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Washington Utilities and Transportation Commission
1300 S. Evergreen Park
Drive S.W.
PO Box 47205
Olympia, WA 98504-7250

September 21, 2007

RE: Olympic Chemical: Rule Exemption Request, WAC-480-60-50

Olympic Chemical Corporation
1002 E. D Street
Tacoma, WA 98421

Phone: 253-572-4215
Contact: Geoff Black

As required under WAC 480-60-20(4) Olympic Chemical Corporation (a wholly owned subsidiary of Univar USA Inc.) is requesting a rule exemption as described below.

Rule Exemption Request:

- 1) Written request with the Commission requesting exemption from a railroad clearance rule in WAC 480-60. WAC 480-60-050 generally requires a lateral clearance of at least 8'-6", measured from the centerline of the track. Although the rules provide for exceptions, the structure associated with Olympic Chemical Corporation's (OP's) request is subject to the general rule.
- 2) The BNSF Railway Company (BNSF), as the primary rail operator within the OP facility, has approved the facility improvement requiring the exemption proposed. BNSF's support is conditioned upon the Commission granting a variance for the proposed clearance.
- 3) The request relates to the construction of a security fence with access gate to provide enhanced security of a single chemical car stored on site. Reference attachment "A" OP Proposed Security Fence. The improvement is recommended by the Department of Homeland Security Risk Management

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Division/Buffer Zone Protection Program (BZPP) and the Tacoma Police Department.

- 4) The lateral track clearance attained by the OP proposed design is less than that required by WAC-480-60-50 along 34' of the 60' fenced length.
- 5) A removable pole and rolling gate are provided on the leading south end of the fenced area measured at 60' from the north dead end of the spur continuing 25'-9" to the south and are operated and opened by OP employees prior to the BNSF accessing the fenced area. Therefore that obstruction measured 60' from the south end of the track will not exist during BNSF operations. The BNSF will not service the fenced area unless the gates have been fully opened.
- 6) The proposed lateral clearance variance is as follows: The leading SE fence post midway and 34'-3" measured from the north end of the fenced area is designed to have a clearance of approximately 6'-1 1/3" or 2'-4 2/3" below the required minimum decreasing as the fence progresses north to a clearance of 7'-1" or 1'-5" below the required minimum.
- 7) The fenced area is at the north end of the OP dead end industrial spur. With the proposed clearances and fully opened gate BNSF trains will be able to clear the structures; however the close clearance would present a risk to individuals riding on the north end of the car within the fenced area.
- 8) Although train crewmembers have no reason to ride on the exterior of the car all parties agree that any clearance exemption should be conditional upon a prohibition against riding on the exterior of the car approaching or within the fenced area, clearly marking and signing the structures identified above as having substandard clearances, and that OP operate and open the north end gate.

We look forward to your response to our rule exemption request. Please contact Geoff Black at the above number or myself at 323-837-7045 should you have any questions or require further clarification.

Sincerely,



Brian Beal
Regional Operations Manager

cc: Mark Rogers
Geoff Black

Attachment "A" Proposed Security Fence

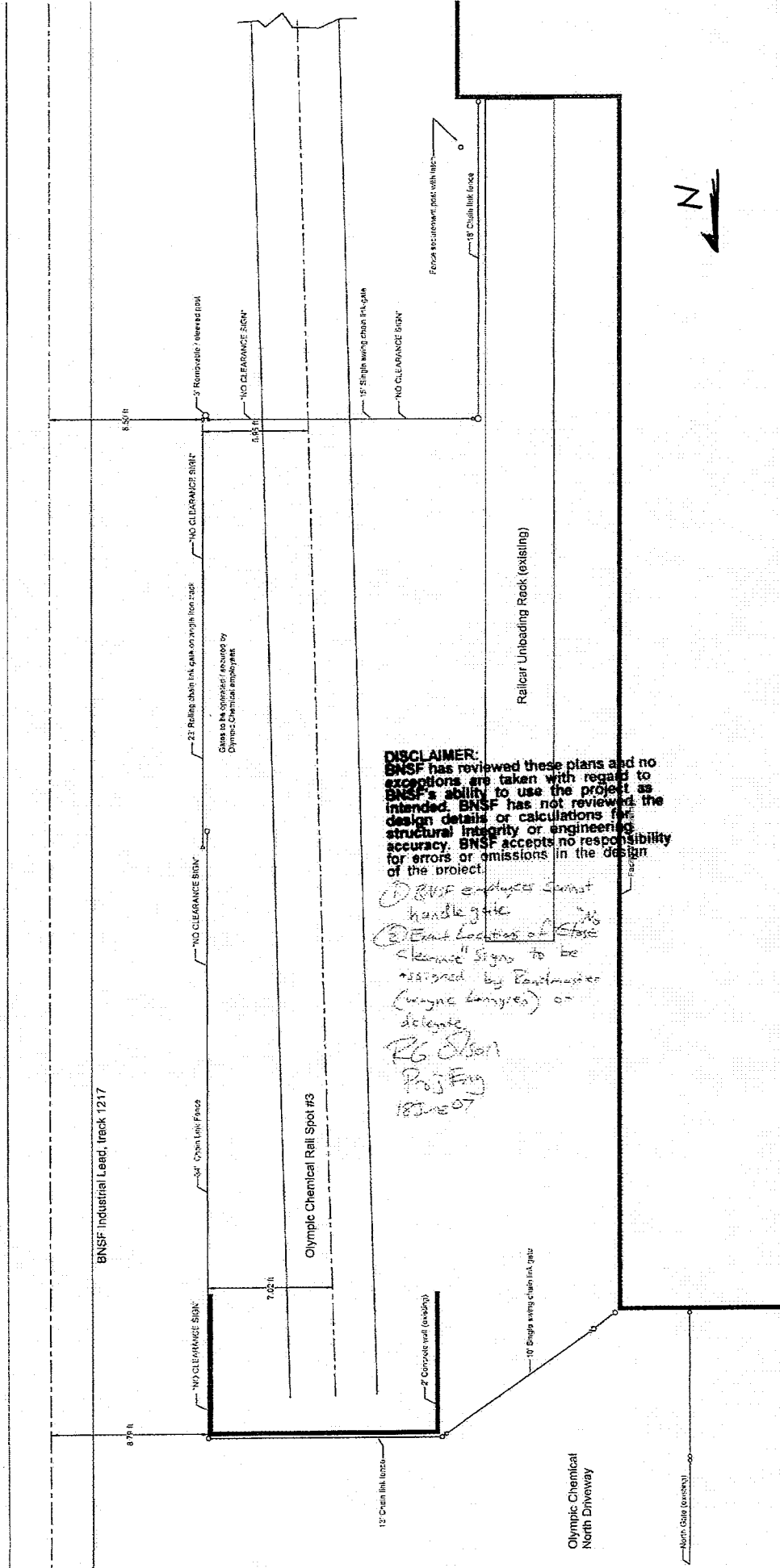
Olympic Chemical

Proposed Sulfur Dioxide Security Fence

Scale - 1/4" = 1'

3/28/07

G. M. Black



DISCLAIMER:
 BNSF has reviewed these plans and no exceptions are taken with regard to BNSF's ability to use the project as intended. BNSF has not reviewed the design details or calculations for structural integrity or engineering accuracy. BNSF accepts no responsibility for errors or omissions in the design of the project.

① BNSF employee must handle gate
 ② Exact location of these clearance signs to be assigned by Railmaster (Wayne Langley) or detainer
 RG Olson
 Proj Eng
 18JUN07