


MEMORANDUM

April 5, 2006

TO: Vicki Elliott, Assistant Director, Transportation Safety

FROM:  Bob Boston, Rail Carrier Compliance Specialist

SUBJECT: Western Feed Supplements Close Clearance Issue
Ellensburg, WA

I made a site visit to the Western Feed Supplements loading facility in Ellensburg on April 5, 2006. Bob Adkisson, Operations Manager, Western Feed Supplements and Dan MacDonald, Manager Public Projects, BNSF Railway were also in attendance. We discussed the petition for exemption from WAC 480-60-050, Side Clearances referenced in Docket No TR-050780 dated May 19, 2005.

Last year, while making plans for an additional loading structure at the Ellensburg plant, it was discovered that the current loading facility was in violation of the side clearance rules. The current loading facility has a side clearance of *six feet four and one-half inches*. The requirement under WAC 480-60-050 is *eight feet six inches*. This structure has been in place for about five years, but the previous structure was also in the same location for many years and, according to Bob Adkisson, no one had ever mentioned anything about a clearance violation or need for a waiver. The proposed three tank loading structure would also be in violation of side clearance requirements. The BNSF Railway has indicated in previous correspondence that they would not support a waiver of the rule. Dan MacDonald also indicated that he would not support the waiver after looking at the site.

I advised Bob Adkisson that the waiver petition could be pursued, but I felt that the Commission would probably not grant the waiver due to the extreme close clearance. A lot of time and expense would probably be wasted. I asked about moving the rail to gain adequate clearance. Bob Adkisson stated that they had considered this option. Dan MacDonald did not see any problems that would affect the railroad by moving the rails. He suggested that 39-foot track panels be used so they could be set in place quickly and then the old ties and rails removed. This would minimize the down time affecting the unloading of rail cars. An unloading auger would have to be relocated and reconfigured, but Dan also felt that would not pose a problem.

Dan MacDonald will check to see if this is an industrial track spur or one that is owned by BNSF and help with the details of relocating the track. I asked to be notified when a decision is made about possible track relocation so I can update the file.