnel, and include the following information at a minimum:

- Location of emergency exits and staging areas.
- Locations of the nearest fire alarm pull station.
- Location of the nearest telephone to contact emergency services and fire command.
- Location of the nearest fire extinguisher, defibrillator, first aid kit, and restrooms.
- Location of specific hazards, if any.
- Identification of anyone with special needs in the event of an evacuation.
- Discussion of the "Safety Rule of the Day; the current schedule for this can be found at

http://www.lirr.org/SafetyTraining/Safety/SafetyRule/SystemSafetyCalendar.htm

Emergency Response Procedures:
Emergency response plans have been developed and implemented (see Element 12 for information regarding emergency plan context and emergency preparedness drill procedures and activities).

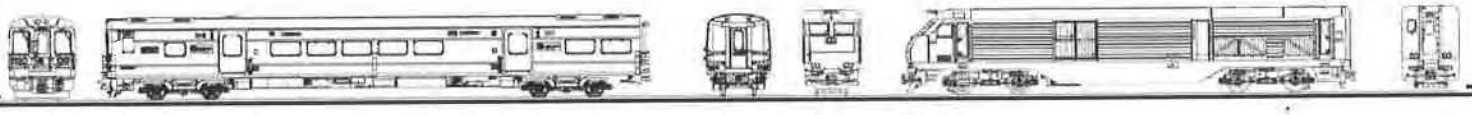
Committee Activities:
President's Senior Staff meets weekly to review operating and safety performance .

President's Safety Report is provided to senior staff on monthly basis. The Report covers employee, customer, rail, motor vehicle, fire/smoke, and TRACKS statistics.

Operating Departmental Safety Committee meetings are held monthly.

Customer Review Safety Committee meets four (4) times per year.

Employee Counseling:
Employee Safety Counseling is conducted in accordance with Corporate Safety Policy.



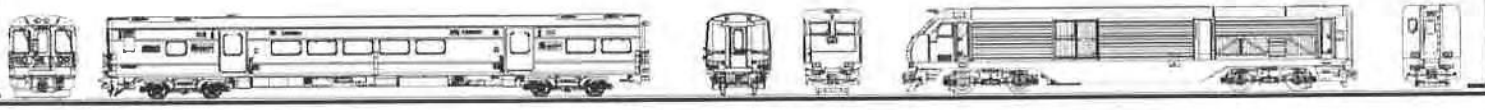
Vehicle Operation Safety Program:
As per Corporate Policy & Procedure SAFE -007, its purpose is to set forth the Long Island Rail Road (LIRR) Vehicle Operations Safety Program (Program) regarding the authorized employee use of LIRR owned/leased passenger and work vehicles (Vehicles) and personal vehicles for LIRR business.

Motor Vehicle Audits and Inspections
At specified intervals, Compliance Safety Administration (within the CS&T Department) conducts a simulated, level-two New York State Department of Transportation inspection, consisting of a driver license and medical certification check.

Motor vehicle ad-hoc audits may also be conducted to ensure that drivers are performing pre-and post-inspections of vehicles as required by law. In addition, vehicles may be audited for hazardous materials manifests, current New York State Department of Motor Vehicles inspections and registrations, etc. as determined by the CS&T Department. All audits and inspections shall be provided to the department and Fleet Operations.

Plant Improvements:
Continue Capital Program improvement projects in support of overall safety, including the following:

- The rehabilitation and improvement of passenger access/egress at various terminals.
- Continued safety improvements of tunnels.
- Progress station complex improvements, and other station rehabilitation and reconstruction improvement projects.
- Rehabilitate signal systems.
- Continue focus on implementation of the Federal Transit Administration Safety Study.

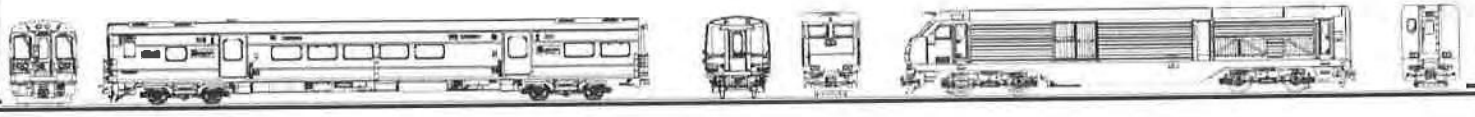


East Side Access Project

The East Side Access (ESA) Project is currently in design and construction by the Metropolitan Transportation Authority Capital Construction Company (MTACC). As construction and testing completes, the LIRR will begin operating this new extension to an underground terminal on the eastside of Manhattan in New York City.

To ensure the Project meets LIRR operating and reporting needs, LIRR staff is actively involved in design decisions, review of construction documents, construction support with force account labor, and serving on the ESA System Safety Certification Committee, which is chaired by the LIRR Vice President – System Safety. In addition, an ESA System Security Certification Committee has been established, which is chaired by the LIRR Vice President – Security.

ESA's Safety and Security Management Plan (SSMP) is the ESA Project's overarching document that outlines the safety and security principles, management requirements and processes for the identification and mitigation of hazards and vulnerabilities leading up to project safety and security certifications. The SSMP is consistent with the LIRR SSPP, its prescribed activities assure that the guidelines of the Federal Transit Administration (FTA), and requirements of the Federal Railroad Administration (FRA) are addressed.



3.5.1 Organization Structure

3.5.1.1 Engineering Department

The Engineering Department is responsible for the design, construction, maintenance, and rehabilitation of the entire physical plant of the Railroad, excluding rolling stock. Senior level management consists of the Chief Engineer and six (6) direct reports (see organizational chart). The maintenance requirements for the department are cyclical in nature, which are defined in yearly goals. Capital Programs have been specifically designed to address these goals and keep the Railroad in a state of good repair. In addition, new capital construction is constantly upgrading and/or expanding the physical plant of the Railroad.

The construction and maintenance of the physical plant is primarily performed by five sub-departments:

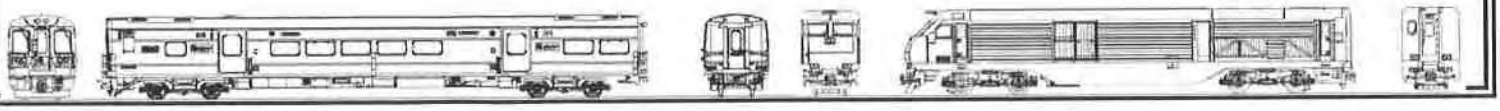
- Signal
- Communication
- Power
- Track/Right-of-Way
- Structures

In addition, the Planning and Administration group works on a continual basis with each of the five sub-departments to ensure the reliability of the Railroad's operation.

SAFER (Situational Awareness for Efficient Railroading)

The Code of Federal Regulations (49 CFR 217.9) mandates each railroad to conduct operational tests and inspections to determine the extent of compliance by its employees with its operating rules and instructions. Our SAFER, or ETS Efficiency Testing System, program is designed to help prevent train accidents/incidents and personal injuries by improving employee operating and safety habits. This program can also be used as a tool in evaluating promotional and probationary employees.

Supervisors whose routine duties afford them the opportunity to observe the performance of employees must take corrective action in the form of personal instruction upon noting an instance of non-compliance. Supervisors must take disciplinary action when a violation is a repetitive action on the part of the employee.



The policy contains a description of M of W tests, which may be made under this program and assigns a special code number to each test. M of W supervisors are required to perform a minimum of 4 tests per month.

Safety Compliance Duties for Engineering

Communicate a presence to the field by establishing a planned pattern of field visits during the safety "Tailgate" meetings. Conduct outreach safety training to workforce during these visits. Create an atmosphere in which employees concerns are responded to and corrected. Encourage increased participation at weekly safety meetings at all levels within the department.

Create and distribute weekly safety agenda to be discussed at all Engineering safety tailgate meetings. Include recent employment injury, motor vehicle accident (MVA) investigation findings and recommendations, safety news, safety reminders, etc.

Attend inter-departmental safety meetings (i.e. monthly Transportation Safety Committee meetings), acting as safety liaison between Engineering and other departments. Represent Engineering Department at monthly disability management meeting in an effort to help reduce number of employees not working due to injury or illness.

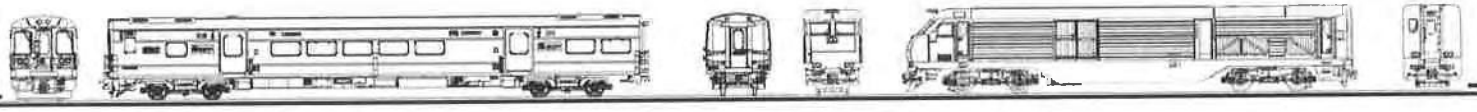
Act as Engineering Department Vehicle Operations compliance officer. Participate in all related sub-committee meetings. Represent Engineering at MTA Risk Management meetings and participate in all MVA reduction initiatives.

Coordinate/attend Chief Engineer's monthly safety meeting in an effort to reduce Engineering Department injuries and MVA's, update department heads on safety issues and introduce new safety initiatives.

Conduct accident investigation refresher classes for targeted supervisors in an effort to improve and standardize quality of employee injury investigations.

Quality Control

The Quality Control function now falls under the DPM Quality group, which is responsible for maintaining the quality management system certified to the ISO-9001-2008 standard. This Quality Management System was originally certified to ISO 9001: 2000 in April 2004 and as of this date is certified through January 27, 2016. The certification is maintained through ongoing procedural auditing both internally and externally, ensuring consistency and continued improvement to processes and operations. Quality Control monitors the Engineering Quality Management System via a robust internal audit program. Results of these audits are reported



annually to senior management. The internal audit program now includes audit program for signal crossings and power substations. Engineering serves as the ISO Management Representative and is responsible for coordination and oversight of the audits being performed.

Signal Department

The Signal Department has the responsibility of designing, installing, maintaining, and testing of the entire LIRR signal system. The system is comprised of 73 controlled interlockings and yards, 331 track miles of automatic block signaling, 171 track miles of manual block signaling, 268 track miles of automatic train control systems, 3 moveable bridges, and 289 highway-rail grade crossings and 6 pedestrian crossings. A signal system enables the LIRR to provide flexible, safe train operations throughout its integrated branches. As an integral part of its maintenance program, the Signal Department continually inspects and tests the signal system for compliance with the U.S. Department of Transportation's, Federal Railroad Administration's (FRA), Title 49 of the Code of Federal Regulations, parts 234 and 236. Qualified Signal forces perform testing in accordance with the ***"C&S 227: Instructions for Making Tests of Signal Apparatus"*** which includes test procedures for both FRA and LIRR required tests (copy maintained by Manager - FRA/LIRR tests and standards).

Signal equipment installed and maintained by the Signal Department includes but is not limited to: signals, interlocking machines, crossing gate mechanisms, signal enclosures, impedance bonds, power supplies, signal cable, track wire and rail connections, timer units, switch machines, coders, switch snowmelters, relays, air compressors, and batteries.

The Signal Department is organized into three interrelated groups:

Maintenance - responsible for ensuring the reliable, failsafe operation of the entire signal system. This division consists of ten (10) subdivisions headquartered at strategic locations to efficiently perform daily maintenance, troubleshoot and repair failures, and perform required testing in accordance with the C&S 227 and C&S 223: LIRR Special Instructions Governing Construction and Maintenance of Signals and Interlockings (copy maintained by Manager - FRA/LIRR tests and standards).

Construction - responsible primarily for the installation of new equipment required under capital improvement projects as per C&S 223.

Design - responsible for failsafe design of capital signal projects, revisions and upgrades to existing signal system. Circuit design drawings for the entire LIRR signal system are filed at the signal design offices.

System Operators Instruction Manual and the Electrical Operating Instruction LIRR-290 (both maintained by the Substation Group). The office is also outfitted with a weather monitoring system and closed circuit TV monitors to help assist in the decision making during all weather conditions.

High Tension Group:
Responsible for maintaining the signal power transmission and distribution network consisting of aerial feeders, underground cable, pole lines, lightning arrestors, transformers, and high-tension switches.

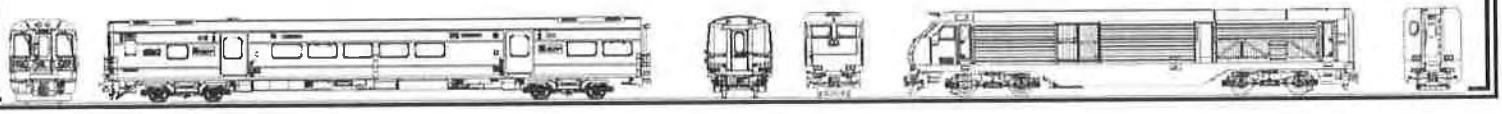
Third Rail Group:
Responsible for the maintenance of the traction power system for electrified track including negative return system, DC feeder cables, reactors, third rail switches, third rail, third rail components and protection board.

Electric Light and Power:
Responsible for maintaining power systems for office buildings, passenger stations, bridges, and wayside facilities including Signal and Communication huts. In addition, this group is responsible for platform, yard, and tunnel lighting.

Design Group:
Responsible for providing technical and logistical support for program/project implementation through development of standards and specifications, and material procurement

The annual engineering responsibilities for the Power Department are as follows:
Replacement of: DC breakers, substation batteries, third rail, protection board, wood poles, and third rail cable. The following is performed on a yearly basis: inspect 400 impedance bonds, replace 20k' of 3rd rail, replace 50k' of boards, inspect 240 stations, perform 144 generator tests, install 12 poles, and install 48 crossarms. Other responsibilities include re-lamping of stations, meggering power cables, 960 substation inspections and the inspection of 125 miles of third rail territory.

Track Department
The Track Department is responsible for maintenance and inspection of approximately 319 route miles comprised of 498 miles of main line track and 107 miles of yard and terminal track. In addition, the department is responsible for maintaining public, private and pedestrian grade crossings and 602 main line switches. The primary items maintained by the Track Department include continuous welded rail, wood ties, concrete ties, timbers, switches, turnouts, ballast,



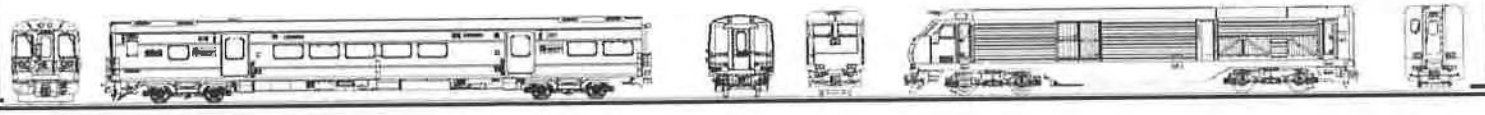
3.5.1.2 Human Resources

Employment
Conducts pre-employment background checks of applicants, covering such safety issues as motor vehicle/driving record examinations. Once an applicant is hired, he/she must meet safety and attendance standards.

LIRR Medical Facility (Medical)
LIRR Medical Facility ("Medical") conducts pre-employment drug screening of all applicants for Covered FRA and FMCSA and Safety Sensitive positions. Medical also conducts mandatory random drug testing on employees covered under Federal Railroad Administration (FRA) and Federal Motor Carrier Safety Administration (FMCSA) regulations. Physical Ability Screenings are performed to assess applicant/employee's ability to perform the essential functions of the job. Medical is also advised of employees' treatment plans per their personal medical providers with regard to absence and return-to-work status. LIRR medical facility will participate in activities promoting overall Safety, Health & Wellness awareness campaigns.

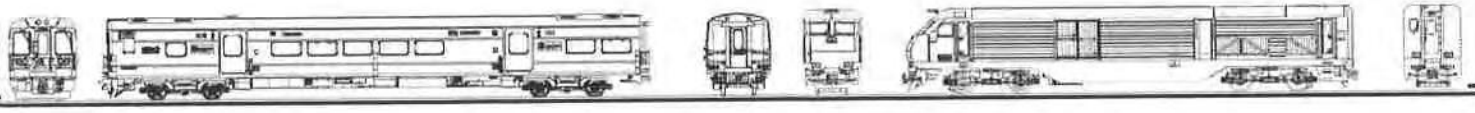
Disability Management
Maintains information on prolonged sickness and accident cases and approves further treatment as appropriate. Disability Management also maintains a tracking system for sickness and accident cases, and reviews and monitors employees' treatment plans as provided by their private medical providers. Statistics and information regarding these cases is shared with the department at regular meetings. LIRR Physical Therapy conducts Back School for new employees on a regular basis and for current employees by request.

Employee Services
Ensures a continuation of health and medical benefits coverage as per policy and/or the applicable collective bargaining agreements. Also work with the MTA Business Service Center on other benefits and entitlement issues.



Employee Assistance Program (EAP)

Promotes employee wellness by making assessments of, and providing referrals for, employees and/or family members with issues including family concerns, anger management, and alcohol and substance abuse. Employees can contact EAP independently or may be directed to contact them by their department; this is a confidential service. EAP also makes a presentation at New Hire Orientation and is available at request to speak with groups of employees who have experienced trauma and/or are dealing with a difficult situation.



3.5.1.6 QUALITY MANAGEMENT GROUP

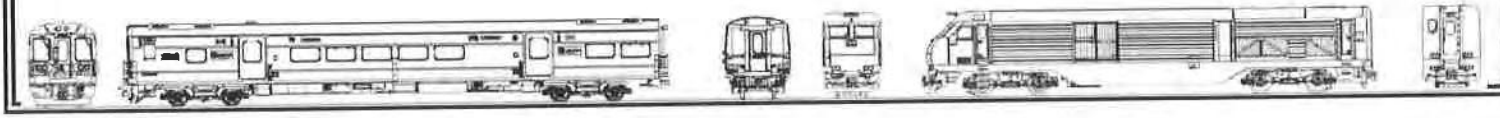
The Quality Management Group is part of the Department of Program Management with direct reporting relationship to the Executive Vice President. This reporting structure provides complete independence from the Operating Departments for maximum effectiveness.

The Quality Assurance function was established in 1987 as mandated by the Urban Mass Transportation Administration (UMTA) [now known as the Federal Transit Administration (FTA)] for purposes of monitoring and ensuring the quality of construction projects. By organizational arrangement, the Director-Quality Management Group has the authority, independence, and responsibility for Quality Management oversight of the LIRR's Capital Program, to evaluate the level of compliance with the applicable requirements and identify opportunities for quality improvement in accordance with Quality Management Group procedures.

Quality Management Group Responsibilities

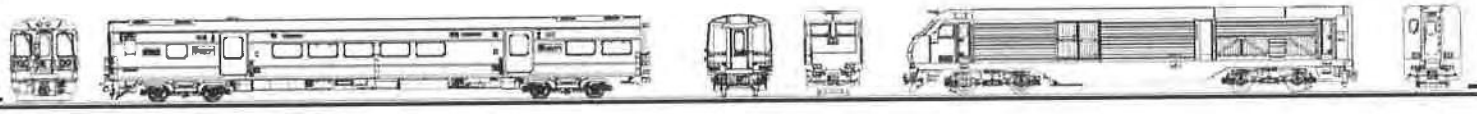
- Support the Department of Program Management and Operating departments' project management in developing Project Quality Plans, as needed;
- Include appropriate Quality System Requirements (QSRs) in LIRR procurement documents;
- Participate on Evaluation Committees for selecting parties for contract award when requested;
- Perform quarterly reviews of the results of Quality Audits/Surveillances to monitor trends.
- Perform applicable Quality Control/Quality Audit (QA/QC) functions to assure the Engineering Force Account and Operating Projects are in compliance to the required standards, procedures, and configuration management practices.
- Perform applicable QA/QC functions to assure all capital projects are in compliance to the required standards, plans, and requirements.

Quality Management Group performs internal audits to review implementation of the SSPP in different responsibility areas, typically in conjunction with the triennial American Public Transportation Association audits of the LIRR at the request of the Corporate Safety & Training Department. During such reviews, the designated quality assurance managers typically observe processes, note conditions, and evaluate these against the established



requirements for the purpose of determining the level of compliance. Examples of documentation to review are inspection procedures, work instruction, test procedures, SSPP manuals, maintenance and inspection repair, training, accident/incident safety, hazard and operational procedures, and the associated records. The results of these reviews and noted exceptions are reported in a Quality Assurance Audit Report for follow-up and resolution, as appropriate.

Quality Management Group services are also utilized in the Maintenance of Equipment Department for annual internal audits of their Situational Awareness For Effective Railroading (SAFER) program in accordance with Federal Railroad Administration requirements and for annual internal audits in accordance with the Association of American Railroads (AAR) M-1003 Specification for Quality Assurance to support LIRR's certification of our Freight equipment requirements.

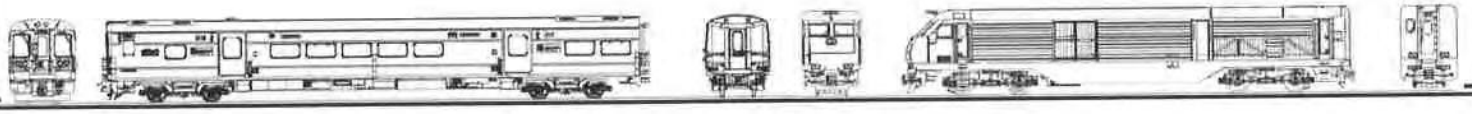


3.5.1.7 Business Process Management, Controls & Compliance:

Business Process Management / Re-Engineering
Responsible for the creation and facilitation of cross-functional teams for the purpose of reviewing and re-engineering key work processes to eliminate redundancies and improve efficiencies as identified to support critical corporate business issues.

Internal Controls
This department, as required under State Law or Public Agencies, also manages LIRR's Internal Control Program. It is the department's responsibility to ensure completion of their Management Control Evaluations as scheduled based on the vulnerability risk assessments. On an annual basis the Business Process Management, Controls & Compliance Department (BPMCC) forwards a final report to the MTA Chief Compliance Office.

Compliance
Conduct compliance reviews at the request of senior management and by departmental request, assess departmental compliance with internal and external regulations, identify opportunities for improvement and report to the Compliance Committee. BPMCC Corporate Compliance meets with the Compliance Committee to review project status as well as potential new projects. The Compliance Committee is chaired by the Vice-President, Management & Finance & Chief Financial Officer and the Vice-President, General Counsel and Secretary.



3.5.1.8 SAFETY DIVISION OF THE CORPORATE SAFETY & TRAINING DEPARTMENT

The goals and objectives of this division of the Corporate Safety & Training Department (CS&T) are to assist and support the overall corporate-wide goal to provide a safe and efficient means of transportation in all aspects of daily operations, for the benefit of customers, employees, and the general public. The safety of our customers, employees, and the general public is of paramount importance.

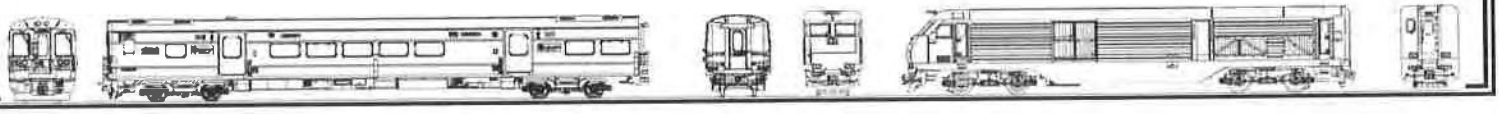
This division reports to the Senior Director Corporate Safety & Training, who, in turn, reports directly to the President.

This division is also accountable for the development, dissemination, and enforcement of a comprehensive System Safety Program. It is the policy of the LIRR to fully support an on-going System Safety Program which utilizes preventive principles and concepts to identify, assess and resolve hazards through the most effective and efficient use of the Railroad's resources.

In addition, this division is "on call" 24-hours per day, seven days per week, for investigations of major accidents/incidents including but not limited to train derailments, collisions, grade crossing incidents, obstructions, fatalities, hazardous material releases, fires and environmental impact spills. The Safety division provides reports to various regulatory agencies and internal and external entities relative to these accidents/incidents.

The Senior Director, CS&T oversees the performance of the Safety Division and adopts accident prevention and safety performance policy with the cooperation and participation of all departments. The objective of the Safety Division is to administer the safety program and ensure the application of principles, concepts, and standards for positive safety performance in all aspects of the operation. Imperative to this objective is the development of system safety policy and procedures including operations, environmental, fire/life safety, occupational safety, and health functions and activities.

- Primarily, the Safety Division is responsible for the implementation and administration of occupational safety and health functions, fire/life safety, environmental issues and activities for the protection of employees, customers, and the general public. In coordination with Customer Service, Marketing and Public Affairs and Operating Departments, the Safety Division is responsible for ensuring customer and non-passenger safety throughout the system.



- Additionally, the Safety Division is responsible for New York State Code compliance through design plan review for new construction, major renovations, and periodic building inspections. As requested, new procurements are reviewed, as well, for any safety concerns.

The Senior Director- CS&T, is the Railroad's point of contact for the Federal Railroad Administration and the New York State Public Transportation Safety Board; and primary contact for the National Transportation Safety Board, the New York State Division of Public Employee Safety and Health, the Federal Transit Administration and the Transportation Security Administration, with respect to safety related matters.

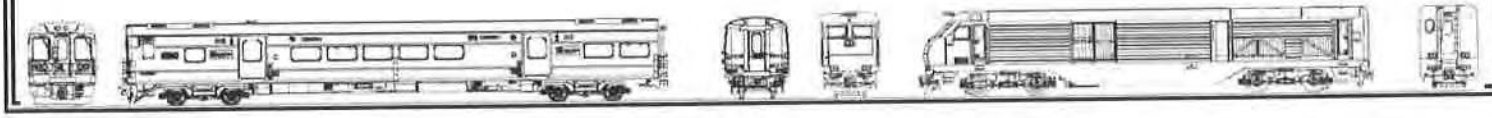
The Safety Division's coordination ties in all departments through an interface process. The department conducts the following roles in an on-going process to address safety with each of the departments and their representatives.

- Review of accident submissions and supervisor investigative follow-ups.
- Ensure timely delivery of accident information and maintain accurate records of same.
- Medical review of employee accidents for reportability criteria under Federal Railroad Administration regulatory mandates.
- Provide all pertinent reports for use.

Safety Goals
Establish safety goals for the Safety Division relative to customer, employee, rail, fire, motor vehicle accidents and the community outreach program.

Rules/Operating Procedures
Review federal, state, and local regulations, as well as LIRR operations, to determine if safety Policy/Procedures should be developed. Develop and implement Safety Policy, Procedures and Instructions when necessary e.g. Respiratory Protection Program, Chemical Safety, Infection Control, Confined Spaces, Right to Know, etc.

Provide information to all departments relative to Corporate Safety Policy and Procedures as well as mandated regulation requirements including National Fire Protection Association (NFPA), New York City Fire Codes, Occupational Safety and Health Administration (OSHA), Public Employee Safety and Health (PESH), Federal Railroad Administration (FRA), Public Transportation Safety Board (PTSB), National Transportation Safety Board (NTSB),



Department of Transportation (DOT) and Federal Transit Administration (FTA) standards and requirements.

Safety Committees/Programs
Coordinate, chair or participate in the following safety committees: Departmental Safety Committees, Tunnel Life Safety Committee, Employee Safety Incentive Committee, Rail Review Committee, Customer Safety Review Committee, Configuration Management Committee, Positive Train Control Technical Committee, Arc Flash Safety Task Force Committee, Environmental Sustainability Task Force.

Programs developed and implemented: Employee Incentive Program, Operation Lifesaver, Together Railroads And Communities Keeping Safe (T.R.A.C.K.S.), Motor Vehicle Safety Program, etc.

Employee Training:
Reviews federal, state, and local safety regulations as well as LIRR operations to determine the necessity of safety training and assist colleagues within the Safety Division with the formulation of the appropriate course. (For further information regarding Employee Training Programs, see Element 18 of this Plan). Continues to coordinate and administer the various Safety Training Programs. Formulates and conducts new employee safety training, safety Awareness workshops. Assists in New Employee Safety Orientation.

Emergency Response/Training
In collaboration with the Security and Emergency Responder Training section, ensures presentation of Emergency Train Evacuation and Tunnel Emergency Procedures Instruction to all newly-hired Transportation Department train/crew employees and to current employees and managers whose function is to respond to emergencies in accordance with Title 49 CFR 239 - Passenger Train Emergency Preparedness.

In collaboration with the Security and Emergency Responder Training section provide presentation of Rail Equipment Familiarization Program to emergency response agencies and departments responsible for responding to emergencies. Emergency response agencies include fire, police, and EMS departments/units.

