

September 4, 2002

TO: Mike Rowsell, Rail Operations Manager

FROM: Scott Barrett, Transportation Specialist **SB**

SUBJECT: Close Clearance at WestFarm Foods in Lynden, Washington
Assignment 2-69R-2002 for WUTC Order TR-020348

On August 29, 2002, I met with Mr. Jim Stitt, Plant Manager of WestFarm Foods in Lynden, WA to evaluate the company's rail facility for a close clearance waiver as requested by letter from WestFarm Foods to the commission dated March 15, 2002. I inspected WestFarm's portion of the track that begins at Second Ave, proceeds through the Lynden Feed facility and then crosses Depot Rd and then proceeds into the WestFarm loading facility. I concur with the information found in Mr. Stitt's waiver letter.

The WestFarm Foods facility receives rail service from the Burlington Northern Santa Fe Railway (BNSF). Mr. Stitt said that railroad cars are currently moved around the plant back and forth over Depot Rd. by WestFarm employees using a Chevrolet truck with a railroad drawbar and a knuckle attached to the truck bed. I observed WestFarm employees moving a loaded rail car from the main warehouse building to an area west of Second Ave. Mr. Stitt indicated that the railroad will not switch the WestFarm plant until the commission issues a close clearance waiver for the WestFarm facility.

There are currently six warning signs that state "NO CLEARANCE" posted on the WestFarm facility track. One sign with black letters on a white background is posted east of Second Ave and is attached to the MP 11 sign on BNSF track. In addition, two other "NO CLEARANCE" signs with black letters on a white background and three signs with blue letters on a white background are posted on the WestFarm track. See attached diagram for sign location. The black letters are 3 inches high and 1 1/2 inches wide and the sign is 42 inches long and 4 inches wide. The blue letters are 2 1/2 inches wide and 2 inches high painted on a white background 36 inches long and 6 inches wide. The "NO CLEARANCE" signs with blue letters are commercially purchased.

NOTE: Although some NO CLEARANCE signs have blue letters on a white background and some NO CLEARANCE signs have black letters on a white background, I don't believe the different colored signs presents a problem. I could not find a commission rule that would prevent such an arrangement and I may have inadvertently indicated to Mr. Stitt that mixing the different colored signs may be a problem. Upon reflection, I don't believe it does.

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September 4, 2002
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Mr. Stitt also had a question about the fence located on the west side of Depot Rd. that protects a truck facility. I measured the fence distance from the center of the track and it is located 9 feet and seven inches from the track center. The fence does not present a close clearance problem under WAC 480-60-050 (16). See Photo labeled "Fence".

NOTE: The commission issued a close waiver for the Lynden Feed building on May 10, 1967 under Order R.C. 30 to a company known then as the Judson Feed Company. See Attachment.

Staff recommends, however, that an additional "NO CLEARANCE" sign be posted on the west side of the WestFarm warehouse loading dock since rail cars are sometimes pushed through the west side of the building and left outdoors.

Staff recommends that the yellow paint currently highlighting the close clearance areas on buildings and other areas be maintained in a highly visible manner.

