



January 29, 2019

**VIA EMAIL**

Mr. Richard Wronski  
Chicago Transportation Journal  
& TRAINS Magazine  
Email: [rwronski@chitranspo.com](mailto:rwronski@chitranspo.com)

RE: 19-FOIA-005 Documents Relating to 11/9/2018 Mokena Incident

Dear Mr. Wronski:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“**FOIA**”).

**I. Background**

On January 8, 2019, we received your request for:

1. Copies of any and all incident reports, memos, safety bulletins, engineers’ reports, or other documents relating to an incident involving Metra train 506 on the Rock Island Line at the 191st St. crossing in Mokena on November 9, 2018, supposedly around 8:45 a.m., and inoperative gates and warning signals or lights at that crossing;
2. Copies of any and all work orders, reports, memos, safety bulletins or other documents relating to the assignment of a Metra employee (signal maintainer or other such employee) to inspect or perform work at the 191st Street crossing on the Rock Island Line on the morning of November 9, 2018; and
3. Copies of any and all reports, memos, safety bulletins, work orders or other documents indicating any and all incidents involving faulty or failed crossing gates and/or warning signals or lights on any date when Metra operated trains at the 191st Street crossing in Mokena on that Rock Island line

(“**Request**”).

I spoke to you by phone on January 23 to explain that we were still collecting and reviewing records that may be responsive to your Request. I also requested, and you granted, an extension to January 30 in order to complete your Request.

**II. Responsive Documents**

In response to your Request, Metra is providing you with the following records pertaining to the November 9, 2018 incident at the 191<sup>st</sup> St. crossing in Mokena:

1. Four (4) audio file recordings; train no. 506 graph,

2. Maintenance Form 2, dated 11/9/2018; Post Accident Inspection Reports dated 11/09/2018, 11/28/2018 & 12/26/2018;
3. 191<sup>st</sup> St. January 2, 2019 Logs; Supervisor's Report of Incident, dated 01/02/2019; Maintenance Form 2, dated 01/02/2019; Prior Maintenance Form 2's dated 10/15/2018, 08/09/2018, 06/29/2018, 06/22/2018, 04/05/2018, 03/06/2018, 02/20/2018, 02/07/2018, 01/24/2018 & 01/16/2018; and
4. Records submitted to the FRA: 191<sup>st</sup> St. Crossing Signal Schematics issued 01/08/2019, 191<sup>st</sup> St. Crossing Schematics (revised) issued 01/09/2019, Email from FRA to Metra dated 12/28/2018 & 01/10/2019, Chicago to Joliet Signal Schematics (jol\_2731), Chicago to Joliet Signal Schematics (jol\_2866), Chicago to Joliet Signal Schematics (jol\_2877), RI MP 28.01 Log, dated 01/02/2019 21:43, RI MP 28.01 Log, dated 01/02/2019 22:03, and RI MP 28.01 Log, dated 01/02/2019 – Event Analyzer Data

**(“Responsive Documents”).**

After performing a diligent search of Metra's records, we have been unable to locate any records responsive to your Request for any incident reports. Metra's Police department advises no incident reports were generated by its department pertaining to this incident.

Metra's Safety & Environmental department has informed us that it is still collecting records it submitted to the FRA regarding this incident. We will provide you with a supplemental response once we have received these records.

**III. Partial Denial**

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Keith Pardonnet has determined that the employee identification number of the parties mentioned in the Responsive Documents are redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” "Private information" means unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. 5 ILCS 140/2(c-5).

**IV. Right of Review**

You have the right to have the partial denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General's Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor  
Office of the Attorney General  
500 South 2nd Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us).

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,



Kathleen E. Haton  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)  
FOIA Hotline #312-663-3642

Attachments