The Safety Division, with assistance from various other departments, coordinates/conducts interagency Emergency Response Preparedness Drills with outside emergency response agencies from New York City, Nassau and Suffolk Counties.

Data Collection and Trend Analysis

The Safety Division is the central location for accident/incident reporting. The department receives all employee, contractor, passenger, non-trespasser and trespasser reports as defined under the Federal Railroad Administration reporting guidelines and maintains a database system called the Accident Control System which provides statistical analysis for implementation of Corporate Safety/Accident Prevention Programs, encompassing employee, customer, rail, motor vehicle and grade crossings. Additionally, the Safety Division conducts in-depth system safety studies to identify, assess, and resolve safety hazards that impact employee and customer safety. As a result, mitigation strategies with consideration of operational parameters and design constraints are developed.

Internal Reviews

Review of occupational, operational, and customer safety performance is conducted as appropriate as required by appropriate regulatory and oversight agencies.

Review/Approval of Equipment Design

Develop specifications for and review Personal Protective Equipment for use by LIRR employees. Review Chemicals for use by LIRR employees and maintain the Material Safety Data Sheets (MSDS). Conduct design reviews for new construction/equipment and rehabilitation projects. Review ergonomic studies associated with system/equipment design.

Departmental Internal Control Review for Accident Reporting

The Safety Division developed and directs the Corporate Internal Control Review process for Employee Accident Reporting, The Corporate Policy on Internal Controls provides for an annual review of department internal procedures to ensure timely reporting to meet the federal requirement in Title 49 CFR 225.

Interagency Coordination

The Safety Division representatives are assigned as liaisons between the LIRR and:

- New York State Department of Labor,
- Public Transportation Safety Board,
- Federal Railroad Administration,
- National Transportation Safety Board,
- Federal Transit Administration,
- Fire and Police Departments - New York City and Nassau and Suffolk Counties,
- NYC Mayor's Office,
- NYC Office of Emergency Management (OEM),
- FDNY Emergency Services Unit (EMS),
- NYPD Emergency Medical Unit (ESU),
- NYC Department of Environmental Protection,
- NYS Department of Environmental Conservation,
- United States Environmental Protection Agency,
- Public Employees Safety and Health
- Occupational Safety and Health Administration,

As well as integration with:

- Amtrak and New Jersey Transit within the New York zone,
- Port Authority in the Jamaica JFK Air Train/LIRR terminal
- New York City Transit
- Metro North Railroad

Capital Programs

Participate in the development and review process for the Capital Program to ensure that projects impacting customer and employee safety factors are taken into consideration in the prioritization effort. The effort is accomplished by reviewing Capital Project specifications and drawings, attending project meetings, and conducting construction field inspections/audits.

System Safety Program Plan Maintenance

Coordinate review and revision of the SSPP for the LIRR, per the guidelines set forth by APTA/FRA and the PTSB

General Departmental Responsibilities/Functions

- Safety liaison for the President with other line and staff members of the organization
- Direct the Corporate Fire Prevention program to ensure compliance with applicable fire codes

- Oversee Corporate Occupational Safety & Health and Environmental Protection Programs. Conduct surveys in the workplace; evaluate the results and implement action plans for corrective measures through engineering controls and personal protective equipment devices.

- Increase interface with front line supervisors and all employees.

- Implement centralization and compliance policies for Hazardous Material Certification.

- Conduct system wide safety audits for compliance with corporate policies, corporate safety rules, operating rules, federal, state, and local regulations and guidelines.

- Develop and implement Corporate Employee Safety Policy and conduct periodic policy review to ensure accuracy.

- Direct the development and implementation of the SSPP, utilizing APTA guidelines, conduct review and update as necessary.

- Review all construction plans for fire and building codes and general safety compliance.

- Conduct facility and branch line safety inspections.

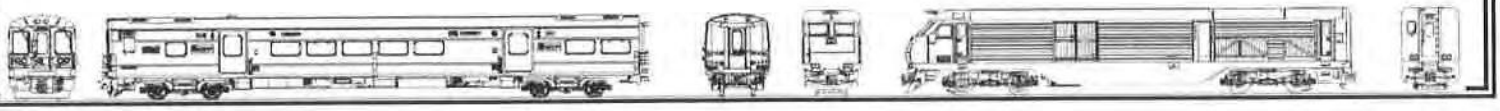
- Assist in the planning and coordination of Emergency Preparedness Drill simulations. Coordinate with State and local emergency response units.

- Develop and implement employee Safety Incentive Programs.

- Participate in Employee Safety Committee functions.

- Respond to and investigate all train accidents, as well as employee and non-employee accidents involving a serious injury or fatality.

- Participate in employee and customer safety programs and activities (e.g. T.R.A.C.K.S. Program and Operation Lifesaver).



- Support all other departments in daily operations and respond to safety related questions and concerns.

- Coordinate accident/investigate and cost recovery with Claims Bureau

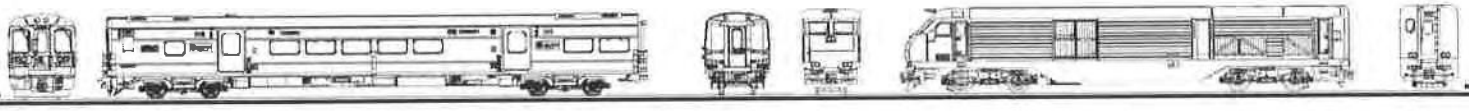
Safety Related Definitions

1. ***ACS*** - Accident Control System (a.k.a LSAF/Mainframe): The Accident Control System is the corporate reporting database for all accidents.

2. ***T.R.A.C.K.S.*** - Together Railroads And Communities Keeping Safe: School and community outreach educational based program to educate the public about the dangers of trespassing; third rail, driving around lowered gate arms and the dangers of not exercising proper caution at stations and when boarding or leaving a train.

3. ***Rail Incident Review Committee (formerly CEPTA*** – Committee for the Evaluation and Prevention of Train Accidents): Provides guidance on current rail accident investigations; reviews trends; ensures mitigative action is system-wide and monitored/implemented; benchmarks industry; prepares report/update for senior staff for quarterly meeting or more frequent as required.

4. Accident Report Forms:
   a. Initial report of accident *(AR-1)*
   b. Electronic *AR-1* *(AR-2)*
   c. Medical Visit/Report *(AR-3)*
   d. Electronic Medical Diagnosis *(AR-4)*
   e. Train Accident/Incident Report *(AR-10)*
   f. Supervisor Follow-up of Accident *(AR-20/21)*
   g. Accident Report-Contractor *(ARC)*
   h. Customer Accident *(AR-NE)*
   i. LIRR Material Safety Data Sheet *(MSDS)*
   j. LIRR Employee Safety Counseling Form (AR-30)
   k. LIRR Complaint Procedure for Alleging Harassment / Intimidation (AR-40)

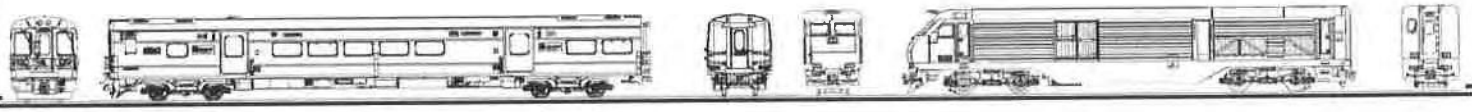


5. Regulatory Agencies:
   a. Federal Railroad Administration (FRA)
   b. Public Transportation Safety Board (PTSB)
   c. National Transportation Safety Board (NTSB)
   d. Public Employee Safety and Health (PESH)
   e. Occupational Safety and Health Administration (OSHA)
   f. New York State Department of Transportation (NYSDOT)
   g. Federal Highway Administration (FHWA)
   h. Federal Transit Administration (FTA)
   i. Transportation Security Administration (TSA)

6. Emergency Response Agencies:
   a. New York City Fire Department (FDNY)
   b. New York City Mayor's Office of Emergency Management (OEM)
   c. Emergency Services Unit - New York City Police Department (ESU)
   d. Emergency Medical Services - New York City Fire Dept. (EMS)
   e. New York City Police Department (NYPD)
   f. Nassau County Office of Emergency Management (NCOEM)
   g. Suffolk County Office of Emergency Management (SCOEM)

7. Other Agencies:
   a. LIRR (LIRR)
   b. Metropolitan Transportation Authority (MTA)
   c. MNR (MNR)
   d. American Public Transportation Association (APTA)

8. Miscellaneous
   a. Material Safety Data Sheet (MSDS)



3.5.1.9 Transportation

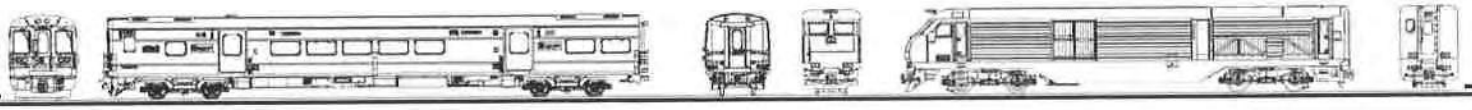
The Transportation Services department is directly responsible to provide safe, reliable, on-time train service to our customers as well as plan and coordinate all train operations. The department is responsible to ensure that proper rules, instructions and protocols are in place to facilitate safe train movement. Transportation Services provides oversight of all train movement and coordinates track outages and Special Events on LIRR property and Penn Station area. This oversight is provided by various Field Managers, Jamaica Operations Center personnel, Tower Operations as well as Penn Station Central Control. Within the Transportation Services department the different areas provide oversight to federally mandated Rules & Regulations, MTA State Fare Collection regulations, Corporate Initiatives, Budgeting, Strategic Initiatives and various Capital Construction projects. Transportation Services coordinates closely with the Maintenance of Equipment department to supply cars for servicing, maintenance and inspection as well as ensuring there is proper car consist availability to meet our daily service requirements. Transportation Services partners with Engineering and Service Planning to review and plan daily scheduling as well as various Track Work and Special Program schedules. There are various groups within the Transportation Services department; some of the titles are: Assistant Conductor, Assistant Manager, Assistant Trainmaster, Assistant Stationmaster, Conductor, Lead Manager, Locomotive Engineer, Road Foreman of Engines, Senior Manager, Superintendent, Supervisor Train Movement, Train Dispatcher, Transportation Manager, Tower Block Operator and Usher.

Department Organization

Chief Transportation Officer

The Chief Transportation Officer reports to the Sr. Vice President – Operations and is the head of the Transportation Services Department. This position is responsible for ensuring the safe operation of all train service and approximately 2,000 transportation employees with a main focus on quality customer service by providing safe, reliable, on-time service. Ensure that all train service related communications is clear and informative to both our internal, and external, customers. Provide all of this in the most cost efficient manner possible. Areas reporting to the Chief Transportation Officer:

- General Superintendent – Transportation
- General Superintendent – Train & Safety Operations
- General Superintendent – Terminal Operations
- General Superintendent – Field & PM Operations



General Superintendent – Transportation
This position has primary responsibility of assisting the Chief Transportation Officer in all aspects of the management and oversight of the Transportation Services Department, ensuring that all facets of the department are operating in an efficient, organized, and well communicated manner. This position has the responsibility of overseeing operations, planning and administration to ensure that all areas are working cohesively. This position also ensures that all aspects of operating and administrative responsibilities are monitored and improved by continuous reviews of the departments current practices, implementing new procedures, and finding areas where technology can assist the department and/or organization achieve its goals. Areas reporting to the General Superintendent – Transportation:

- Sr. Manager – Operations, Protocols & Planning
- Sr. Manager – Strategic Initiatives & Operational Analysis
- Director – Operations Support & Analysis
- Director – Crew Schedules & Strategies

Sr. Manager – Operations, Protocols & Planning
The Sr. Manager – Operations, Protocols & Planning is the departmental point person for all Safety related matters. The Senior Manager is responsible for oversight of the department's Safety Plan. This includes monitoring employee injuries and providing information to promote situational awareness to mitigate and prevent injuries. This position is responsible for assisting in coordinating, participating, and facilitating departmental, corporate, and outside agency participation in various types of preparedness drills including special projects as well as emergency response. The Sr. Manager is the coordinator and facilitator for all company & departmental lessons learned. The Sr. Manager has the oversight of the corporate Winter Storm Operating Procedures and is the departmental point person. This position also maintains, updates, and assists in drafting departmental policies and procedures, as well as various other departmental documents including the various Emergency Action Plans and Guidelines.

Sr. Manager – Strategic Initiatives & Operational Analysis
The Senior Manager – Strategic Initiatives & Operational Analysis is the department point person for various strategic initiatives and serves as a subject matter expert of Transportation Services Operations as necessary to other departments and outside agencies. The Sr. Manager coordinates with other departments for corporate goals, operational analysis, technology projects and strategic initiatives including LIRR proposed twenty year needs. The Sr. Manager works within the department to review and perform analysis of departmental operating procedures, protocols and incidents.

Director – Operations Support & Analysis
The Director – Operations Support& Analysis provides oversight to the core administration functions in order to provide accurate budgets, proper staffing, manage procurement needs, liaison with the MTA and

Point Person
The point person for the Stranded/Standing Train Response Team is the Superintendent Engine Service or their representative.

Field Representatives

Field representatives from various departments will be in contact with the Situation Room to provide real time information and carry out directives.

Public Information Office (PIO)

The Public Information Office (PIO) is located in Jamaica Station. The primary function of the PIO is to ensure the consistent delivery of timely, complete and accurate service information through a fully functional customer communications hub. The information will be continually updated to ensure that all customer communications are timely, consistent, and accurate. During any operational incident, the information disseminated will be progressive, in that each piece of information will build on the prior piece of information. The PIO is staffed with an Assistant Station Master and Public Affairs Manager.

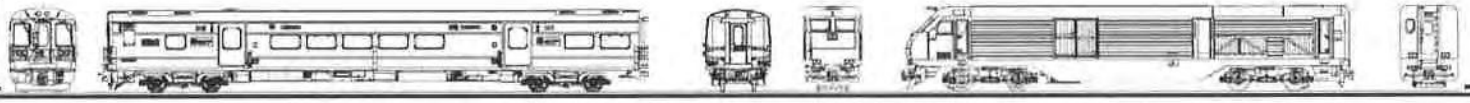
SUMMARY OF TRANSPORTATION SERVICES DEPARTMENT OPERATION:

- Control train movement on all Main, Siding and Secondary Tracks and make adjustments as necessary.
- Provide and dispatch Engineers, Conductors and Assistant Conductors to meet requirements of scheduled and non-scheduled revenue passenger trains and equipment (deadhead) trains.
- Assist in design and review of all Capital Projects.
- Provide Flagmen as required to all contractor projects along the right-of-way.
- Review Timetable schedules and makes revisions as necessary for improvement of all train movement to enhance safe, efficient operations.
- Within the realm of their expertise, responsible for coordination and control of situations and conditions of emergency or extraordinary incidents.

- Responsible for notification to all concerned Officers and Departments of the Railroad and all concerned emergency response agencies and other concerned Federal, State, Local agencies of situations and conditions of emergency or extraordinary incidents.

- Conduct instruction to all Engineers, Conductors, and Assistant Conductors for Rules of the Operating Department, Physical Characteristics, and Air Brake; and conduct periodic examinations as required by the Rules.

- Prepare Transportation Services Department budget to meet the needs of the Railroad and provide safe, efficient operations.



3.5.1.10 DEPARTMENT OF PROGRAM MANAGEMENT (DPM)

In support of the LIRR corporate mission, the goal of the Department of Program Management (DPM) is to effectively manage the planning, design, construction, and implementation of projects performed by LIRR Forces, and 3rd Party Contractors, funded by the Capital Program, to ensure against the degradation of LIRR infrastructure, operations and for the benefit of our customers.

Force Account Projects:

DPM is responsible for managing capital-funded projects involving LIRR Engineering forces. These projects may require all design and construction to be performed by force account, while others may be support for third party contractors. The responsibility of the project management team is to monitor and control the scopes, schedules, and budgets of each project under their direct control (refer to Section 3.5.1.1).

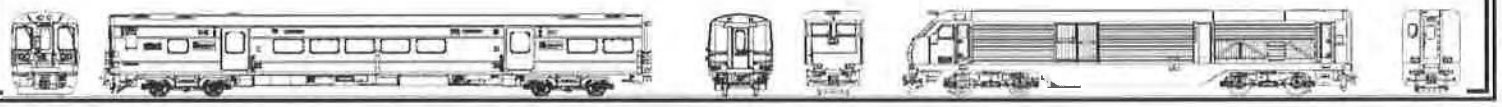
3rd Party Contractor Projects:

The LIRR's Capital Program funds the most vital needs for rolling stock, as well as the expansion and rehabilitation of LIRR's infrastructure. One of the primary goals of this program is to maintain the LIRR in a state-of-good-repair through capital funding for its essential components: rolling stock, infrastructure, track, signals, power, and communications. This represents a fundamental component of providing the high quality service that LIRR customers expect and deserve. The proposed program also supports the MTA and LIRR initiatives featured in the Strategic Business Plan which outlines the railroad's strategic priorities necessary to to ensure customer satisfaction, enhance safety, and improve cost-effectiveness.

Reference should be made to Section 4.6.2, Contractor Safety Coordination, which outlines the requirements for contractor personnel working on LIRR property during the execution of capital projects.

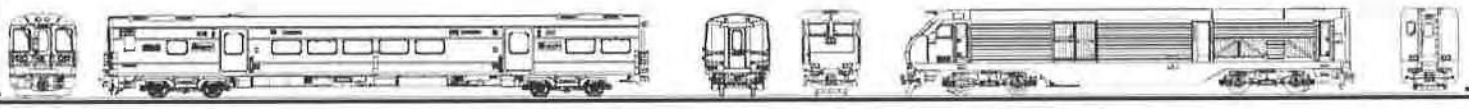
The railroad complies with all stipulations set forth by the Federal Railroad Administration (FRA) Part 214 as they pertain to work by outside third party contractors. The MTA's Owner Controlled Insurance Program (OCIP) is used to insure most of DPM's construction contracts. This program provides additional safety oversight.

DPM is responsible for executing the capital projects. The execution involves contractor personnel (who do not come under the direct jurisdiction of the railroad), working on the railroad property, and quite often under operating conditions. This necessitates that certain requirements must be applied to all members of the contractor work force to ensure the safety



of passengers, railroad employees, contractor employees, as well as the protection of railroad property.

Safety requirements have been incorporated into both the General Provisions, as well as the Technical Specifications of the contract documents.



3.5.1.11 LAW DEPARTMENT

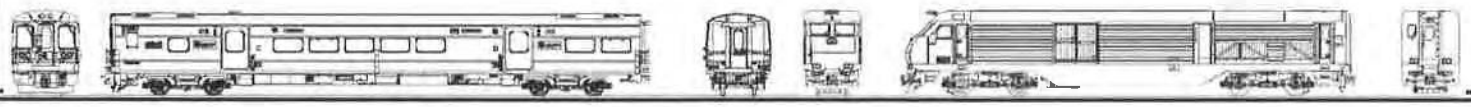
The Law Department, headed by the Vice President, General Counsel & Secretary (General Counsel), consists of several legal practice groups, including Torts, Procurement, Special Projects, and General Law. LIRR's Claims Bureau and Records Management function are also part of the Law Department.

Torts attorneys defend LIRR in personal injury litigation brought by employees under the Federal Employers Liability Act (FELA), as well as by customers and other individuals. Claim Agents in the Claims Bureau provide support to the Tort practice group in preparing personal injury claims for trial. The Claims Bureau also investigates and processes all claims against LIRR, serving as a third-party administrator for LIRR's insurance carrier regarding non-employee claims covered by LIRR's station insurance policy.

Attorneys in the Procurement and Special Projects areas provide guidance to the Procurement & Logistics Department and all LIRR Departments with procurement matters and agreements with other railroads and governmental entities, and coordinate with MTA Risk Management and MTA Real Estate on real estate matters.

The General Law practice group handles various corporate matters and represents LIRR in all non-tort litigation and administrative proceedings. Attorneys handle a broad range of issues, including, for example: safety matters; compliance with the Americans with Disabilities Act (Title II); employment matters including before the New York State Division of Human Rights and the U.S. Equal Employment Opportunity Commission; regulatory matters involving the Federal Transit Administration, Federal Railroad Administration, the Occupational Safety and Health Administration; legislative matters; grade crossings; and LIRR corporate policy review and development. The Deputy General Counsel for this practice group is LIRR's Ethics Officer.

The Law Department also responds to Freedom of Information Law requests to LIRR and has responsibility for LIRR records management issues involving paper and microfilm records. The Records Retention & Procedures Manager serves as LIRR's Records Management Officer, working with coordinators in each LIRR Department, to, among other things, coordinate the storage and retrieval of records and the destruction of obsolete records according to published schedules.



3.5.1.13 MANAGEMENT AND BUDGET DEPARTMENT

The Management and Budget department's role is to ensure that the railroad operates effectively and efficiently within its fiscal parameters by providing strong financial oversight of department budgets and resource utilization. This entails conducting the budget development process in a manner that allocates limited financial resources in accordance with corporate priorities, provides for ongoing review of budgets and expenditures, and advises senior staff on decisions impacting financial resources. Further, OMB will provide financial and risk analysis on long term planning initiatives, revenue and fare policy initiatives in a timely and accurate manner. The department also provides for effective communication with outside entities regarding the LIRR financial performance.

3.5.1.15 DEPARTMENT OF EAST SIDE ACCESS & SPECIAL PROJECTS

In support of the MTA-LIRR corporate mission, the goal of the Department of East Side Access & Special Projects ("ESA/SP") is to effectively manage the planning, design, construction and implementation of projects for the benefit of our customers from inception to successful completion while adhering to the specific project's schedule, scope and budget.

East Side Access:

ESA/SP is responsible for supporting MTA CC in the coordination and direction of planning, design, construction, as well as the management of testing, integration, implementation and asset turnover of the overall East Side Access project (ESA).

ESA/SP will support the MTA CC in their development and implementation of an Operational Readiness Program Plan, which will lay out an overall approach to ensure that all necessary preparations are completed for ESA opening day service. As part of the Operational Readiness Program Plan, ESA/SP will assist the MTA CC in their development and implementation of an Asset Management Plan, which will guide the successful turnover and transition of ESA assets to operational service, and outline the strategies and procedures for the maintenance and operation of each asset. The Asset Management Plan will serve as a resource for the establishment of asset management procedures for revenue service, and for integrating them into the MTA-LIRR organizational and corporate procedures.

Special Projects:

ESA/SP is also responsible for the management of the following types of projects: capital-funded, overbuild development, inter-agency, security, and communication technology.

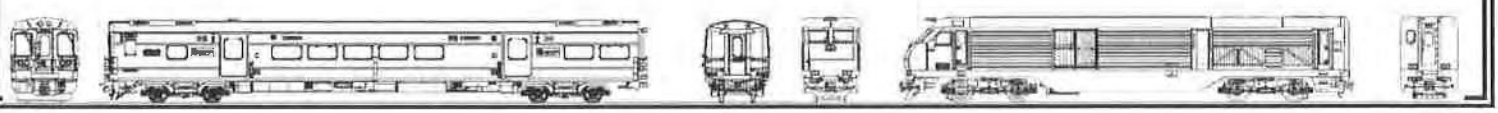
The capital-funded projects include Penn Station facilities projects and joint venture projects with AMTRAK in Penn Station, the East River Tunnels, and Penn Station Central Control. The overbuild projects include the West Side Yard and Brookfield overbuilds. The inter-agency projects include Moynihan Station and Amtrak's Gateway Phase I project. The security projects include electronic security systems in Penn Station, the East River Tunnels, Penn Station Central Control and Jamaica Central Control and structural hardening security projects at Penn Station, Jamaica Station, and Atlantic Terminals. The communication technology project includes the design and construction of a new MTA Police Radio System.

Third Party Contractor Projects:
Please refer to Section 4.6.2, Contractor Safety Coordination, which outlines the requirements for contractor personnel working on MTA-LIRR property during the execution of capital projects.

The railroad complies with all stipulations set forth by the Federal Railroad Administration (FRA) Part 214 as they pertain to work by outside third party contractors. The MTA's Owner Controlled Insurance Program (OCIP) is used to insure most of ESA/SP construction contracts. This program provides additional safety oversight.

ESA/SP is responsible for executing certain capital/special projects. The execution involves contractor personnel (who do not come under the direct jurisdiction of the railroad), working on the railroad property, and quite often under operating conditions. This necessitates that certain requirements must be applied to all members of the contractor work force to ensure the safety of passengers, railroad employees, contractor employees, as well as the protection of railroad property.

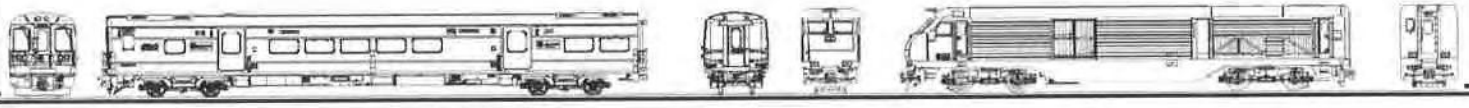
Safety requirements have been incorporated into both the General Provisions, as well as the Technical Specifications of the contract documents.



3.5.1.16 DIVERSITY MANAGEMENT DEPARTMENT

The Director of the Diversity Management Department, a direct report to the LIRR President, is responsible for coordinating LIRR's Equal Employment Opportunity Program (EEO) and handling internal EEO discrimination complaints by employees and job applicants. Together with Strategic Investments, Diversity Management analyzes the impact of proposed service changes upon minority populations for purposes of Title VI compliance.

Diversity Management also conducts diversity and harassment prevention training and coordinates the activities of LIRR's Diversity Council, representatives from LIRR Departments involved in annual events that promote the diversity of the LIRR workforce.



Rail Road. As the authority having jurisdiction (AHJ), the LIRR Office of the Fire Marshal (OFM) will determine the applicability of the Codes and will be responsible for the code enforcement process. [Reference: 19 NYCRR Part 1204.16]

The scope of LIRR's Code Compliance procedures applies to the design, construction, and maintenance of LIRR's facilities including stations, ancillary trainways facilities, operations and maintenance facilities, and administrative buildings and facilities. The scope includes those structures of the LIRR's system that fall under the Uniform Code. Tenant spaces within LIRR's facilities also fall under the scope of LIRR Code Compliance procedures. This plan applies to all facilities leased, owned, and operated under the MTA and Long Island Rail Road Jurisdiction. The jurisdiction of Long Island Rail Road Office of the Fire Marshal, a division of the Corporate Safety and Training Department, includes all LIRR property, facilities, structures, and leased properties within the State of New York. The Office of the Fire Marshal provides the following services:

- Plan and specification reviews
- Site Inspections
- Approval of Building Permits and Certificates of Occupancy
- Investigation of Code Violation complaints
- Inspections of existing facilities
- Investigation of fires
- Functional testing of fire protection installations

Department Liaisons

Department Liaisons (DL) are assigned by each Department of the Long Island Rail Road to coordinate with the Long Island Rail Road OFM regarding the communication and correction of identified deficiencies. The DL from each department is responsible for ensuring that sufficient progress is made towards implementing corrective actions in a timely manner and communicating the corrections to the Long Island Rail Road Office of the Fire Marshal.

In the case of a structural deficiency, the Engineering DL shall develop a corrective action plan and if necessary, obtains equivalencies when building structural components which do not comply with the Life Safety Code.

The primary directory source for code compliance is the New York State Uniform Fire and Building Code. All fire safety deficiencies will be specifically referenced to this code.

In addition to the NYS Code, the following standards are utilized as reference standards for the purpose of maintaining a high level of fire/life safety:

- National Fire Protection Association (NFPA) Standards
- Code of Federal Regulations

Schedule of Inspections:

As Code Coordinators shall ensure LIRR's compliance with 19 NYCRR so that the stations, buildings, facilities, premises, equipment, and activities of Long Island Rail Road are constructed, maintained, and operated in conformance with the applicable provisions of the codes. The OFM performs fire/life safety inspections and inspections in response to complaints regarding conditions or activities allegedly failing to comply with provisions of the Uniform Code. In addition, the OFM is responsible for Long Island Rail Road's compliance with the applicable provisions of the Fire Code of New York State (19 NYCRR Part 1225) and the Property Maintenance Code of New York State (19 NYCRR Part 1226), including the preparation of the reports required under those Parts. [Reference: 19 NYCRR Part 1204.5].