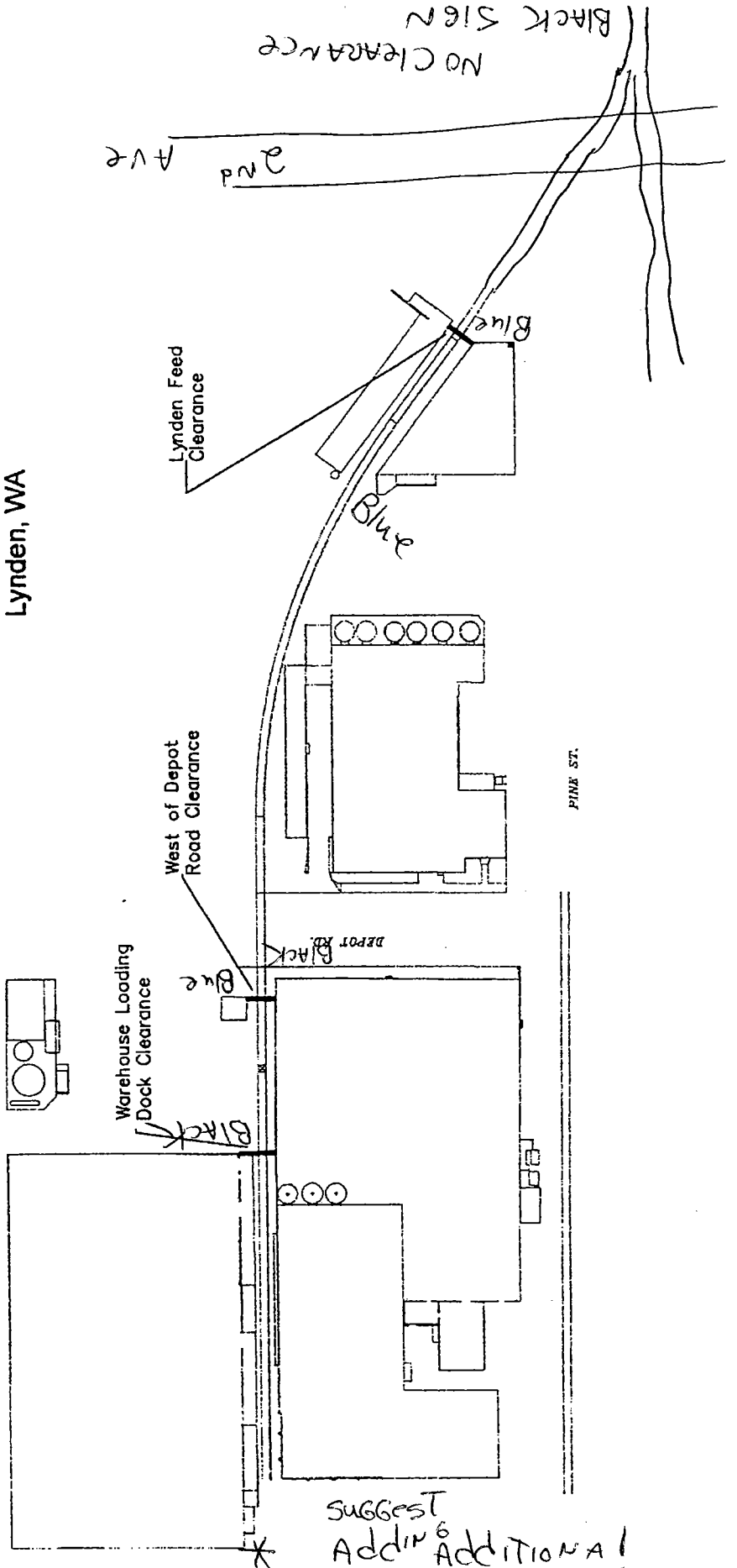
Staff recommends approval of the close clearance waiver.

Attachments:

Waiver letter and plans including close clearance measurements
Site plan of current "Close Clearance" sign locations
Copy of Close Clearance Order R. C. 30
Photos

2

WestFarm Foods
Lynden, WA



SUGGEST
Adding ADDITIONAL
NO CLEARANCE SIGN

WESTFARM FOODS

Leadership Through Experience.

March 15, 2002

The Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

RECEIVED
RECEIVED
02 MAR 19 PM 1:41
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

Re: Application for Exemption Under WAC 480-60

Dear Secretary and Commission Members:

WestFarm Foods' Lynden facility, located at 8424 Depot Road in Lynden, Washington, hereby requests exemption from the railroad clearances provisions as set forth in WAC 480-60.

At the Lynden plant we manufacture and ship non-fat dry milk powder. We maintain a single railroad siding of 776 feet on our property. We ship a portion of our products by rail with the Burlington Northern Santa Fe Railroad ("BNSF"). We have shipped products with the BNSF and/or its predecessors for more than 50 years.

The limited railroad clearances begin at the eastern border of our property. Approaching from the east, the railroad track crosses Second Street onto our property and passes through a building called the Lynden Feed building. At this juncture there is 8'4 3/4" clearance from the centerline of the rails on the south side and 8'1 3/4" clearance on the north side. Both clearances are located at the concrete loading dock platforms that are 32" high. The clearance limitations are the result of building and dock dimensions that were constructed in 1932.

The last 307 feet of our railroad siding also has limited clearance issues. These clearances begin on the south side of the railroad siding. At the sidewalk on the west side of Depot Road one of our buildings is within 8'5 3/4" of the centerline of the railroad siding. However, there are pipes and platforms that project from the building into the clear space and reduce the actual clearance to 7'3 3/4".

