

**From:** [nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com)  
**To:** [Turcott, Mike \(UTC\)](#)  
**Cc:** [Young, Betty \(UTC\)](#); [Boston, Bob \(UTC\)](#)  
**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver  
**Date:** Friday, January 24, 2020 8:29:20 AM  
**Attachments:** [image002.png](#)  
[image006.png](#)  
[RE FW FW Loading Cage Clearance Requirement Waiver.msg](#)

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Hello Mike,

Attached you will find BNSF's response to my inquiry. Let me know if this is sufficient or if you need something more concrete for approval.

Assuming we can move forward, what do you need from me to amend our waiver from 18'8" to 17'3"?

Thanks in advance.

**Nick Kamerath**

*Site Operations Manager*

**Lonza**

532 Hendrickson Dr  
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**From:** Turcott, Mike (UTC) [<mailto:mike.turcott@utc.wa.gov>]  
**Sent:** Tuesday, January 21, 2020 1:35 PM  
**To:** Kamerath Nicholas - Kalama <[nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com)>  
**Cc:** Young, Betty (UTC) <[betty.young@utc.wa.gov](mailto:betty.young@utc.wa.gov)>; Boston, Bob (UTC) <[bob.boston@utc.wa.gov](mailto:bob.boston@utc.wa.gov)>  
**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

Hi Nick,

We (staff) can ask the Commission to amend its 2019 order granting the waiver of the clearance requirement as long as BNSF is in agreement with the lower clearance. The role of BNSF is not to "approve" the proposal, but rather to "not object" and to agree to serve your facility with the close

clearance in place.

So, please check with your contact at BNSF and see if they are OK with this. Then, forward their affirmative response to me and we'll work on getting the order modified.

**Mike Turcott**

Transportation Planning Specialist

Rail Safety Section

360-664-1119

[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)

[www.utc.wa.gov](http://www.utc.wa.gov)



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**From:** [nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com) [<mailto:nicholas.kamerath@lonza.com>]

**Sent:** Tuesday, January 21, 2020 1:29 PM

**To:** Turcott, Mike (UTC) <[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)>

**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

Mike,

I hope you are well. I have some follow up on this issue from last year. It has taken some time to accomplish this rack replacement for a number of reasons.

Anyway, to where I stand today. We had requested a clearance waiver of 18'8" based on information provided by the equipment manufacturer. Apparently, those were only conceptual dimensions. In actuality, they have provided me with a setup that will provide 17'3.25" of clearance. Is there anything that would prevent an amended clearance waiver of that height? If this is problematic, we will need to evaluate other options. One concern is that if we attempt to raise this higher, we may compromise the fall protection dimensions that are necessary per OSHA requirements so we are trying to evaluate the options that we have to meet all the parties needs.

Please advise as to what options we have from your perspective. Feel free to discuss if more

clarification is needed.

Thanks.

**Nick Kamerath**

*Site Operations Manager*

**Lonza**

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**From:** Turcott, Mike (UTC) [<mailto:mike.turcott@utc.wa.gov>]  
**Sent:** Thursday, July 18, 2019 9:21 AM  
**To:** Kamerath Nicholas - Kalama <[nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com)>  
**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

There really is no state standard for clearance signs. It comes down to what the parties agree to and what is the best solution for the particular situation. We think fewer words are better and would recommend something like in the attachment.



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**From:** [nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com) [<mailto:nicholas.kamerath@lonza.com>]

**Sent:** Thursday, July 18, 2019 8:52 AM

**To:** Turcott, Mike (UTC) <[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)>

**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

Alright, just for completeness as the railroad mentioned to me using a “standard sign for Washington State,” I want to make sure I get the proper ones. I found the following:



Please advise if there is something else I should be pursuing. Thanks

Nick Kamerath

*Site Operations Manager*

**Lonza**

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**From:** Turcott, Mike (UTC) [<mailto:mike.turcott@utc.wa.gov>]  
**Sent:** Thursday, July 18, 2019 7:15 AM  
**To:** Kamerath Nicholas - Kalama <[nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com)>  
**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

Good morning Nick,

When the Commission grants the exemption to the clearance rules it will issue an order that specifies the signage requirement. Right now, the draft order states:

1        These exemptions are subject to the following conditions:

- (a) A sign indicating “No Clearance” must be posted on the northeast corner of the concrete platform facing approaching rail traffic.
- (b) Notice of the close clearance must be posted in BNSF general order and included in the next timetable revision. BNSF must provide a copy of the updated general order to Staff within 60 days of the date of this order.

