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COMPTROLLER



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ALBANY, NEW YORK 12236

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER

August 7, 2018

Mr. Joseph J. Lhota  
Chairman  
Metropolitan Transportation Authority  
2 Broadway  
New York, NY 10004

Re: Management of Unexpected Delays and  
Events During Winter 2017-18  
Report 2017-S-37

Dear Mr. Lhota:

Pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution and Section 2803 of the Public Authorities Law, we audited the Metropolitan Transportation Authority – Long Island Rail Road to determine if it has plans to address unexpected delays or events and whether those plans were followed, and to assess whether the plans adequately addressed the needs of its passengers. This audit covers events that occurred between December 1, 2017 and January 24, 2018 and on February 6, 2018.

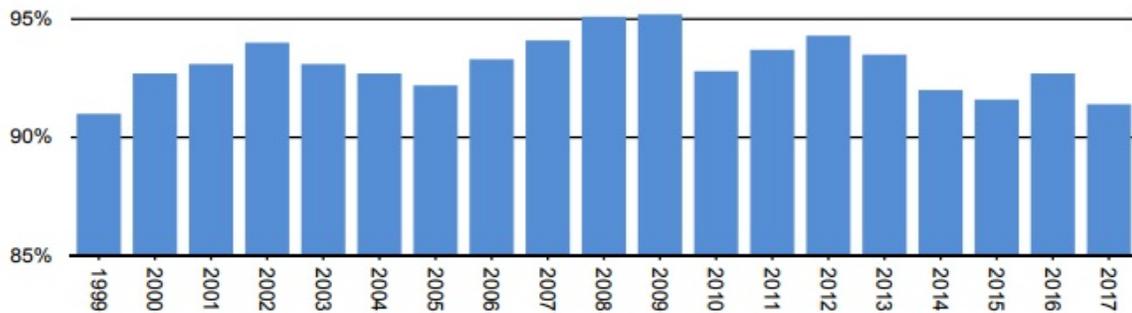
**Background**

The Metropolitan Transportation Authority (MTA) is a State public authority created under Article 5, Title 11 of the Public Authorities Law. It operates North America's largest transportation network, providing services in New York City, seven surrounding counties, and into Connecticut. One of six MTA constituent agencies, the Long Island Rail Road (LIRR) is both the largest commuter railroad and the oldest railroad in America operating under its original name. It extends from three major New York City terminals – Penn Station, Manhattan; Atlantic Terminal, Brooklyn; and Hunterspoint Avenue, Queens (see Exhibit A). The LIRR operates 24 hours a day, seven days a week. On an average weekday, the LIRR carries 311,054 passengers on its ten branches and the City Terminal Zone.

The LIRR's Mission Statement states, in part, "We, the employees are committed to providing excellent rail transportation service which exceeds Customer expectations and is worthy of the Public's trust and support. ...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."

The OSC Office of the State Deputy Comptroller for the City of New York issued a report in March 2018 stating that, in 2017, the LIRR had its worst on-time performance since 1999. An estimated 9.2 million riders were inconvenienced by trains that were late, canceled at the terminal before departing, or terminated en route before reaching their destinations. Service significantly deteriorated in December 2017 and January 2018. For example, in January 2018, on-time performance was 83.9 percent, 8.5 points below the 92.4 percent achieved in January 2017. In January 2018 alone, 3,333 trains were canceled, partially canceled, or were late (arriving at the destination six minutes or more after the scheduled time). (See Exhibit B.)

### LIRR Annual On-Time Performance



Source: Long Island Rail Road

Source: OSDC report 12-2018

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

The LIRR’s Transportation Services Department (Transportation) is the operating department responsible for train crews and for the operation and supervision of LIRR trains. The Engineering Department (Engineering) maintains the track, switches, and signal system; Maintenance of Equipment (MofE) is responsible for inspecting and maintaining its railcars and locomotive fleets. The Public Information Office (PIO) is responsible for communication with train crews, the media, and the public via phone, web, customer e-mail, tweet, postings on station message boards and displays, MTA’s TrainTime phone app, and other methods. The MTA Police Department (MTA PD) provides crowd control, police assistance, and coordination with local emergency responders over the entire LIRR system.

Transportation’s Movement Bureau oversees the movement of trains and train dispatchers in its Operations Center (Center) in Jamaica, and communicates with train crews and signal towers across the railroad to prioritize train movements and handle incidents and unusual occurrences. The Center is considered the central command and control facility of the LIRR.

The Center has “Operations Incident Guidelines” (Guidelines), which describe its Incident Response Structure (IRS) and various plans for addressing incidents. The IRS is a command model

used to manage operations during unplanned events and snowstorms. The basic IRS includes the Center and the PIO. However, while the command and control centers for other departments are located elsewhere, the IRS can be expanded to include representatives of other departments, including MofE, Engineering, and the MTA PD, during an incident. During major incidents, such as snow events, a separate room is set aside for use as a “situation room.” Following incidents, the IRS calls for a “Lessons Learned” meeting, at which changes to procedures or plans can be suggested. These meetings are required following a winter storm, or held at the discretion of the Chief Transportation Officer. At the closing conference, LIRR officials stated that the Guidelines do not apply to all incidents. However, this is not stated in the Guidelines, nor are there any other written procedures provided by the LIRR that delineate when the Guidelines do not apply and what actions should be taken in those situations.