Inspection Frequency:

The Office of the Fire Marshal conducts periodic fire safety inspections of stations and facilities and documents the findings using the Long Island Rail Road Fire Inspection Form (FM-1). All facilities classified as low hazard storage under the applicable provisions of the Uniform Code shall be inspected at least once every three years. All other stations, facilities, and structures shall be inspected once every year.

Notice of Inspection and Compliance:

The OFM ensures that all code violations are corrected within a reasonable time after their discovery. The DLs provide the OFM with a correction plan via the Corrective Action Form (FM-2) for all code violations. The OFM documents all code violations which remain uncorrected for 60 days after their discovery, per 19 NYCRR Part 1203.3(h) & 1204.12.

Executive Law § 382 of Parts 1220 to 1226 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York (19 NYCRR) empowers local governments to use civil, criminal, and administrative remedies in their enforcement of the Uniform Code .
As the minimum standards impose no requirements pertaining to procedures for correcting code violations in the absence of voluntary compliance, this is a feature of a local enforcement

program which is left to the discretion of local officials. Local officials should consider local needs and circumstances when determining how the municipal enforcement program will address this issue. Administrative enforcement methods, such as the stop-work order or the order to remedy within a specific time period, are procedures which may be utilized prior to seeking judicial remedies. A stop-work order directs that all construction activities cease until such time as code violations are corrected and the code enforcement official thereafter rescinds the order. The order to remedy merely identifies the problem for the violator and directs its correction. These administrative tools often will resolve a problem and thereby avoid the need to obtain judicial intervention. There will be situations, however, where court action will be necessary to achieve code compliance.

Reporting and Investigating Deficiencies, Failures, and Accidents

The OFM ensures that procedures are in place for identifying deficiencies, failures, errors, and compliance with New York State Building and Fire Codes, NFPA 101, Life Safety Code and other NFPA standards referenced by them, OSHA 29 CFR 1910.38, employee emergency plans and fire prevention plans and local fire protection codes include but are not limited to the following:

- Testing and maintenance programs for fire protection systems and safety equipment.
- Continuous identification and correction of fire life safety deficiencies through a building maintenance program, fire life safety assessment program, and plans for improvement.
- Implementation of Impairment Procedures during construction and when significant fire life safety deficiencies exist.
- Approval of flame resistant materials and equipment as prescribed in the New York State Building Code.
- Development and implementation of effective fire prevention and emergency response plans.
- Awareness training that addresses assignment of specific duties, use and function of fire alarm systems, transmission of alarms, containment of smoke and fire, fire extinguishment, transfer to areas of refuge, and preparation for building evacuation.
- Conduct periodic fire drills to reinforce fire life safety training programs.
- Annual inspections, new installation tests of fire suppression or detection systems, routine building maintenance inspections, periodic life safety assessments to update the Fire Risk Assessment, response to complaints, fire drills, and impairment inspections, etc.

  LIRR Personnel may report fire/life safety related issues/complaints via telephone to the Office of Fire Marshal: 347-494-6045.

The OFM investigates and documents deficiencies, failures, and errors and recommends corrective actions are taken to prevent recurrence. All complaints received are reported to New York State per 19 NYCRR Part 1204.12(b).

Operating Permits

Operating permits are required for conducting the following activities or using the following categories on Long Island Rail Road property listed below:

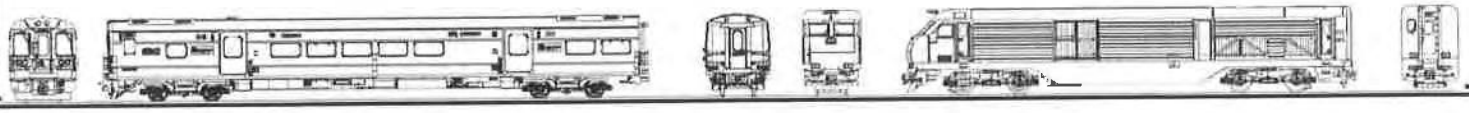
i. Assembly Occupant Load over 100 persons, other than normal public use of station areas
ii. Hazardous Materials Storage and Tank Installation/Removal
iii. Hazardous Processes and Activities
iv. Hot work (welding, cutting, etc.)

Annual Reports and Documents to New York State

The OFM prepares an Annual Report, on or before February 1st of each year, to the NYS Department of State Secretary documenting the following information:

i. Long Island Rail Road's official title and address, designated LIRR Code Coordinator(s)
ii. LIRR Code Compliance Managers
iii. The number of all construction permits, certificates of occupancy, and temporary certificate of occupancies which were issued during the preceding year along with an indication of which permits, certificates and temporary certificates were still valid on the preceding December 31st
iv. The number of all fire/life safety inspections conducted within Long Island Rail Road's stations, facilities or structures
v. The number of all code violations within Long Island Rail Road's stations, facilities or structures which were not corrected with 60 days of their discovery
vi. A statement of the current status of the violations noted and a plan to correct any such violation still uncorrected
vii. The number of all code related complaints and their dispositions

Within 30 days after the preparation of the annual report, the OFM Lead Code Coordinator for the LIRR will notify the NYS Department of State Secretary of its completion.



4.1.4 Transportation Services Outreach

Sr. Manager – Operations, Protocols & Planning

The Sr. Manager – Operations, Protocols & Planning is the departmental point person for all Safety related matters. The Senior Manager is responsible for oversight of the Transportation Department's Safety Plan. This includes monitoring employee injuries and providing information to promote situational awareness to mitigate and prevent injuries.

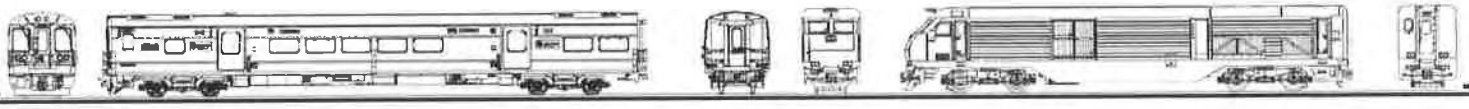
Lead Transportation Manager-Safety

LTM-Safety is responsible for ensure a safe and efficient work environment for all stakeholders of the LIRR. This is achieved by creating new innovative ways to spread safety awareness throughout our entire system. Some of the job function include but are not limited to the following:

- Develop, update, and ensure proper implementation of the departmental Safety Plan.
- Show a frequent presence in the field through Safety walk and random observations.
- Track and Trend employee accidents.
- Interdepartmental coordination & interagency coordination on safe practices.
- Track AR-30 follow ups.
- Create employee awareness via safety alert, posters and welfare facility monitors

Terminal Visits – The LTM of Safety or a designated representative will co-ordinate with the Safety Division of the Corporate Safety & Training (CS&T) Department, to perform terminal visits in each area. A minimum of one terminal should be visited each month. At each visit, a table will be set up to provide copies of the most recent safety alerts, posters and safety vests to employees. The point person and CS&T representative will be available to answer or address any employee concerns. In addition, the management employee tasked with the terminal visits will ensure all crew bulletin boards are updated with the most current safety related information.

Overview:



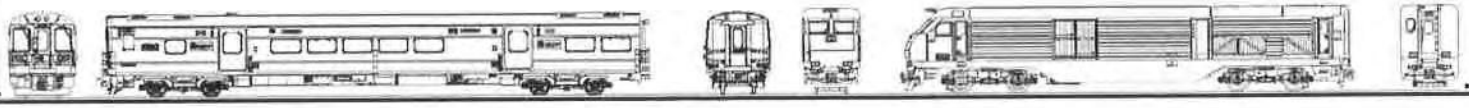
The LTM of Safety holds a meeting every two months when possible with the following representatives: Terminal Operations, East end Operations, West end Operations and the Corporate Safety & Training Department. During this meeting we agree on at least one terminal, which will be visited that month and the following month. The representative from each area is responsible for setting up the date and time of the visit. A representative from the CS&T Department must be present. The LTM of Safety makes every effort to be involved in all terminal visits. Any concerns brought up during the terminal visits are forwarded to the LTM of Safety when not present.

Visit Oversight:

- Ensure the latest Safety Posters are hung up in the right locations
- All Safety Vest Awareness Signs are affixed
- Crew Communication Boards are displaying Quarterly Safety Message
- Bulletin boards should consist of the following items: quarterly safety newsletter, safety alert notices, tracking safety statistics and establishment report.
- Safety vest will be handed out
- Pertinent Safety Literature will be handed out
- Crew Interactions to address any employee concerns

Group Safety Walks – A point person from each area will meet with the committee chairperson and Safety Division representative on a bi-monthly basis to schedule Group Safety Walks at various facilities and yards for the upcoming two month period. At each group safety walk, a representative from each department will be invited (Engineering, M of E, ROW, Safety Division). The point person for that area will facilitate the walk throughout the yard and/or facility and will be responsible to follow up on any issues found during the walk. Following the walk, the point person and Safety Division representative will remain to perform joint observations of employees based on the topic of the current quarter's safety alert. The following are some items that are reviewed during Group Safety Walks:

- Any potential condition which cause slip/trip/fall injuries
- Any infrastructural defects



4.3 Operational Rules & Procedures

The LIRR has many procedures in place to ensure that rules and procedures are carefully developed, maintained, and followed.

- The LIRR program of instruction has been on file with the Federal Railroad Administration (FRA) since 1975 and was implemented on April 1, 1975.
  Policy for periodic testing ranges from 18 months to 36 months dependent on craft. All certified employees are tested within 24 months.

- The LIRR has submitted new programs to the FRA under Parts 240 (Engineer Certification), 242 (Conductor Certification), 228 (Hours of Service), and 214 (Roadway Worker Safety).

- Rules classes are occasionally audited by the FRA. Audits ensure compliance with instruction on Part 218 - Railroad Operating Practices - Subpart B - Blue Signal Protection of Workers (Rule 26/Joint Notice); Subpart C - Protection of Trains and Locomotives (Rules S-93 and 99); and Subpart D - Prohibition against Tampering with Safety Devices (Timetable Special Instructions/Rules); and Part 220 - Radio Standard and Procedures.

- Examinations are conducted for all crafts.

- Written periodic examinations for Conductors, Engineers, Dispatchers, etc. are constantly being updated to reflect most recent issues and incidents. These issues are also addressed during the discussion portion of the periodic examination.

- Records of the Situational Awareness for Efficient Railroading, in compliance with CFR Part 217, are maintained in the Office of Superintendent Rules and Regulatory Compliance and the Engineering - Director of Planning and Administration.

- The Federal Register is read on a daily basis and Notices of Proposed Rule Making and directives are closely reviewed. Initiatives that affect or impact operations are researched by the affected parties and appropriate action is taken.

- Incidents on other railroads are closely monitored. Rules/Special Instructions/General Notices are added/changed/deleted as necessary to prevent similar occurrences on the LIRR.

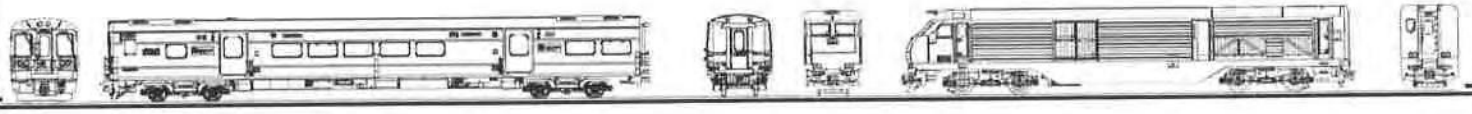
- General Notices and CTO Notices are issued to reinforce rules and operating procedure compliance, especially when an area or pattern of non-compliance is identified.

- Employees who are absent for 6 months will meet with the Rules and Air Brake Examiners Office and receive Rules, Special Instructions, Physical Characteristics and Air Brake Review.

- Operational efficiency tests and field observations are conducted periodically by the Rules Office to ensure compliance with rules and procedures (in accordance with LIRR's CFR Part 217 policy). Transportation supervisors conduct daily operational tests and field inspections called Situational Awareness for Efficient Railroading (SAFER) observations. Gross or serious infractions are addressed immediately and other deficiencies are reported to the appropriate authority for remedial or disciplinary action.

- Records are audited by internal audits and all records are current. The Rules Office maintains computer records and written log books for all administered examinations.

- Employees reporting for periodic exam/instruction are required to present for inspection an up-to-date Book of Rules, timetable and Train Handling and Equipment Manual. Results are recorded and notices of deficiencies are sent for follow-up and/or corrective action.



4.4 Transportation Training

In support of the SSPP, Element 12, the LIRR provides training to various crafts within the Transportation Services Department. These crafts include Engineer, Conductor, Assistant Conductor, Block Operator, Train Dispatcher, Station Master and Yardmaster. Most of the training is as per agreement mandated by contract and/or Federal Railroad Administration (FRA) mandate. The Book of Rules training includes Signals, Definitions, Special Instructions as well as other rules that focus on safety of operation. The Physical Characteristics training consists of the entire system, or any portion thereof, depending on the craft. Following is a brief synopsis of each program:

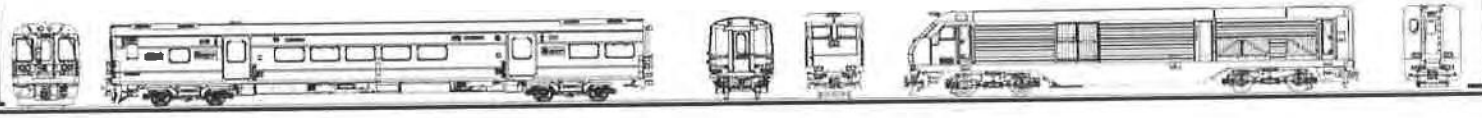
- Transportation Services Training Class List
- Corporate Development Course Catalog
- Safety Training Course Catalog

Engineer Trainee

The Engineer Trainee program is a 13-month program (plus six weeks of non-compensated training). The main elements of the course are Operating Rules, Physical Characteristics, Air Brake Training and Train Handling. Employee safety, in addition to safety of operations and customers, is also strongly emphasized during the program. The student is tested at the six-month interval and final month. The locomotive simulators can supplement train handling. Finals are conducted at the end of the 12-month period. In order for the student to be promoted to Locomotive Engineer at the completion of the program, they must pass, with a grade of 75% or better, a Book of Rules, Physical Characteristics, Air Brake (written and practical) exam as well as a Train Handling examination.

Assistant Conductor

53 Day Training Program consisting of four parts: Rules, Airbrake, Tickets, and OJT/Field Operations. Each section has a qualification exam that must be passed in order for the candidate to remain in the program. The Rules instruction is 15 days in length and consists primarily of classroom instruction. The Airbrake instruction is 7 days in length and is instructed and tested by the Rules/Airbrake department. The ticket portion of the program is 9 days long and covers the collection and remittance of transportation fares. The OJT / Field Operations includes hands-on training with all equipment, work in the field performing duties such as coupling and uncoupling train cars, manually aligning track switches, working onboard passenger trains with their instructor and mentor, visiting tunnel locations and more.

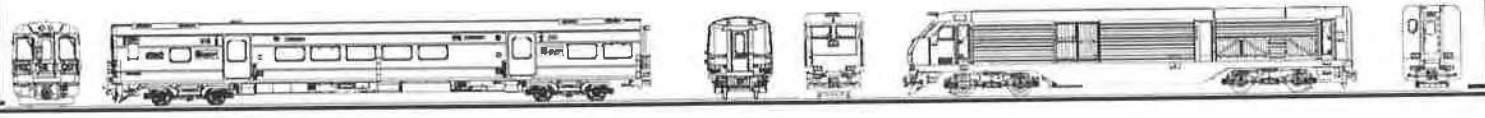


Conductor

The Conductor Qualification program is a four-part process. The first portion is Rules of the Operating Department qualification. Assistant Conductors attend an Operating Rules and Timetable Special Instruction review class. This class covers the entire Rules of the Operating Department, is 6 days in length and includes one day on a training train, where rules and procedures are put to practical use. On the seventh day, the Assistant Conductor is administered a written and verbal qualification examination by the Rules Department. Passing grade is 75% or better. Preceding the operating rules exam a written signal test must be passed with an accuracy of 100%. The day after the Operating Rules exam, the Assistant Conductor returns to the Training Department for a Physical Characteristics (PC) Orientation which prepares the employee for the next portion of the program, Physical Characteristic Qualification. This class is twelve days in length and consists of visiting interlockings, terminals and other key locations in the field. Students prepare by drawing and verbalizing the entire railroad as well as memorizing the rules in effect on each branch and how they apply to the PC. The day following the PC class, the Rules department administers a written and verbal PC qualification examination. A passing grade is 75%. Preceding the PC exam the student must be able to write the rules in effect on the entire railroad with 100% accuracy. The Rules/Airbrake department instructs the third portion of the program. It is 5 days in length and covers the propulsion, braking and troubleshooting of all types of equipment used in passenger and yard service. The fifth day of this class includes a written and practical examination administered by the Rules/Airbrake department. A passing grade is 75%. To complete the Qualification process, Assistant Conductors must qualify in Zone A, Amtrak owned territory. This is a two-day process with an overview and walkthrough on the first day and a written examination administered by the Amtrak Rules Office on the second day. Upon successful completion of all of the above, the employee is a fully qualified Long Island Rail Road Conductor.

Block Operator

The Block Operator Program is a 25-day program. The training consists of the entire scope of the Rules of the Operating Department, with an emphasis on interlocking rules and procedures. At the end of each week, the student must pass an examination administered by the Training Department with a grade of 75% or better to continue said training. Those who do not may be terminated from the program at that time. At the end of the course, the student must pass an examination administered under the Authority of the Superintendent Operating Rules/Air Brake, after which time they will continue their training with a six month posting program, working alongside qualified Block Operators.



Train Dispatcher

This class consists of two parts: Physical Characteristics and Operating Rules. Train Dispatchers are held to a high standard and must negotiate a passing grade of at least 90% on all examinations. Physical Characteristic class 60 days in length and during that time the class visits every location on the Long Island Rail Road. Extensive time is devoted to drawing and verbalizing all 11 branches with all rules in effect. Operating Rules instruction is 35 days in length and covers the entire Rules of the Operating Department with Timetable Special Instructions along with Train Dispatcher Standard Operating Procedures. There is a written and verbal examination administered by the Rules Department after each portion of the program. Train Dispatcher Trainees post in the position of Train Dispatcher after they finish their qualifications.

Assistant Stationmaster

13 Day Training Program. Students have class and field instruction on the Rules of the Operating Department, Timetable Special Instructions and Physical Characteristics. Following the class, the employee is administered a written and verbal examination by the Rules Department, the passing grade is 75%. The Assistant Stationmaster is then given a two-day class on Airbrake in which they learn train components, FRA testing requirements and basic troubleshooting and a class on the basics of Tickets and Fare Collection.

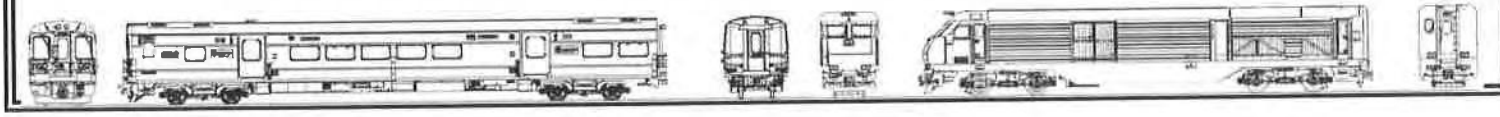
Yardmaster

10 Day Training Program. The program is comprised of classroom and field instruction. Candidates will learn operating rules and procedures that relate to the specific duties and responsibilities as Yardmaster. A written and verbal qualification exam is administered by the Rules Department. Passing grade is 75%.

Training & Qualification Review - 49 CFR Part 240

Part 240 pertains to the certification of locomotive engineers. The LIRR submitted the required documents to the FRA with these highlights:

- The LIRR Training Program for New Engineers will be a minimum of nine months, although the program is currently using a one-year curriculum.
- The program has three phases with testing administered by the company Rules Examiner.
- The Engineer Certification Program for all qualified engineers is currently five (5) days and covers all areas required, including Passenger Train Emergency Preparedness.



- Each LIRR engineer is given a skills performance test twice a year, one being overt and the other covert.

- The locomotive simulators may be used for testing subjects or re-qualification with the approval of the FRA.

The LIRR has many systems in place to ensure that qualification and/or training of employees is properly conducted and documented.

- Promotional examinations are conducted for all employees involved with the movement of trains, i.e., Conductor, Engineer, Dispatcher, Track Car Driver, etc. Certain exams are federally mandated (Part 240 - Engineer Certification/Part 242 Conductor Certification). In those instances where there are federal guidelines, the LIRR testing procedures exceed those requirements.

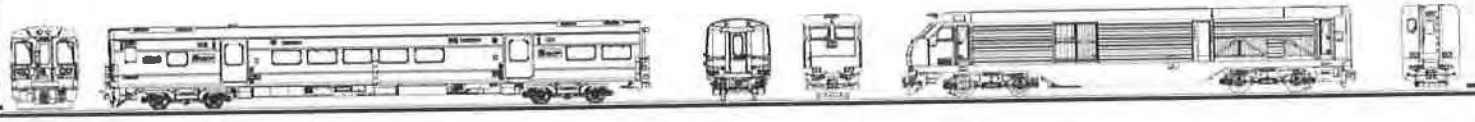
- Periodic examinations are conducted for all employees who must be rules and/or physical characteristics qualified to work in their respective craft, i.e., Conductor and Engineer – every two years, Dispatcher - every 18 months and Track Car Driver – every three years. Supervisors who are rules and physical characteristics qualified are examined every 12 months.

- Promotional and periodic examinations consist of a written and a verbal portion. A minimum grade is required (75 in most instances, 80, 85 or 90 in others) on the written exam in order to participate in the verbal portion. The verbal portion is used to ensure that the employee is conversant with the rules and not just "parroting" answers on the written exam. The verbal portion is also used to discuss relevant or current issues.

- Questions on rules and physical characteristics examinations are constantly being updated and reviewed by the Rules Examiners for objectivity, relevancy, and topicality.

The Rules Office maintains both computer and hard copy records of all examinations. Records are current and are audited periodically by MTA Audit Services Department to ensure completeness.

- The respective departments maintain records of their qualified employees. The Rules Office notifies the employees' department of the status of their employees. This serves as a double check to ensure no one "slips through the cracks."



- The FRA audits the Rules classes/examinations. Audits ensure completeness and validity of course content and testing. They also ensure compliance with instruction on Part 214 – Roadway Worker Protection, Part 217/218 - Railroad Operating Practices - Subpart B - Blue Signal Protection of Workers (Rule 26/Joint Notice); Subpart C - Protection of Trains and Locomotives (Rules S-93 and 99); Subpart D - Prohibition Against Tampering with Safety Devices (Timetable Special Instruction/Rules); Part 219 Alcohol and Substance Abuse, Part 220 Radio Standards and Procedures, Part 227 – Occupational Noise Exposure, Part 228 – Hours of Service, Part 229 - Locomotive Safety Standards, Part 232 – Brake Safety Standards for Freight, Part 238 – Passenger Equipment Safety Standards, Part 239 Passenger Train Emergency Preparedness, Part 240 – Qualification/Certification of Locomotive Engineers and Part 242 – Qualification/Certification of Conductors.

- The Corporate Safety & Training Department works closely with the Rules Office, ensuring that instructors are kept apprised of changes to rules, operating procedures and other information pertinent to the safe movement of trains.

Air Brake and Equipment Training and Certification

Engineer Trainees

- Five weeks of Air Brake Training (included in the 13-month program).
- A final (promotional exam) is given consisting of practical exam on Multiple Unit (MU) and diesel equipment and a written 50 question exam on diesel and MU equipment.
- Material issued TRAIN HANDLING AND EQUIPMENT MANUAL-1 (Train Handling Equipment Manual) operators manual for E-10, E-15, DE/DM locomotives, Quickshoot Troubleshooting Guide - New Fleet Trouble Shooting Procedures, MU Equipment, study guides with brake test procedures, trouble shooting procedures, piping diagrams and electrical diagrams for both diesel and MU equipment.
- Objective upon graduation is to have an engineer capable of safely operating all of the equipment currently operated by the LIRR and able to brake test, trouble shoot and move the equipment when a breakdown occurs during train operation.

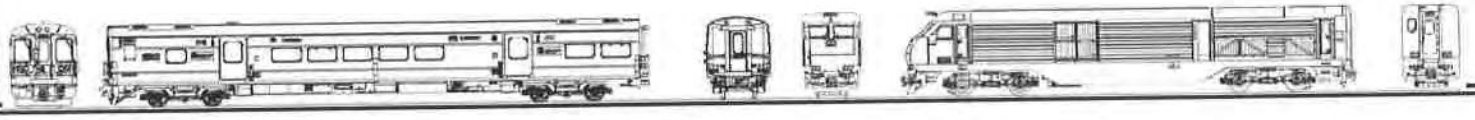
Assistant Conductors

Receive 6 days of Air Brake Training during their initial 53 day Training period. The Training includes equipment familiarization, door operation and brake tests. They must pass a final written and practical exam. They are qualified to perform brake tests upon successful completion of Training.

Conductors

Receive 5 days of Air Brake Training. This instruction covers the propulsion, braking and troubleshooting of all types of equipment used in passenger and yard service. The fifth day of this class includes a written and practical examination administered by the Rules/Airbrake department.

Material issued and/or checked Train Handling and Equipment Manual, Quickshoot MU Troubleshooting Guide, and other notices and information relevant to train and engine service employees for emphasis or clarification as necessary. After initial qualification, periodic Air Brake instruction takes place on a 2 year cycle.



4.5.1 Corporate Safety & Training (CS&T) Department

The Office of the Fire Marshal and Security and Emergency Responder Training section provide training to all emergency service agencies that respond to calls on or about Railroad property. Our Emergency Procedures and Equipment Familiarization Program continues to be provided/taught to Police, Fire and EMS agencies in New York City, Nassau and Suffolk Counties.

Simulated emergency drills are held each year. Drills are held in New York City and in Nassau and Suffolk Counties. LIRR oversight agencies, as well as our sister agencies, are invited to these drills as observers.

In Suffolk County, the LIRR and Suffolk County Department of Fire, Rescue and Emergency Services utilize the services of two Fire Coordinators to act as liaisons during Railroad incidents. These coordinators report to the incident commander and advise on Railroad operation and equipment.

A Drill Planning Committee meets on a regular basis to discuss the types and locations of these emergency drills.

All drills are evaluated and critiqued for the benefit of the LIRR and the emergency response agencies.

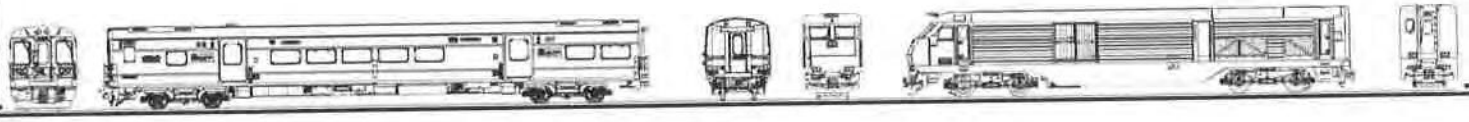
The LIRR has provided an emergency service incident flow chart that outside agencies may use during all types of incidents.

4.5.2 Corporate Safety & Training Department

The LIRR Corporate Safety & Training Department is responsible for coordinating the above actions between the operating departments of the LIRR and community response agencies. These agencies include the New York City Office of Emergency Management (OEM), the New York City Fire Department (FDNY), New York City Police Department (NYPD) Nassau & Suffolk Fire Departments, Police and Emergency Medical Services. The main documents used for this purpose are the Passenger Train Emergency Preparedness Plan and Terminal & Facility Emergency Action Plans. These plans are periodically reviewed for accuracy and details. The Safety Division coordinates this review, collects appropriate comments, and incorporates them into the session. Activities are detailed below:

Emergency Response Planning

Emergency Action Plans have been developed for major LIRR terminals and facilities. Plans specify the recommended sequence of actions to be taken by LIRR personnel in the event of an



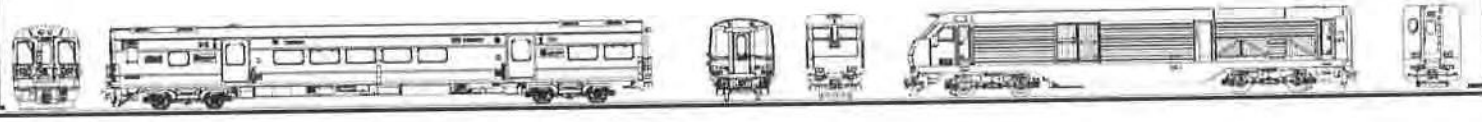
emergency, (i.e. fire, medical, security). Components of the plan include recognition of emergency, establishing proper notification procedures, and proper response action to the emergency. These plans were developed with the assistance of facility management and the operational departments occupying these facilities. The Safety Division has also developed Emergency Action Groups in some facilities for the purpose of assisting in facility evacuations. Several group members, designated as Fire Wardens, have been trained in using portable fire extinguishers and hold American Heart Association or National Safety Council certification in basic first aid. These programs have been coordinated with the Training Division of the CS&T Department.