This should be consistent with what we discussed at our site visit in June. The order gives you a lot of flexibility in what type of sign you want to use. There are standard “no clearance” signs in the rail industry I’m assuming you’re familiar with. I can send some pictures of sample signs if you like.

If we need to change the language in the order let me know ASAP.

I have the OK from BNSF and this item will be back on the open meeting agenda for approval August 8.

**Mike Turcott**  
Transportation Planning Specialist  
Rail Safety Section  
360-664-1119  
[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)  
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**From:** [nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com) [<mailto:nicholas.kamerath@lonza.com>]

**Sent:** Wednesday, July 17, 2019 4:07 PM

**To:** Turcott, Mike (UTC) <[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)>

**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

Hello Mike,

According to BNSF, they want us to install signage to approve. From what I understand, part of the process is to notify me of any actions necessary to approve the action, part of which is signage. Do I get an action item list from you at approval or sometime before?

Thanks

**Nick Kamerath**

*Site Operations Manager*

**Lonza**

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**From:** Turcott, Mike (UTC) [<mailto:mike.turcott@utc.wa.gov>]

**Sent:** Wednesday, July 10, 2019 3:12 PM

**To:** Kamerath Nicholas - Kalama <[nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com)>

**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

That would be great. We just need a simple statement that BNSF is not opposed to your request for exemption. (attached).

**Mike Turcott**

Transportation Planning Specialist

Rail Safety Section

360-664-1119

[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)

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**From:** [nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com) [<mailto:nicholas.kamerath@lonza.com>]

**Sent:** Wednesday, July 10, 2019 2:54 PM

**To:** Turcott, Mike (UTC) <[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)>; Enright, Evan (UTC) <[evan.enright@utc.wa.gov](mailto:evan.enright@utc.wa.gov)>; Young, Betty (UTC) <[betty.young@utc.wa.gov](mailto:betty.young@utc.wa.gov)>; Boston, Bob (UTC) <[bob.boston@utc.wa.gov](mailto:bob.boston@utc.wa.gov)>

**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

Thanks for the update.

I will ping some of my contacts at BNSF to see if they can help.

**Nick Kamerath**

*Site Operations Manager*

**Lonza**

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**From:** Turcott, Mike (UTC) [<mailto:mike.turcott@utc.wa.gov>]  
**Sent:** Wednesday, July 10, 2019 2:51 PM  
**To:** Enright, Evan (UTC) <[evan.enright@utc.wa.gov](mailto:evan.enright@utc.wa.gov)>; Kamerath Nicholas - Kalama <[nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com)>; Young, Betty (UTC) <[betty.young@utc.wa.gov](mailto:betty.young@utc.wa.gov)>; Boston, Bob (UTC) <[bob.boston@utc.wa.gov](mailto:bob.boston@utc.wa.gov)>  
**Subject:** RE: FW: FW: Loading Cage Clearance Requirement Waiver

Nick,

We are waiting for a simple email from BNSF stating that they do not object to the waiver. Everything on our end is ready to go. The order is drafted and was actually scheduled to go before the Commission at the open meeting tomorrow but I have nothing from BNSF. The people in Vancouver I tried said they don't have the authority. I have email and voice mail in to Steve Semenick and Meghan McIntyre with no reply. I'm still working on that.