The LIRR also has a 490-page document addressing its response to winter storms. During a storm, Transportation is responsible for directing its train crews, however, the PIO also communicates with crews during incidents to ensure the flow of information and to pass instructions to crews via text messaging.

As part of its incident response, the LIRR may request that MTA Bus and New York City Transit cross honor LIRR tickets or provide emergency bus service. It can also call upon the six bus companies under contract to provide bus services as required to move passengers. Emergency bus service is defined by the LIRR’s Bus Call-Out Procedures as a request for buses in response to an acute disruption in scheduled train service where alternative bus service must be immediately provided.

## **Results of Audit**

Despite the pledge to provide a customer-focused transportation system that runs on time, the LIRR was unable to live up to that promise this winter. We found that the LIRR did not have plans covering unexpected events such as derailments in the yard or collisions between a person and a train, which kept it from providing scheduled train service. From December 1, 2017 to January 24, 2018, 2,004 of the 5,067 canceled or delayed trains were delayed 15 minutes or more. We sampled 11 of the 2,004 based on date, time of day (i.e., rush hour), branch, and type of delay. The LIRR did not have a plan for 5 of the 11 events sampled. Of the remaining six events with plans, none of them followed all the required steps. Communications to passengers in four incidents were not made or were late. The LIRR also could not document that buses ordered to expedite the movement of passengers during four events arrived and/or were effectively used to move passengers. Late or canceled trains during the 11 events reviewed directly impacted 745 trains and an estimated 331,720 passengers (using LIRR estimates of regular ridership). (Exhibit C lists events reviewed.)

Only one “Lessons Learned” meeting was held for the sampled events, in response to the two-day snow event on January 4-5, 2018; that meeting gave rise to 12 recommendations for improvement. LIRR officials also provided internal reviews covering four other sampled events; however, none identified any improvement opportunities.

Of concern was, despite the Guidelines, there was no documentation that the IRS was implemented in 9 of the 11 sampled events. For one event, only one of the nine roles in the Guidelines was filled. The IRS calls for the highest-ranking Transportation Services official in the Movement Bureau or his designee to function in the role of Incident Commander. The Incident Commander ensures that the IRS is functioning as intended and operations decisions are made in a unified command. In addition, the Incident Commander has complete responsibility for incident command staff and incident management in the Center. Failure to follow the IRS may have led to some of the issues identified with the LIRR response.

### ***Use of Plans***

In the event of an incident, the type of incident will dictate which departments/agencies must be notified, which (if any) need to respond to the site, and which of the 30 plans in the Guidelines will be used. The plans in the IRS include major disruptions in AM rush hour service, train rescues and evacuations, grade crossing problems, slip-slide conditions (caused by leaves or leaf residue on the track), and various mechanical problems. The IRS calls for an Incident Commander to be designated, and when an on-site response is necessary, an On-Site Supervisor in Charge (OSSIC) is designated and sent to the scene to manage the incident and provide coordination between departments, MTA PD, utility companies, etc. If no specific plan applies, the basic command structure will be used to assess the situation and determine the appropriate response. Some incidents require elements of more than one plan.

The Center maintains various logs and reports, some of which document individual incidents in detail, in time sequence. One log reports events in sequence throughout the day. However, these logs do not document whether a specific guideline or plan was selected or implemented, and usually do not indicate who was on duty or was selected to be the Incident Commander, except for the designated OSSIC.

We found that for 5 of the 11 events reviewed, there was no plan. For example, our sample included two derailments and two collisions involving a person and a train. While our review of the responses indicated an OSSIC was designated and that MTA PD control of person/train accident scenes was required, the Guidelines do not discuss these types of events or how to provide service when they occur.

Additionally, for the six events with plans, implementation of several steps was not documented. For example, the plan entitled 'Grade Crossing Regulation' includes nine required steps. Our review of an incident at the Little Neck Road Grade Crossing on the Port Washington Branch showed that five steps were not documented as implemented, including notifying the Superintendent – Train Movement, Area Superintendent, General Superintendent – Transportation, and the Chief Transportation Officer. This event caused 13 late trains and one cancelation on the Port Washington Branch and 3 delayed trains on the Port Jefferson Branch.

For the sampled event on the Montauk Branch, part of a system-wide occurrence on another branch, announcements were made from 8:13 a.m. to 10:30 a.m. However, while delays continued on the Montauk Branch, there was no further communication from 10:30 a.m. to 2:50

p.m. LIRR officials disagreed with this finding and provided notifications made during this time frame, but the notifications did not support their position. LIRR officials also indicated they have recordings to support 3 of the 20 notifications that we concluded were missing.

