



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Darigold, Inc.

Petitioner,

DOCKET NO. TR-

PETITION FOR EXEMPTION FROM  
COMMISSION RULES RELATED TO  
RAILROAD COMPANIES –  
CLEARANCES (WAC 480-60)

The Petitioner asks the Washington Utilities and Transportation Commission to grant exemption from rules related to (check one or more):

- Railroad overhead clearance requirements found in WAC 480-60-040
- Railroad side clearance requirements found in WAC 480-60-050
- Railroad track clearance requirements found in WAC 480-60-060

References/Attachments:

WAC 480-60-020 Exemptions  
WAC 480-60-030 Definitions  
WAC 480-60-040 Overhead clearances  
WAC 480-60-050 Side clearances  
WAC 480-60-060 Track clearances  
WAC 480-60-990 Illustration – Typical clearance of structures from railroad tracks  
WAC 480-60-99001 Illustration – Typical track spacing

*Section 1 – Petitioner's Information*

Note: If the restricted clearance is located at a customer facility, the customer is the petitioner. If the restricted clearance is located at a railroad-owned facility, the railroad is the petitioner.

Petitioner: Darigold, Inc.

Business Address: 5601 6th Ave, Ste 300

City, State, and Zip Code: Seattle, WA 98108

Mailing Address, if Different:

Representative Name and Title: Kristi Kangas, Chief Operating Officer

Representative Phone Number and Email Address: 763-233-2016; kristi.kangas@darigold.com

Representative Signature:

*Kristi Kangas*

**Section 2 – Railroad's Information**

Note: When a railroad customer is the petitioner in a request for clearance exemption, the railroad must sign the Railroad Support Statement in Section 8. When a railroad requests a clearance exemption for its own facility or location, it is not necessary to complete Sections 2 or 8.

Railroad:	Central Washington Railroad Company
Business Address:	111 University Parkway, Ste 200
City, State, and Zip:	Yakima, WA 98901
Mailing Address, if Different:	
Contact Name and Title:	
Contact Phone Number:	
Email Address:	

**Section 3 – Restricted Clearance Location**

Name of Facility or Location:	Darigold
Physical Address:	400 Alexander Road
City and County:	Sunnyside, WA 98944
Railroad Subdivision and Milepost:	Sunnyside Industrial Lead, MP 1.05
GPS Location:	46.299458, -120.014888

*Section 4 – Restricted Clearance Description*

Describe in detail each structure or track which is, or will be, located at less than the required standard clearance from an adjacent track. Where more than one track is involved, identify the track by number or name. The description should include the length of the structure along the track, its distance from the center line of track, and its maximum elevation. For overhead clearance impairments, the description should include the minimum elevation of the structure as measured from the top of the rail. (Attach additional pages if necessary.)

Two industry spur tracks diverge from the CWA and run from south to north, parallel to and immediately east of the Darigold building for 840 feet. For purposes of this petition, the track nearest the building is Track 1 and the second track from the building is Track 2.

The center line of Track 1 is 7' 11 1/4" from the building. Minimum clearance required by WAC 480-60-050(1) is 8' 6". An exemption is required.

(The clearance between the centerlines of Track 1 and Track 2 is 13' 3". Minimum clearance required by WAC 480-60-060(3) for parallel industry tracks is 13'. No exemption is required.)

Describe why is it necessary to operate with restricted clearances.

Darigold receives refrigerator cars. The tracks must be arranged to safely and efficiently accommodate the operation of forklifts over ramps placed between the building and cars on Track 1, and between cars on Tracks 1 and 2.

Explain why the facility should not be constructed or altered to conform to required clearances.

It is impractical, cost-prohibitive, and unnecessary to reconstruct or alter the facility to accommodate minimum clearances. The facility can operate safely with restricted clearances if signage and illumination are in place and if the railroad notifies its employees of the restricted clearance.

Describe what modifications would be necessary to meet required clearances.

In order to meet required clearances, it would be necessary to move Track 1 (840' long) an additional 6 3/4" to the east. This would create a restricted clearance between Tracks 1 and 2 and subsequently require moving Track 2 (also 840' long) 3 3/4" to the east to maintain minimum clearance.

These modifications would then require longer ramps for forklifts to service the railcars.

**Section 5 – Drawings**

Attach drawings to show the following:

- The area within a 100-foot radius of each restricted clearance.
- The track layout of the industry or railroad facility involved, including any connecting tracks and switches (provide identifying name or number for each impaired track and each major structure adjacent thereto).
- A profile view of each impairing structure and its relationship with the adjacent trackage, including measurements from the centerline of track (between rails) to all adjacent impairments. Each drawing should be made to scale, and each impairment should be color coded and identified by letter (see sample illustrations).

**Section 6 – Trackage**

Describe the trackage involved, including the overall length of each track and the length of track prior to and beyond each impairing structure.

Two parallel industry tracks run from south to north along the east side of Darigold 840' from southeast corner of the building to rail bumpers. South of the Darigold building the tracks converge to a single track with connects to the CWA within a few hundred feet. See attached photos.

Who owns the trackage involved? **Darigold.**

Who operates on this trackage? **Central Washington Railroad**

From which direction(s) can train movements be originated on each impaired track?

**South**

What is the average number of train movements per day? **1**

What is the speed of train movements? **10 mph or less**

What time of day do train movements occur?

Describe typical railroad activities in the area involved in this request:

**Slow speed industrial switching.**

*Section 7 – Warning Devices*

Note: Retroreflective warning signs should be placed not more than 50 feet in advance of the nearest restricted clearance when entering the impaired track. If operations occur during hours of darkness, warning signs should be illuminated. If such placement and illumination is not feasible, please explain why and specify where each placement will be made.)

Two Union Pacific 393-1264 standard clearance signs (see attachment) are currently in place and will be maintained by Darigold. The area is illuminated during hours of darkness.

What form of warning is proposed for railroad employees at each restricted clearance and where will it be installed? Class 1 railroads have specific standards for signage. Please provide examples of proposed signage, lighting, etc. for this facility.

See above regarding signage and lighting.

Central Washington Railroad will notify its employees of the restricted clearance through its normal means (employee timetable, special instruction, bulletin, etc).

**Section 8 – Railroad Support Statement**

Note: If a railroad is requesting the exemption from clearance requirements for its own facility or location, it is not necessary to complete this section.

The undersigned represents the railroad operating at the facility or location with the areas of restricted clearance.

We have investigated the conditions at the location of the restricted clearance. We are satisfied that the conditions are the same as described by the Petitioner. We do not object to the petitioner's request for exemption from Commission clearance rules. We support the proposed warning devices for the areas of restricted clearance. We agree to notify our operating employees of the areas of restricted clearance at this facility upon approval of the request for exemption, as directed by the Commission.

Dated at , Washington, on the  day of

Printed Name

Signature of Railroad's Representative

Title

Phone Number

Email

Mailing Address