Emergency planning is also established by coordination between LIRR Operating Departments and Emergency Responders. Such activity is typified in the formation of the Penn Station Emergency Response Committee. The committee meets on a monthly basis to enhance emergency preparedness in both the East and North River Tunnels, as well as the confines of Penn Station. The committee consists of representatives from the transit agencies that utilize the aforementioned areas. These agencies include the LIRR, Amtrak, New Jersey Transit, and New York City Transit. The committee also consists of representatives from the neighboring emergency response agencies. They include NYC Office of Emergency Management (OEM), the New York City Fire Department (FDNY), Emergency Medical Services, the New York City Police Department, the New York City Emergency Services Unit (ESU) and North Hudson Regional Fire and Rescue. In addition, an Atlantic/Flatbush Avenue Terminal Emergency Response Committee has been form and has developed the Emergency Response Plan for the terminal. Jamaica Station also has an emergency response plan.

Coordination also continues throughout the system with local emergency responders. In many instances, the CS&T Department will assist in emergency preplanning with local emergency responders. Joint inspections are conducted on both existing and new facilities for the purposes of addressing the concerns of the emergency responder.

Coordination

CS&T coordinates many activities through interaction with such municipal offices as the NYC Office of Emergency Management (OEM), the Public Transportation Safety Unit of the New York City Fire Department, and the Fire Marshal Offices of Nassau and Suffolk Counties. Coordination is typified by the activity presently taking place with the Nassau County Fire Marshal and Nassau County Fire Training Academy for the continuation of a formal training program on rail emergencies. This includes classroom instruction and "Hands On" training at the county fire academy located in Bethpage where two retired LIRR multiple-unit cars are housed. In addition, an Emergency Response Training Program has been implemented in Penn Station and is currently



being provided to all internal Railroad Police and management and all external NYC emergency response personnel.

Training

CS&T assists in several training programs given to employees and emergency response agencies under the Federal Railroad administration (FRA) Passenger Train Emergency Preparedness Regulation 239. Employee training is exemplified by a fire extinguisher familiarization program presented during Passenger Train Emergency Preparedness Training. Several major facilities incorporate fire drills on a quarterly basis to emphasize the importance of emergency preparedness to personnel.

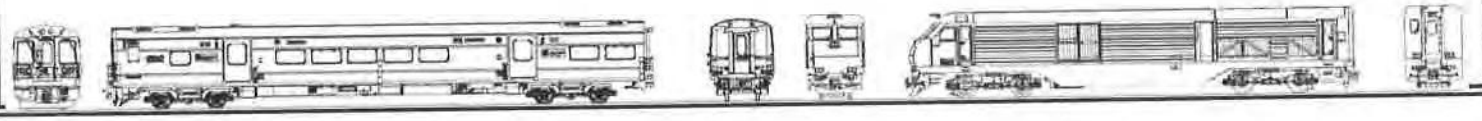
Classroom training on LIRR emergency procedures is provided to local emergency responders. The two and one half-hour session including handouts and a multimedia presentation provide emphasis on the importance of communications to the responder, and safety when responding to an accident on the rail equipment and/or rail right-of-way. In addition to the classroom session, various "Hands On" programs are conducted in lay-up yards and at the Nassau County Fire Academy to provide emergency responders the opportunity to strengthen familiarization of rail equipment.

In addition to the classroom and hands on training, the CS&T Department coordinates full-scale simulations at terminals and on the right-of-way with outside emergency response agencies. To advance to a full scale simulation involves several meetings with in-house as well as outside emergency responders. The proposed drill site is surveyed jointly for feasibility use by the LIRR and involved emergency response agency.

A joint agreement is made on what the incident should depict and on what specific area of emergency training should be tested. A full scenario is then developed by the Transportation Services Department and is reviewed and approved by LIRR Departments involved in the exercise.

The drills also demonstrate compliance with recommendations established by governmental agencies. Representatives from the FRA, Passenger Transportation Safety Board (PTSB), as well as neighboring transit agencies are invited to the drill as observers.

A majority of these drills have involved a simulated fire/train collision with multiple aided cases and affords the emergency responder the opportunity to test familiarity with of railroad emergency procedures as well as their own emergency debriefing. The exercise also tests LIRR's interaction with the emergency response agency. A critique follows the drill and is utilized for the purposes of identifying shortcomings and directions to be taken to improve emergency preparedness.



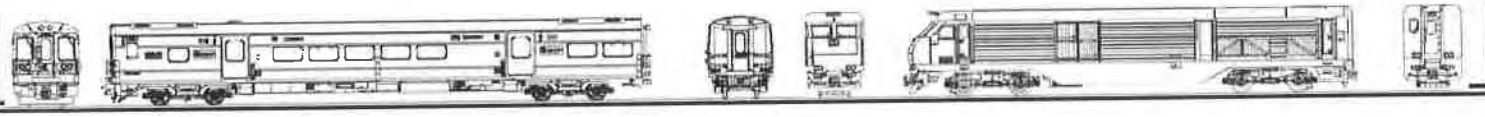
The Customer Service Center will provide updates to CooCoo. Additionally, in cases where commuters may be advised to travel to alternate branch stations for LIRR service, the Public Affairs Department faxes out messages to local municipalities for those affected stations – describing the nature of the emergency and requesting that parking restrictions at those alternate stations be waived.

If necessary, a further plan of action will be determined by the Vice President - Customer Service, Marketing & Public Affairs. Further actions can include: the appointment of a spokesperson to report to the scene of the crisis or to the Command Center if one has been established; the issuance of a written News Release; the activation of the Print Shop to publish notices for customers; additional telephone notifications to the MTA and its agencies, government officials, community groups and the LIRR Commuter's Council. For these notifications, the spokesperson will refer to a document title "Emergency Phone Contacts". It is of vital importance that the Marketing, Corporate Communications, Customer Service Departments and the PIO are supplied with accurate, up-to-date information regarding emergencies in order to provide facts and messages that will ease or minimize impact on customers and the general public.

The guidelines for Public Affairs officers in the PIO are in the **"Public Information Guide for Media and Customer Notification Protocols."** These protocols include the working relationship between Transportation Services and Public Affairs. Having Transportation Services and Public Affairs working closely together allows the LIRR to deliver a consistent message to customers. The same information is being communicated via the public address system at line stations, customer message boards at terminals, the crews on trains, the MTA/LIRR Web site, customer e-mails and to the traffic reporting media. The protocols for the PIO cover broad concepts as well as specific instructions on how to talk with reporters, what situations require a call to superiors as well as a laundry list of possible inquiries and how they should be answered and where they should be referred. The protocols continue to be changed as new situations arise and as new solutions to problems are found.

4.5.5 Customer Assistance Program

The Customer Assistance Program (CAP) was developed in 1994 and incorporated into the LIRR's overall Standard Operating Procedure that serves as a manual to handle all operational emergencies. "CAP Program Participation" procedure was issued as a formal LIRR Corporate Policy and Procedure PS-002. The CAP Program is designed to provide customer service support to the Operating Departments during storms and other situations that may adversely affect train service.



The primary responsibility of CAP Managers is to provide information and direction to LIRR customers during these train service disruptions.

The Customer Services, Marketing & Public Affairs Department is responsible for managing the CAP program. The program provides for structured deployment of non-operating management employees to various locations, as required, during service disruptions.

CAP Activation

During an emergency, the Chief Transportation Officer communicates the need for CAP Managers to the General Manager – Station Services & Ticket Technology. The Customer Services, Marketing & Public Affairs Department then communicates the existence of the emergency and need for CAP Managers to the Departmental CAP Coordinators. CAP Coordinators are then responsible for communicating the nature of the emergency to, and deployment of, CAP Managers for their department. CAP Coordinators then provide names of CAP Manager participants to the CAP Directors. CAP Directors provide leadership to CAP Managers and are the key communication link with the Operating Department personnel.

CAP Responsibilities

CAP Directors act as liaisons with the Operating Departments and are the key contact points for CAP Coordinators and CAP Managers. CAP Directors are primarily responsible for managing CAP managers and providing information and instructions to them when deployed to specific locations.

CAP Managers are the core of the CAP Program. Their primary responsibility is to provide information and direction to LIRR customers through the use of station information and train schedule sheets. CAP Managers may or may not be assisted by Customer Services employees (Managers, Ticket Agents, Ticket Clerks and/or Ambassadors).

In addition, the Customer Services Division utilizes documented Monthly and Quarterly Safety Meetings for Departmental employees to discuss seasonal safety issues and safety in general. The Safety Meetings offer the opportunity to disseminate safety concerns, both top-down and bottom up. Customer Services also issues 3rd party newsletters related to safety and wellness topics (TopSafety & TopHealth) and as well as a Quarterly Safety Newsletter with safety information contained therein.

4.6.1 Employee Safety & Security Training

The LIRR has developed and implemented the following programs to comply with Codes of Federal Regulations (CFR 49 and 29), New York State and with corporate mandates. Course Catalogue Links:

- Safety Training Course Catalog
- Security & Emergency Responder Training
- Engineering Department Training
- Maintenance of Equipment Training
- Locomotive Engineer Training
- Transportation Training
- Corporate Development Course Catalog

New Employee Orientation

All new employees receive an introduction to the LIRR highlighting: MTA and LIRR Policies, job responsibilities, duties, benefits, career opportunities, and safety. The initial orientation programs last two days with formal instruction at the training center. Additional safety and qualification training, based upon craft and tasks employees will perform, follows the general new employee two-day training program.

Assessment includes demonstration of understanding and the responsibilities of working safely as a LIRR employee.

Corporate Development

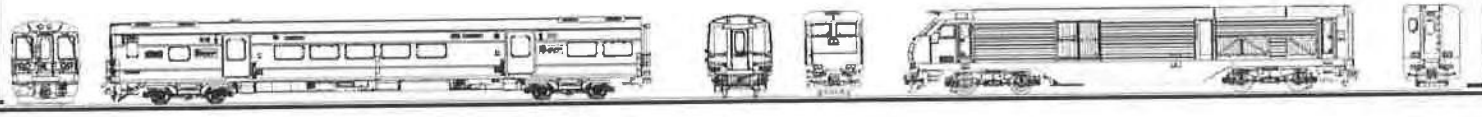
Maintains a mandated course for all supervisors and managers entitled, "System Safety Management" which is led by Corporate Safety and Training personnel. The purpose of this course is to familiarize participants with System Safety structure, goals, and initiatives while providing a skill set for workplace safety observations and accident investigation techniques.

Transportation Employee Qualification and Certification Training

See Element 11 for specific Transportation Employee Qualification and Certification Training details.

Actions Employees Can Take (ECT)

This course provides new employees with methods for recognizing, correcting, and preventing unsafe actions and conditions. The course dynamically addresses various representative LIRR work environments and potential unsafe behaviors.



Aerial Man lift
This course teaches aerial lift platform operators safe operating procedures for typical LIRR lifts. It is based on the most current industry and government standards for Self-propelled and Manually Propelled Elevating Work Platforms and Aerial Manlift.

Asbestos Awareness
This course instructs Long Island Rail Road employees, who could potentially work in areas with Asbestos Containing Materials (ACM) below the permissible exposure level. It meets Occupational Safety and Health Administration (OSHA) regulatory requirements in 29 CFR 1910.1001.

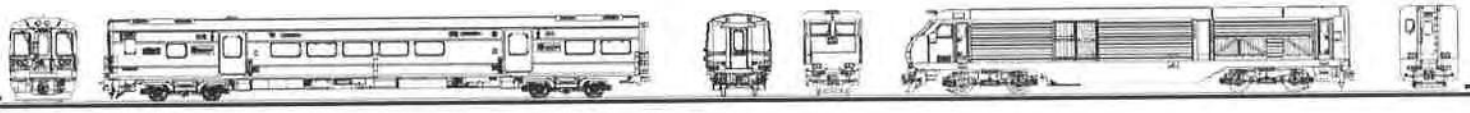
Bloodborne Pathogens
This course informs supervisors and employees about bloodborne pathogen and potentially infectious waste hazards in the workplace. It provides procedures for safeguards, disinfection, decontamination, and disposal in accordance with the departmental exposure control plans. The course is designed for employees and line supervisors who may be exposed to, or have the potential to be exposed to, bloodborne pathogen and potentially infectious waste hazards in the workplace.

Blue Signal Protection
In accordance with Title 49 CFR Part 218 Subpart B, this training module teaches effective safety techniques to protect workers who are working on, under, or between rolling stock equipment. Applications include working in shops, yards and along the right of way.

Bridgeworker Protection
In accordance with Title 49 CFR Part 214 Subpart B and Title 29 CFR 1910 and 1926 as applicable this course provides Federal Railroad Administration (FRA) mandated training to railroad bridge workers performing work at heights. It offers knowledge and techniques for fall prevention and protection, including the use of personal fall arrest systems for at risk employees.

Cadmium Occupational Exposure Training
This training module instructs Long Island Rail Road employees, who are potentially exposed above the action level in procedures and precautions for working with cadmium. It meets OSHA regulatory requirements in 29 CFR 1910.1027.

CFR 217-218
In accordance with Title 48 CFR Parts 217 and 218 Subpart F, this course prescribes FRA standards regarding FRA regulation CFR 217 where in each railroad is required to instruct its



employees in operating rules, and CFR 218 where in each railroad is required to instruct its employees in operating practices related to: Handling Equipment, Switches and Fixed Derails as well as the Good Faith Challenge.

Commercial Driver License (CDL) Training Program
The LIRR's CDL Training Program is intended for all employees who must safely and effectively operate a Commercial Motor Vehicle to perform their job functions. It includes initial CDL training as well as initial and refresher Department of Motor Vehicle (DMV) as required for hazardous material endorsements.

Participants are prepared to take the applicable DMV CDL road test and/or endorsement tests. Endorsement training is scheduled for licensees' renewal obligations with the Department of Motor Vehicles. Training may include:

- Bucket Truck Training
- Boom Truck Training
- Driver Training (On the Road)
- DMV Endorsement Training – Bus Passenger Permit
- DMV Endorsement Training – Hazmat Permit
- DMV Endorsement Training – Tank Permit
- DMV Endorsement Training - Metal Coil Permit
- DMV Endorsement Training – Restricted A Permit
- DMV FMCSR Training
- DMV Road Test
- Mobile Crane Operators Training

Confined Space Entry
In accordance with applicable provisions in Title 29 CFR 1910 and 1926 this course ensures that LIRR employees are cognizant of the hazards associated with confined space entry and the safe work practices necessary to deal with these hazards. Confined spaces include manholes, cable vaults, oil separators, and applicable substation basements. The program provides confined space workers (authorized entrants, attendants and supervisors) with the skills, training, and knowledge to safely perform their jobs.

CPR Cardio-Pulmonary Resuscitation W/AED & First Aid
This program instructs employees on what to do in an emergency until medical help arrives. Students receive National Safety Council Certification cards.

Defensive Driving Course (DDC)
The National Safety Council's Defensive Driving Course (DDC) is required for all employees who must drive a LIRR vehicle to perform their job functions or drive incidentally and are classified as authorized drivers.

Excavation
In accordance with applicable provisions in Title 29 CFR 1910 and 1926 this course provides training to workers performing excavation work. It offers knowledge and techniques for access/egress and protection from cave -ins, including the use of Protective Systems.

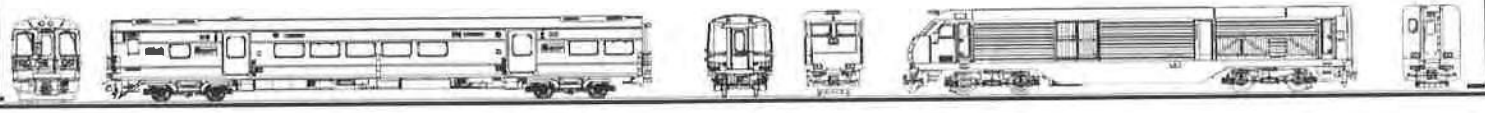
Fall Protection
In accordance with applicable provisions in Title 29 CFR 1910 and 1926 this course provides training to workers performing work at heights. It offers knowledge and techniques for fall prevention and protection, including the use of personal fall arrest systems.

Fatigue Awareness
This course focuses on fatigue and alertness for employees in the railroad industry. The purpose of the course is to educate employees about methods for preventing fatigue and promoting alertness on the job.

Fire Safety
This course instructs all employees and supervisors in site procedures for fires and other emergencies. It focuses on fire safety, prevention, protection, extinguishers, and evacuation procedures.

Hazardous Materials (D.O.T) For Handlers, Shippers, and Transporters
In accordance with provisions in Title 29 CFR 1910 and 1926 this course instructs employees in the safe unloading, handling, storing and transporting of hazardous materials. Hazardous materials include acetylene, gasoline, diesel fuel, battery acid, and solvents.

Hazardous Waste Management
In accordance with provisions in Title 29 CFR 1910 and 1926 this course meets federal and state mandated training requirements for those who generate, handle, or otherwise manage a hazardous waste.



HAZWOPER Refresher- OSHA
In accordance with provisions in Title 29 CFR 1910 and 1926 this course meets OSHA mandates for the eight-hour refresher for hazardous waste operations and emergency response training.

Hearing Conservation
This course meets the requirements set forth for Hearing Conservation training as part of Title 49 CFR Part 227 or Title 29 Part 1910 Subpart G. These regulations require employers to develop and implement a Hearing Conservation Program.

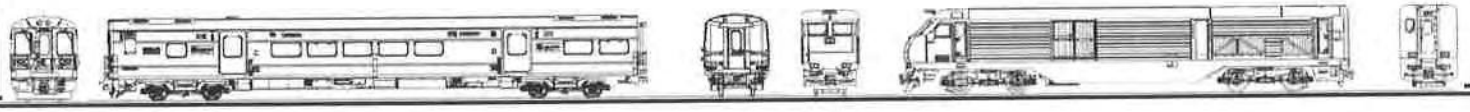
Lead Occupational Exposure Training
In accordance with provisions in Title 29 CFR 1910 and 1926 this course instructs LIRR employees, who are potentially exposed above the action level or for whom the possibility of skin or eye irritation exists, in procedures and precautions for working with lead.

Lock-Out / Tag-Out & Electrical Safety
In accordance with provisions in Title 29 CFR 1910 and 1926 this course instructs personnel in proper servicing and maintenance of machines and equipment in which the unexpected energizing or start up of the machines or equipment, or release of stored energy could cause injury. The course also informs employees of electrical safety practices and procedures.

Overhead Crane Maintenance
The LIRR's Indoor Overhead Crane Maintenance Training Program is intended for all employees who must maintain indoor Cranes, Cableways, Derricks, Hoists, Hooks, Jacks, and Slings.

Overhead Crane Operator
The LIRR's Indoor Crane Training Program is intended for all employees who must operate an indoor crane safely and effectively. Equipment includes indoor overhead cranes such as bridge cranes.

Overhead Crane Supervisor's Overview
The LIRR's Crane Supervisor's Overview Training Program is intended for all Supervisor's who supervise employees who must maintain indoor Cranes, Cableways, Derricks, Hoists, Hooks, Jacks, and Slings.



Powered Industrial Truck
This course instructs forklift and other powered industrial truck operators, in the proper, safe, and effective operation and inspection of vehicles. Powered industrial trucks are designed to move material loads. They include counter balanced forklifts, high lift walk behinds, low lift walkers or motorized pallet movers.

Operators receive training based on their prior knowledge, the types of vehicles used in the work place and the hazards of the workplace. Operators will be certified after satisfactorily completing classroom training, field training, and an evaluation of performance (i.e. a road test).

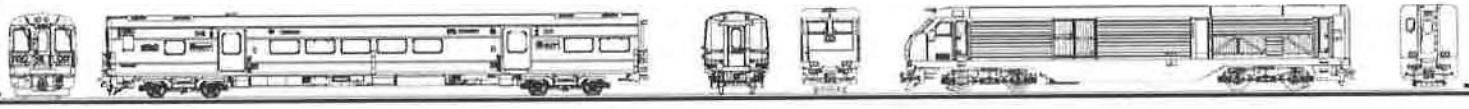
Respiratory Protection & Respirator Fit Test
In accordance with the applicable provisions of Title 29 CFR 1910, this course is designed for personnel and their supervisors who may be exposed to atmospheric contaminants above established PEL/TLVs or oxygen deficient atmospheres, or who are expected to use respirators. It instructs them in proper use and operation of respirators.

Rigging
In accordance with the applicable provisions of Title 29 CFR 1910 and 1926, this course explains rigging and rigging appliances, safety, and applicable regulatory requirements.

Right To Know
In accordance with the applicable provisions of Title 29 CFR 1910 and 1926, this course informs employees and supervisors of the chemical, fire, and biological hazards in the workplace and safe practices for mitigating risk and exposure. The course is designed for employees who may be exposed to, or have the potential to be exposed to hazardous chemicals in the workplace. Course modules include chemical safety, bloodborne pathogen safety and fire prevention actions.

Roadway Worker Protection (RWP)
In accordance with the applicable provisions of Title 49 CFR Part 214, Roadway Worker Protection (RWP) training presents FRA mandated on-track safety requirements.

Roadway Worker In Charge (RWIC)
In accordance with the applicable provisions of Title 49 CFR Part 214, this program trains employees to provide on track protection to a workgroup. It presents the knowledge required of the RWIC who is responsible for the safety, instruction, performance, and protection of all workers under his or her jurisdiction.



RWP & Contractor Safety Training
In accordance with the applicable provisions of Title 49 CFR Part 214, Contractor Safety Training is inclusive of Roadway Worker Protection (RWP) training, which presents FRA mandated on-track safety requirements, and consideration of LIRR Safety rules for contract employees.

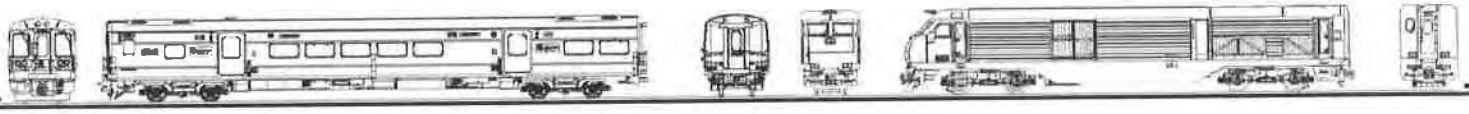
Roadway Worker Refresher for New Employees
In accordance with the applicable provisions of Title 49 CFR Part 214, this training program captures new employees between their third to sixth month of employment. Building upon the foundation of training received during New Employee Orientation, in a discussion based format, employees' experiences working with RWP are solicited and application of the appropriate citation are emphasized and reviewed.

Safe Lifting
This course focuses on how to protect your back to avoid injury. The course is customized to the needs of the prospective audience (e.g. office, shop or field).

Standard Operating Procedures (SOP)
In accordance with the applicable provisions of Title 49 CFR Part 214, the Standard Operating Procedures (SOP) training program has been established for the purpose of informing all operators of either hi-rail or rail bound vehicles of their personal responsibilities related to Work Equipment. Work Equipment is defined by the LIRR as, "A roadway maintenance machine, not classified as an engine, which is operated on track for inspection or maintenance. It may not shunt track circuits, or operate signals and will be governed by rules and special instructions for trains other than passenger trains." Work Equipment can be in the form of a hi-rail truck or a track-surfacing machine.

Violence in the Workplace
This course addresses the requirements set forth in Article 2 Section 27-b of the New York State Labor Law entitled "The Workplace Violence Prevention Act for Public Employees". This law requires public employers to develop and implement a Workplace Violence Prevention Plan.

Work Zone Safety
This four-hour training provides the fundamental concepts of work zone traffic control and proper flagging techniques. Resource material used are designed to cover the basic requirements of Title 23 CFR Part 655 commonly known as the National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways.