At the June 7, 2018 closing conference, LIRR officials stated that they do not document each action taken due to the dynamic nature of the events in the field. However, they emphasized that LIRR personnel are trained on the Guidelines and their use during the unexpected events.

### ***Alternative Transportation***

The LIRR's Bus Call-Out Procedures indicate that it is committed to providing alternate transportation service to customers during service disruptions. Buses can be called to "protect" service, essentially to go to a key location and stand by until needed. Buses can also be called to provide specific emergency bus service (e.g., cancellation of trains, late trains, missed connections, or service shut downs).

The LIRR maintains logs indicating when they called contracted bus companies for service (how many buses, by what time, and at what location). Logs maintained by the LIRR indicate buses were called for 8 of the 11 incidents; however, they did not clearly indicate what the buses were to do once they arrived or what services they were to provide. We were also not provided documents indicating whether the arrival of the buses was confirmed, whether any further dispatching occurred, or whether the buses carried any passengers. With only one exception, the February 6 Passenger/Train Collision on the Port Jefferson Branch, we saw no PIO messages to announce bus service availability to commuters.

For this incident, the branch was closed from the first train of the day at 5:03 a.m. until 7:35 a.m., and 140 passengers on the train were inconvenienced. While the LIRR ordered eight buses to provide alternate service, it received six, and the only noted use was to carry connecting passengers east from Huntington. The PIO advised customers to use other branches (specifically Ronkonkoma and Montauk), which would require a car and parking lots at other stations. These messages also provided information about the Wyandanch Station parking lot, which LIRR staff indicated had available spaces. However, most other LIRR stations have extremely limited parking or limit parking to residents, so suggesting customers use other stations is unhelpful.

### ***Communication***

The PIO is responsible for ensuring the consistent delivery of timely, complete, and accurate service information through a fully functional customer communications hub. The PIO obtains real-time service information to ensure that all customer communications are timely, consistent, and accurate. The goal is to provide information so that customers can make informed decisions. However, we found that communications to passengers in 4 of the 11 events were not made or were late; two of the four had a plan. For example, for a broken rail on the Ronkonkoma Branch, the cancelation of a train was made late and there was no communication of when a second train would arrive. The absence of continuous and timely information updates may worsen the impact of the delay experienced by customers.

## ***Conclusion***

Without a plan and without following the steps that are in a documented plan, the LIRR may inconvenience passengers longer than necessary (e.g., not promptly evacuated, delays not addressed promptly). Staff may take different actions in similar circumstances. Less experienced employees may not be as familiar with the actions necessary to respond to situations not documented in the plans. Use of formal plans provide more assurance that management's objectives are conveyed to all employees in a consistent manner and increases the likelihood that management's objectives will be met.

Moreover, the lack of documentation of the actions taken can hamper LIRR officials' ability to identify problems and take appropriate corrective action to improve their process. While the agency has a "Lessons Learned" meeting process, it was used only once in the 11 events we sampled. Additionally, LIRR officials advised us that not every action taken during an incident is documented, and many are verbal. Often, actions taken during an incident are the automatic responses of persons performing their regular tasks, and some actions may only be documented in radio or phone tapes. While we acknowledge this, major decisions should be documented so that performance can be assessed and opportunities for improvement identified.

As part of their response to the preliminary findings, LIRR officials indicated they have taken actions to assign the responsibility for documenting calling out buses during emergency events and documentation of these actions. They also agreed to improve the protocols for communicating to customers when trains are canceled, stating that "One of the goals of the recently announced 'LIRR Forward' initiative is aimed at improving communications with customers." For example, the LIRR will "...update communication protocols and manuals to enhance how the LIRR will respond in various situations."

LIRR officials, however, stated it is not feasible to document all IRS roles because when an event occurs the employees filling these roles are focused on "the operation and management of the incident which is very fluid and requires responders' full attention." However, in the absence of documentation, there is no assurance that the roles were filled and the appropriate actions were taken.

## **Recommendations**

1. Ensure individuals who are designated to fulfill roles of the Incident Response Structure for the Operations Center are documented in the event logs.
2. Review the nature of incidents that have occurred in at least the past year, and ensure that plans are developed to cover the major types of incidents that have had a significant impact on passengers. Develop a structured incident management flowchart to cover incident management protocols.
3. Document which plan or protocol is implemented for each incident and whether an Incident Commander is appointed.

4. Develop a process to manage bus service during an incident, including notifications to customers of the availability of bus service. Ensure the use of bus service is documented (e.g., whether they arrived and when they are assigned to particular location or service).
5. Develop standard alternative service plans for each main line and branch, to be implemented should service be suspended (including alternative train or bus support). Provide information regarding where passengers can reasonably go in the event service is interrupted.
6. Ensure customers are notified in a timely and continuous manner throughout an incident.

