

TR-121092

U.S. OIL & REFINING CO.

June 15, 2012

Washington Utilities and Transportation Commission
1300 S Evergreen Park Dr. SW
Olympia, WA 98504-7250

US Oil & Refining Company
3001 Marshall Ave.
Tacoma, WA 98421
Contact: Martin Katzberg
Phone: 253-680-3227

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STATE OF WASH
UTIL. AND TRANS
COMMISSION

RE: U.S. Oil & Refining Co.: Rule Exemption Request, Chapter WAC 480-60

As required under WAC 480-60-020 (4), US Oil & Refining Company is requesting a rule exemption as described below.

This request relates to a new US Oil & Refining Company (USOR) tank car unloading facility on our premises. The unload facility will consist of three pairs of tracks each serviced by a series of tank car unload stations. Each station will be equipped with mechanical equipment to unload tank cars from beneath, and retractable platforms above for servicing the cars during the unloading of tanks. The retractable platforms are attached to catwalks that extend the length of the facility between each pair of tracks.

Rule Exemption Request:

WAC 480-60-040: Overhead Clearances

The general rule states that overhead clearances shall be at least 22'-6" unless one of the provisions of the section applies. Provision (4) of the Section describes the minimum overhead clearance for "All other structures" in which the "minimum overhead clearance may be decreased to the extent defined by the half-circumference of a circle having a radius of 8'-6" and tangent to a horizontal line 22'-6" above top of rail at a point directly over the centerline of the track.

- The minimum overhead clearance attained by the USOR proposed design is less than that required by WAC 480-60-040 with the safety cage being 18'-5" above the top of rail in the stowed position. See attached drawing #12-128.

WAC 480-60-050: Side Clearances

The general rule states that side clearances must be 8'-6" unless one of the provisions of the section applies. Provision (6) of the Section describes minimum clearances for retractable platforms which are attached to permanent structures. The clearance of such platforms "must be designed so that when it is not in use no part of it shall fall within the clearance limits herein prescribed for a platform of that height above the top of the rail." The proposed retractable platforms are defined as "icing platforms" per WAC 480-60-030, as they are structures used in performing the service of cars in the handling of commodities. Provision (7) describes icing platforms, a similar height structure, as requiring a side clearance of 7'-3".

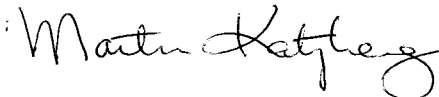
- The minimum side clearance attained by the USOR proposed design meets the criteria required by WAC 480-60-050 for icing platforms. The safety cage in the stowed position has the 7'-3" side clearance for platforms from the track centerline. See attached drawing #12-128.

Exemption Justification:

- 1) The retractable platforms are to be extended to tank cars and operated by USOR employees after delivery of cars by Tacoma Rail. The platforms will then be returned to the fully stowed position prior to removal of cars by Tacoma Rail. Therefore the lower vertical clearance of the safety cage in the up position does not negatively effect Tacoma Rail operations. Tacoma Rail will not service the unloading facility area unless the retractable platforms have been returned to the stowed position. Tacoma Rail will issue instructions to train crews advising of the maximum height of railcars allowable to these tracks.
- 2) The loading structures are to be located inside the fenced area at USOR. With the proposed clearances and fully stowed retractable platforms, Tacoma Rail trains will be able to clear the structures; however the close clearance would present a risk to individuals riding on the top of the railcar within the fenced area. Although train crewmembers have no reason to ride on the top of a railcar, all parties agree that any clearance exemption should be conditional upon a prohibition against riding on the top of a railcar approaching or underneath the loading structures; and clearly marking and signing the proposed rail yard facility as having lower vertical clearances.
- 3) Although the proposed retractable platforms infringe on the overhead prescribed by WAC 480-60, the attached exhibit demonstrates that the fully stowed retractable platforms allow for ample clearance of a tank car ("Plate C" Envelope) and a locomotive (Locomotive Envelope).
- 4) Tacoma Rail, as the exclusive railroad operator within the USOR facility, is prepared to approve the facility improvement on the condition that the WUTC approves these exemptions.

We look forward to your response to our rule exemption request. Please contact me at 253-680-3227 or Jon Shields at 253-680-3217 should you have any questions or require further clarification.

