

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

BOISE CASCADE BUILDING
MATERIALS DISTRIBUTION, LLC,

Petitioner,

Seeking Exemption from the Provisions of
WAC 480-60-050 Relating to Side
Clearances.

DOCKET TR-260017

ORDER 01

GRANTING PERMANENT
EXEMPTION FROM RULES

BACKGROUND

- 1 On February 7, 1977, the Washington Utilities and Transportation Commission (Commission) entered Order TR-962 granting Boise Cascade Corporation’s, now Boise Cascade Building Materials Distribution, LLC, (Boise Cascade) application for exemption from the clearance rules for an extended loading dock on the east side of the industry track at its building materials distribution facility at 1512 South First Street in Yakima.
- 2 During a recent routine inspection of the facility, Commission staff (Staff) found the facility in compliance with the conditions of Order TR-962 with respect to signage, high-visibility striping, and illumination for nighttime operations. However, Staff identified an additional point of restricted side clearance created by a building constructed at the facility after Commission granted the prior rule exemption. The building is also located on the east side of the industry track, immediately north of the loading dock, and creates a restricted side clearance of 7 feet 11 inches. WAC 480-60-050(1) prescribes a general minimum side clearance of 8 feet 6 inches. Staff advised Boise Cascade to file a petition for the additional rule exemption. Because the building is in the same vicinity as the loading dock, Staff did not recommend any additional safety measures beyond the conditions currently required by Order TR-962.
- 3 On January 7, 2026, Boise Cascade filed a Petition seeking exemption from the side clearance requirements in WAC 480-60-050 for the building identified by Staff.
- 4 BNSF Railway Co. (BNSF) provides railcar switching service to the facility and has signed the petition indicating its support for the rule exemption.

- 5 Staff reviewed the Petition and recommended the Commission grant Boise Cascade's request for exemption, subject to the following conditions:
- (a) BNSF must notify its employees in writing of the restricted clearance.
 - (b) BNSF must provide a copy of its written notification to Staff within 60 days of the effective date of this Order.
 - (c) In the event of changes to facility ownership or the area of the restricted clearances, Boise Cascade or BNSF must notify the Commission within 60 days.
 - (d) All conditions of Order TR-962 remain in effect.

DISCUSSION

- 6 WAC 480-60-050 prescribes a general minimum side clearance of 8 feet 6 inches from the centerline of track to an adjacent structure. These general clearance requirements apply to Boise Cascade's facility and permanent exemption from these rules is required for any structures not meeting these requirements.
- 7 Staff reviewed the request and recommended granting Boise Cascade's request, subject to the conditions listed in paragraph 5.
- 8 The Commission determines that Boise Cascade's request for side clearance exemption for the building at its facility is consistent with the public interest, the purposes of WAC 480-60-050, and the applicable statutes.

FINDINGS AND CONCLUSIONS

- 9 (1) The Commission is an agency of the State of Washington having jurisdiction over public service companies, including railroad companies, within the state of Washington. RCW 80.01.040, Chapter 81.01 RCW, Chapter 81.04 RCW, and Chapter 81.53 RCW.
- 10 (2) BNSF is engaged in the business of providing railroad services within the state of Washington and is a public service company subject to Commission jurisdiction.

- 11 (3) BNSF is subject to WAC 480-60-050, which requires railroad companies to maintain a side clearance of at least 8 feet 6 inches from the center of the track to adjacent structures.
- 12 (4) Under WAC 480-60-020(3), the Commission may grant an exemption from the provisions of any rule in WAC 480-60, if consistent with the public interest, the purposes underlying regulation, and applicable statutes. See also WAC 480-07-110.
- 13 (5) A restricted clearance can exist, and safety can be maintained, if Boise Cascade maintains the safety measures specified in Order TR-962 and if BNSF provides written notification of the restricted clearance to its employees.
- 14 (6) Staff investigated the request and recommended that permanent exemption be granted.
- 15 (7) This matter came before the Commission at its regularly scheduled meeting on January 29, 2026.
- 16 (8) After reviewing the petition filed by Boise Cascade on January 7, 2026, and giving due consideration, the Commission finds the exemption is in the public interest, is consistent with the purposes underlying the regulation and applicable statutes, and should be granted.

ORDER

THE COMMISSION ORDERS THAT:

- 17 (1) After the effective date of this Order, Boise Cascade Building Materials Distribution, LLC is granted an additional exemption from WAC 480-60-050 relating to side clearances for the building at its Yakima facility, subject to the following conditions:
- (a) BNSF Railway Co. must notify its employees in writing of the restricted clearance.
 - (b) BNSF Railway Co. must provide a copy of its written notification to employees to Staff within 60 days of the effective date of this Order.

- (c) In the event of changes to facility ownership or the areas of restricted clearance, Boise Cascade Building Materials Distribution, LLC or BNSF Railway Co. must notify the Commission within 60 days.
- (d) All conditions of Order TR-962 remain in effect.

18 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective January 29, 2026.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLIP
Executive Director and Secretary