

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution SR-18  
Safety Division  
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R E S O L U T I O N

AN EXEMPTION FROM COMPLIANCE WITH THE CLEARANCE REQUIREMENTS OF GENERAL ORDER 26-D IS GRANTED TO THE EUREKA SOUTHERN RAILROAD FOR TRAIN OPERATIONS THROUGH ITS TUNNEL 40 (MILEPOST 272).

Section 3.10 of General Order 26-D requires railroad tunnels to have a minimum side clearance of 8'0" from the center line of track. The Eureka Southern Railroad Company (ESRR) Tunnel 40 at Milepost 272 has been subject to movement inward and does not meet the minimum clearance requirements of General Order 26-D.

By its Petition For Variance dated May 8, 1990, ESRR requests the California Public Utilities Commission grant ESRR an exemption from compliance with the clearance requirements of General Order 26-D concerning Tunnel 40 for the 1990 passenger season. The petition is meant to satisfy the requirements of Resolution SR-16, dated May 4, 1990, which authorized passenger train excursion service on the ESRR between Willits and Eureka. Ordering Paragraph 3 of Resolution SR-16 requires that "the carrier must comply with, or have been granted an exemption from, the clearance requirements of General Order 26-D in order to operate through tunnel 40 (milepost 272)".

Attached to the petition is a report from Baird Engineering dated April 25, 1990, which provides the following information regarding Tunnel 40:

1. Present plans for the tunnel are to completely remove the over burden and eliminate the walls during the summer of 1990 and install steel tunnel sets for wall replacement.
2. At the present time bracing has been installed at the bottom of the floor/wall systems to support the tunnel wall from any further movement inward. This provides a stable system for the walls and roof areas.
3. During the dry part of the summer with the existing stabilization and bracing that is presently in place, the tunnel is safe and not blocked and will not be in a condition to collapse so that rail traffic can continue thru October of 1990.

As a supplement to its Petition For Variance, ESRR in its Petition In Response To Resolution SR-16, dated May 10, 1990, stated the speeder car that precedes each passenger train (as required by SR-16, Ordering Paragraph 6) will stop and observe the tunnel before the passenger train goes through. In addition, the Roadmaster or maintenance of way personnel will periodically measure the tunnel for changes. Such measurement will be made prior to each passenger run.

In view of the above, an exemption to the clearance requirements of General Order 26-D should be granted for ESRR's tunnel 40 for the 1990 passenger season. Passenger service began May 18, 1990, pursuant to temporary authority expiring May 22, 1990. In the interest of public health and safety, the Commission has to act today.

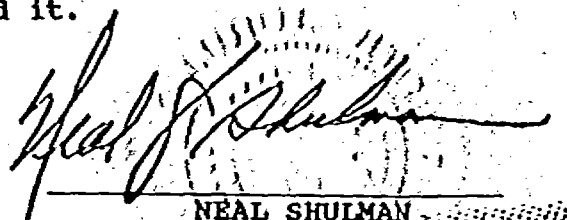
IT IS ORDERED that the requested exemption from the minimum clearance requirements of General Order 26-D for the Eureka Southern Railroad Tunnel 40 is hereby granted subject to the following conditions:

1. The speeder car that precedes each passenger train will stop and observe the tunnel before the passenger train goes through.
2. The Roadmaster or maintenance of way personnel will measure the tunnel for changes prior to each passenger run.
3. This exemption is granted temporarily through Wednesday, June 6, 1990, in order that the Commission can further consider the matter with respect to insurance requirements at its meeting on that date.

I certify that the Resolution was adopted by the Public Utilities Commission on MAY 22 1990.  
The following Commissioners approved it.

G. MITCHELL WILK  
President  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

Commissioner Frederick R. Duda,  
being necessarily absent, did  
not participate.

  
NEAL SHULMAN  
Executive Director