The most severe clearance limitations occur as the railroad spur enters the loading dock area. At this point there is 5'4 3/4" clearance on the dock side and 6'2 3/4" clearance on the side opposite the dock. The loading dock itself is 39" tall. Above the 39" dock height there is 6'4 1/2" clearance on the dock side and 6'7 3/4" on the side opposite the dock. The clearance limitations are the result of building and dock dimensions that were constructed in 1946.

Could not find piece sorry

There are "No Clearance" signs posted on the Lynden Feed building, on the building to the south of the railroad siding on the west side of Depot Road, and on the building to the north side of the railroad siding near our warehouse loading dock.

We have spoken with representatives from the BNSF Railroad who agree that we should apply for this exception. They have also agreed that there will be approximately three car movements per week at a maximum speed of 5 miles per hour.

I have attached four sketches to add to your understanding of our situation.

Please provide me with written notification of the WUTC's approval of our exemption from WAC 480-60 when the approval process is complete. In the meantime, if you have any questions, or need further comment, regarding this issue please do not hesitate to contact me.

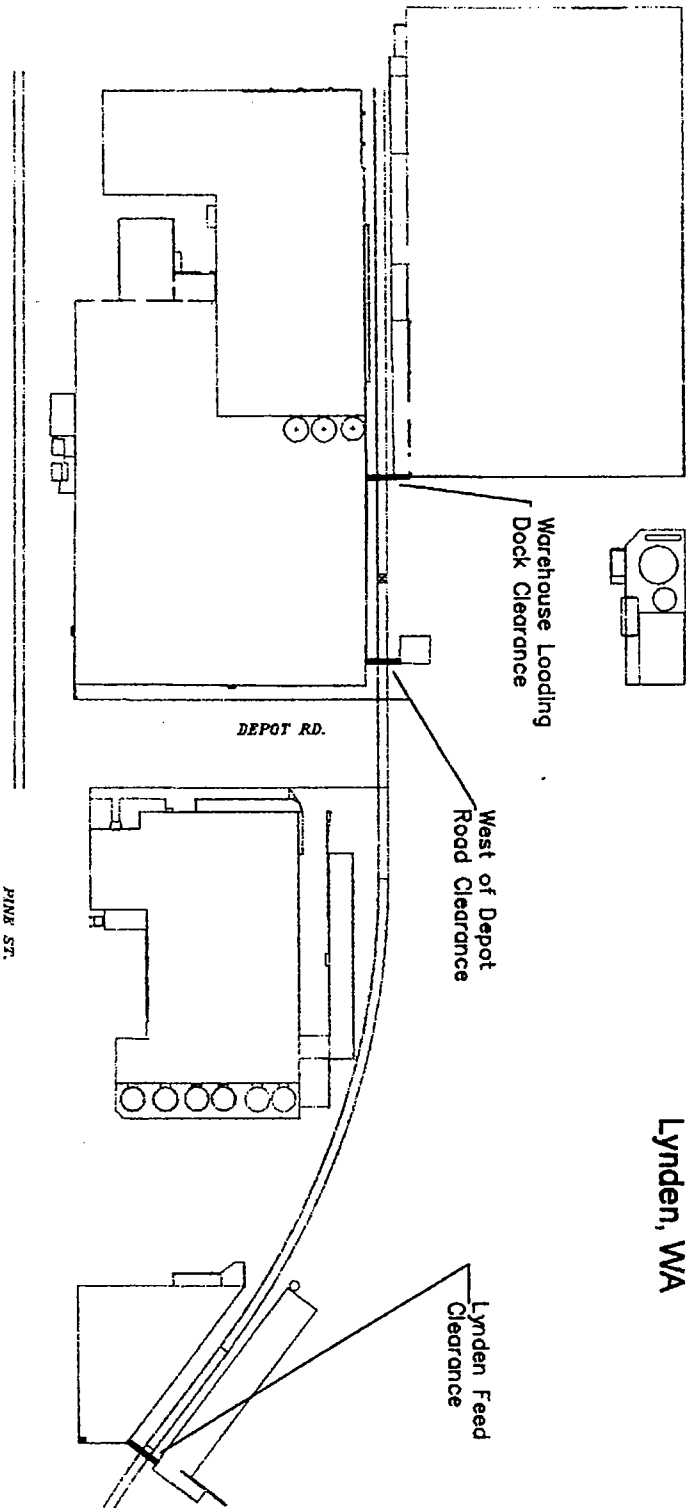
Sincerely,



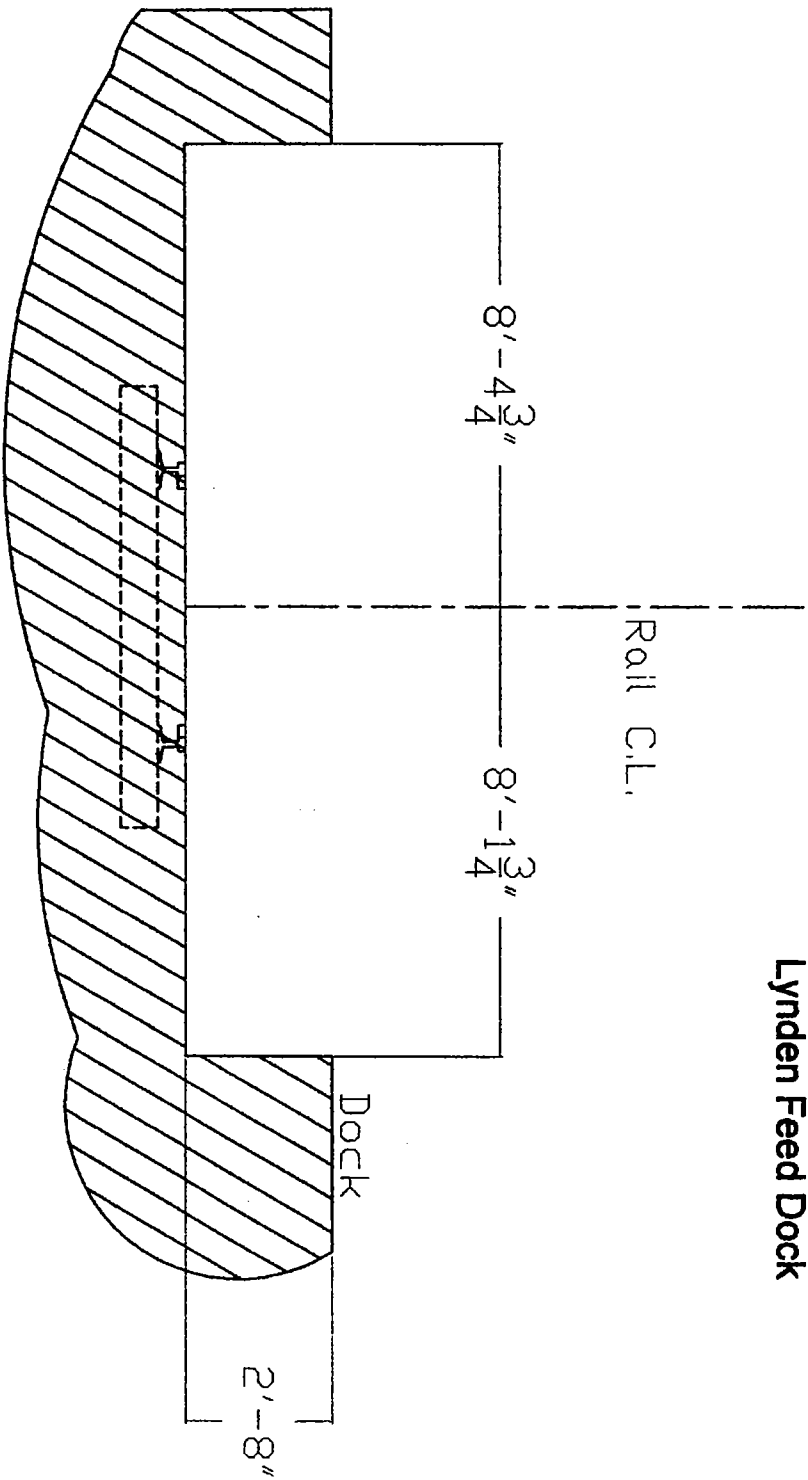
Jim Stitt
Plant Manager
WestFarm Foods
8424 Depot Road, P.O. Box 193
Lynden, WA 98264
(360) 354-2151 x-203
jim.stitt@westfarm.com