New Electricians Program

For newly hired Electricians, this program includes the following modules:

Introductory Training

- New Employee Orientation
- Introduction to LIRR Rules

Yard/Shop Familiarization

Equipment Familiarization
MU Bus Line Circuits
Electrical Test Equipment

Safety Training

- Lockout / Tagout
- Powered Industrial Truck
- Blue Signal Protection
- LIRR 290 w/ Electrical Safety
- Confined Space Entry
- CPR/AED
- Aerial Manlift Fall Protection
- Overhead Crane
- Rigging
- Fall Protection

M3 Equipment

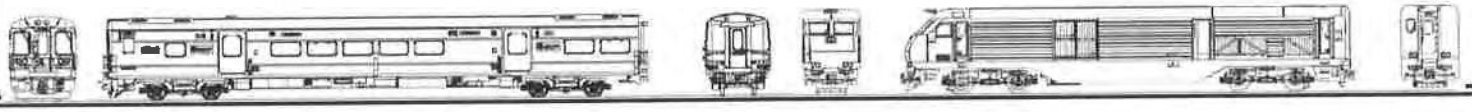
- Propulsion
- HVAC
- Main and Auxiliary Power
- Doors

M7 Equipment

- Basic
- Advanced Basic (On-Board Diagnostics)
- Auxiliary Power Supply
- Propulsion
- HVAC
- Doors
- Air Brake
- Automatic Train Control with certification

Diesel and C3 Equipment

- DE/DM Overview
- C3 Overview
- C3 Passenger Coach Electrical Systems
- C3 Doors
- C3 HAVC
- C3 Air Brake
- Diesel Equipment PIU
- DE / DM Electrical Systems 1



Government Regulations

CFR 217/218

- MU Car Moving
- EPA AC Refrigerant Handling Certification
- Title 49 CFR Part 238 Module 1 Introduction to the regulation
- Title 49 CFR Part 238 Module 2 Movement of Defective Equipment
- Title 49 CFR Part 238 Module 3 Push/Pull Brake Tests
- Title 49 CFR Part 238 Module 4 Push/Pull Calendar Day Mechanical Inspection
- Title 49 CFR Part 238 Module 5 Single Car Brake Test
- Title 49 CFR Part 238 Module 6 Pass. Coach Periodic Inspection
- Title 49 CFR Part 238 Module 7 MU Calendar Day Mechanical Inspection
- Title 49 CFR Part 238 Module 8 MU Brake Tests

Carman Phase I Training

For newly hired or promoted Carman, this training program contains the following modules:

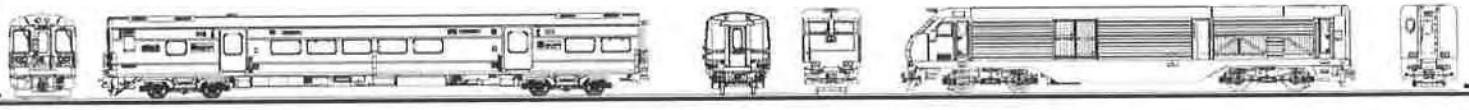
- Carman Orientation Training
- Introduction to LIRR Rules
- Yard/Shop Familiarization
- Diversity
- Equipment Familiarization
- MU Bus Line Circuits
- Wheel Defects

Safety Training

- Lockout / Tagout
- Powered Industrial Truck
- Blue Signal Protection
- Aerial Platforms
- LIRR 290 w/ Electrical Safety
- Aerial Manlift Fall Protection
- Right To Know
- Overhead Crane
- Rigging
- Fall Protection

M3 Equipment

- Trucks
- Airbrake



M7 Equipment

- Basic
- Advanced Basic (On-Board Diagnostics)
- Auxiliary Power Supply
- Propulsion
- HVAC
- Doors
- Air Brake
- Trucks

Diesel and C3 Equipment

- DE/DM Overview
- C3 Overview
- Truck and Suspenion
- Couplers
- C3 Doors
- C3 Central Diagnostic System
- Toilet
- Airbrake

Government Regulation

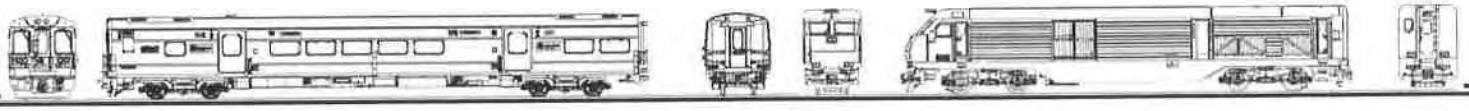
- EPA AC Refrigerant Handling Certification
- Title 49 CFR Part 238 Module 1 Intro
- Title 49 CFR Part 238 Module 2 Movement of Defective Equipment
- Title 49 CFR Part 238 Module 3 Push/Pull Brake Tests
- Title 49 CFR Part 238 Module 4 Push/Pull Calendar Day Mech. Inspection
- Title 49 CFR Part 238 Module 5 Single Car Brake Test
- Title 49 CFR Part 238 Module 6 Pass. Coach Periodic Inspection
- Title 49 CFR Part 238 Module 7 MU Calendar Day Mech. Inspection
- Title 49 CFR Part 238 Module 8 MU Brake Tests
- Welded Safety Appliances
- Title 49 CFR Parts 217 and 218

Welding Safety Appliances

Carman Phase 2 Road Car Inspector

This training program qualifies Carman as Road Car Inspectors. The program contains the following modules:

- Introductory Training
- Yard/Shop Familiarization
- Equipment Familiarization
- Basic Electricity and Electronics



Safety Training

- CPR/AED
- Title 49 CFR Parts 217 and 219CFR 217/218
- LIRR 290
- Blue Signal Protection
- Bus Line Review
- Lock Out Tag Out

M3 Equipment

- M3 Auxiliary Power – Inverter
- Propulsion
- HVAC
- Doors
- Air Brake
- Wheel Defects
- Title 49 CFR Part 238 Review

Diesel and C3 Equipment

- DE/DM Overview
- C3 Coach Overview
- Diesel Troubleshooting
- Title 49 CFR Part 238 Module 2 - CFR 238 Movement of Defective Equipment
- Title 49 CFR Part 238 Module 3 Push/Pull Brake Tests
- Title 49 CFR Part 238 Module 4 Push/Pull Calendar Day Mech. Inspection
- Title 49 CFR Part 238 Module 7 – CFR 238 Multiple Unit Daily Inspection
- Title 49 CFR Part 238 Module 8 – CFR 238 Multiple Unit Brake Tests

M7 Equipment

- M7 Basic
- M7 APS
- M7 Air Brake
- M7 Propulsion
- M7 Doors
- M7 HVAC
- M7 Toilets
- MU Troubleshooting

New Gang Foreman

This program qualifies newly hired or promoted employees as gang foreman in the Maintenance of Equipment Department and includes the following:

- Introductory Training
- Maintenance of Equipment-Department Administration
- MU Bus Line Circuits
- Blue Signal Protection
- Equipment Familiarization
- Wheel Defects
- MU Troubleshooting
- Kronos Corporate Time and Attendance Monitoring System
- M of E Craft Overview
- Yard/Shop Familiarization
- Yard Safety Refresher
- Title 49 CFR Part 238 Refresher

Safety Training

- CPR/AED
- Confined Space Entry
- Powered Industrial Truck
- Overhead Crane / Overhead Crane Supervisor
- Rigging
- Fall Arrest / Aerial Manlift
- NIMS ICS 100
- NIMS ICS 200
- Hazmat with Waste Water Management
- Right to Know
- Lock out/Tagout
- Electrical Safety
- Defensive Driving
- Title 49 CFR Parts 217 and 218
- LIRR 290
- Roadway Worker In Charge

Diesel and C3 Equipment

- DE/DM Overview
- C3 Overview
- Diesel Troubleshooting

Management Education

- Effective Business Writing
- Managing to Excel
- Managing Diversity
- Legal Issues/EEO and the Law
- Labor Relations at the LIRR
- System Safety Management
- Identifying and Helping the Troubled Employee

Computer Training

- Outlook / Intranet
- SAFER and E.T.S. Training
- Kronos Training
- Maximo Training M of E
- WMDS, FileNet and IEM Training

Transportation Training

- Basic Skills Operations

New Machinist Orientation Training

This program begins the process for qualifying newly hired Machinists and includes the following:

- Program Orientation
- Intro to LIRR Rules
- Yard/Shop Familiarization

Equipment Familiarization

Safety Training

- Lockout / Tagout
- Powered Industrial Truck
- Blue Signal Protection
- LIRR 290 with Electrical Safety
- Aerial Manlift Fall Protection
- Right To Know with First Line of Defense

Fall Protection
CPR AED
Confined Space
Overhead Crane
Rigging

MU Equipment

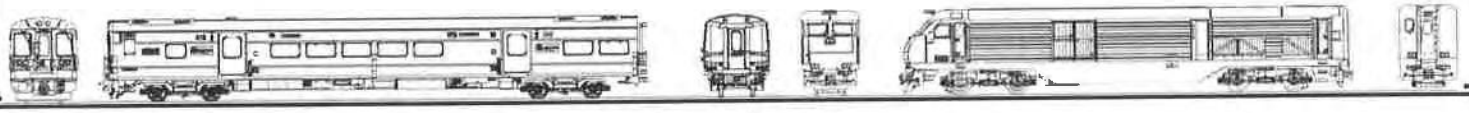
- MU Bus Line Circuits
- · Wheel Defects
- M7 Basic

Diesel and C3 Equipment

- DE/DM Overview
- C3 Overview
-
- DE/DM Truck and Suspension
- DE/DM Air Brake
- DE/DM Electrical Systems
- DE/DM Mechanical Systems
- C3 Air Brake

Government Regulation

- AAR Training
- EPA AC Refrigerant Handling Certification·
- Title 49 CFR Part 238 Module 1 Intro
- Title 49 CFR Part 238 Module 2 Movement of Defective Equipment
- Title 49 CFR Part 238 Module 3 Push/Pull Brake Tests
- Title 49 CFR Part 238 Module 4 Push/Pull Calendar Day Mech. Inspection
- Title 49 CFR Part 238 Module 5 Single Car Brake Test



- Title 49 CFR Part 238 Module 6 Pass. Coach Periodic Inspection
- Title 49 CFR Part 238 Module 7 MU Calendar Day Mech. Inspection
- Title 49 CFR Part 238 Module 8 MU Brake Tests
- Welded Safety Appliances
- CFR 217/218

New Sheet Metal Worker Orientation Training

This program qualifies new employees to be sheet metal workers in the Maintenance of Equipment Department and includes the following:

- Program Orientation
- Intro to LIRR Rules
- Yard/Shop Familiarization

Equipment Familiarization

Safety Training

- Lockout / Tagout
- Powered Industrial Truck
- Blue Signal Protection
- LIRR 290 with Electrical Safety
- Aerial Manlift Fall Protection
- Right To Know with First Line of Defense

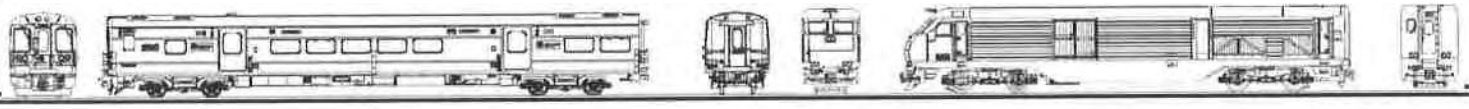
Fall Protection
CPR AED
Confined Space
Overhead Crane
Rigging

MU Equipment

- MU Bus Line Circuits
- Wheel Defects
- M7 Basic

Diesel and C3 Equipment

- DE/DM Overview
- C3 Overview
- DE/DM Truck and Suspension
- DE/DM Air Brake
- DE/DM Electrical Systems
- DE/DM Mechanical Systems
- C3 Air Brake



Government Regulation

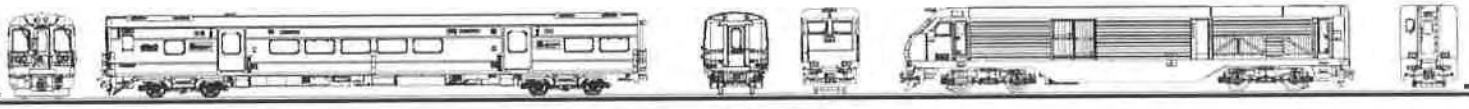
- AAR Training
- EPA AC Refrigerant Handling Certification· Title 49 CFR Part 238 Module 1 Intro
- Title 49 CFR Part 238 Module 2 Movement of Defective Equipment
- Title 49 CFR Part 238 Module 3 Push/Pull Brake Tests
- Title 49 CFR Part 238 Module 4 Push/Pull Calendar Day Mech. Inspection
- Title 49 CFR Part 238 Module 5 Single Car Brake Test
- Title 49 CFR Part 238 Module 6 Pass. Coach Periodic Inspection
- Title 49 CFR Part 238 Module 7 MU Calendar Day Mech. Inspection
- Title 49 CFR Part 238 Module 8 MU Brake Tests
- Welded Safety Appliances
- CFR 217/218

Road Car Electrician

To familiarize qualified M of E Electricians with the job requirements, safety, and troubleshooting knowledge as it pertains to working in outlining points as a Road Car Electrician.

- Overview & Introduction to "Road Car Electrician"
- Safety – LIRR 290
- CFR 217/218
- RCE locations/ shifts
- Blue Signal Protection
- Equipment Isolation / Protection
- Safety rules pertaining to de-energizing and re-energizing 750-volt circuits
- M3 & M7 Bus Line Circuits
- Identifying trainline or local problems
- Trouble shooting the 37/74vdc and 220/240vac systems
- Batteries and Charging system
- Door circuits
- Propulsion/Braking systems
- Understanding Air Brake Problems
- Hands – On Training
- Practical trouble shooting tasks on equipment

NOTE: Participants must successfully complete both the "hands-on tasks" and the written test to pass the classroom portion of the training. Four weeks of on-the-job training with M of E follows this training.



4.6.2 Contractor Safety Coordination

The LIRR's Capital Program funds the most vital needs for rolling stock and infrastructure. The goal of this program is to maintain the LIRR in a state-of-good -repair through capital funding for its essential components: rolling stock, infrastructure, track, signals, power, and communications. This represents a fundamental component of providing the high quality service that LIRR customers expect and deserve. The proposed program also supports the MTA and LIRR initiatives featured in the Strategic Business Plan. The document outlines the railroad's strategic priorities over a five-year planning period: increase customer satisfaction, enhance safety, and improve cost-effectiveness.

This section applies to contractor personnel working on the LIRR's property during the execution of capital projects. The railroad complies with all stipulations set forth by Title 49 CFR Part 214 as they pertain to work by outside third party contractors. The MTA's Owner Controlled Insurance Program (OCIP) is used to insure most of the Department of Program Management's (DPM) construction contracts. This program provides additional safety oversight.

DPM is responsible for executing the Capital Projects. The execution involves both in-house railroad forces (Force Account) and outside 3rd Party Contractors. The 3rd Party Contractor personnel (who do not come under the direct jurisdiction of the railroad), quite often work on the railroad property and under operating conditions. This necessitates that certain requirements must be applied to all members of the contractor work force to ensure the safety of passengers, railroad employees, contractor employees, as well as the protection of railroad property.

In order to ensure that all contractor personnel know and follow the procedures, the safety requirements have been incorporated into both the General Provisions as well as the Technical Specifications of the contract.

General Provisions, Section IV- Performance of the Work incorporates elements affecting safety as follows:

Section IV

8.0 Environmental Protection
13.0 Smoking
14.0 Intoxicants
15.0 Clean-up and disposal of debris
16.0 Safety
16.5 Accidents and Personnel Injuries
17.0 Railroad Operations
20.0 Contractor Vehicle Operation Safety

Schedule XV – Material Safety Data Sheet (MSDS)

The above safety requirements become part of each and every contract entered into by the railroad.

The following technical specifications are included in every construction contract. These specifications deal with safety issues and can be modified to better suit the individual contract.

Section No.	Section Title
01050	FIELD ENGINEERING Requirements for Survey and Layout.
01060	SAFETY Requirements for safety, including: 1. Safety, Health, and Environmental Control Plan 2. Daily Safety Report 3. Safe Work Plan 4. Safety Personnel 5. Accident and Incident Notification 6. Safety Orientation 7. Safety Meetings 8. Maintenance of Safety Records 9. Personal Protective Equipment 10. Railroad Roadway Worker Protection 11. Protection of the Public 12. Other Safety Rules and Requirements
01080	ENVIRONMENTAL PRACTICES Requirements for providing environmentally friendly products and materials
01150	RAILROAD OPERATIONS Requirements for Work performed in the vicinity of track.

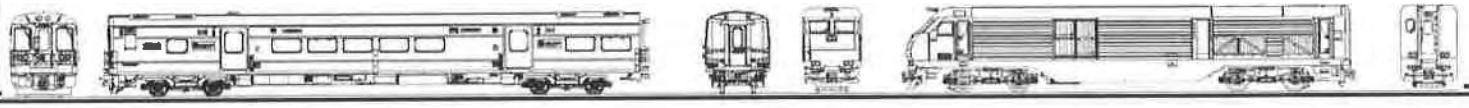
WORK AROUND IMPLEMENTATION PROCESS

Prior to start of work, work plans and proposed methods of construction are reviewed by Project Management, Corporate Safety & Training, and affected Operating Department representatives. To protect customer and employee safety, and to ensure continued safe operations, "work around" plans are developed and implemented through the use of corporate concurrence process. All employees affected by the "work around" plans are notified through timetable General Notice or departmental notification.

In the Technical Specifications, the worker's health and safety are addressed in Section 01060, parts 1 through 3, as follows:

Part 1

Provides a general description of safety requirements, referenced sections, cited standards (OSHA, NFPA, and FRA), noted restrictions, quality control, submittals, and deliverables.



Part 2
Specifies the minimum requirements, which have to be made part of the Contractor's written Safety Program. The requirements, among others, include:

- Railroad Safety Rules
- Roadway Worker Protection (as per 49 CFR 214)
- Personal Protective Equipment
- First Aid
- Construction Operations
- Fire Protection and Prevention (as per OSHA/NFPA standards)
- Safety Awareness
- Safety Representative
- Railroad Safety Orientation

Part 3
Provides general instructions for execution of work.

The above illustrates the measures taken by the LIRR to be in full compliance with:

- 49 CFR Parts 214, 219, 228
- 29 CFR Part 1910 - OSHA (General Industry Standards)
- 29 CFR Part 1926 - Construction (OSHA)

The foregoing also meets the requirements enunciated in American Passenger Transportation Association (APTA) Manual for the Development of System Safety Program Plans for Commuter Railroads since the LIRR has incorporated the requirements, in its contracts, to ensure that all contractor personnel: 1) are instructed on the procedures, 2) know the procedures, and 3) follow the procedures.

4.6.2.1 Third Party Contractor Operations

The LIRR utilizes a variety of third party contractors for work including, but not limited to Capital Improvements, Facility Cleaning, Hazardous Materials, Fire Extinguisher certification and replacement, Pest Control, Rubbish Carting, Occupational Safety/Health lab analysis and Abatement, etc.

As stipulated of the contract agreements, all contractors operations must comply with established LIRR operational and safety rules and regulations, and personal protective equipment standards. In addition, mandatory compliance with all Occupational Safety and Health Administration,

Construction, and General Industry Standards are also required. Periodic audits are conducted to ensure contractor workforce compliance with these standards.

4.6.3 Fitness for Duty Program

4.6.3.1 Drug & Alcohol Program

The LIRR is committed to maintaining an alcohol and drug free workplace, to provide a safe and productive work environment, and to retain the public's trust and confidence in our Transportation services. The purpose of this policy is to prevent accidents, incidents, and losses resulting from alcohol and drug use. This policy also defines alcohol and drug testing requirements and outlines applicable Employee Assistance Program services.

All LIRR employees are covered by this policy.

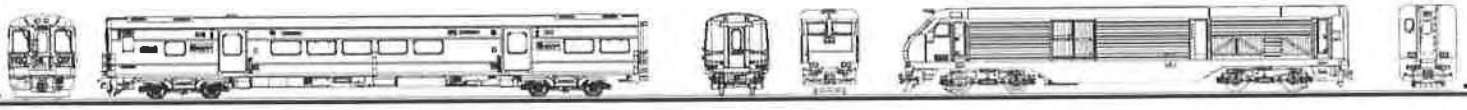
ESSENTIAL FUNCTIONS

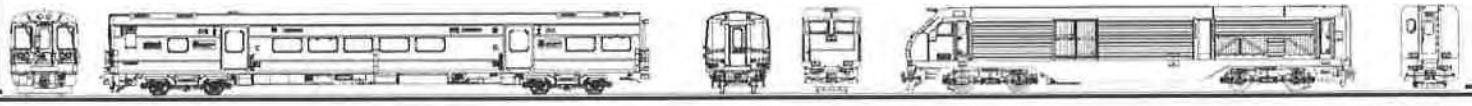
Every LIRR employee is deemed to have agreed to comply with the provisions of this policy by virtue of accepting and/or continuing employment with the Company. Compliance is a condition of employment

- Covered Employees and CDL Drivers may use prescribed and/or over-the-counter medications if:
  1. such use is brought to the attention of the LIRR Medical Review Officer (MRO) or his/her designee by the employee
  2. the medication is prescribed or authorized by the employee's licensed medical practitioner for use by the employee, and
  3. the MRO, or his/her designee, has made a good faith judgment that use of the substance as prescribed is consistent with the safe performance of the employee's duties. The decision of the MRO is binding.

- Employees are required to notify their Department head in writing when convicted of violations of either alcohol or drug statutes under Penal Law or Vehicle & Traffic Law no later than five (5) days after such conviction.

- Employees are required by the Drug Free Workplace Act of 1988 to notify their Department Head in writing of any criminal drug statute conviction for a violation that occurred in the workplace, no later than five (5) days after such conviction.





- Employees of the LIRR performing duties covered by 49 CFR Part 219 and 49 CFR Part 228 on the property of foreign railroads are subject to the rules and regulations pertaining to drug and alcohol testing in effect on that railroad. In like manner, employees of foreign railroads performing service on the LIRR are subject to LIRR rules and regulations.

- Employees who, while driving a commercial motor vehicle in the service of the Company, are involved in an accident which involves loss of human life, or receive a citation under State or Local law for a moving traffic violation arising from an accident, must at once report the accident or alleged violation to their immediate supervisor.

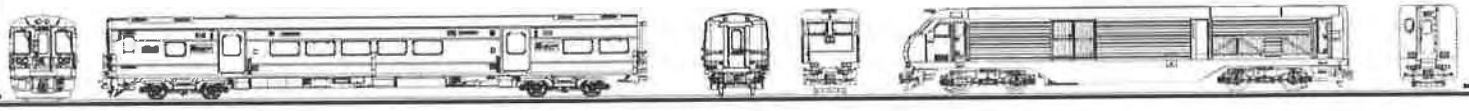
- A supervisory employee, who has completed the Identifying the Troubled Employee training class, who has reasonable suspicion that an employee is in violation of this policy must immediately relieve the employee from duty and follow Departmental and LIRR Medical Facility procedures to have the employee tested for the presence of prohibited substances.

POLICY

Prohibitions

The use or possession of alcoholic beverages, intoxicants, or controlled substances by employees, or being under the influence thereof, while on duty or while subject to duty, is prohibited. Consuming alcohol and/or possessing an open container of an alcoholic beverage while on LIRR property, whether on- or off-duty, is prohibited. (See Corporate Policy Med-005 and Rules of the Operating Department Rule G.)

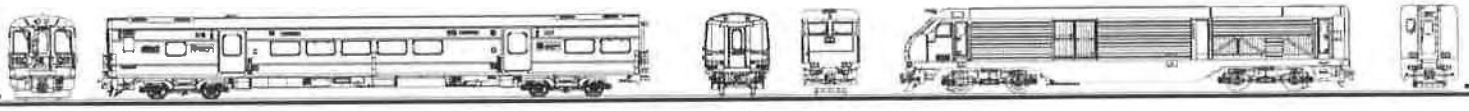
Employees shall not report for duty under the influence of or use while on duty or on Company property, any drug, medication or other substance, including those prescribed by a doctor, that will in any way affect their alertness, coordination, reaction, response or safety. Questionable cases involving the adverse effects of any medication shall be referred to the Company Medical Facility's Physician-in-Charge.



- **Illegal Substances**
  The illegal use, possession, manufacture, distribution, or the dispensing or selling of any controlled substance on or off duty, or on or off Company property is prohibited.

- **Legal Substances**
  The use of prescription medication deemed a controlled substance is prohibited, unless legally prescribed by a licensed physician. Covered employees (FRA) and CDL drivers must consult with the LIRR Medical Facility Physician-in-Charge before using any substance, including over-the-counter medications. Questionable cases involving the effects or appropriateness of any medication shall be referred to the Physician-in-Charge as final authority. Use of any medication prescribed by a licensed physician, but not approved by the Physician-in-Charge, must be substituted by an "approved" medication or terminated **within** a sufficient **amount of** time (as determined by the Physician-in-Charge) before reporting for duty to ensure that the employee is not in violation of this policy.

- **Alcohol**
  The off-duty use of alcohol by an employee must be terminated **within** a sufficient **amount of** time before reporting for or being subject to duty, to ensure that the employee is not in violation of this policy. Covered Employees, CDL Drivers and Safety-Sensitive employees must terminate the use of alcohol a minimum of four (4) hours before reporting for or being subject to duty.



DETECTION AND DETERRENCE

In order to detect those who are, and deter those who could be, in violation of this policy, employees and candidates for employment are required to provide breath/blood, saliva and/or urine samples for toxicological testing in the following circumstances:

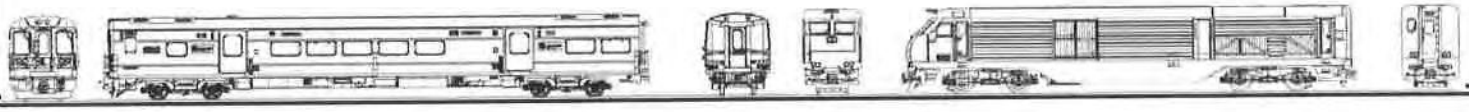
- **Pre-Employment**
  Candidates for employment in Covered (FRA or FMCSA) or Safety-Sensitive positions will be tested as part of the hiring process's physical examination. Candidates testing positive for illegal substances will not be hired.

- **Pre-Promotion/Transfer**
  Candidates for promotion/transfer into Covered (FRA or FMCSA) or Safety-Sensitive positions will be tested as part of the promotion/transfer process.

- **Periodic**
  Employees **subject to periodic testing** may be **drug and/or alcohol** tested during their periodic physical examinations. CDL drivers will be tested at the time of their periodic examination.

- **Post-Accident/Incident**
  In compliance with the Federal Motor Carrier Safety Administration (FMCSA) regulations, 49 CFR Part 219, Sub-Part C, Post-Accident Toxicological Testing, employees who perform service under the 49 CFR Part 228-Hours of Service of Railroad Employees, directly and contemporaneously involved in train accidents or incidents as described in the regulation must cooperate in breath/blood and urine sample collection for toxicological testing.

  In compliance with Federal Highway Administration (FHWA) regulations, 49 CFR Part 382, Sub-Part C, Post-Accident Testing, employees driving a commercial motor vehicle in the service of the Company involved in an accident described in the regulation must cooperate in breath and urine sample collection for toxicological testing if the accident involves loss of human life or a citation is received for a moving violation from the accident.



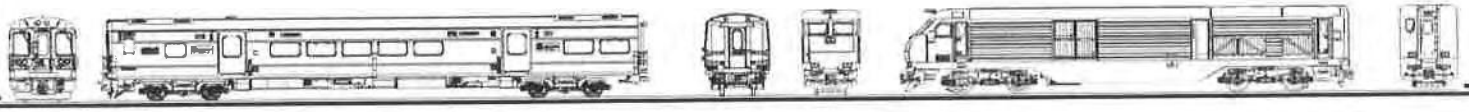
Covered employees and CDL Drivers (as defined on page 8 of 8) subject to Post-Accident testing are prohibited from using alcohol following an accident/incident until after testing is completed or advised by their supervisor that testing is not required.

- **Random**
  In compliance with Department of Transportation (DOT) Regulations, FRA 49 CFR Part 219, Sub-Part G, Random Alcohol and Drug Testing Programs, and FMCSA 49 CFR Part 382, Sub-Part C, Random Testing, employees who perform service subject to the Hours of Service Act (45 USC 61-64b), or who drive a commercial motor vehicle in the service of the Company are subject to random testing. Selection of covered employees for testing shall be made by a method employing objective, neutral criteria that ensures that every covered employee has an equal statistical chance of being selected for testing.

- **Reasonable Suspicion**
  Employees must submit to testing when a qualified supervisor has a reasonable suspicion that an employee is currently under the influence of, or impaired by, alcohol and/or a controlled substance based on specific, contemporaneous observations that the supervisor can articulate concerning the appearance, behavior, speech or body odors of the employee.

  When reasonable suspicion exists, a supervisor will immediately relieve the employee from duty and proceed to have the employee tested in accordance with Departmental and LIRR Medical Facility procedures. Employees should be released from duty following sample collection and taken out of service only when results are received and are positive for presence of any prohibited substance.

  If there is a positive alcohol test, the supervisor should **prohibit** the employee from operating a motor vehicle and should assist the employee in making arrangements for transportation to the employee's destination. If the employee insists on operating a motor vehicle, the supervisor must notify the MTA Police Department or other appropriate police agencies.



- **Reasonable Cause**
  Covered (FRA or FMCSA) and Safety-Sensitive employees will be tested following an incident or accident as set for in 49 CFR Part 225 or a Rule Violation as set forth in 49 CFR 219.301.

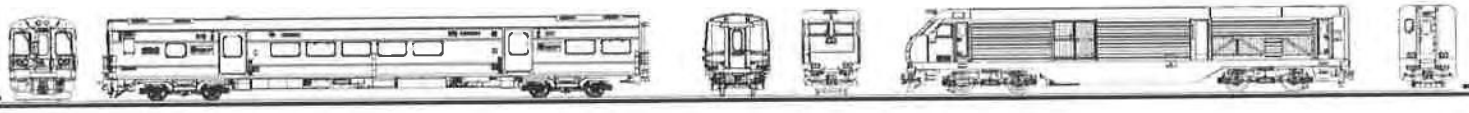
  All employees must submit to testing following an accident where the accident was not due to mechanical failure or the negligent action of an employee, other than employee who was involved in an accident, which (1) results in the loss of human life (2) causes bodily injury to himself or others requiring medical attention beyond first aid treatment.

  All employees must submit to testing where there is an incident and/or a Supervisor has a reasonable belief, based on specific, articulable facts that the employee's acts or omissions contributed to the occurrence or the severity of the incident.

  Employees being tested under Reasonable Suspicion or Reasonable Cause are prohibited from operating a motor vehicle and must be escorted/accompanied by a supervisor to the testing facility. Supervision should also assist the employee in making arrangements to transport the employee to his/her home destination. If the employee insists on operating a motor vehicle, the supervisor must notify MTA Police or other appropriate police agency.

- **Return-to- Duty Physical Examinations**
  Covered FRA and FMCSA and Safety Sensitive employees who have been absent from work for any reason for 30 days or more will be subject to drug and/or alcohol testing as part of their return-to-duty examination.

- **Discretionary/Follow-Up**
  Employees may be tested at the discretion of the LIRR under the following circumstances:
  - As part of a trial waiver agreement
  - Following a suspension when the suspension was the result of a violation of this policy
  - Following reinstatement after dismissal when dismissal was a result of a violation of this policy.



- When an employee has been convicted of a violation of Penal Law, Vehicle and/or Traffic Law statutes, which pertain to the use or possession of alcohol and/or illicit drugs. This applies whether the employee is convicted of activity occurring on or off Company property, on or off duty.

- **Regulatory**
  Employees must submit to testing as required by all other applicable Federal and State requirements.

SANCTIONS FOR VIOLATIONS

Employees who are required to take a breath, blood, saliva and/or urine test but refuse, or cannot or will not provide an adequate amount of breath or urine for analysis (when no medical reason can be found for not doing so) will be removed from service and will be subject to dismissal.

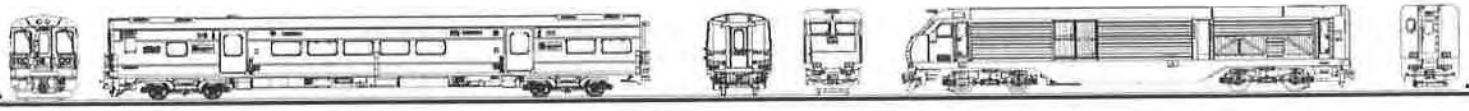
The detection of the presence of alcohol at the level of .02* or greater on a confirming breath test, and/or the detection of alcohol and/or drugs in the body fluids of an employee, will constitute a violation of this policy, and subject the employee to dismissal.