### **Audit Scope, Objectives, and Methodology**

The objectives of our audit were to determine if the MTA-LIRR has plans to address unexpected delays or events and whether those plans were followed, and to assess whether the plans adequately addressed the needs of its passengers. The audit covered events that occurred between December 1, 2017 and January 24, 2018 and on February 6, 2018.

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

We obtained a listing of 5,067 canceled and/or delayed trains for the period December 1, 2017 to January 24, 2018 and removed 3,063 trains listed with delays of less than 15 minutes to arrive at a population of 2,004 trains. A sample was judgmentally chosen based on date, time of day (rush hour), branch, and type of delay. Through this process we selected eight incidents (Items 1-4 and 7-10 in Exhibit C). Two incidents (Items 5 and 6) were chosen based on the magnitude of the events (all-day snow storms). One was selected based on the nature of the incident (Item 11).

We reviewed the coordinating activities of the Movement Bureau and the communication activities of the PIO, and reviewed records and interviewed officials of both. Further, we interviewed officials from six of the departments (Transportation, Engineering, MofE, Claims, Safety, and MTA PD) to confirm that the departments were notified of the incidents, and reviewed any documentation regarding reporting and resolution of the incident done by each. The LIRR advised us that it did not have the time or resources to locate the detailed information for all the incidents we sampled. For example, it did not always provide a complete record of all the employees who were on duty and assigned roles in the IRS, where applicable. However, we do not believe that this had a material impact on our findings.

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

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

### **Reporting Requirements**

A draft copy of this report was provided to MTA officials for their review and comment. Their comments were considered in preparing this final report and are attached in their entirety to the end of it.

The MTA-LIRR response states it agrees with the audit recommendations and that it has already implemented many of them. However, as much of the response does not directly address the recommendations, it is unclear if this is accurate.