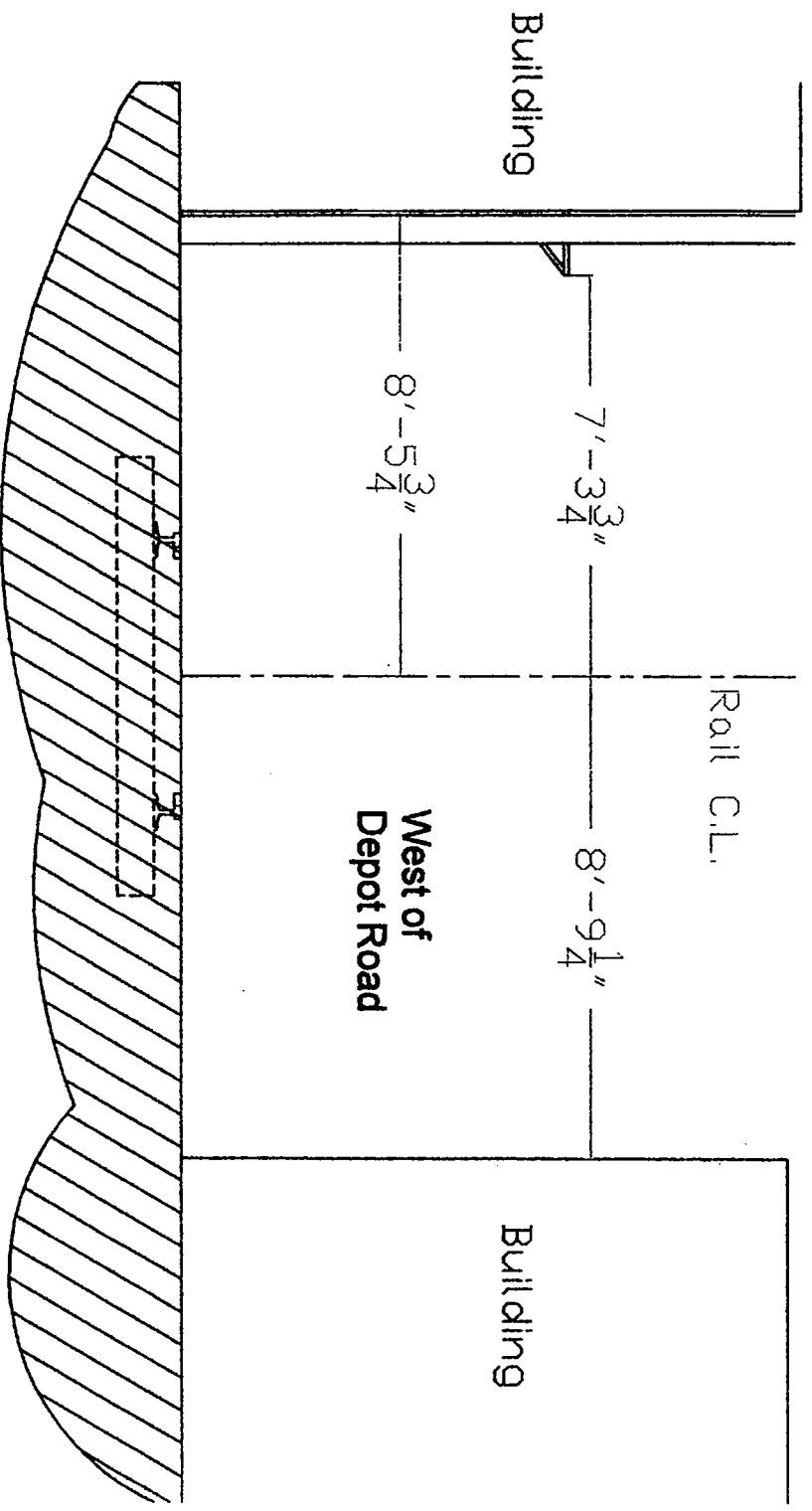
cc: Cy Carne, WFF
Burlington Northern Santa Fe Railroad