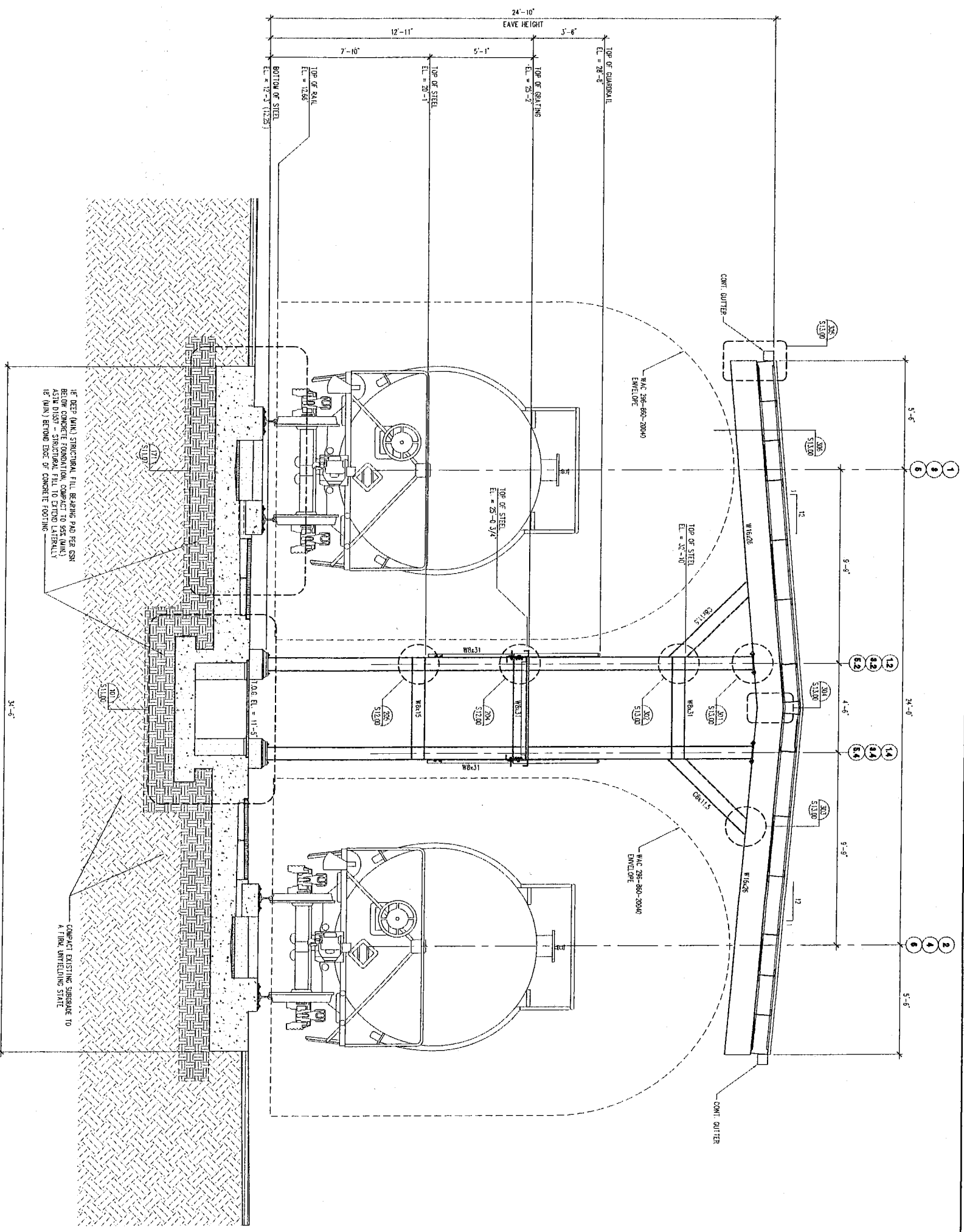
Sincerely,



Martin Katzberg
US Oil & Refining Co.

Attachments:

US Oil dwg. # SD07201-S10.06
Safer Harbor dwg. #12-128 Rev. 3



IF DEEP (MIN.) STRUCTURAL FILL BEHIND PAD PER CSR BELOW CONCRETE FOUNDATION, COMPACT TO 95% (MIN.) ASTM D1557 - STRUCTURAL FILL TO EXTEND LATERALLY 18\"/>

COMPACT EXISTING SURFACE TO A FIRM UNDEVELOPED STATE

Note: Safe Harbor gangway is not shown on this drawing.

A ENLARGED SECTION - TYPICAL UNLOAD STATION (AREA A3)
SCALE: 3/8" = 1'-0"

NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

TITLE: TANKAGE / CRUDE RAILCAR UNLOADING
ENLARGED SECTIONS
TYPICAL UNLOAD

U.S. OIL & REFINING CO.
3007 MARSHALL AVE. TACOMA, WA
DATE: 04-30-12
PROJECT: S07201-110.06



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www.sitts-engineers.com

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