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

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

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

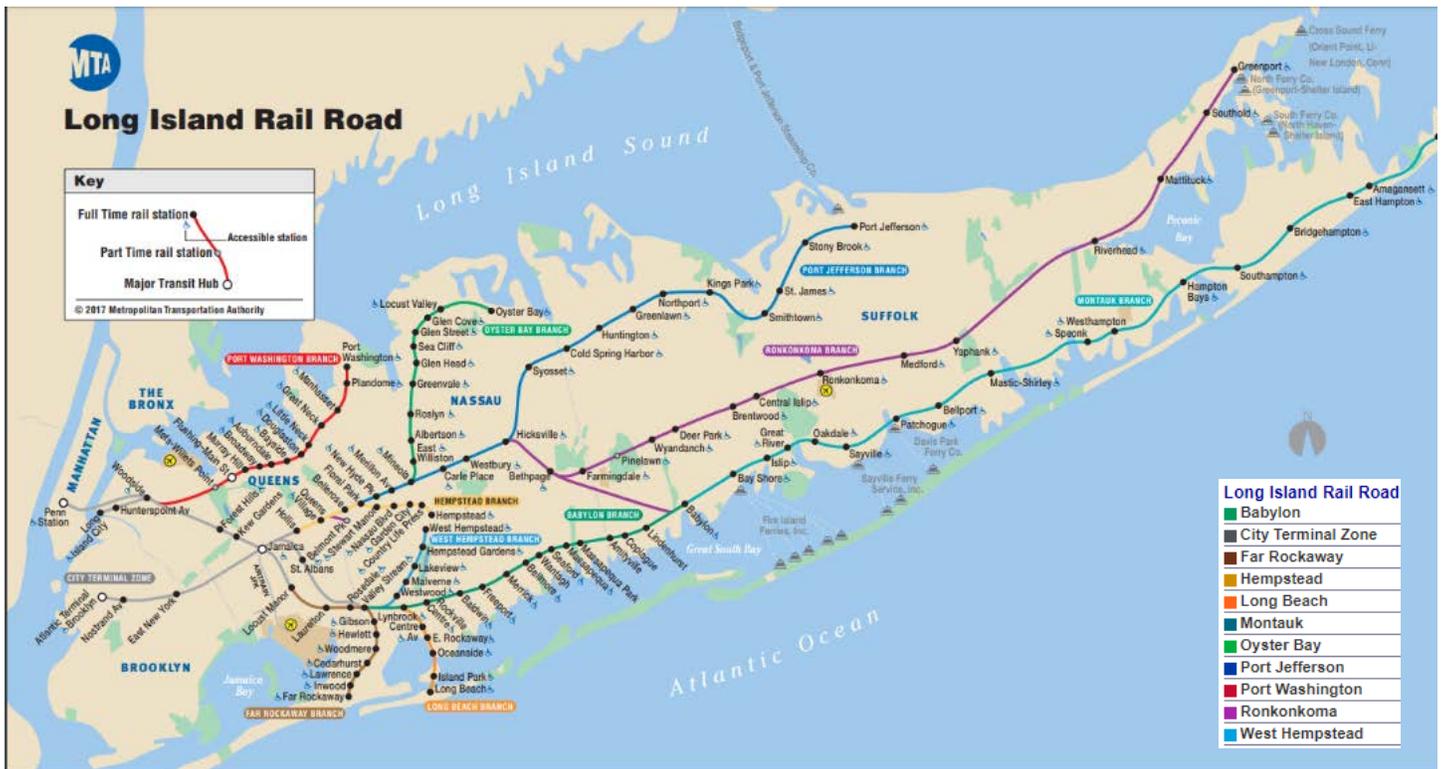
Very truly yours,

Carmen Maldonado  
Audit Director

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

# Exhibit A

## Map of the Long Island Rail Road



# Exhibit B

## LIRR Comparison of On-Time Performance by Branch

	AM Peak	PM Peak	Off-Peak	Total Jan 2018	Total Jan 2017	AM Peak	PM Peak	Off-Peak	Total Dec 2017	Total Dec 2016
Babylon	72.3%	71.9%	85.4%	81.0%	92.2%	84.4%	84.1%	89.6%	87.9%	90.8%
Far Rockaway	74.5%	83.6%	91.6%	88.5%	94.7%	92.7%	95.6%	97.0%	96.3%	95.5%
Hicksville/Huntington	74.3%	69.7%	88.1%	84.1%	92.1%	85.7%	83.6%	91.0%	89.5%	89.6%
Hempstead	71.4%	77.8%	87.9%	84.7%	92.7%	90.5%	90.0%	93.5%	92.8%	93.8%
Long Beach	72.6%	77.1%	89.1%	85.1%	92.4%	89.2%	92.7%	93.4%	92.7%	94.4%
Montauk	79.8%	67.5%	84.7%	82.3%	91.7%	84.4%	79.3%	84.4%	83.8%	92.3%
Oyster Bay	80.3%	68.3%	88.7%	84.7%	93.0%	88.6%	79.2%	90.8%	89.0%	91.3%
Port Jefferson	75.6%	72.8%	86.5%	83.0%	92.9%	80.6%	84.3%	86.7%	85.5%	87.5%
Port Washington	81.0%	75.7%	91.0%	87.7%	91.4%	91.9%	87.1%	92.6%	91.8%	91.6%
Greenport/Ronkonkoma	67.6%	76.2%	82.8%	78.9%	91.7%	82.2%	88.6%	85.4%	85.3%	87.3%
West Hempstead	68.6%	73.0%	92.1%	86.0%	94.7%	88.0%	86.7%	95.8%	93.5%	95.1%
<b>Totals</b>	<b>73.9%</b>	<b>74.0%</b>	<b>87.8%</b>	<b>83.9%</b>	<b>92.4%</b>	<b>86.8%</b>	<b>86.5%</b>	<b>90.8%</b>	<b>89.7%</b>	<b>91.4%</b>
<b>Year-to-Year Difference</b>					<b>-8.5%</b>					<b>-1.7%</b>

Note: Hicksville/Huntington service is part of the Port Jefferson Branch, but is separated for purposes of statistical reporting.

Source: LIRR Website <http://web.mta.info/lirr/TrainTalk/Archive.htm>

# Exhibit C

## Sampled Events

	Date	Time (24 hr. clock)	Branch	Delay Code	Delay Code Description	Additional Information
1	12/5/17	10:19 – 14:50	Montauk	O082	Other – 100W* in Effect	Speed Restriction Due to Fallen Leaves - Montauk Branch
2	12/28/17	08:16 – 08:48	Babylon	O920	Derailment – Cause Undetermined	Derailment – Babylon Yard (AM Impacts)
3	12/28/17	17:05 – 19:35	Babylon	O920	Derailment – Cause Undetermined	Derailment – Babylon Yard (PM Impacts)
4	12/28/17	06:20 – 15:12	Ronkonkoma	E422	Track – Broken Rail	Broken Rail – Queens Village
5	1/4/18	All Day	All	O060	Residual Snow Damage	Snow Storm
6	1/5/18	All Day	All	O060	Residual Snow Damage	Snow Storm
7	1/8/18	15:17 – 16:33	Huntington	P258	Trespasser DOA (Hit by Train)	Freight train vs Pedestrian – Mineola Station
8	1/17/18	19:46 – 20:31	Port Jefferson	E150	Signal – Crossings, General	Collateral Impact of Little Neck Grade Crossing Malfunction
9	1/17/18	17:37 – 19:21	Port Washington	E150	Signal – Crossings, General	Little Neck Grade Crossing Malfunction
10	1/23/18	18:33 – 21:04	Long Beach	E120	Signal – Switch	Switch Malfunction – Long Beach
11	2/6/18	05:02 – 08:43	Port Jefferson	P258	Trespasser DOA (Hit by Train)	Passenger Train vs Pedestrian – East of Huntington Station

\*Special Instruction to train crews that requires trains to operate at slower speeds due to leaves and leaf pectin residue reducing friction on the track.

