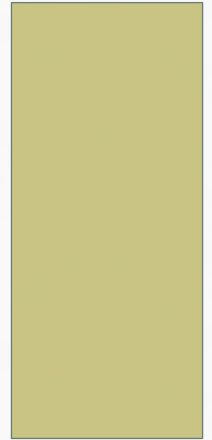


# RAILROAD SAFETY

PERFORMANCE AUDIT  
LEGISLATIVE AUDIT DIVISION

STATE ADMINISTRATION AND VETERANS' AFFAIRS  
INTERIM COMMITTEE

APRIL 19<sup>TH</sup>, 2016



# LEGISLATIVE AUDIT DIVISION

- Background
- Follow-up Process
- Prioritization Process
- Scope of Audit and Key Methodologies

# WHAT WE FOUND

- An absence of statewide emergency planning (DES)
- A lack of hazardous materials response capability (DES)
- First responders are not properly trained or equipped (DES)

# MONTANA DISASTER & EMERGENCY SERVICES

- The audit focused on DES and its role in:
  - Statewide coordination and planning, including local government planning
- Montana Emergency Framework (MERF)
- Emergency Support Functions (ESFs)
  - Annexes
  - State Agencies/Departments are Designated Owners

ESF	Title	Lead Department	Status
1	Transportation	MDT	Not Complete
2	Communications	DoA	Not Started
3	Public Works and Engineering	MDT	Working Draft
4	Firefighting	DNRC	Working Draft
5	Emergency Management	DES	Not Complete
6	Mass Care, Emergency Assistance, Housing and Human Services	DPHHS	Complete and Updated
7	Logistics Management and Resource Support	DES	Not Complete
8	Public Health and Medical Services	DPHHS	Complete and Updated
9	Search & Rescue	DES	Not Complete
10	Oil and Hazardous Materials Response	DEQ	Working Draft
11	Agriculture & Natural Resources	Livestock	Working Draft
12	Energy	DEQ	Working Draft
13	Public Safety and Security	DOJ	Not Started
14	Long-Term Community Recovery	No Longer an ESF.	N/A
15	External Affairs	Governor	Not Complete

# RECOMMENDATION #3

- We recommend the Department of Military Affairs complete all Emergency Support Functions and set a cyclical update process for the Montana Emergency Response Framework (MERF) and the annexes.

DMA: **Concur**

# DES STATEWIDE COORDINATION

- Local Planning
  - Survey results
  - No system in place to review plans and ensure they are addressing new risks or how they link to the MERF
- HAZMAT Training
  - Statute requires first responders meet federal standards
  - Three levels of training relevant to local requirements
    - First Responder Awareness
    - First Responder Operations
    - Hazardous Materials Technician

# LOCAL HAZMAT CAPABILITIES

- Training
  - Majority of volunteer firefighters do not have HAZMAT training at the Operations level
  - Volunteers have little time for training and 'graying' out
  - DES does not have a system to track first responder training
- Equipment
  - Lack of Personal Protective Equipment (PPE)
  - DES does not have system to track responder equipment
  - Percentage of fire departments with adequate PPE
    - Northwest Montana 65%
    - Western Montana 70%
    - Northeast Montana 25%
    - South Central Montana 72%
    - North Central Montana 50%
    - Eastern Montana 50%