A supervisory employee who permits an employee who is in violation of this policy to remain on duty, or to leave without taking action as outlined in this policy, is in violation of this policy and is subject to dismissal.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The LIRR has established a Corporate Procedure on the Employee Assistance Program (EAP). The LIRR provides the EAP through which employees have access to professional services to aid them **specifically with** alcohol and/or drug problems. Employees are encouraged to use EAP services before the problem affects job performance or is detected as a violation of this policy.

The LIRR recognizes that alcohol and drug abuse are progressive conditions that can be successfully treated and is willing to assist employees who suffer from these problems, while holding them responsible for their recovery. Independent of an employee's recovery status, the Company expects an acceptable level of job performance at all times.



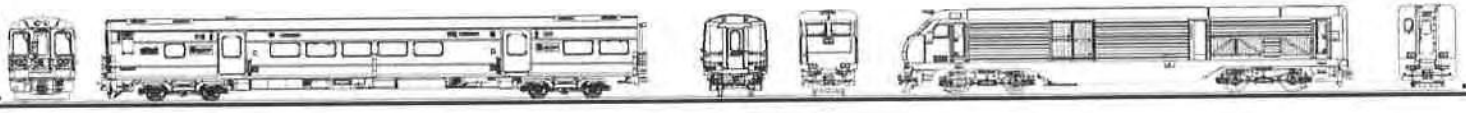
Co-worker intervention and referral to the EAP is considered an integral part of the Company's Alcohol & Substance Abuse Policy. Voluntary and co-worker referrals will be treated in accordance with the provisions of FRA regulation 49 CFR Part 291, Sub-Part E. Co-worker intervention is strongly encouraged.

*.02 breath alcohol content is the authorized DOT cut-off level for the detection of alcohol by Breathalyzer. Therefore, for the purpose of this policy, .02 BAC equals **"Zero-Tolerance."**

COVERED POSITIONS

- Employees **(both represented and non-represented)** working in positions governed by 49 USC 21101 Sec. 108 *Hours of Service Reform*:
  - Block Operator, Chief Train Dispatcher, Train Dispatcher, Train Director, Console Operator and their Assistants
  - Engineer and Engineer Trainee
  - Conductor, Assistant Conductor and Trainees, Special Duty Conductor, Special Duty Assistant Conductor, and Collector
  - Electrician (Car Mover, and ASC Qualified)
  - Signal Foreman, Assistant Signal Foreman, Signal Maintainer, Signal Inspector, Signalman, Assistant Signalman, and Signal Helper

- Commercial Drivers' License holders, who are in the service of the Company, are driving a Commercial Motor Vehicle. Commercial motor vehicle is defined by the FMCSA as a vehicle that:
  - Has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds.
  - Has a gross vehicle weight rating of 26,001 pounds.
  - Is designed to transport sixteen (16) or more passengers, including the driver.
  - Is of any size and is used in the transportation of materials found to be hazardous for the purpose of the Hazardous Materials Transportation Act, and which require the motor vehicle to be placed under Hazardous Materials Regulations, 49 CFR Part 172, Sub-Part F.



4.7.1 Passenger Operational Environment Programs

Customer safety is a top priority for the LIRR. Customer accidents have shown a decrease from 1996 through 2013. Since 1996, the Railroad has several successful programs to address customer safety.

Customers have various mechanisms to report hazards or concerns related safety and security. The Corporate Safety & Training (CS&T) Department and the Railroad's Claims Department track customer accidents for reporting and accident trend analysis through various means.

Customer accident reports are received by Non-Employee Accident Report form (ARNE), MTA Police Incident Reports and by claims/lawsuit reports. The CS&T Department provides customer accident statistics, including top five accident causal factors, on a monthly basis to Senior Staff and Long Island Committee. In addition, customer accident case rate data is provided to the MTA Safety & Security Committee on a quarterly basis.

4.7.2 Public Safety Programs

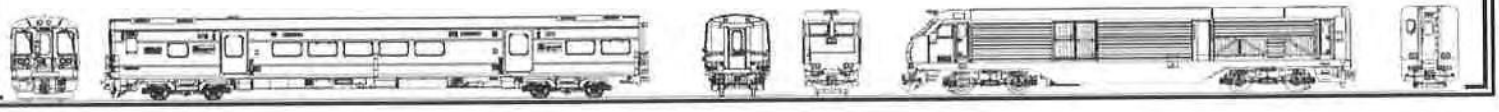
LIRR programs and outreach initiatives are as follows:

- Customer Safety Campaign
  - Brochures
  - Seat drops
  - Posters
  - Examples: Watch the Gap, Slip/Trip/Fall

- Customer Safety Videos
  - Gap Safety video
  - Train Evacuation video
  - Grade Crossing Track Safety video

- Escalator Safety Week
  - Over 5,000 pamphlets distributed every year.

- Customer Safety Review Committee
  - Formed at the beginning of the 2007. The committee is chaired by the Manager, Hazard Analysis, CS&T and is comprised of cross-departmental functional team with members from Operating Departments, Public Affairs, Claims.
  - Meets four (4) times per year, or sooner as deemed necessary by senior staff, and reviews customer accident information for trend analysis and possible corrective action.



The Railroad has several community safety outreach programs cited in previous sections:

- TRACKS (Together Railroads and Communities Keeping Safe) – A school and community safety educational program administered jointly by CS&T and MTA Police (sections 2.1.4 and 2.1.8). The Program has reached over 1,000,000 participants in the last ten years.
- Right of Way Task Force – A joint operation between CS&T and MTA Police to be proactive in identifying hazards along the Right-of-Way and expedite corrective action **(2.1.4)**

4.7.3 LIRR Gap Mitigation Program

The LIRR has implemented a detailed Gap Mitigation Program to reduce the risk of accidents associated with Gaps (space between car body and platform). The LIRR program is partially based, and in full compliance with the Recommended Practices for Gap Mitigation developed through the FRA Rail Safety Advisory Committee, as well as the recommendations of the New York State Public Transportation Board and the National Transportation Safety Board. The LIRR continues to work with the American Passenger Transportation Association (APTA) as they near release of their guidance document.

There are no single fixes that can eliminate station gaps. Nor is there a single fix that can reduce all gaps to the same size given the variations in track geometry, railcar types and operating speeds that exist on the LIRR. The Gap Mitigation Program consists of short, intermediate and long term measures that has as it end goal a program that accomplishes the following:

- Identifies each excessive gap and reduces it to the minimum space required for clearance given the specific factors and safety requirements at the location.
- Modifies operations, where feasible to reduce gap risks at curved locations, particularly where the space is required for clearance.
- Undertakes a review to determine the feasibility of revising the gap related standards, which could allow for reductions in gaps.
- Implements an expanded public awareness campaign to ensure awareness of the gap, recognizing that actual gaps large enough for a person to fall through cannot be completely eliminated
- LIRR has formed a Customer Safety Review Committee chaired by the Manager, Hazard Analysis of the CS&T Department.
- The Customer Safety Review Committee reviews all GAP Accidents **to the extent practical.**

In addition, the Gap Mitigation Program encompasses the following areas:

- Physical Improvements
- Operational Measures
- Review Gap related standards
- Study applicability/feasibility of Gap fillers
- Public Awareness campaign
- Gap Accident Sub-Committee

In addition, the program has oversight from the following:

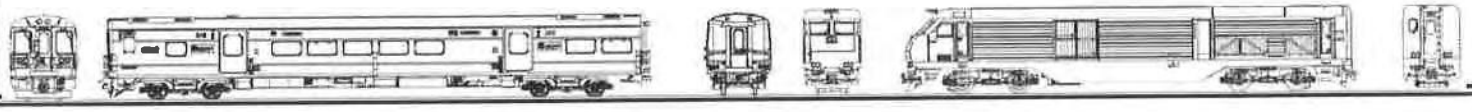
- Gap Task Force – Comprised of LIRR Senior Management, MTA Board member and Permanent Commuter Advisory Committee representative. The Task force meets periodically to review status the Gap Mitigation Program.
- American Public Transportation Association Accessibility Committee – Coordinated by APTA and comprised of rail industry, business partners and ADA representatives
- New York State Public Transportation Safety Board – PTSB Staff conducts oversight audit process of the Gap Mitigation Program.

4.7.4 Notification Process of Elevator & Escalator Outages/Complaints/Issues

- In 2012, the LIRR implemented a policy and procedure to notify internal and external parties/customers of unscheduled & scheduled outages, and complaints or issues identified by customers or employees with regard to escalator/elevator operational issues. LIRR Corporate Policy & Procedure CSMPA-001.
- All LIRR employees are responsible for reporting problems affecting LIRR escalators/elevators.
- Notification of outage(s) are made to railroad customers and LIRR forces to ensure that customers are informed, to allow them to change their travel patterns, if necessary, and for corrective action by LIRR personnel.

4.7.5 Customer Assistance program (CAP)

Customer Services, Marketing and Public Affairs is responsible for administering the LIRR's Customer Assistance Program (CAP), consisting of over 400 Management employees. The CAP is designed to provide a pool of managers to support the LIRR during train service disruptions, planned service outages and other situations deemed necessary by Senior Management where our Customers may be adversely affected.



4.8.1 Joint Freight Operations

Under an agreement dated November 18, 1996, as amended, operation of freight trains on the LIRR came under a privately held company. On May 11, 1997, the New York and Atlantic Railway Company (NYAR) began joint operations on tracks owned by the LIRR.

Under the agreement, operations of all NYAR freight trains on LIRR property are governed by the following LIRR publications:

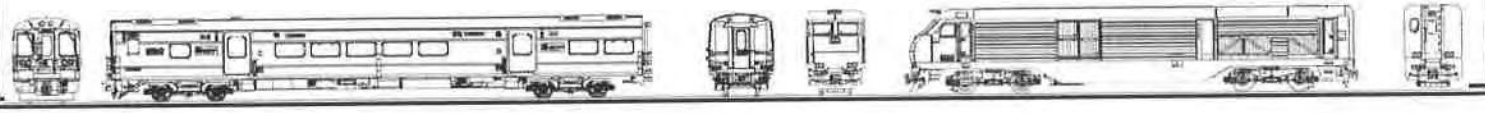
- Rules of the Operating Department
- Timetable Special Instructions
- All effective General Orders and General Notices

In addition to complying with all applicable LIRR rules and instructions, each NYAR crewmember must be qualified on the LIRR Operating Rules, Physical characteristics. NYAR engineers are qualified on Air Brake systems in accordance with NYAR standards as per CFR Part 232. In addition, NYAR Locomotive Engineers must be certified in accordance with 49 CFR Part 240 governing the Certification of Engineers under the auspices of the LIRR Superintendent-Engine Service and Conductors must be certified in accordance with Title 49 CFR Part 242 under the auspices of the LIRR Superintendent of Train Service, when operating over LIRR's territory.

The dispatching and movement of NYAR freight trains comes under the jurisdiction of the LIRR Movement Bureau through the Chief Transportation Officer, General Superintendent Transportation and Superintendent Train Movement.

To maintain of a safe operation, NYAR crews are subject to periodic field checks by Transportation Department supervisors focusing on safety and rules compliance. Field checks are conducted both overtly and covertly.

Operating windows for NYAR freights are based on current LIRR Timetables and Equipment Manipulations in effect for passenger trains combined with on-going track maintenance programs and Capital construction projects.



4.9 Environmental Management Programs

The LIRR has a variety of programs in place that protect the environment for its passengers, employees, and the communities that it serves and through which it operates. Attention to these issues is a critical business goal and is reflected by the resources the LIRR maintains at-hand.

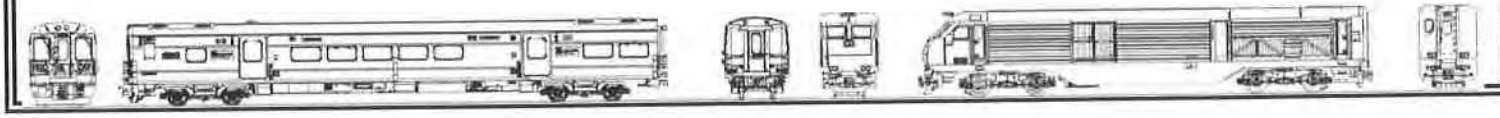
At the corporate level, the LIRR has developed a Corporate Environmental Strategy (CES), which positions the railroad for effectively dealing with past environmental issues, all the while the railroad is improving its infrastructure. Along with this CES, a policy was created which defines roles and responsibilities in environmental management throughout the LIRR. This document is the Corporate Policy for Environmental Management (SAFE-003).

Corporate Safety and Training's Environmental Planning & Compliance Division:

The LIRR has an Environmental Planning & Compliance group, which addresses this area of concern. As part of the Corporate Safety and Training Department, this group is independent of the operating departments. This group has various responsibilities, which include:

- Spill response, clean-up & investigation
- Annual environmental audit of all facilities, properties, and projects.
- Near-Term (non-Capitalized) Remediation Project Management such as tank closures or extensive spill/soil clean-ups.
- Capital Program review and advisement.
- Corporate policy and procedure review and implementation.
- Technical Advisor and expertise
- Regulatory review and interpretation
- Administrative functions including waste & lab contract preparation

The Corporate Policy for Environmental Management discussed above, includes provisions for the development of procedures and programs. The programs include a Petroleum Bulk Storage Tank Management Program, for management of petroleum bulk storage tanks, and the Petroleum Spill Response Plan, which assigns responsibilities and outlines procedures to be followed in the event of an oil spill.



Hazardous Materials

As the amount of information on potential hazards in the workplace has grown, the number of policies and programs at the Long Island Rail Road has also grown. The emphasis on these concerns is also reflected by the numerous organizational groups, which have direct involvement in the railroad's work with hazardous materials.

Each operating department maintains and updates information on materials in their areas of jurisdiction. This information includes technical specifications, Material Safety Data Sheets/Safety Data Sheets (MSDS/SDSs), instructions, and procedures. Due to it's large number of industrial processes and the chemicals used, the Maintenance of Equipment Department (M of E) has the Director – Shop Equipment Planning & Environmental Engineering and M of E's Environmental Compliance Group to oversee issues of waste, stored materials, and inspections and record-keeping. In the Engineering Department, two Assistant Managers - Safety and Environmental Compliance oversee these issues. The operating departments are supported by the Medical, Procurement, and the Corporate Safety and Training (CS&T) Departments.

The LIRR Medical Facility performs the routine occupational screening and periodic exams required for working with many hazardous materials. Some of the medical exams performed include; asbestos medical exam, lead exposure exam and bloodwork, referrals for potential human immunodeficiency virus or hepatitis B virus exposure, referrals for Lyme disease testing, and other exams. Records are kept for comparison over time where latency may be a factor.

The Procurement Department is crucial in ensuring that materials, which come to the property, meet specification, are properly labeled, and packaged. All new procurements for a chemical agent, substance or compound are sent to System Safety for review and approval before being brought onto LIRR property.

The LIRR has, in CS&T, multiple groups that focus on improving environmental compliance and quality across our territory. The first area where employees get information on our environmental management efforts and requirements is Training.

> Training addresses these issues through formal training programs that cover a variety of issues including; Confined Space Entry, Respiratory Protection, Bloodborne Pathogens (Infection Control), and Technical Instruction which includes emphasis on safe handling of hazardous materials, including personal protective equipment requirements.
>
> Mentioned at the beginning of this Element, Environmental Planning & Compliance is one of CS&T's two sub-groups that focus directly on practices and procedures for the

management and control of hazardous materials. The other group is Occupational Safety & Health. The responsibilities covered by these two sub-groups include:

Corporate Safety and Training - Occupational Safety & Health:

- Oversees and administers Industrial Hygiene inspections and monitoring
- Responds to exposure emergencies
- Performs reviews and audits of corporate policies
- Reviews Capital Projects for hazardous materials/conditions
- Reviews new procurements for hazardous materials
- Provides Technical expertise and advisement
- Acts as Regulatory agency liaison for the LIRR
- Oversees and audits performance on various Hazardous Materials Programs (see list below).

Occupational Safety & Health includes the following functions and responsibilities of the Hazard Abatement Group:

- Development, Maintenance and Implementation of the Hazard Abatement Program including Asbestos, Lead, Biological Abatement & Demolition.
- Review Department of Program Management & Operating Departments Construction Designs and advise when Hazard Abatement is required on their projects.
- Liaison to regulatory and governmental agencies on inquires from asbestos, lead, and biological issues.
- Manage the Hazard Abatement Consultant and Abatement Contracts System wide.
- Expert Testimony for court trials, arbitration hearings, and depositions for asbestos and lead cases.
- Corporate Policy procedure review and implementation
- Technical Expertise and advisement
- Administrative functions on all Hazard Abatement Contracts and Policies.
- Asbestos & Lead Abatement Management Program
- Administrative functions including Asbestos/Lead-Paint Abatement, Industrial Hygiene, Hazardous Waste & Environmental Lab contract preparation
- Regulatory review and Interpretation

Corporate Safety and Training - Environmental Planning & Compliance:

- Spill response, clean-up & investigation
- Annual environmental audit of all facilities, properties, and projects
- Short-term (not included in Capital Programs) project management

- Capital Program review and advisement. (LIRR's Department of Program Management Department addresses long-term remediations, discussed in Element 24.)
- Corporate policy and procedure review and implementation
- Technical advisement and expertise
- Regulatory review and interpretation
- Acts as environmental regulatory agency liaison for the LIRR
- Administrative functions include hazardous/non-hazardous waste removal and environmental lab contracts preparation.

4.9.1 Hazardous Materials Management

Policies & Procedures

The Hazardous Materials Policies and Programs currently in place at the LIRR include the following:

- **Confined Space Entry Program** - This program is utilized by all operating departments to address their permit-required confined space entries. Workers are provided with formal training by the Training Department and specialized equipment for accessing all permit-required confined spaces by their departments.

- **Ergonomics Program** - This is a two-phase program. The first phase includes high-risk jobs in the crafts being reviewed and recommendations made and implemented. The second phase is an on-going program to train individuals who utilize desktop workstations to provide solutions to common workstation problems.

- **Respiratory Protection Program** - This program covers the requirement for use of respiratory protection at the LIRR. Included under this program is the use of respirators, and self-contained breathing apparatus. The program outlines requirements for use including medical exams, training, fit-testing, proper selection of equipment, donning and doffing, cleaning, care and other considerations for safely using respiratory protection.

- **Hazard Communication Program** - The Hazard Communication Program is the vehicle used to inform and train workers about hazards in their workplace. The Program addresses typical hazardous substances such as chemicals and compounds that have hazardous chemical components. This section includes labeling, Material Safety Data Sheets (MSDSs), as well as chemical handling and precautions. The program also addresses

specific issues such as poison ivy for track workers, lifting for Stores Dept. employees, and bloodborne pathogens for station cleaners.

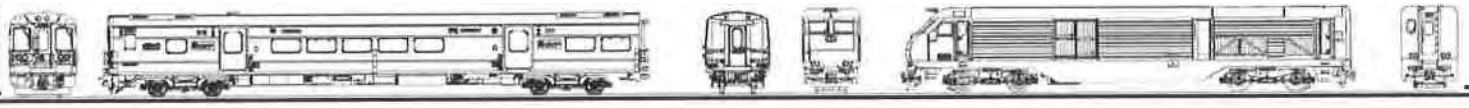
- Hazardous Abatement Policy - This policy addresses the removal, abatement or remediation of potentially hazardous materials found within the workplace at the LIRR, including asbestos, lead, mold & fungi, and PCBs. It includes formal procedures for setting up an inspection, remediation design and remediation project.

- LIRR Corporate Exposure Control Plan - This program is to instruct workers who may be exposed during the normal course of work, to potentially infectious agents. Typically, these workers are the cleaning crews who may come in contact with blood or other bodily fluids. The program identifies potentially infectious materials, provides protective measures and procedures, and delineates responsibilities for waste; clean-up and other associated issues.

Regulations:
Though not solely driven by regulation, the level of care is set by government standards. The following is a list of applicable standards and where they are directly applicable to railroad operations. Regulations for New York State are found in the New York Code of Rules & Regulations (NYCRR). The U.S. federal government regulations are found in the Code of Federal Regulations (CFR).

Ventilation
29 CFR 1910.94; 29 CFR 1926.57
In some cases exposures to potentially hazardous materials are controlled or eliminated at the LIRR by use of ventilation. Where ventilation systems are in place they comply with this regulation.

Asbestos - Friable & Abatement Projects
Industrial Code Rule 56; 40 CFR 763; 29 CFR 1910.1001; 29 CFR 1926.1101
Asbestos is commonly found when renovating structures, throughout the LIRR. The Asbestos Management Policy and the Hazardous Abatements Policy noted above both comply with these regulations.



Compressed Gases
29 CFR 1910.101
The use of compressed gases is common throughout the LIRR's shops, Capital Projects, and Engineering Field Operations. Use of these materials at the LIRR complies with these regulations.

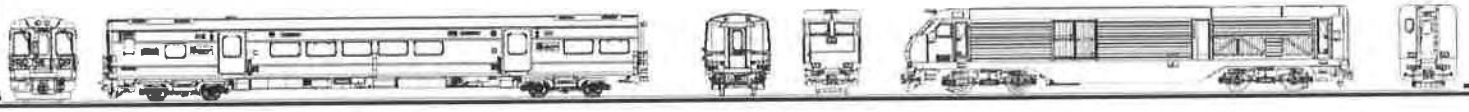
Acetylene
29 CFR 1910.102
The use of acetylene is common in welding operations throughout the LIRR's shops, Capital Projects, and Engineering Field Operations. Use of these materials at the LIRR complies with these regulations.

Oxygen
29 CFR 1910.104
The use of oxygen is common in welding operations throughout the LIRR's shops, Capital Projects, and Engineering Field Operations. Use of these materials at the LIRR complies with these regulations.

Flammable & Combustible Liquids
29 CFR 1910.106; 29 CFR 1926.152
The use of flammable and combustible liquids, most frequently as fuel or paint solvent, is common throughout the LIRR's shops, Capital Projects, and Engineering Field Operations. Use of these materials at the LIRR complies with these regulations.

Gases, Fumes, Dusts & Mists
29 CFR 1926.55
The occurrence of gases, fumes, dusts and mists is common in welding, grinding, demolition and other processes throughout the LIRR's shops, Capital Projects, and Engineering Field Operations. When there exists a potential exposure to these materials, the LIRR complies with these regulations. Where the air contaminate is a specific agent such as asbestos, lead or similar, the Asbestos Management Policy, Lead Management Policy, and the Hazardous Abatements Policy noted above comply with these regulations.

Hazardous Materials Management
Personal Protective Equipment
29 CFR 1910.134
As a method of protecting workers, Personal Protective Equipment (PPE) is utilized extensively at the LIRR where potential exposure to hazardous materials may occur. All use of PPE at the LIRR complies with these regulations.



Permit-Required Confined Spaces
29 CFR 1910.146
Where workers must enter confined spaces that may contain a hazardous atmosphere or risk of other potential exposure to a hazardous material, the Confined Space standard is followed at the LIRR. Additionally, the LIRR has the Confined Space Entry Policy noted above which is followed to protect workers who must enter permit-required confined spaces.

Air Contaminates
29 CFR 1910.1001
At the LIRR, airborne exposures to potentially hazardous materials are monitored and kept below the concentration limits provided in this standard.

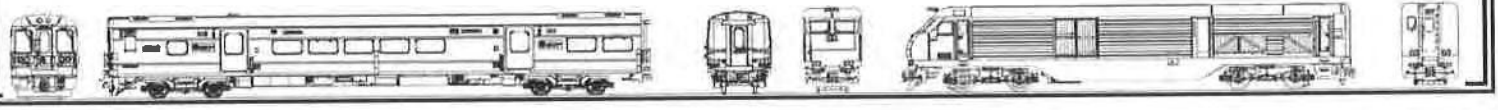
Lead
29 CFR 1910.1025; 29 CFR 1926.62
Lead, in shops and construction, is addressed through careful adherence to the Lead Standards noted here and to the Lead Management Policy noted above.

Bloodborne Pathogens
29 CFR 1910.1030
The potential for exposure to an infectious agent is minimized through adherence to this standard and to the policy noted above

Hazard Communications
29 CFR 1910.1200
The Worker Right-To-Know Program is a key to providing workers with information they can use to protect themselves from exposure to hazardous materials at the LIRR. This regulation and the policy noted above are both followed to protect our workers.

Respiratory Protection
29 CFR 1926.103
In some cases, respiratory protection is utilized to minimize and eliminate exposure to potentially hazardous airborne contaminates at the LIRR. The Respiratory Protection Program, discussed above, is also followed to assure protection of workers at the LIRR.

Hazardous Materials Bulk Storage
6 NYCRR 596



The Sulfuric Acid Storage Tank for the Hillside Maintenance Complex's Ultra Filtration Plant (UF Plant) is covered by this regulation. The Facilities Management group follows this regulation when addressing the UF Plant and its sulfuric acid.

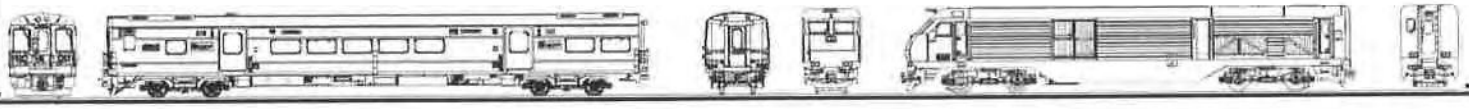
PCBs
6 NYCRR 371
Used oil containing 50 ppm by weight, or greater, of polychlorinated biphenyls (PCBs) is a hazardous waste. Some oils discovered in electrical apparatus at the railroad are PCB-containing by definition. These regulations are followed when addressing oils and other potential PCB-containing materials.

Petroleum Bulk Storage
6 NYCRR 612, 613, 614; 40 CFR 60
Applies to existing storage facilities as well as new installations. In brief, these regulations concern the registration of tanks, the handling & storage requirements for bulk petroleum product, and requirements for new or substantially modified facility construction. These types of facilities are located throughout the railroad and these regulations are followed wherever these facilities exist.

Underground Storage Tanks
6 NYCRR 612, 613, 614; 40 CFR 60
This regulation applies to petroleum bulk storage facilities, which have greater than 10% of their total volume (tank & piping) buried underground. These facilities are located throughout the railroad and these regulations are followed wherever these facilities exist.

Asbestos - Friable & Abatement Projects
Industrial Code Rule 56; 40 CFR 763
Asbestos is commonly found when renovating structures, throughout the LIRR. The Asbestos Management Policy and the Hazardous Abatements Policy noted above both comply with these regulations.

Community Right-to-Know
40 CFR 370 , - 372
SARA Title III requires that emergency responders throughout the LIRR's territory be advised of any materials that can pose a hazard upon release or during a fire or similar emergency. The LIRR notifies all communities about the materials it uses and stores.



4.9.2 Hazardous Waste Management

The management of Hazardous Waste is first achieved through elimination and substitution with materials that prove to be less hazardous. Those materials that must be used and still pose a hazard when they reach their end-of-useful-life, are handled as per the following regulations;

Hazardous Waste Operations & Emergency Response

29 CFR 1910.120; 29 CFR 1926.65

The LIRR generates hazardous wastes at its major shop locations. When these materials are generated or there exists a potential exposure to these materials, the LIRR complies with these regulations.

Medical Waste

10 NYCRR Part 70

Requirements for generators of regulated medical waste. Waste generated at the LIRR includes hypodermics, sharps and blood found on train equipment and at stations. The LIRR Corporate Exposure Control Plan (Infection Control Program) is used to protect workers from exposure to potentially infectious agents at the railroad.

Hazardous Waste

6 NYCRR 370 - 372; **40 CFR** 261 - 262

This regulation addresses definitions, handling, labeling and storage, manifesting and record-keeping of hazardous wastes. These wastes are generated at the main repair facilities at the LIRR. These regulations are followed when addressing hazardous waste and related issues.

Waste Storage Areas

6 NYCRR 373 & 374; **40 CFR** 264 - 265

Though a small quantity generator, the LIRR maintains set areas for holding wastes prior to manifesting and proper disposal. These regulations are followed when addressing hazardous waste storage and related issues.