**Mike Turcott**

Transportation Planning Specialist  
Rail Safety Section  
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[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)  
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**From:** Enright, Evan (UTC)  
**Sent:** Wednesday, July 10, 2019 1:31 PM  
**To:** [nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com); Turcott, Mike (UTC) <[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)>; Young, Betty (UTC) <[betty.young@utc.wa.gov](mailto:betty.young@utc.wa.gov)>; Boston, Bob (UTC) <[bob.boston@utc.wa.gov](mailto:bob.boston@utc.wa.gov)>  
**Subject:** Re: FW: FW: Loading Cage Clearance Requirement Waiver

Mike,

Can you please provide an update for Nick?



Thank you

Sent from my mobile device

Evan Enright  
Rail Safety Supervisor  
(360) 701-1615  
Washington Utilities and Transportation Commission

On July 10, 2019 at 10:21:09 PDT, [nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com) wrote:

Evan,

Just touching base on where we are at with the waiver approval. I recall there being a meeting this had to go through but couldn't recall the frequency.

Thanks for your time.

Nick Kamerath

*Site Operations Manager*

**Lonza**

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---

**From:** Kamerath Nicholas - Kalama  
**Sent:** Tuesday, June 11, 2019 5:56 AM  
**To:** Enright, Evan (UTC) <[evan.enright@utc.wa.gov](mailto:evan.enright@utc.wa.gov)>; Boston, Bob (UTC) <[bob.boston@utc.wa.gov](mailto:bob.boston@utc.wa.gov)>; Turcott, Mike (UTC) <[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)>; Young, Betty (UTC) <[betty.young@utc.wa.gov](mailto:betty.young@utc.wa.gov)>  
**Subject:** RE: FW: Loading Cage Clearance Requirement Waiver

Evan,

I am sending a new copy of the letter requesting the clearance variances. It was pointed out that I needed to refer to the specific WAC rules, which I have added with

some other information explaining the situation.

Let me know any further action needed on my part.

Thanks again.

Nick Kamerath

*Site Operations Manager*



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**From:** Enright, Evan (UTC) [<mailto:evan.enright@utc.wa.gov>]  
**Sent:** Monday, June 10, 2019 5:15 PM  
**To:** Kamerath Nicholas - Kalama <[nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com)>; Boston, Bob (UTC) <[bob.boston@utc.wa.gov](mailto:bob.boston@utc.wa.gov)>; Turcott, Mike (UTC) <[mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov)>; Young, Betty (UTC) <[betty.young@utc.wa.gov](mailto:betty.young@utc.wa.gov)>  
**Subject:** Re: FW: Loading Cage Clearance Requirement Waiver

Nick,

No problem, glad we could help!  
I am passing this on to Mike and Bob. They will be working with you on this. Have a great evening!

Sent from my mobile device

Evan Enright  
Rail Safety Supervisor  
(360) 701-1615  
Washington Utilities and Transportation Commission

On June 10, 2019 at 12:33:43 PDT, [nicholas.kamerath@lonza.com](mailto:nicholas.kamerath@lonza.com) wrote:

Mr. Evan Enright,

Based on the visit today (thanks for the quick turnaround), I was asked to craft this letter for your consideration.

Let me know if you require anything further.

Thanks again.

Nick Kamerath

*Site Operations Manager*

[Redacted]

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---

**From:** Kamerath Nicholas - Kalama  
**Sent:** Monday, June 10, 2019 6:20 AM  
**To:** [eenright215@utc.wa.gov](mailto:eenright215@utc.wa.gov)  
**Subject:** Loading Cage Clearance Requirement Waiver

Mr. Evan Enright,

I was directed to the WUTC website by the BNSF in regards to clearance requirements and pursuit of a waiver of said requirements per the attached email. We have had our loading safety cage struck twice by an inbound locomotive so I am looking for concrete guidelines for remediation of the issue. We had been told that 18'0" was the requirements but have now been directed by BNSF that would only apply when rail tracks end within a building, which ours do not.

I am curious about the waiver process on that requirement (we would be able to clear the 18'0" but not the 22'6" stated) and if you or who within your organization I would work with on the process.

Thanks in advance for your assistance.

Nick Kamerath

*Site Operations Manager*

[Redacted]

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<RE: Engine Clearance.eml>  
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