

**MINUTES OF
COLORADO PASSENGER TRAMWAY SAFETY BOARD**

1560 Broadway, Suite 1380
Denver, CO 80202

February 21, 2008

This meeting of the Board was publicly noticed according to the Division of Registrations' Policy 80-17.

I. CALL TO ORDER

Bob Hartzell, Board Chair, called the meeting to order at 9:00 a.m.

II. RECOGNITION OF MEMBERS PRESENT

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| Board Members Present: | Robert E. Hartzell, Chair Alan Henceroth, Vice Chair Arthur Griffith, Member Brian McCartney, Member |
| Board Members Absent: | Fannye Belle Evans, Secretary Scott F. Mitchell, Member Paul Stewart, Member |
| Staff Members Present: | John Roberts, Assistant Attorney General Charlie Adams, CPTSB Staff Larry Smith, CPTSB Staff Nicki Cochrell, CPTSB Staff |
| Others Present (elected to sign in): | Rachel Hawkins, Winter Park Resort Rob Thomas, Winter Park Resort Jim O'Loughlin, Powderhorn Ski Resort Brian Wilson, Copper Mountain Jesse Caparella, Aspen Skiing Co Doug Allen, Steamboat Ski & Resort Joe Hamre, Aspen Skiing Co Don Weixelman, Beaver Meadows Bob Dart, Winter Park Resort Ken King, Telluride Ski & Golf Clyde Wiessner, Vail Associates Mike Lane, US Forest Service Phillip Patterson, Beaver Creek Grady Ham, Echo Mountain Jennifer Kelly, Magic Carpet Ski Lifts Mike Gierach, Crested Butte Sid Roslund, NSAA Julie Turner, Winter Park Resort Mak Keeling, Related WestPac |

Grant Melivs, Related WestPac
Charles Peterson, Tramway Engineering

III. REVIEW OF MINUTES

Alan Henceroth moved to approve the November 29, 2007 meeting minutes as amended. Bob Hartzell seconded the motion and it passed unanimously.

IV. STAFF UPDATE

Angie Kinnaird Linn, Section Director of the Business and Technical Section, said that the Division is moving towards having all Board members reimbursed through Electronic Funds Transfer (EFT). She said that having Board members reimbursed through EFT saves the Division approximately \$25 per check that has to be processed. Therefore, Board members who currently do not get reimbursed through EFT are encouraged to sign up. She said that a letter from the Division Director and the EFT form are located in the Board member folders and can be returned with a cancelled check to Nicki Cochrell in order to start reimbursement through EFT.

Ms. Kinnaird Linn said that the Tramway Sunset bill is up for discussion in the House Transportation and Energy committee today at the capitol. The committee is to meet after the House adjourns this morning.

Charles Adams, Program Director, said that the next Board Training Session will be held after the April 17, 2008 Board meeting. He asked that Board members mark their calendars and also let staff know if they had any items for the agenda that they would like to discuss. He also said that during the Training Session, the Board will consider the agenda for Board Session at RMLA.

Nicki Cochrell, Program Assistant, said that the next Board meeting would be held April 17, 2008 in Denver at 1560 Broadway in Suite 1380 at 9:00 a.m. The deadline for agenda items is March 27, 2008. Ms. Cochrell also stated that the next Technical Committee would be held March 28, 2008 via conference call in Denver at 1560 Broadway in Suite 1500 at 9:00 a.m. The deadline for agenda items is March 14, 2008.

Ms. Cochrell stated that mileage for Board members has increased from \$.39 to \$.46. This is reflected on the Board members' travel form.

Ms. Cochrell said that the next rulebook would be delayed until early fall due to the upcoming grandfathering rulemaking that the Board will be reviewing this spring.

Ms. Cochrell said that there are a few sections of the Crisis Management Plan that have been updated. A copy of the updated sections is in the Board folders.

Larry Smith, Supervisory Tramway Engineer, said that the proposed CPTSB rules for grandfathering were sent out to the industry in early January for comments. The

proposed rules will be brought to the Board at the April 17, 2008 meeting for publishing. He said he will also be giving a seminar at RMLA on the proposed action of the Board and the up-coming rulemaking hearing.

Mr. Smith said he sent out a memo to the areas asking for a procedure to be in place concerning "battle ready" mode of operation for the APUs.

Mr. Smith said he sent out a memo to the areas that have Lift Engineering carriers concerning cracks and welding procedures. He said some minor cracking has been discovered where the seat is welded to the bail. He said if cracking is found, the area needs to contact an engineer and not re-weld it themselves without an approved procedure.

Mr. Smith said that the Technical Committee has nearly completed the guidelines for air space wording and will be presenting it to the Board at the April 17, 2008 meeting for the Board to review.

Mr. Smith said that the Board has a few articles in their folders for Board members to read at their own leisure.