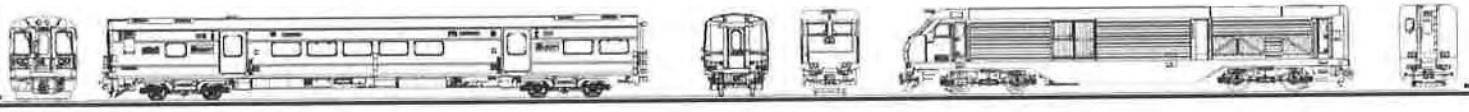
CERCLA (Superfund) Site Clean Up

6 NYCRR 375; **40 CFR** 302 , 303, 304, 305, 307

The inactive landfill at Yaphank is currently being investigated as part of the CERCLA program. All applicable CERCLA regulations shall be followed on this project.

Department of Program Management (DPM):

The DPM Department has a dedicated environmental project management team to address the conduct of major remediation projects across the railroad. Major project management including;



Yaphank Inactive Landfill, Morris Park Facility Spill Remediation, mercury-contaminated substation soil remediation, and others.

4.9.3 Waste Minimization & Pollution Prevention Programs

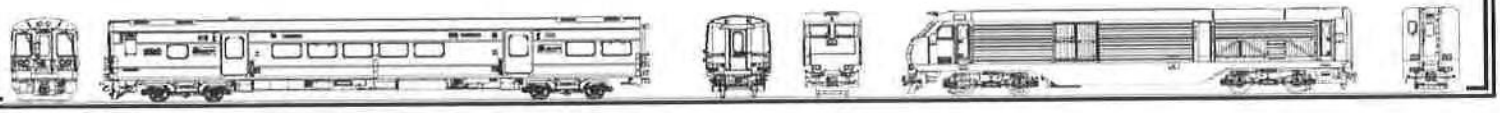
Used Oil
6 NYCRR 360.14; 40 CFR 279
This Subpart contains special provisions governing used oil generators, used oil transfer facilities, used oil storage facilities, used oil processing facilities, used engine lubricating oil retention facilities, service establishments and retail establishments.

Waste oils are those materials including but not limited to, used engine lubricating oil, fuel oil, motor oil, gear oil, cutting oil, transmission fluid, hydraulic fluid, dielectric fluid, or oil storage tank residues, which have been contaminated by physical and chemical impurities, through use or accident, and have not subsequently been re-refined, shall be regulated in the same manner as used oil under this Subpart unless otherwise specifically exempted or excluded. Waste oil, which is hazardous in accordance with Part 371 of this Title, and is not used oil, shall be regulated as a hazardous waste. Waste oil shall be classified as on-specification or off-specification as designated under the definition of used oil.

Used and Waste Oils are generated at all the LIRR repair facilities, and these regulations are followed at these locations.

Oil/Water Separators
40 CFR 63
These installations collect spilled petroleum at fueling facilities and separate it from storm water. The storm water is then sent to the sewer and the oil is collected for proper disposal. Oil/Water separators are located at all the LIRR's fueling facilities and these regulations are followed at these locations.

Oil Spills
5 NYCRR 611
The LIRR responds quickly to the discharge of any petroleum product, and effects prompt cleanup and removal of such discharges, giving first priority to minimizing environmental damage. Spills are always sought to be avoided. However there can be minor spills (as from a broken hydraulic hose), or major spills as when a diesel locomotive ruptures a tank and releases its full contents. The Petroleum Spill Response Plan assigns responsibilities and outlines procedures to be followed at the LIRR in the event of a petroleum spill.



Solid Waste including C & D and Asbestos Waste
6 NYCRR 360
Construction processes generate wastes, which are regulated. The LIRR follows the applicable regulations.

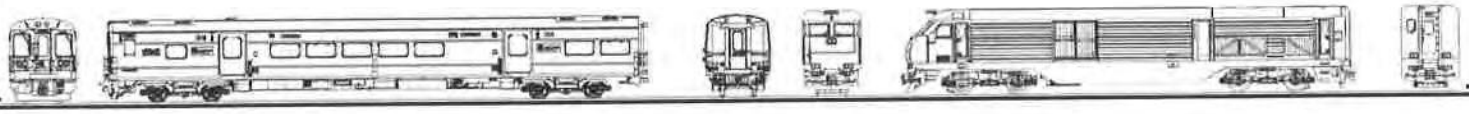
Protection of Waters
6 NYCRR 608; 40 CFR 122
All LIRR bridges and trestles, which pass over waterways, are subject to this regulation during repair and refurbishment. The LIRR follows all applicable regulations and permitting processes for all work in these areas.

40 CFR 372
Hazardous Waste Neutralization & Treatment
The Hillside Ultrafiltration Plant Sulfuric Acid Tank has sufficient quantity to be covered by this regulation. The Facilities Management group follows this regulation when addressing the UF Plant and it's sulfuric acid.

Air Emissions Permits & Registration
6 NYCRR 201
The LIRR owns and operates potential air contamination sources, and is required to obtain a permit or registration certificate from the NYS Department of Environmental Conservation for the operation of such sources. All applicable regulations are complied with.

Air Contaminate Control - Architectural Coatings
6 NYCRR 205
Department of Program Management and the Engineering Department are both subject to this regulation which requires low VOC paints, and annual reporting during the State Audit. All applicable regulations are complied with.

Air Contaminate Control - Gasoline Dispensing Sites
6 NYCRR 230
The Holban Yard fuel pumps are covered by this regulation. All applicable regulations are complied with.

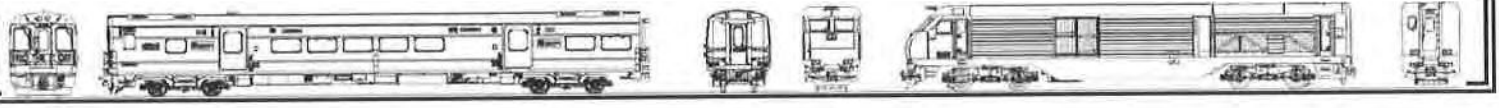


Pesticide Usage
40 CFR 162, 164 & 180
The LIRR forces do not apply pesticides; however, contract exterminator services are utilized. The services used are state licensed and use only approved agents. All applicable regulations are complied with.

State Pollutant Discharge Elimination System
6 NYCRR 750 through 757; 6 NYCRR 700 through 705; 40 CFR 124-125
The State Pollutant Discharge Elimination System (SPDES) program affects the LIRR where water is released directly to the ground. These areas include the Port Jefferson, Oyster Bay and Speonk diesel yards. All applicable regulations are complied with.

4.9.4 Environmental Outreach Programs

Critical to any program is the outreach made to educate and inform employees, customers and the public. Programs at the LIRR include a Stormwater Management Program, participation in the LIRR's Safety Week, various environmental training programs with courses such as; Hazardous Waste Management, Department Abatement Representative, & Stormwater Management. Additionally, at the LIRR, all properties are visited and reviewed for environmental compliance on an annual basis, as mandated by the State Agency Annual Environmental Audit.



5.1 Hazard Management Process

The Hazard Identification/Resolution process/mechanism is accessible to all levels of the organization and is the means by which hazards are identified, analyzed for potential impact on operating system, and resolved in a manner acceptable to management.

Hazard Identification:

The Corporate Safety & Training (CS&T) Department conducts announced and unannounced inspections/audits. The purpose of this task is to identify unsafe conditions and practices, analyze and assess the degree of hazard; and select applicable methods and/or procedures for correction. In addition, a variety of inspections of equipment and right-of-way are conducted in accordance with, but not limited to, the following:

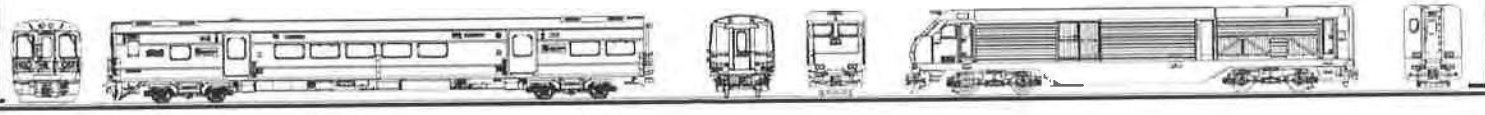
- Engineering Department Quality Management System Manual and Procedures
- Instructions for Making Tests of Signal Apparatus - CS 227
- Traction Power and Distribution Charts
- Long Island Rail Road Substation Charts
- Power Directors Instruction Manual (Operational Procedures)
- Signal Reference Plans
- Bridge, Structure and facility fire/safety inspection procedures.
- Branch line station safety audits.

Hazard Risk Assessment:

A hazard risk (level of exposure) assessment system establishes priorities for corrective action and resolution of identified hazards. The system provides supervisors/managers and established safety committees with a process whereby identified hazard conditions are quantified in elements of hazard severity and hazard probability.

Hazard Severity:

A depiction of the hazard severity rating system table is shown below. Hazard severities are categorized into four levels with descriptions of possible effect on employees. In addition, an alpha code is assigned to each hazard level from A through D in descending order of severity. The alpha code, combined with the alpha codes for hazard probability, lead to the ultimate overall hazard rating system for prioritization and resolution.

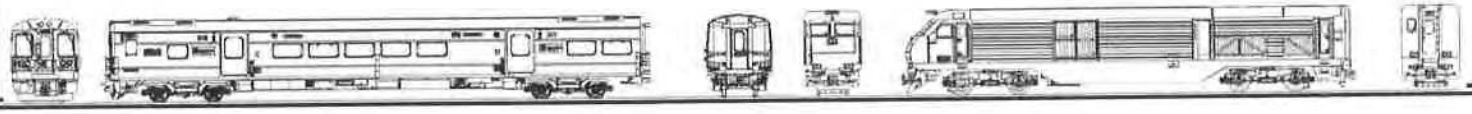


HAZARD SEVERITY RATING TABLE		
CODE	HAZARD LEVEL	EFFECT ON EMPLOYEES
A (I)	Catastrophic	Threat of death, multiple severe injuries, or system loss.
B (II)	Critical	Threat of severe injury, severe occupational illness, or severe system damage.
C (III)	Marginal	Threat of minor injury, minor occupational illness, or minor system damage.
D (IV)	Negligible	Threat of less than minor injury, occupational illness or less than minor system damage.

Hazard Probability

The probability that a hazard will occur can be described in potential occurrences per unit of time, events, population items, or activity. A depiction of hazard probability rating system is shown below. Hazard probability is categorized into four levels with description of situations. As with the Hazard Severity Rating System, alpha codes are assigned to each level, and the code is combined with hazard severity and cost codes to derive the ultimate overall hazard rating for prioritization and resolution.

HAZARD PROBABILITY RATING TABLE		
Level	**PROBABILITY LEVEL**	**DESCRIPTION OF SITUATION**
A	Frequent	Condition is likely to occur frequently
B	Probable	Condition will occur several times during the life of an item
C	Occasional	Condition is likely to occur some time in the life of the item
D	Remote	Condition is unlikely, but may possibly occur in the life of an item
E	Improbable	Condition is so unlikely, that it can be assumed that the hazard will not occur



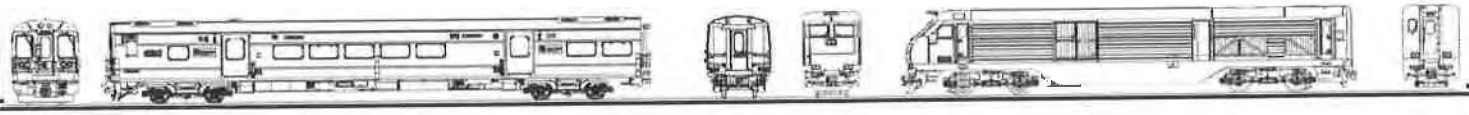
Hazard Rating Table (Risk Index):

A combination of severity and probability generates a hazard rating that is used to evaluate the risk associated with the hazard. Consequently, hazards are prioritized and managers can focus available resources on the highest risk hazards that require resolution while effectively managing the limited resources available.

CODE	RATING	CODE	RATING
AA	1	CA	9
AB	2	CB	10
AC	3	CC	11
AD	4	CD	12
BA	5	DA	13
BB	6	DB	14
BC	7	DC	15
BD	8	DD	16

Risk Assessment Matrix	HAZARD CATEGORIES			
FREQUENCY OF OCCURRENCE	I Catastrophic	II Critical	III Marginal	IV Negligible
(A) Frequent	1A	2A	3A	4A
(B) Probable	1B	2B	3B	4B
(C) Occasional	1C	2C	3C	4C
(D) Remote	1D	2D	3D	4D
(E) Improbable	1E	2E	3E	4E

Hazard Risk Index	
Risk Classification	**Risk Criteria**
1A, 1B, 1C, 2A, 2B, 3A	Unacceptable
1D, 2C, 2D, 3B, 3C	Undesirable
1E, 2E, 3D, 3E, 4A, 4B	Acceptable with review
4C, 4D, 4E	Acceptable without review



Hazard Resolution:
A number of different means are employed to resolve identified hazards. These include design changes, the installation of controls and warning devices, and the implementation of special procedures. The order of preference for the means to be used in resolving hazards will be as follows:

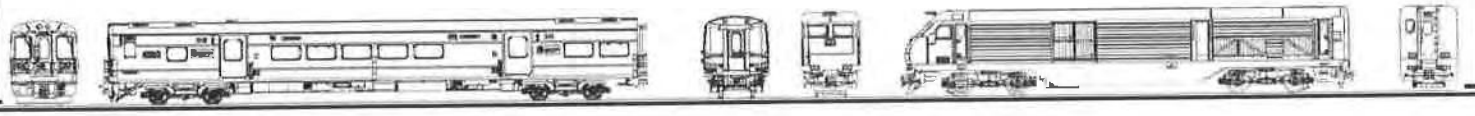
1. Design for Minimum Hazard:
   Engineer the system to eliminate or control hazards through design selection.

2. Safety Devices:
   Hazards that cannot be eliminated or controlled through design selection shall be controlled to an acceptable level through the use of fixed, automatic, or other protective safety design features or devices. Provisions shall be made for scheduled functional checks of safety devices.

3. Warning Devices:
   When neither design nor safety devices can effectively eliminate or control an identified hazard, devices shall be used to detect the condition and to generate an adequate warning signal to correct the hazard or provide for personnel evacuation. Warning signals and their application shall be designed to minimize the probability of incorrect personnel reaction to the signals and shall be standardized within like types of systems.

4. Procedures and Instruction:
   Where it is impossible to eliminate or adequately control a hazard through design selection or use of safety and warning devices, procedures and training shall be used to control the hazard. Procedures may include the use of personal protective equipment. Precautionary notations shall be standardized as specified by the managing activity. Safety critical tasks and activities may require certification of personnel proficiency.

   In order to maintain an adequate level of safety while a hazard is being resolved, it may become necessary to stop, limit or control a particular operation or activity.



The priorities for such actions will be:

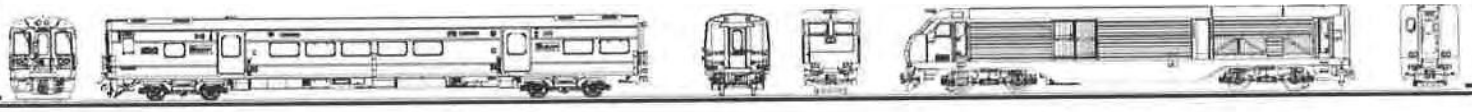
1. Priority "1" Hazard Action:
   The operation shall be stopped under emergency conditions and shall not resume operation until the condition has been corrected or controlled to an acceptable level.

2. Priority "2" Hazard Action:
   The operation must be reduced or slowed down until the condition has been corrected or controlled to an acceptable level.

3. Priority "3" Hazard Action:
   A repair order must be initiated and work completed with the defined schedule. Additional control or observations of the operations may be required.

4. Priority "4" Hazard Action:
   A plan must be established for the completion of work within the time parameters established by the Office of System Safety.

5. Priority "5" Hazard Action:
   Conditions warrant further study.



5.2.1 Criteria and Procedures

LIRR policy is to investigate all employee accidents/incidents, including reported "near miss" incidents. All accidents, occupational illnesses and injuries are investigated by Supervision two (2)-levels above the injured employee. Copies of all accident investigation reports are received, reviewed, and filed by the Corporate Safety & Training Department (CS&T) and are forwarded to all regulatory agencies as required. All original documentation is forwarded to the Claims Bureau. Depending on the type and severity of the accident, a representative from the Corporate Safety & Training Department will be involved in the investigation process as well.

5.2.2 Internal/External Notification

The following uniform corporate procedure for employee accident/incident reporting and investigation has been developed and implemented as part of the LIRR Corporate Employee Safety Policy and Procedures.

This policy applies to all LIRR personnel in Class "A" or "B" status (refer to Section IV - Definitions of the above policy) in the event of sustaining an injury, occupational illness as a result of an accident/incident (A/I) occurring within the work environment or as a result of the operation of the railroad.

Upon Accident/Incident Occurrence Responsibility:

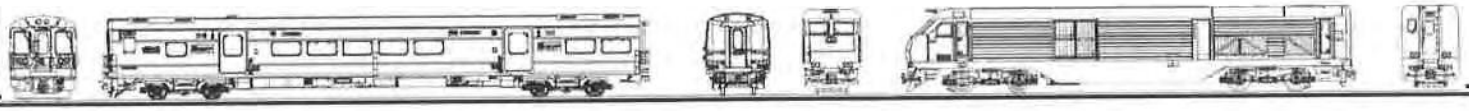
Immediate Supervisor

The immediate supervisor will be responsible for:

1. Providing prompt and appropriate first aid to the injured.

   Note: LIRR Medical Facility does not provide medical treatment.

2. Accompanying the injured employee to the nearest authorized medical facility, if possible.
3. Ensuring the AR-1 Initial Report of Employee Accident/Incident form is completed within 24 hours of the Accident/Incident.
4. Ensuring the employee returns to the work site to provide information concerning the incident upon release from the medical professional.
5. Ensuring that employees under his or her jurisdiction understand their responsibilities related to injury reporting and incident investigation.



Supervisor (2-levels above the injured employee)

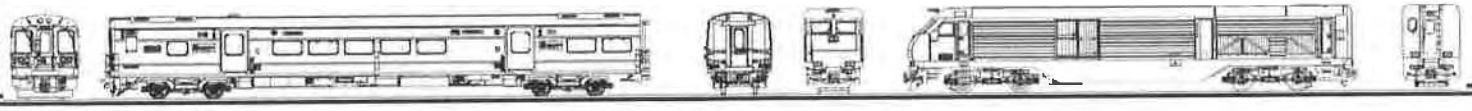
The Supervisor will be responsible for:

1. Providing prompt and appropriate first aid to any injured parties.
2. Arranging for initial medical evaluation for injured employees.
3. Reporting the incident as soon as possible after providing for emergency medical attention and securing the incident site.
4. Ensuring an A/I is properly reported and complete and distribute the AR-1 Initial Report of Employee Accident/Incident as soon as practical after the A/I, but in no event, more than 24 hours after notification of the A/I.
5. Completing and submitting the A/I Reports, AR-20 and AR-21 Supervisor's Accident/ Incident Report, to Claims Bureau, CS&T Department, and Department head as soon as practical, but in no event more than 7 days after occurrence of the A/I. A complete investigation includes all pertinent information including causal factors and root cause(s).
6. Conducting or arranging a Formal or Informal Counseling session, documented on the AR30 form Employee Counseling Report and as per Corporate Policy & Procedure SAFE - 005, as soon as possible with the injured employee. Note: Document the session on the AR-21 form - section B.
7. Implementing corrective actions in his/her area of responsibility as determined by the investigation.
8. Publicizing the results of the investigation and communicate the results of the investigation as required especially to those responsible for implementing corrective actions.

Employee

The employee will be responsible for:

1. Reporting any injury or occupational illness immediately, but not later than the end of his/her tour of duty to his or her supervisor or to the appropriate reporting location as designated by Dept. rules. The Medical Facility will not evaluate an employee without a completed AR-1.
2. Following instructions given by the supervisor concerning the medical evaluation.
3. Whenever possible, returning to the work site to provide information concerning the incident upon release from the medical professional.



4. Participate and cooperate in the investigation to provide complete and accurate information.

Corporate Safety &Training Department

The CS&T Department will be responsible for:

1. Assisting in the incident investigation process as needed.
2. Providing technical support for the investigation as needed.
3. Participating in or conducting Safety Reviews.
4. Reporting all incidents to external agencies as required.
5. Ensuring that the incident investigation was performed properly.
6. Auditing the incident investigation process.
7. Provide Trend Analysis to departments upon request.

Claims Bureau

The Claims Bureau will be responsible for:

1. Assisting in the incident investigation process as needed.
2. Providing technical support for the investigation as needed.
3. Maintaining all records associated with the occurrence.
4. Coordinating case management.
5. Collection and storage of any evidence gathered from the A/I.

Medical Facility

The Medical Department will be responsible for:

1. Providing timely appointments for post-incident evaluations of injured employees.
2. Evaluating employee's fitness for duty.
3. Managing employees back to full duty in coordination with treating doctors, the employee's department and the Claims Services Department.

All Departments

The department will be responsible for:

1. Ensuring that all incidents, significant property damage, vehicle accidents and reports of occupational injury or illness occurring within their jurisdiction are investigated and reported according to corporate policy.
2. Ensuring that the causes are determined and those corrective actions are taken to prevent similar occurrences, and the results of the investigation publicized.

Notification of Accident/Incident:

1. An employee involved in an Accident/Incident must notify his/her supervisor, or the reporting location designated by Department rule, of the occurrence of the Accident/Incident, as soon as practicable, but not later than the end of the employee's tour of duty.

2. When an employee involved in an Accident/Incident is physically unable to notify his/her supervisor or the reporting location, the employee's supervisor must ensure proper notification is made in accordance with corporate and department policies.

Medical Attention for Employee Involved:

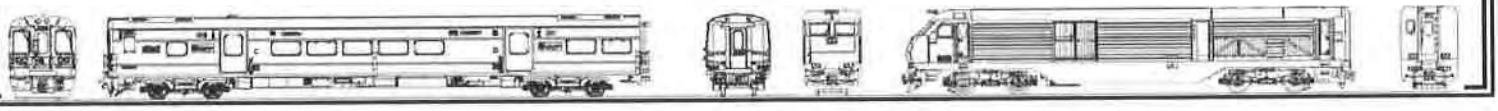
1. It is the first responsibility of an employee involved in an Accident/Incident to request medical attention if necessary, if the employee is physically able to do so.

2. It is the first responsibility of the supervisor of an employee involved in an Accident/Incident to determine if the employee needs medical attention and to arrange medical attention if necessary.

Employee Reports to Medical if Losing Time

1. If an employee is losing time from work or expecting to lose time from work due to an Accident/Incident, a recurrence of symptoms, or to an aggravation, he/she must report to Medical as soon as practicable within twenty-four (24) hours of the occurrence or on the next day that Medical is open, whichever occurs first.

2. The employee's Department must direct the employee to report to Medical as soon as practicable within twenty-four (24) hours of the Accident/Incident, or on the next day that Medical is open, whichever occurs first.



3. If the employee reports to Medical on the same day as the Accident/Incident, Medical must contact the employee's Department for information about the occurrence.

4. If the employee claims he/she is physically unable to report to Medical as required by the Safety Policy, the employee must provide documentation from the employee's physician that Medical determines is sufficient to establish the employee's claim.

5. A failure by the employee to either report to Medical or provide documentation that Medical determines is sufficient to establish the employee's claim that he/she is physically unable to report to Medical, may result in discipline and/or loss of benefits.

Report Forms

1. **Initial Report of Employee Accident/Incident (AR-1)**:
The Initial Report of Employee Accident/Incident will be used to report employee accidents/incidents only (the Non-Employee Accident Report (ARNE) must be issued for non-employee accidents/incidents).

   The AR-1 must be completed in all accident/incident situations described in the "Scope" paragraph of this policy.

   The AR-1 is intended to convey the initial written information concerning accident/incident details, employee personnel information, and the employee's description of how the accident occurred.

   Data entry of the Electronic AR-1 "required fields" into the ACS by the source department satisfies completion and receipt of all parties, as a daily report will be generated.

2. **Accident/Incident Investigation (AR-20):**
The Accident/Incident Investigation (AR-20) is intended to be a timely and thorough investigation of an accident/incident. This report includes statements of witnesses, examination of tools, equipment and accident site and when applicable, statement of injured employee. Its purpose is to find facts, not faults. If, in the supervisor's opinion, further investigation of the incident is warranted, a recommendation for a follow-up investigation by another officer of the department, CS&T or Claims Departments must be noted on the AR-20/AR-21.

Original photographs, whether digital or print must be forwarded to the Claims department. Copies should be provided to CS&T and the respective Departmental representatives.

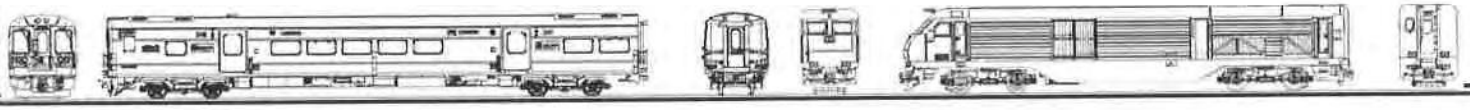
The AR-20/AR-21 must be completed in all accident/incident situations for which an AR-1 form has been filed.

The AR-20/AR-21 must be completed as soon as practicable, but in no event more than seven (7) days, after the occurrence of the accident/incident. The preparer must forward the original of the AR-20/AR-21 to the Claims Bureau with copies to the CS&T Department and the Department Head.

3. **Accident/Incident Findings (AR-21):**
The Accident/Incident Findings (AR-21) is intended to be a timely and thorough investigation of an accident/incident. This report includes Contributing Factors, Root Causes, Corrective Immediate Actions, Preventive Actions and Systems That Require Strengthening.

4. **FRA Internal Control Plan**
This procedure will be subject to the Management Control Review and be reviewed by the Internal Control Manager of each department through the FRA Internal Control Process and audited by Business Process Management, Control & Compliance and Corporate Safety & Training, as required in the LIRR Corporate Management Control Review Policy and Procedures.

5. **Report of Motor Vehicle Accident (MV-104 and MV-104a)**
The New York State Department of Motor Vehicles Reporting Form, MV-104 Report of Motor Vehicle Accident is the LIRR's Initial Report of Employee/Driver Motor Vehicle Accident, which is required for all motor vehicle accidents/incidents. It is required to be filled out by the driver, and the original is required to be forwarded to Safety Compliance Administration (CS&T Dept.) within 24 hours of an accident/incident, with a copy to Claims. This report includes driver and third party information, exact location of accident, estimates of property damage and details such as weather and road conditions. An AR-20 must also be completed in all cases. Should a third party be involved in an accident, the MTA or state police shall be contacted and their report MV-104a Police Accident Report should be provided to Safety Compliance Administration in a timely manner.



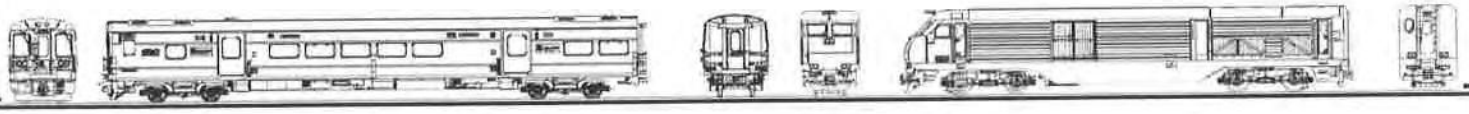
6. **Non-Employee/Customer Accidents/Incidents**
In regard to non-employee accidents/incidents, employees are responsible for collecting relevant information and prepare an Accident Report for Non-Employees (ARNE). This employee responsibility is included in the General Rules (Rule S) of the Operating Departments. Copies of the ARNE form are forwarded to the CS&T and Claims Department for filing and follow up investigation and reporting.

7. **Train Accident Reporting and Investigation**
In addition to the aforementioned procedure for reporting and investigating all employee accidents/incidents, the LIRR has also developed and implemented a corporate procedure for Train Accident Reporting and Investigation. This investigation procedure involves the formulation of an accident investigation committee at the accident scene. A Train Accident Notification and Response process has been included as part of the procedure wherein all necessary emergency response agencies, LIRR management personnel and regulatory agencies are included in the notification process. All Train Accident notifications are immediately received and relayed by the LIRR Movement Bureau (204), and all notifications are documented through the utilization of checklist forms and included in daily operations log distribution. The committee formed to investigate the accident will complete a Train Accident/Incident Report (AR-10).

