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**TO: BOARD OF DIRECTORS**

**FROM: ROGER SNOBLE**   
**CHIEF EXECUTIVE OFFICER**

**SUBJECT: RESPONSE TO PERSHING SQUARE INCIDENT**

We've spent the last 24 hours investigating our response to the mercury spill. Several internal meetings have taken place to recreate all events leading up to the incident and our response following. There is no excuse for the 8-hour gap that took place between notification that there was mercury spill on the Pershing Square platform and the start of clean-up. Regardless of the type of spill, a delay of this magnitude is completely unacceptable.

I have instructed Gerald Francis, our general manager of rail operations, to conduct a thorough investigation and to identify remedies for future incidents.

Gerald and I met with the Los Angeles Times today and a story is expected to run tomorrow. We reviewed the procedures that should have been followed and what changes are anticipated as a result of this incident. We are looking at improving coordination with law enforcement, changes in our notification process, modifying our training and relocating sheriffs closer to our operations personnel. I will provide greater detail at the security briefing scheduled for next Thursday in closed session.

It is anticipated that the Times will run a story focusing on our delayed response; that it was a customer that actually prompted appropriate action; and that we are in the process of investigating the incident and creating a path forward.

Additional hazardous material training will begin Monday, as will review of all standard operating procedures, communications, rules and policies.