Mr. Smith discussed some of the incidents that occurred between November and mid February.

Last fall, there was a lift that burned in Southern California

In **November** - Heavenly Valley had a teenager fall to their death from lift.

In **December** –

Keystone had a bus hit a transformer and it cut power to all three mountains. Lift maintenance had all lifts running on APU's within 15 minutes and power was restored 3 hours later;

Loon Mountain Gondola had an evacuation. There was a bad grip entry due to wind and 75 people were evacuated within 1.5 hours;

A gondola in Nagano Japan had an evacuation. 100 passengers were evacuated in 7 hours with some passengers stranded approximately 60 feet up;

Mt. Sunapee in New Hampshire had a Doppelmayr triple chair bullwheel failure. One person was injured;

In Whaleback, New Hampshire, a drive shaft failed on old Poma aerial lift. The area was able to evacuate on auxiliary;

The Breckenridge gondola had a cabin hit by crane lifting a man-hoist over a building;

Frazer Tubing Hill had a splice fail on the haul cable;

A woman asked to download on the Vista Bahn at Vail. The operator told her to go to the downhill side of the terminal. She got mad and jumped into the chair on the uphill side and fell out. She then threatened the operator with a pick-ax. The operator calmed her down and downhill loaded her. The Sheriff met her at the bottom of the lift;

At Mount Whiteface in New York, high winds entangled a fixed-grip carrier with the com-line. The lift was evacuated;

Winter Park's Pioneer Express had a carrier hit by high winds and it jammed upon entry. 115 passengers were evacuated in 50+ miles per hour winds in 3 hours.

In **January** –

At Magic Mountain, a chair slipped back into another chair and injured two people;

Breckenridge had the first two skiers up one morning who did not raise their ski-tips and fell from carrier. The carrier went into guideage and tore up top terminal guideage;

In Quebec Canada, there was a death of a 27 year old maintenance person working on the bullwheel when the lift was started;

Big Sky in Montana had relocated Copper Mountain's old 'F' chair, Heron Poma, and it had an incident where it tore off backstop during testing.

In the first part of **February** –

Ski Roundtop had a conveyor accident at top transition plate;

Shadow Mountain had an incident where the low voltage communication cable to carrier on the Funicular was torn from carrier;

At Alta, a carrier fell from rope before public operation. The bullwheel liner piece became dislodged and interfered with grip upon exit of the top terminal;

Crested Butte had a carrier stop in the terminal exit due to a flat tire. The anti-collision system was bypassed and chair behind slammed into carrier. No injuries occurred;

Breckenridge's gondola had a grip mis-capture at the Shock Hill station. There was damage to grip and no passengers were present;

Copper Mountain had to catch a coyote that was approaching skiers on the slopes;

There was a fire at the Winter Park Ski Patrol building near the top of the Arrow lift. There was no damage to the lift;

A ski lift was burned by sabotage at Winona Lakes in Pennsylvania;

Big Sky in Montana had operational damage due to a grip finger.

During these past few months, nine of the incidents that occurred nation wide were due to high wind damage during operation.

V. **RULE MAKING HEARING**

A. Revision to Colorado Rules

1. Revision of Rule 24.1.6 Parties to the proceeding

The Board reviewed the Rule Making Notice concerning the revision of Rule 24.1.6 Parties to the proceeding and took the following action.

Alan Henceroth moved to revise Rule 24.1.6 Parties to the proceeding as published in the Notice of Rulemaking dated December 10, 2007 by the Board. The legal authority for the revision of this rule is C.R.S 25-5-704 (1)(a).

When Section 24 Rules of board procedure was adopted last year, it was discovered that Rule 24.1.6 referenced another Board's rule number. The purpose for the proposed revision of Rule 24.1.6 Parties to the proceeding is to reference the correct rule number in the Colorado Passenger Tramway Safety Board's rules.

The revision of this rule shall become effective May 1, 2008.

The Board finds that:

- The record of the rule making proceeding demonstrates the need for the regulation;
- The proper statutory authority exists for the regulation;
- To the extent practicable, the regulation is clearly and simply stated so that its meaning will be understood by any party required to comply with the regulation;
- The regulation does not conflict with other provisions of the law;
- There is no duplication or overlapping of the regulation; and,
- The proposed rule is being considered in light of its appropriateness and cost effectiveness.

24.1.6 Parties to the proceeding. The parties to any proceeding pursuant to this rule shall be the board and the petitioner. Any other person may seek leave of the board to intervene in such a proceeding, and leave to intervene will be granted at the sole discretion of the board. A petition to intervene shall set forth the same matters as required by Rule ~~7.1.4~~ 24.1.4. Any reference to a "petitioner" in this rule also refers to any person who has been granted leave to intervene by the board.