# Agency Comments

2 Broadway  
New York, NY 10004  
212 878-7000 Tel

**Joseph J. Lhota**  
Chairman



**Metropolitan Transportation Authority**

State of New York

July 24, 2018

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

**Re: Draft Report #2017-S-37 (LIRR: Management of Unexpected Delays and Events During Winter 2017-18)**

Dear Ms. Maldonado:

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

I have attached for your information the comments of Phillip Eng, President, LIRR, which address this report.

Sincerely,

A handwritten signature in blue ink that reads "Joseph J. Lhota".

Joseph J. Lhota

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

Attachments

*The agencies of the MTA*

MTA New York City Transit  
MTA Long Island Rail Road

MTA Metro-North Railroad  
MTA Bridges and Tunnels

MTA Capital Construction  
MTA Bus Company

Jamaica Station  
Jamaica, NY 11435-4380  
718 558-8254 Tel  
718 657-9047 Fax

Phillip Eng  
President



July 23, 2018

Mr. Joseph J. Lhota  
Chairman  
Metropolitan Transportation Authority  
2 Broadway  
New York, NY 10004

**RE: MTA Long Island Rail Road  
Management of Unexpected Delays and Events  
During Winter 2017 - 18  
Report 2017-S-37**

Dear Chairman Lhota:

As required by Section 170 of the Executive Law, detailed below are the updated actions that have or will soon be taken to address the recommendations contained in the State Comptroller's (OSC) Audit of the Long Island Rail Road's (LIRR's) Management of Unexpected Delays and Events During Winter 2017 - 2018.

Managing unexpected events in a way that both efficiently addresses disruptions and timely communicates information to its customers is a responsibility that the LIRR considers to be of utmost importance. Even before the issuance of OSC's draft report, the LIRR had launched a series of initiatives to strengthen its performance in this area.

At the forefront is LIRR Forward. The core of this new strategy is to: expedite critical infrastructure work to proactively reduce service disruptions and streamline internal communications to provide customers with consistent, clear and timely information. LIRR Forward was presented in May by recently appointed President Phillip Eng as a new way of doing business to improve service reliability, seasonal preparedness, and customer communications. The principles of LIRR Forward are being applied to incident response, and the focus has been on making timely operational decisions and providing clear and consistent messages to the public in real time. This new strategy:

- ✓ re-prioritizes critical infrastructure upgrades and accelerates system protection installations;
- ✓ lays the groundwork for a more proactive approach to the Rail Road's maintenance program; and
- ✓ puts the customer first, providing real time and accurate information.

*The agencies of the MTA*

MTA New York City Transit  
MTA Long Island Rail Road

MTA Metro-North Railroad  
MTA Bridges and Tunnels

MTA Capital Construction  
MTA Bus Company

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LIRR Forward is not simply a list of activities. It is a shift in the Rail Road's culture toward proactive preparedness and thorough responsiveness. To follow are examples of initiatives that are underway.

To improve system reliability, the LIRR is:

- aggressively repairing and upgrading components in critical locations including: switches, track circuits and rail joints;
- clearing all overgrown vegetation;
- replacing unstable PSEG poles along the right of way; and
- installing reflective flexible delineators at all railroad crossings.

To fortify its system for upcoming hurricane, fall and winter seasons, the LIRR has accelerated timelines on critical protection measures such as:

- installing lightning protection at signal huts;
- insulating manhole covers in the Atlantic Tunnel;
- replacing heated threshold plates on the M7 fleet; and
- installing snow switch covers at critical locations.

Most important to LIRR Forward is the customer – as such, to enhance the communication and experience the LIRR will:

- provide customers with real time information and GPS equipment is being installed on the M7 and Diesel fleets;
- incorporate countdown clock information on station screens;
- augment the presence of Ambassadors and Ushers at western terminals;
- expand service fleet cleaning at heavily trafficked stations; and
- increase station cleaning frequency.

The OSC's report contains several findings and recommendations intended to improve the LIRR's performance during unplanned events. Below is a more detailed response to these specific findings and recommendations:

**Recommendation No. 1**

- Ensure individuals who are designated to fulfill roles of the Incident Response Structure for the Operations Center are documented in the event logs.

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**LIRR Response:**

The LIRR agrees with this recommendation and already maintains a strong Incident Response Structure (IRS). While the environment in the Operation Center during emergency events can be fast-paced and Dynamic, IRS roles are verbally communicated and in some instances formally documented. When an event occurs, the focus of the employees filling the roles of the IRS is on the operation and management of the identified incident which can be fluid and requires the responders' full attention. The IRS is a dynamic command model utilized during events requiring coordination between multiple departments and/or agencies. Applicable parties are notified as needed. The personnel assuming multiple roles designed within the IRS can either increase or be reduced depending on the nature and/or severity of the identified incident. Participants in and out of the Movement Bureau during an event can range up to LIRR Senior Management, including the President.

For major incidents that require a full IRS, Transportation Services will document the individuals designated to fulfill roles of the IRS for the Operations Center.