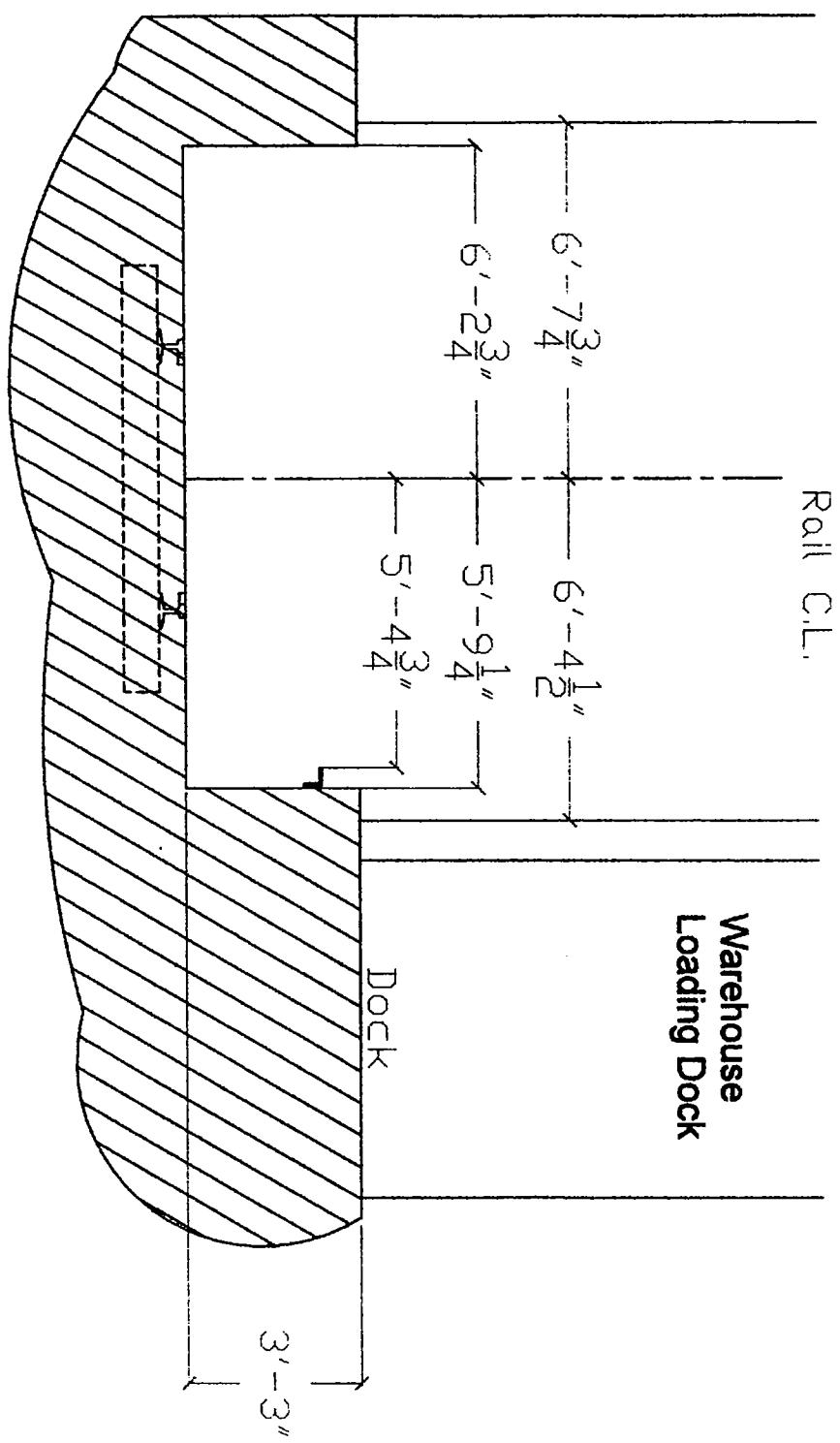
**WestFarm Foods
Lynden, WA**



Lynden Feed Dock







In Re Application (R. C. 30) of)
Judson Feed Company)
Lynden,)
Washington)

ORDER R. C. NO. 30

GRANTING APPLICATION

For exemption under the Clearance Rules)
and Regulations Governing Common Carrier)
Railroads adopted by Commission order in)
Cause No. T-8499 issued effective Decem-)
ber 1, 1950, and reissued effective June)
1, 1957, under authority of RCW 81.44.010)
(RRS 10400)

The person or firm above named has made application for exemption under the railroad clearance rules governing common carrier railroads operating in the State of Washington pursuant to the provisions for rule exemptions and the servicing railroad company has indicated it has no objection and the Commission being fully advised is of the opinion that the waiver should be granted.

O R D E R

WHEREFORE, IT IS ORDERED That the application herein be and the same is hereby granted under the following conditions:

1. That the area of impairment between the buildings shall be fully illuminated during the hours of darkness when cars are being switched.
2. That standard reflectorized "No Clearance" signs shall be installed at the south-easterly end of both buildings, at the corners adjacent to the track, facing railroad traffic.

DATED at Olympia, Washington, and effective MAY 10 1967

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Robert D. Timm
ROBERT D. TIMM, Chairman

Francis Pearson
FRANCIS PEARSON, Commissioner