Art Griffith seconded the motion and it passed unanimously.

VI. BUSINESS

A. Request for variance

1. Breckenridge Ski Resort's request for a temporary variance for relief from Rule 3.1.1.3.2.1 Structures for the BreckConnect Gondola (BR-049)

The Board reviewed the December 21, 2007 letter from Jon Mauch, Breckenridge Ski Resort, requesting a temporary variance for relief from Rule 3.1.1.3.2.1 Structures for the BreckConnect Gondola (BR-049).

With the variance being self reported under CPTSB Policy 12, the Board moved to table action on this variance until the April 17, 2008 Board meeting.

2. Echo Mountain's request for a permanent variance for relief from Rule 4.1.1.5.2.1 Line clearances and Rule 4.1.1.5.2.3 Terminal clearances for the Milk Run Special lift (SP-001)

Alan Henceroth, Board Vice Chair, disclosed that the equipment that is being considered for the variance was at Arapahoe Basin at one time. He said that he did not have any further conflicts and was planning to vote during this agenda item. The other Board members agreed that Mr. Henceroth did not have any further conflicts and could vote during this agenda item.

The Board reviewed the January 15, 2008 letter from Harlan Bryant, Coyote Engineering Corp, requesting a permanent variance for relief from Rule 4.1.1.5.2.1 Line clearances and Rule 4.1.1.5.2.3 Terminal clearances for the Echo Mountain's Milk Run Special lift (SP-001). Grady Ham was present to represent Echo Mountain.

Echo Mountain has a fixed grip triple chair that they would like to be able to use a toboggan carrier on in order to transport injured parties to their first aid room. The

toboggan, however, would not allow the proper horizontal clearances as required by ANSI Rule 4.1.1.5.2.1 and Rule 4.1.1.5.2.3.

Echo Mountain requested a permanent variance for relief from Rule 4.1.1.5.2.1 Line clearances and 4.1.1.5.2.3 Terminal clearances in order to utilize the first aid toboggan on the Milk Run Special lift (SP-001).

Art Griffith moved to grant a permanent variance to Echo Mountain for relief from Rule 4.1.1.5.2.1 Line clearances and 4.1.1.5.2.3 Terminal clearances for the Milk Run Special lift (SP-001) in accordance with:

- 1.2.3 (a) The granting of such an exception would be consistent with, and would aid in, implementing the legislative policy set forth in C.R.S. 25-5-701; and,
- 1.2.3 (b) Compliance with applicable rules and regulations from which an exception is sought would create an unreasonable operational or design condition.

Provisions:

1. The sled carrier operational plan shall be implemented.
2. The area shall have provisions for evacuating the toboggan in the lift evacuation plan.
3. The toboggan's handles shall be removed during transportation.
4. The ski patrol and operators shall be trained in the handling of the sled carrier and the training shall be documented.
5. The toboggan shall not be downhill loaded and the carrier in front shall be flagged for downhill loading to return the sled carrier to the bottom of the lift.

Findings of Fact:

1. With the utilization of the toboggan, the swing clearances cannot be met as required in Rule 4.1.1.5.2.1 and Rule 4.1.1.5.2.3.
2. The sled carrier shall be used when the ground transportation poses a hazard for guests.
3. The first aid room is approximately half way up the mountain and injured guests must be transported up hill from the bottom half of the mountain.
4. The granting of this variance does not constitute a public safety hazard.

Brian McCartney seconded the motion and it passed unanimously.

3. Snowmass Center Gondola's request for a permanent variance for relief from Rule 4.1.1.3.2.1 Structures for the Snowmass Center lift (SZ-001)

The Board reviewed the January 14, 2008 letter from Scott Stenman, Related WestPac, and a report from Charles Peterson, Tramway Engineering Ltd, requesting a permanent variance for relief from Rule 4.1.1.3.2.1 Structures for the Snowmass Center Gondola's new lift (SZ-001). Mak Keeling from Related WestPac was present to represent Snowmass Center Gondola.

The Snowmass Center Gondola is currently constructing a 6 passenger fixed grip pulse gondola that is going to be used as a pedestrian transportation system in the Snowmass Village area. The current plans with the tramway will have two condominium/retail structures that will be within the air space of the lift.

Snowmass Center Gondola requested a permanent variance for relief from Rule 4.1.1.3.2.1 Structures in order to allow the structures to be within the air space of the proposed new Snowmass Center lift (SZ-001).

Art Griffith moved to grant a permanent variance to Snowmass Center Gondola for relief from Rule 4.1.1.3.2.1 Structures for the Snowmass Center lift (SZ-001) in accordance with:

- 1.2.3 (a) The granting of such an exception would be consistent with, and would aid in, implementing the legislative policy set forth in C.R.S. 25-5-701; and,
- 1.2.3 (b) Compliance with applicable rules and regulations from which an exception is sought would create an unreasonable operational or design condition.