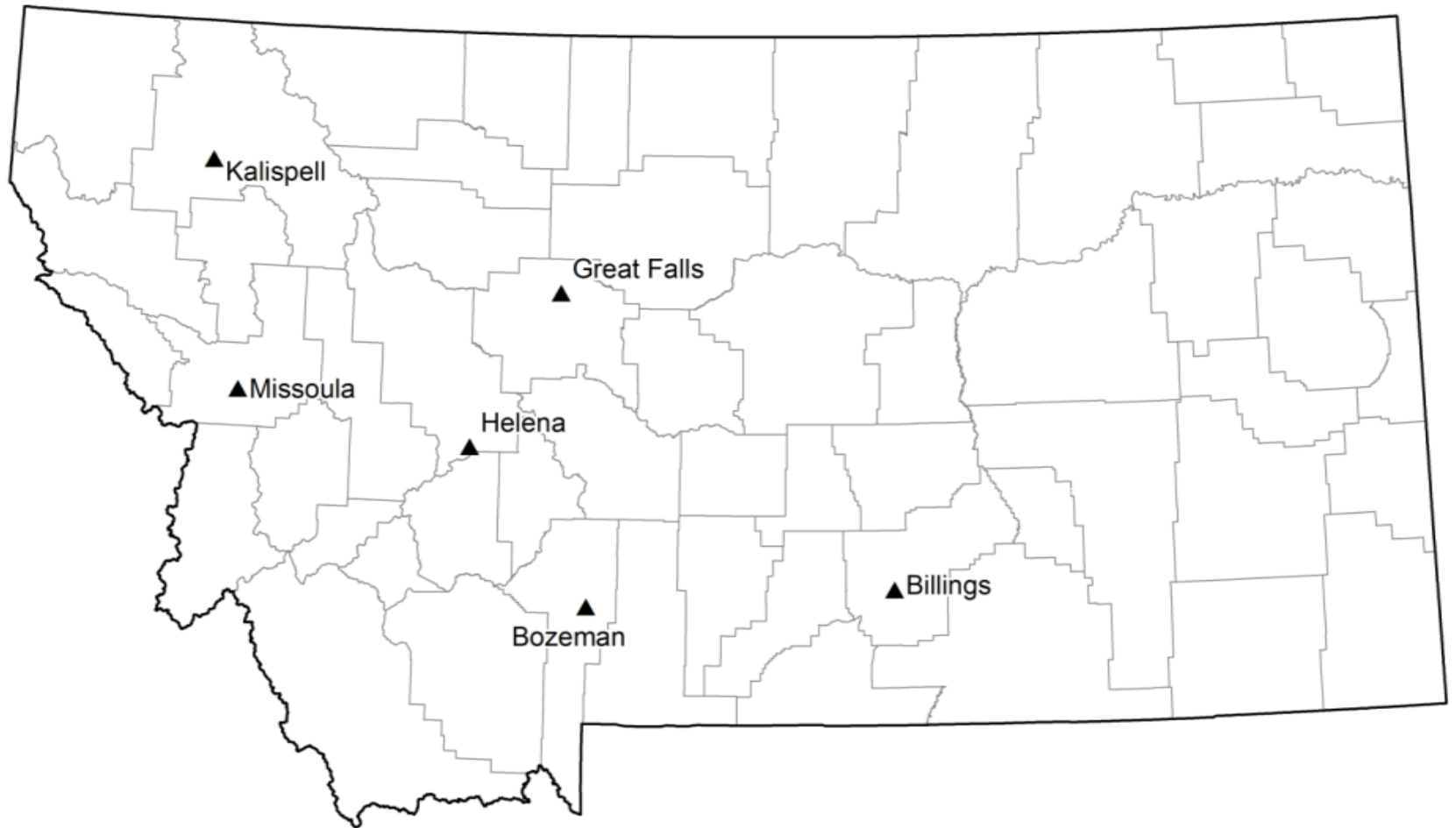
# RECOMMENDATION #4

We recommend Department of Military Affairs:

- A. Establish a system for determining local jurisdiction capability statewide in order to address capability limitations at the local, county and regional level.
- B. Seek statutory authority that supports a system whereby local governments report local jurisdiction capability to Disaster and Emergency Services on an annual basis.

DMA: **Do Not Concur**

# REGIONAL HAZMAT TEAMS



## RECOMMENDATION #5

We recommend the Department of Military Affairs develop and test hazardous materials response capabilities for Northeastern Montana that mirrors the typical response window of four to six hours.

DMA: **Concur**

# RECOMMENDATIONS TO THE PUBLIC SERVICE COMMISSION (PSC)

## Recommendation #1

We recommend the Public Service Commission actively administer rail safety in Montana to include. . .

PSC: **Concur**

## Recommendation #2

We recommend the Public Service Commission increase its railroad safety inspection capability across the state through increased inspection coverage and frequency.

PSC: **Partially Concur**

# LEGISLATIVE CONSIDERATION

- Changing Railroad Safety Priorities
  - Federal preemption
  - 50/50 Split
- Funding Options
  - Transfer authority and funding
  - Utilize existing funding provided through the railroad car tax

## Conclusion

If the Public Service Commission is unwilling or unable to prioritize its railroad safety activities, legislative consideration of where these functions are assigned within state government and how they are funded may be necessary.

# QUESTIONS?