**LIRR Implementation Status: *Implemented Internally.***

**Recommendation No. 2**

- Review the nature of incidents that have occurred in at least the past year, and ensure that plans are developed to cover the major types of incidents that have had a significant impact on passengers. Develop a structured incident management flowchart to cover incident management protocols.

**LIRR Response:**

LIRR has already implemented this recommendation. As noted in its Guidelines, the LIRR already reviews the nature of incidents occurring over the past year and maintains structured incident management protocols. Transportation Services personnel participate in several drills on an annual basis and managers attend classes on incidents such as derailment investigations. In addition, the LIRR's Corporate Safety's "Corporate Program for Incident Investigation" (Program) establishes a corporate investigation process for all incidents involving locomotive and/or other on-track equipment, injuries, fatalities, damage, etc. The Program supplements the requirements as per related LIRR corporate investigation policies and procedures.

Information from post-event Lessons Learned performed by Transportation Services is currently used to train employees and update the Guidelines, as needed. Already included as part of this process is a review of the nature of incidents that have occurred during the past year. In addition, Operations Center management already reviews the Guidelines twice a year to be updated as necessary.

\*  
Comment  
1

\*  
Comment  
2

\*See State Comptroller's Comments, Page 21.

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Chairman  
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**LIRR Implementation Status: *Implemented Internally Prior to the OSC Recommendation.***

**Recommendation No. 3**

- Document which plan or protocol is implemented for each incident and whether an Incident Commander is appointed.

**LIRR Response:**

LIRR already has implemented this recommendation. As indicated in the response to Recommendation No. 1, the LIRR already maintains a strong IRS. While the environment in the Operation Center during emergency events can be fast-paced and dynamic, IRS roles are verbally communicated and in some instances formally documented. When an event occurs, the primary focus is on responding to the incident itself. Participants in and out of the Movement Bureau during an event can range up to LIRR Senior Management, including the President.

For major events that require a full IRS, Transportation Services will document the individuals designated to fulfill roles of the IRS for the Operations Center, which includes the Incident Commander, as well as document the Plan/Protocol implemented, if applicable.

**LIRR Implementation Status: *Implemented Internally.***

**Recommendation No. 4**

- Develop a process to manage bus service during an incident, including notifications to customers of the availability of bus service. Ensure the use of bus service is documented (e.g. that they arrived, and when they are assigned to particular location or service).

**LIRR Response:**

LIRR agrees with and already had implemented portions of this recommendation prior to this audit. Currently, the Service Planning and Stations departments are responsible for calling out buses during emergency events. These bus assignments are documented on Emergency Bus Call Logs that are used to request the buses. Stations personnel are in the field during most events coordinating the buses' arrival and routing. During off hours, Stations calls out staff to supervise the bus operation and provide customer service; however, there are times when no manpower is available. In addition, from 4pm to 8pm Stations has one person in the Movement Bureau to initiate busing as needed if an event occurs. In some instances, the arrival and routing of buses during an event is already documented on the Whiteboard, which logs Transportation related events as they occur in the field.

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In fact, per LIRR Forward, by the third quarter 2018, Stations will assume full responsibility for calling out and tracking bus activity for emergency events. The plan calls for Stations representation in the Movement Bureau 24/7 to assist with the ordering, monitoring, and tracking of buses. In addition, the Stations Desk in the Movement Bureau will coordinate communication with field personnel supervising the busing operation. Regarding documenting activity of buses in the field (i.e., arrivals, routing), Stations Department management will research applications with the goal of enabling field personnel and managers in the Movement Bureau to electronically record, track and report bus activity.

**LIRR Implementation Status: *Identified for Implementation Internally Prior to the OSC Recommendation.***

**Recommendation No. 5**

- Develop standard alternative service plans for each main line and branch, to be implemented should service be suspended (including alternative train or bus support). Provide information regarding where passengers can reasonably go in the event service is interrupted.

**LIRR Response:**

LIRR agrees with this recommendation and had identified it for implementation prior to the OSC audit. There are numerous variables that can influence the severity of an incident and the nature of the LIRR's response. Therefore, it is impossible to establish a standard alternative service plan for every type of incident on each branch. The LIRR's Operating Guidelines already include information to help manage unexpected events and delays in the AM Commissioning hours. Existing PM Commissioning hours protocols will be incorporated into the Guidelines.

Unexpected events that cause service disruptions are one of the biggest challenges for the LIRR or any other railroad across the United States and globally, as they can occur at any time and location - as such, the impact to service, including duration is often unpredictable and varies greatly. The LIRR strives to provide timely and proper information to its customers as this is critical to the customer experience and will continue to review its Operating Guidelines to include more specific information regarding alternative train or bus support, including where customers may go in the event of a service disruption.

**LIRR Implementation Status: *Implemented Internally Prior to the OSC Recommendation.***

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**Recommendation No. 6**

- Ensure customers are notified in a timely and continuous manner throughout an incident.