Provisions:

1. The buildings shall be equipped with a fire alarm system that complies with the NFPA 72 National Fire Alarm Code.
2. The buildings shall be constructed with a fire suppression system that complies with NFPA 13 Standard for the Installation of Sprinkler Systems.
3. There shall be instructions posted at both terminals that address tramway operations during a fire in adjacent structures.
4. The distance between the carrier and the exterior wall of Building 7 shall not be less than 5 feet in any circumstances.
5. The distance between the vertical plane as defined by the edge of the carrier and the roof line of Building 7 shall not be less than 4 feet in any circumstances.
6. The operational plan shall address the possibility of snow shedding and contacting any portion of the ropeway that affects public safety.

Findings of Fact:

1. The Snowmass/Wildcat Fire Protection Station, which is located 0.7 miles from the lift, is staffed with a professional crew 24 hours per day.
2. There is full-time, year-round vehicular access both from below the line and from the plaza level.
3. A fire hydrant is located 100 feet from the return terminal at the lower road and 80 feet from the return terminal at the plaza level.
4. Both Building 7 and Building 2c will be a six story structure and constructed of concrete and steel.
5. The structures will be located at the return terminal and in full view of the attendant.
6. The evacuation time for the approximate 900 foot long tramway is 2 minutes at design speed.
7. The granting of this variance does not constitute a public safety hazard.

Alan Henceroth seconded the motion and it passed unanimously.

C. Beaver Meadows – Compliance with the Stipulation

The Board reviewed the November 21, 2007 documentation from Beaver Meadows regarding the completion of the additional requirements as outlined in paragraph 17 (a) of the June 21, 2007 Stipulation and Board Order. Don Weixleman was present to represent Beaver Meadows in the event that the Board had any questions.

At the October 18, 2007 meeting, the Board moved to not accept the May 2 and the June 11, 2007 documentation from Beaver Meadows regarding the completion of the additional requirements as outlined in paragraph 17 (a) of the June 21, 2007 Stipulation and Board Order.

The documentation that was submitted in October did not demonstrate that the area had developed and instituted a written policy and procedure describing how the area will ensure it responds to all unannounced inspection reports within the twenty-eight (28) day requirement. The Board directed Staff to have Beaver Meadows resubmit the documentation with an updated procedure in order for the Board to review at a future meeting.

Beaver Meadows resubmitted the documentation to comply with additional requirements as outlined in paragraph 17 (a) of the June 21, 2007 Stipulation and Board Order and resubmitted an updated substitute designated agent letter for the Board to review.

Brian McCartney moved to accept the report from Beaver Meadows in compliance with the June 21, 2007 Stipulation and Board Order. Art Griffith seconded the motion and it passed unanimously.

D. Beaver Meadows – Late Reportable Incident

The Board reviewed the information regarding Beaver Meadows late reportable incident and response regarding the cable of the tow coming off of the bullwheel on the Multi-Ski Lift (NF-001). Don Weixleman was present to represent Beaver Meadows.

The incident occurred on December 24, 2007 and was not reported to the Board office until December 26, 2007. Since the incident was not verbally reported within twenty-four (24) hours, this was a violation of CPTSB Rule 23.2 Reporting to the board.

Art Griffith moved that the Board issue a Letter of Admonition to Beaver Meadows since the area did not report the incident within the twenty-four (24) hours as required by CPTSB Rule 23.2 Reporting to the board. Alan Henceroth seconded the motion and it passed unanimously.

E. Meadow Mountain – Completion of Terms

The Board was informed that Meadow Mountain completed the terms to the November 21, 2006 Stipulation and Board Order. No further action was taken by the Board.

F. CSCUSA Committee update on passenger loading

Brian McCartney, Board member, requested that this agenda item be tabled until the April meeting so that all the Board members could be present during his discussion. The Board agreed and the agenda item was tabled until the April 17, 2008 Board meeting.

G. Annual designation of the 2008 CPTSB Board meeting notices

Alan Henceroth moved to designate the reception area of the Division of Registrations, Suite 1350 of the Denver Post Building, Denver, Colorado for the 2008 CPTSB meeting notices pursuant to C.R.S. 24-6-402 (2) (c). Art Griffith seconded the motion and it passed unanimously.

VII. OPEN QUESTIONS/DISCUSSION FROM THE PUBLIC

Sid Roslund, NSAA, stated that this year's RMLA conference will be held May 5-May 8, 2008. He said that the information is on the NSAA website for registration.

VIII. ADJOURNMENT

The meeting was adjourned at 11:44 a.m.

Approved by: Robert E. Hartzell, Chair

Date: April 17, 2008

Approved by: Alan Henceroth, Vice Chair

Date: April 17, 2008