In addition to the Accident Investigation Committee function, a monthly review of all train accidents is conducted by the CS&T Department, in compliance with 49 CFR Part 225, all standardized investigation documentation is received, and regulatory agency reporting is conducted on a monthly basis. The CS&T Department maintains both computer and hard file records of all reported accidents including employee, trespasser, non-trespasser, and train accidents.

5.2.3 Cause Analysis

The LIRR ensures accidents/incidents are investigated objectively with the goal of obtaining accurate information to reach determination of correct causal factors and any contributing causal factors associated. All investigation findings, investigation conclusion and recommended corrective actions to prevent reoccurrence are documented, and designated management personnel are assigned the responsibility to ensure that corrective actions are implemented and monitored for effectiveness.



5.2.4 Reporting and Follow-up Documentation

The procedures provide a uniform corporate policy for accident/ incident reporting to comply with regulatory requirements under the Federal Railroad Safety Act, describe procedures for conveying the report on the Initial Report of Employee Accident/Incident (AR-1 or MV-104), the Accident/Incident Investigation (AR-20), and the Accident/Incident Findings (AR-21). The AR-1 and AR-20 have been computerized and are resident in the Accident Control System (ACS). Receipt of either document through electronic media constitutes reporting requirements as set forth in this procedure.

5.3 Safety Data Acquisition

Methods of Safety Data & Accident Analysis

The need for safe working conditions is not only cost effective but also a moral obligation for any industry. The methods used to collect safety data and analyze accidents will be presented herein. Through hazard identification, the principle is to prevent errors before they happen. The LIRR emphasizes a systems methodology through a disciplined approach to System Safety. The definitions as applied to this methodology are:

Accident

An accident is an undesired and unplanned event that results in a loss of property, injury or fatality of the operators of equipment or other personnel, customers, contractors, volunteers and/or trespassers. The event is dynamic, in that it results from a combination of errors of human performance, potential hazards, or environmental factors occurring in such a sequence until a loss is occurs. Accident events may be fires, explosions, electric shock, destruction of equipment, assaults, falling down a flight of stairs, slipping on ice, and so on. Retention of data, therefore, must focus on the set of events that occurs and leads to the accident.

Risk

Risk is associated with the expected value of loss. Just as a hazard can result in an accident, the risk is related to the probability that frequency, intensity and duration of a stimulus that will be enough to transfer the hazard to the state of loss. Risk is the probability of a mishap in terms of hazard severity and hazard probability.

Trend

Safety performance must be such that information must be documented in a manner where hazards are known and controlled to an acceptable level to prevent accidents and minimize risk. Development of a trend, or factors that are constant for any event, will determine an optimal degree of safety, within the constraints of operational effectiveness, time, and cost, while taking other factors into consideration. The next step is to eliminate the hazard by design changes or minimizing its effects by revised procedures, safety rule or other effective means. The factors considered are the evaluation of cost, probability of damage, notoriety factor, frequency and severity of exposure, and the balance of benefit to loss.

Safety Data

Accident Data Collection

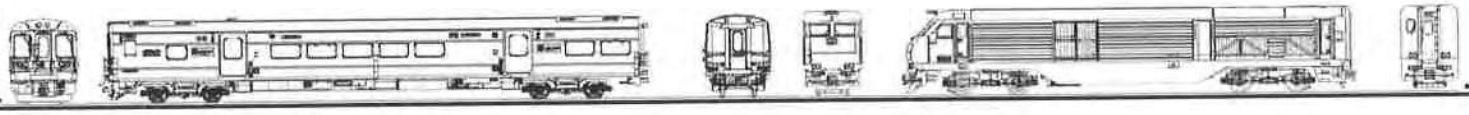
Safety accident data is received through corporate employee and customer forms, customer letters, police reports, notice of claim from an attorney and/or from our Force Account and Station Maintenance insurer.

Data is sorted by and complied into variations of accident events for reporting purposes:

1. Employee on-duty and off-duty accidents
   - FRA Reportable cases
   - Lost Workday cases
   - Restriction of Duty cases
   - Accidents by Department
   - Accidents by Supervisor
   - Accidents by Location
   - Accidents by Cause
   - Accidents Resulting in Fatality
   - Accidents by Body Part
   - Accident Repeaters (Count of accidents by employee)
   - Occupational Illness/Exposure Accidents

2. Passenger on-train accidents
   - FRA Reportable cases
   - Accidents by Location/Branch
   - Accidents by Cause
   - Accidents by Body Part
   - Exposure Accidents

3. Station accidents
   - FRA Reportable cases
   - Accidents by Location/Branch
   - Accidents by Cause
   - Accidents by Body Part
   - Exposure Accidents



4. Rail Accidents: Train accidents, fires, crossing accidents, and crossing failures and Motor Vehicle Accidents
   - FRA Reportable cases
   - PTSB Reportable cases
   - Accidents by Location, Branch
   - Accidents by Cause
   - Accidents by Department
   - Human Factor Accidents

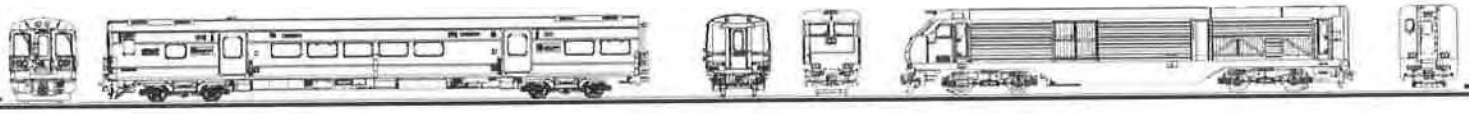
5. Employees are encouraged to report emergencies, unsafe conditions, defects, and other general safety concerns to the Safety One-Call Number at **(347) 494-SAFE(7233)**. This system provides LIRR employees with a single point of contact to resolve safety related concerns. The Safety One-Call Number directs the caller to the appropriate department through a series of prompts. Calls are handled in a confidential manner.

Statistical Analysis Approach
Trends are developed using the following approaches:

Accident Comparison and Percentage Change
Calculated by subtracting this year's total accidents from last year's total accidents and divide into last year's accidents (the year you are comparing to), which provides the percentage change. This calculation is used for all comparisons, including reportable counts, total types of causes, etc.

Accident Severity (employees)
Calculated by adding the number of total accidents to the number of total FRA reportable cases within a department, dividing that number by the worker hours for the month in that department, then multiplying that figure by 200,000 hours. This figure gives the ratio of total lost time workdays to each 200,000 hours worked.

Accident Frequency (employees)
Calculated by dividing the number of total accidents by the number of worker hours within the department then multiplying that figure by 200,000. This gives the ratio of total accidents to each 200,000 hours, or 100 employees.



Severity Ratio

Calculated by adding the number of total accidents to the lost time workdays in the department, then dividing that figure by the number of worker hours, then multiplying that figure by 200,000. This gives the ratio of total accidents to each 200,000 hours, or 100 employees. Customer ratio - customer injuries per million customer rides. Motor Vehicle ratio - number of accidents times 100 divided into the total number of vehicles in the fleet, resulting the incident rate per 100 vehicles.

Risk Severity

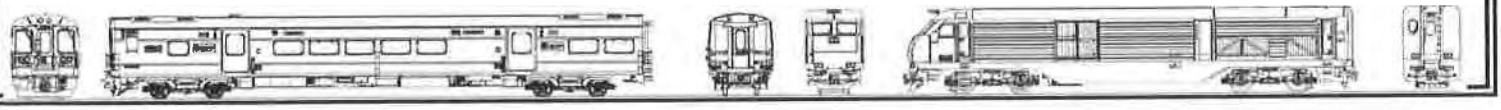
Calculated by averaging all incurred costs for all accidents of similar nature.

Uses of Data

Efforts made to procure data must be such that it will be helpful in identifying hazards and methods of control. The LIRR uses data from related systems of the Federal Government, and industry operation. For the collection of data, codes and standards are of major importance. These include but are not limited to the following:

Organization	*Federal/ State/ Industrial Codes and Standard Used*
FRA	Federal Railroad Administration
CFR	Code of Federal Regulations
PTSB	Public Transportation Safety Board
NTSB	National Transportation Safety Board
FTA	Federal Transit Administration
FHWA	Federal Highway Administration
FMC	Federal Motor Carrier Safety Administration
OSHA	Occupational Safety & Health Administration
EPA	Environmental Protection Agency
ANSI	American National Standards Institute
NFPA	National Fire Protection Association
ASTM	American Society for Testing and Materials
DEC	Department of Environmental Conservation
DMV	Department of Motor Vehicles
MTA	Metropolitan Transportation Authority All-Agency Initiative
NSC	National Safety Council
ATA	American Trucking Association
LM	Liberty Mutual Insurance
APTA	American Public Transportation Association

This library of data provides a thorough means of accumulating safety data.



SUMMARY

Preventing accidents is a highly complex and disciplined function, which requires research and a totally dedicated effort. There are no magic formulas that will provide easy or immediate results for safety performance and reduce accident frequency. The best safety performance is to continually emphasize safety in everything we do.

The LIRR/FRA Internal Control Plan for Accident Reporting for the entire procedure on Safety Data Retention and Dissemination is on file in the System Safety Department.

6.1.1 Configuration Management

6.1.1.1 Record of Concurrence and Corporate Configuration Management

The LIRR utilizes the Record of Concurrence and Approval Form (RCAF) and the Corporate Configuration Management process to ensure that all concerned department heads and Senior Staff have reviewed and concur with the proposed subject action, correspondence, procurement, significant change, etc.

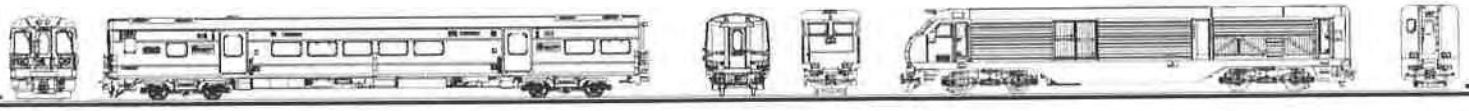
The RCAF form and Corporate Configuration Management process must be utilized on all correspondence and matters that require interdepartmental review, coordination, and concurrence. The document originator is responsible for preparing the RCAF and following the Corporate Configuration Management process, ensuring that all the appropriate individuals required to approve are included in the routing sequence. They must also attach all pertinent material to be reviewed.

Department heads and Senior Staff are responsible for ensuring that their review and sign off of documents are conducted in a timely manner. After department head and/or Senior Staff have signed off on the RCAF form, they will forward to the next individual in the routing approval path sequence. The Configuration Management process provides a simultaneous distribution of all documentation to department heads and the Configuration Management Review Committee.

The Corporate Configuration Management Process as defined by Corporate Policy and Procedure SAFE-010 allows change proposals to be initiated by the individual departments. The Configuration Management process ensures comprehensive review and documentation of significant changes to components of LIRR/ (LIRR)-owned and operated equipment/facilities and/or system-related standard operating procedures. The process provides a structured method for communicating the status and existence of proposed changes to all potentially affected departments for concurrence so as to avoid any possible adverse effects.

The following are departmental level change management processes used for intradepartmental configuration management. The corporate level configuration management process is triggered when changes have the potential to affect more than one department.

Below is the process as it pertains to the company's design modification, specification, and procurement of new rail vehicles and specification and procurement of new components.



Design Modification

The documentation of equipment configuration is conducted as follows:
Each department maintains a list of the equipment it is responsible for. This list is updated as required and reviewed each year when creating the budget for the following year. Life cycles of each type of equipment are also reviewed during this process.

Design changes made in the field are sent back to the design group to update the in-service plans. The in-service plans are filed and copies are sent to the field as required.

The Signal Department requires that no changes be made in the field without marked-up revisions from Signal Design. This requirement is part of the Signal Department's Signal Engineering Operations Manual (SEOM).

The Department of Program Management's Procedure 505 Design Criteria establishes the process for the preparation of design criteria and the control of design criteria change during the design process only, for both in-house and consultant Capital design projects.

In regard to existing drawings, each design group will typically make changes as required to drawings, which are then sent to the field forces. The field forces will perform the work per the design drawings and indicate any variations from the design. These variations are incorporated on the drawings, which will include the latest revision date. These drawings are called As-Built or In-Service drawings. As-Built or In-Service drawings are filed at the respective design office with copies sent to various field or headquarter locations as necessary.

As stated above, and as an exception to the foregoing, the Signal Department requires that no changes be to be made in the field without drawings from the Design Group.

Rail Vehicles

This section describes the LIRR's approach to Configuration Management of its Passenger Rail Vehicles. In order to manage all aspects of equipment configurations, the railroad has previously established procedures for the specification and procurement of new vehicles, specifications for new components, and equipment configuration changes. For each of these operations, the coordination and compatibility with the existing infrastructure, construction efforts under operating conditions, and testing and break-in phases are addressed.

General

Authority to Make Configuration Changes:

The Authority to make changes to the configuration of LIRR passenger rail equipment rests with the Chief Mechanical Officer (CMO). In order to implement a change to equipment configuration, the appropriate process for review is conducted, followed by an approval by the CMO. Final Equipment Change Letter Control/Routing Sheet is used to confirm modification approval.

Documentation of Changes:

LIRR Passenger Rail Equipment configuration changes require appropriate changes to existing documentation in the case of existing equipment, and As Built drawing updates in the case of new equipment. The respective processes are outlined in procedures for Specification and Procurement of New Vehicles, Specification and Procurement of New Components, and Equipment Change Letters.

Notification of Changes:

Notification of changes to LIRR passenger rail equipment configuration is implemented through the use of final check-off and approval procedures. All information included in the Final Equipment Change Letter/Control/Routing Sheet is distributed for review and approval to all indicated on the check-off list. The checkoff lists are kept on file with the configuration change approved copy in the Maintenance of Equipment Department.

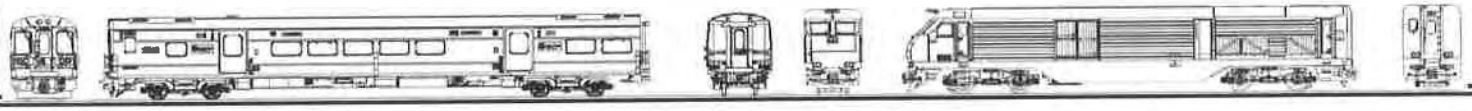
6.1.1.2 System Modification – New Processes/Equipment

Approval Process:

Development of specifications: The LIRR passenger rail equipment specification development process includes internal review and approval of all sections by all departments. Regular meetings to discuss draft sections of specifications are conducted throughout the specification development. All departments must approve the final specification prior to advertising. This process includes use of the Corporate Configuration Management process, which includes copies of the specification or issue to be approved.

Review of Design Modifications:

After the specification is developed and approved, it is advertised for proposals from prospective builders. The proposals are then reviewed and evaluated based on their conformance to the



specification. Upon acceptance of the proposal from the selected builder, a detailed design review process is initiated, including representatives from affected departments. Any changes to equipment configuration agreed to at these design reviews are documented and the designs are finalized. After this point, any design or configuration change must be reviewed and approved in accordance with the equipment specification and LIRR Department of Program Management Procedure 310, Project Plan and Plan Book. Proposed design modifications are prepared formally by the builder for LIRR approval. These design changes are then circulated to all affected departments for comment/ approval via the Corporate Configuration Management process.

Conditional Operation of New Equipment:

Exceptions: Passenger Rail Equipment is not allowed to run on LIRR property with exceptions that are safety related. In the case of equipment configuration tests, the operation of the test unit is coordinated with the Transportation Services and Corporate Safety & Training (CS&T) Departments, as well as the Engineering Department to ensure that the test is isolated from regular passenger service, and poses no danger to passengers or employees.

Specification and Procurement of New Components Approval Process

Development of specifications:

The requirement to provide new specifications or drawings can be generated from a number of potential sources, including Procurement & Logistics Department; Maintenance of Equipment (M of E) Incoming Inspections Section; M of E Production Material Planning and Project Support; or generated by the M of E Fleet Engineering Section. The LIRR specification and drawing development process includes internal review and approval of all sections by all affected departments via the Corporate Configuration Management process. This process includes circulation of a concurrence form, which includes copies of the specification to be approved. LIRR procedures for specifying new equipment are found in LIRR MIL #1771-M1.

Review of Design Modifications:

After the specification is developed and approved, it is advertised for proposals from prospective suppliers. The proposals are then reviewed and evaluated based on their conformance to the specification. Upon acceptance of the proposal from the selected supplier, an order is placed. If the component is new, or has been changed significantly from the previously supplied component, pre-production samples will be required. The samples will be examined by LIRR technicians, assisted by M of E Fleet Engineering, to ensure adherence to the specification. Any changes to

equipment configuration agreed to at this point are documented and reviewed by all affected areas of LIRR via the Corporate Configuration Management process.

Conditional Operation of New Equipment:

Exceptions: Passenger Rail Equipment components are not allowed to run on LIRR property with exceptions that are safety related. In the case of equipment configuration tests, the operation of the test unit is coordinated with the Transportation Services and CS&T Departments, as well as Fleet Engineering to ensure that the test is isolated from regular passenger service, and poses no danger to passengers or employees.

Equipment Change Letters Approval Process

Development of Equipment Change Letters:

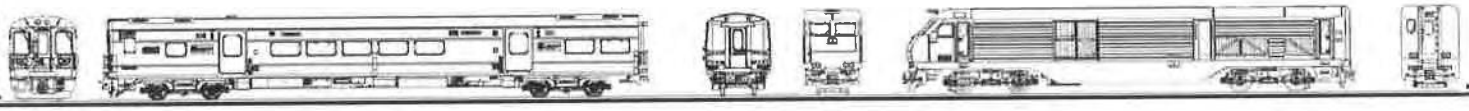
The LIRR M of E Equipment Change Letter (ECL) development process includes internal review and approval of all sections by all applicable departments. Regular meetings to discuss draft sections of specifications are conducted throughout the ECL development. This process includes circulation of an approval form, which includes copies of the ECL to be approved. LIRR standards for ECLs are found in LIRR M of E Standard Operating Procedures (SOP 1773A-04).

Conditional Operation of New Equipment:

Exceptions: Passenger Rail Equipment is not allowed to run on LIRR property with exceptions that are safety related. In the case of equipment configuration tests, the operation of the test unit is coordinated with the Transportation Services and CS&T Departments, as well as Fleet Engineering to ensure that the test is isolated from regular passenger service, and poses no danger to passengers or employees.

6.1.1.3 Quality Assurance/Quality Control Interface

The M of E Quality Control (QC) Section performs inspections of work completed during Periodic Inspections and inspection of other repairs and work being performed by the shops. The QC Unit also participated in investigations that may arise from equipment failures and derailments, and generating reports with findings and recommendations to senior management.



6.1.1.4 Safety Certification

The Safety Certification Process functions in coordination with the RCAF and via the Corporate Configuration Management process. The Safety Certification Process is the assurance and validation portion of the System Safety Plan.

The goal of the Safety Certification Process is to verify that all practical steps have been taken to optimize the operational safety of the LIRR transportation system, equipment, and facilities. The implementation of this process uses technical management methodologies to identify system and subsystem failure areas as early as possible in the development of a project. The focus of these techniques is to:

1. Assure, to the maximum extent practical, that necessary safety requirements are designed and incorporated into the transportation system, equipment, and facilities.

2. Conduct a systematic review or testing of each element of the system and each component of those elements for conformance to the intended design.

3. Document those safety tests or reviews on a format that will clearly display the successful completion of project.

The program will be supported by and based on the analysis of tests conducted and documentation produced.

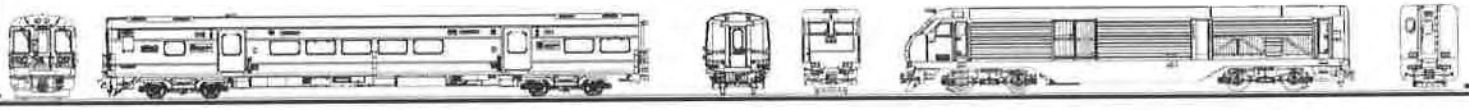
1. Identification of safety requirements utilizing safety criteria derived from industry experiences, codes, standards, and mandated regulations.

2. Verification of compliance with safety requirements throughout the life cycle of the project (concept, design, construction, operation, maintenance and disposal).

3. Reviewing of safety-critical elements or components affected by additions, deletions, substitutions, rebuilding, deferring maintenance, or extension of service life. The RCAF and the Corporate Configuration Management process can be utilized for this function.

A safety certification should address requirements under four integrated and overlapping functions:

1. Corporate Safety & Training - elimination, minimization, or control of potential hazards and the protection of property from damage against injury and/or property damage.



2. Fire/Life Safety - elimination, minimization, or control of potential hazards to customers, employees, emergency response personnel and the general public caused by fire, smoke, explosion or resulting panic; and the protection of property from fire, explosion or chemical exposures.

3. Occupational Safety - elimination, minimization or control of potential hazards to employees and emergency response personnel.

4. Public Safety - elimination, minimization or control of potential hazards to the general public and customers that result from the operation of the system.

This entire process is predicated on the utilization of the RCAF and via the Corporate Configuration Management process. This is applicable to new procurement, as-built drawings or schematics, training on maintenance and/or operations associated with this endeavor, certification of any operational rules, agreements and maintenance and repair/training manuals that it may encompass.

The purpose of the RCAF and the Corporate Configuration Management process is to ensure that all concerned department heads and senior staff have reviewed and concur with the action, correspondence, procurement, etc. Department heads and senior staff will indicate their concurrence and approval by signing the form and following the Corporate Configuration Management process.

The RCAF and the Corporate Configuration Management process must be used on all correspondence and matters that require interdepartmental review, coordination, and concurrence.

The document originator is responsible for preparing the RCAF and following the Corporate Configuration Management process, ensuring that the appropriate individuals required to sign-off are included in the routing sequence, and ensuring the materials to be reviewed are attached.

NOTE: Procurement requests for $25,000 or more must be forwarded to the Executive Director - Management and Budgets for review and concurrence.

Department heads and senior staff are responsible for ensuring that their review and approve of documents are handled in a timely manner. After department heads and/or senior staff have signed the form, they forward it to the next individual in the routing sequence. The Configuration

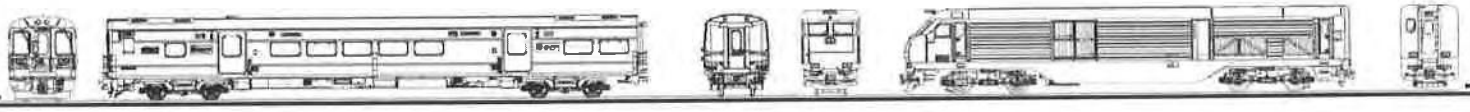
Management process provides a simultaneous distribution of all documentation to department heads and the Configuration Management Review Committee.

During system modifications, "work around" plans are developed and implemented when considered necessary (see Element 21 for "work around" implementation process).

6.1.1.5 Document Control

Fleet Analysis and Document Control Unit

Responsible for analysis of data obtained from the Quality Control, RSMS Data Warehouse, and Central Control Logs, and developing and issuing trend analysis reports. Also responsible for coordinating and writing the Quality System Manual, Guidelines, and Checklists to be used by QA and Shop personnel. Ensures that M of E quality documents are accurately revised and expeditiously issued under controlled conditions. Staff works with the other QA units and Shop personnel to develop documentation that is pertinent to work performed by QA and Shop personnel.



6.2.1 Internal Safety Audit

The Corporate Safety & Training (CS&T) Department has formulated a Safety Audit Policy/Program that provides a proactive approach toward auditing safety compliance of rules, regulations, policies/procedures, and work practices throughout the LIRR system. Audits are conducted within all departments and cover company policy, work rules and procedures, as well as regulatory requirements, to ensure safe operations.

The Safety Division is comprised of Safety Officers and the Office of Fire Marshal reporting to the Assistant Director, Compliance & Investigations. While operating as an independent entity, they work jointly with the departments while performing audits. They have the authority to audit any and all safety items within departments subject to the policy. The audit group will work with Department Heads in a proactive manner to revise the existing and/or implement new policies that will ensure safety throughout the system for customers and employees. The audit group has authority to review any and all records in conjunction with an audit.

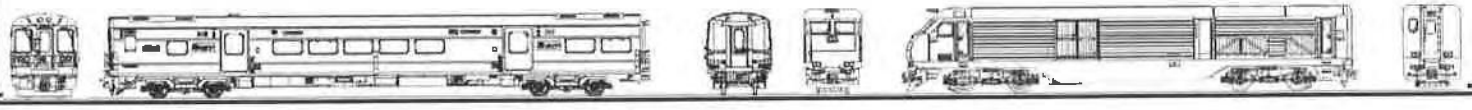
It is the responsibility of the System Division Personnel to conduct audits throughout the LIRR System and provide written reports as delineated in the implementation section of the Corporate Employee Safety Policy and Procedures. Department Heads have the responsibility to provide assistance to Safety Personnel and to ensure compliance with respect to the recommendations outlined in the audit. Supervisors have the responsibility to conduct informal and formal audits, on an on-going basis, in their areas of jurisdiction and of employees under their domain. Employees have the responsibility of cooperating with the safety audit and following the rules determined by the Department Head and the CS&T Department.

As part of the audit preparation, Safety Division personnel request the appropriate agency and department assistance for developing the list of reference documentation for the audit plan and the checklist issues. Note: The Safety Division has conducted in the past what is referred to as Super Audits where a majority of the members in the department have participated in conducting audits on specific issues relative to operating rules and corporate safety practices and procedures.

Under the American Public Transportation Association (APTA) Guidelines, the areas listed below will be evaluated under the Internal Safety Audit Process.

Overview

The Management Control Review (MCR) program at the LIRR is a "self-assessment" process whereby departments perform internal evaluations of their key business functions and associated controls. This ensures that both corporate and departmental goals are achieved.



Although Department Heads, Managers, and Supervisors are responsible for completing the MCR forms, each and every employee is responsible for ensuring effective management controls.

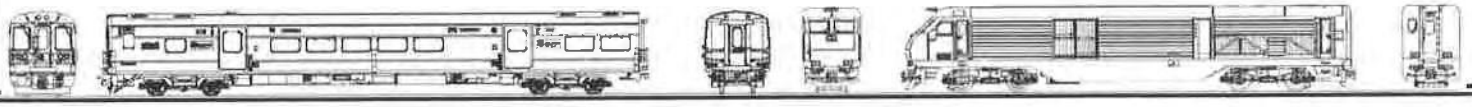
The main driver for the MCR program is "The Internal Control Act". The original Act was enacted in 1987 and became permanent in 1999 under Laws of 1999 Section 510. The State Finance Law was amended to require the State Comptroller to issue internal control standards for State agencies and other organizations. To fulfill this requirement, the State Comptroller developed the internal control standards contained in the Standards for Internal Control in New York State Government. The Standard requires the MTA Board and its Agencies to:

- Establish guidelines for a system of internal controls
- Maintain an internal control system and a program to review those controls
- Inform employees about internal controls
- Appoint an Internal Control Officer to oversee it all
- Educate and train employees on Internal controls
- Determine the need for an internal audit function

To comply with the Standard, the LIRR has established corporate policy and procedure BPM-003 – Management Control Review.

Administration

The overall responsibility for ensuring that the MCR Program meets the requirements of the Standard is fixed with the Internal Control Officer (ICO), who is currently the Vice President, Management & Finance & Chief Financial Officer. The ICO is appointed by the President. In turn, agency-wide MCR Program administration is affected by the Directors of Control Assessment, appointed by the ICO. The Directors of Control Assessment are responsible for the overall coordination and monitoring of the vulnerability assessments, control evaluations, corrective action follow-up, preparing required reporting, and providing internal control awareness and management training. Department Managers of Control Assessment, appointed by Department Heads guide, coordinate, supervise, and ensure that appropriate documentation is maintained by managers who assess risks to their activities, evaluate management controls and establish corrective action plans for weaknesses found.



A. Facilities Inspections
B. Maintenance Audits/Inspections
C. Rules/Procedures Review
D. Training and Certification Review/Audit
E. Emergency Response Planning, Coordination, Training
F. System Modification Review and Approval Process
G. Safety Data Acquisition/Analysis
H. Interdepartmental/Interagency coordination
I. Configuration Management
J. Employee Safety Program
K. Hazardous Materials Programs
L. Drug and Alcohol Programs
M. Contractor Safety Coordination
N. Procurement
O. Security
P. Environmental
Q. Joint Operations
R. Contractor Operations
S. Highway-Rail Grade Crossings
T. Trespassers