**LIRR Response:**

The LIRR agrees with this recommendation, notes that it implemented it prior to the audit recommendation, and, as part of its on-going and constant focus on its customers, continues to strive to improve its protocols for communicating to customers. One of the goals of LIRR Forward is to improve communications with customers. More specifically, the LIRR will implement the following:

- Utilize GPS on board trains to provide real-time data of train location.
- Update communication protocols and manuals to enhance how the LIRR will respond in various situations.
- Procure professional training services for PIO, Ushers, and Conductors aimed at providing clear, more concise and customer focused announcements.

**LIRR Implementation Status: *Implemented Internally Prior to the OSC Recommendation.***

**Other Clarifications**

During the Close-Out conference held between OSC, LIRR and MTA, the LIRR staff identified several statements in the report that it believes require either correction or clarification. At this time, we do not know whether these suggestions were accepted so the LIRR repeats them below:

1. On page 3 under Background, the report states *“However, while the command and control centers for other departments are located elsewhere, the **Center** can be expanded to include representatives of other departments...”*

The LIRR would like to clarify that **“the Incident Response Structure, not the Center, can be expanded to include representatives of other departments...”**

2. On page 3 under Background, the report states *“It can also call upon the **three bus companies under contract to provide bus services as required to move passengers.**”*

The LIRR would like to clarify that **six** bus companies, not three are under contract...: As a follow-up action item from the closing conference with the OSC on June 13<sup>th</sup>, the LIRR provided the contacts for the additional three bus companies.

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3. On page 3 under Results of Audit, the report states *“Only one “Lessons Learned” meeting was held for the sampled events, in response to the two-day snow event on January 4-5, 2018; that meeting gave rise to 12 recommendations for improvement. LIRR officials also provided internal reviews covering four other sampled events; however, none identified any improvement opportunities.”*

The LIRR would like to highlight that the report notes that “Lessons Learned” meetings were lacking but internal reviews were provided. While not strictly “Lessons Learned” these reviews can serve the same purpose of review and suggestions for potential improvements.

In addition, the statement above implies that the OSC is advising when Lessons Learned meetings should occur. However, as previously stated the need for such meetings are determined by the CTO and Transportation Management based on their experience and expertise.

4. On page 4 under Use of Plans, the report states *“In the event of an incident, the type of incident will dictate which departments/agencies must be notified, which (if any) need to respond to the site, and which of the 30 plans in the IRS will be used. The plans in the IRS include major disruptions in AM rush...”*

The LIRR would like to clarify that the plans are in the **Guidelines**, not in the IRS.

5. On page 5 under Communication, the report states *“However, while delays continued on the Montauk Branch, there was no further communication from 10:30 a.m. to 2:50 p.m. LIRR officials disagreed with this finding but provided no support for their position.”*

The LIRR would like to clarify that as part of our response to the OSC’s preliminary findings we provided documentation (Attachment C) of notifications issued by the LIRR Public Information Office (PIO) regarding this incident including during the time frame cited in the report as missing.

6. On page 5 under Communication, the report states *“LIRR officials also indicated they have recordings to support 3 of the 17 notifications that we concluded were missing. However, this information has yet to be provided.”*

This statement involves Transportation notifications to appropriate personnel during an event and seems out of place having been discussing customer notifications from the PIO. Also, as a follow-up action item from the closing conference with the OSC on June 29, the OSC was able to listen to the three

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recordings retrieved and made available by the Movement Bureau in  
Transportation Services.

We believe the LIRR's action plan addresses the recommendations of the State  
Comptroller's Office. Please contact me should you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip Eng", with a long horizontal flourish extending to the right.

Phillip Eng  
President

## State Comptroller's Comments

1. The response contains several caveats; therefore, it is unclear whether the recommendation has been implemented.
2. The response does not address the primary focus of the recommendation, and without further information, cannot be considered implemented. While it indicates that the LIRR already reviews the nature of incidents occurring over the last year, it does not state whether the LIRR will ensure that plans are developed to cover the major types of incidents that have had a significant impact on passengers. Moreover, it does not state that a structured incident management flowchart to cover incident management protocols has been developed.
3. The report was revised to reflect the information provided in the response.
4. The report states that the Lessons Learned meeting is required following a winter storm, or held at the discretion of the Chief Transportation Officer for other incidents. The report does not state whether a Lessons Learned meeting should have occurred, only that of the ten incidents where the choice was discretionary, no Lessons Learned meetings occurred. Instead, four internal reviews were held and these yielded no opportunities for improvement.
5. While there were several notifications regarding late trains and late connections, there were no specific notifications regarding the slip-slide condition during this period for the trains we examined. While the train crew was regularly informed of this condition, the four trains we sampled either did not receive such a message (three trains) or the message received was not attributed to the slip-slide condition we examined (one train). The LIRR replied that they attributed the notifications during the time frame to other causes due to the high volume of criticism it was receiving for slip-side delays. They added that later in the day, they re-attribute many delays to this condition.