

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

IN THE MATTER OF)	
)	DOCKET NO. TR-011672
)	
PETITION FOR LIMITED)	
EXEMPTION FROM CLEARANCE)	
RULES FOR TACOMA RAIL AT)	ORDER GRANTING LIMITED
VERCO MANUFACTURING CO.)	EXEMPTION FROM
)	CLEARANCE RULES
)	
.....)	

BACKGROUND

1 On December 17, 2001, Verco Manufacturing Co. (Company) filed a petition requesting an exemption for Tacoma Rail (Railroad) from the height clearance rules in WAC 480-60-040 for an overhead crane to be used to unload rail cars at its place of business in Tacoma, Washington. Tacoma Rail is a common carrier railroad that provides rail service to Verco Manufacturing Co.

DISCUSSION

2 Staff investigated the petition. The crane is needed for the ordinary operation of the business when it uses rail service. Construction options were discussed with Railroad and Company personnel. Increasing the clearance from 18 feet to the 22 feet 6 inches required by rule would significantly increase the cost of construction.

3 The rail cars unloaded at the facility will carry only steel coils. The combined height of the rail cars and coils will leave at least five feet of room for clearance if the impaired facility is allowed. There is no danger of collision to rail cars, engines or the crane.

4 Because train crews can no longer ride on the top of rail cars, there is no danger to them. Because rail cars must be shoved into the facility for the crane to be used, railroad locomotives will not enter the impaired area, thereby eliminating any danger to engineers or conductors.

5 The physical characteristics of the proposed facility and the planned method of operating the service track eliminate potential dangers that can occur with close clearances. However, anytime an exception from rules occurs, precautions need to be taken so that nothing is taken for granted and future changes do not ignore the condition. The Railroad will stop each time before entering the impaired facility to ensure that no one is in the danger zone. Additionally, notice should be provided to train crews, management and the company involved through signage at the facility

and in Railroad bulletins to ensure that changes in operation take the close clearance into consideration. The Company agreed to post at the impaired facility a clearly visible and readable sign with a white, reflective background stating: RESTRICTED OVERHEAD CLEARANCE NO ENGINE BEYOND THIS POINT.

6 The Railroad concurred with the request, and the Company and Railroad agreed to the suggested conditions. Staff recommends the petition be granted on the stated conditions.

FINDINGS

7 THE COMMISSION FINDS:

- 8 (1) It has jurisdiction pursuant to RCW 81.28.010 and RCW 81.04.460.
- 9 (2) Granting the requested exemption is necessary to the efficient operation of the business of Verco Manufacturing Co.
- 10 (3) Granting the requested exemption will not endanger employees of Tacoma Rail if the conditions stated in the discussion are followed.
- 11 (4) Granting the requested exemption is consistent with the public interest, and the purposes of underlying regulations and statutes.

THE COMMISSION DIRECTS the Secretary to issue the order.

ORDER

12 THE COMMISSION ORDERS:

- 13 (1) The Commission grants the petition of Verco Manufacturing Co. for an exemption from height clearance rules set forth in WAC 480-60-040 for a crane proposed for its place of business in Tacoma, Washington. The facility shall be constructed in substantial conformance to the photographs on file in this docket.
- 14 (2) Tacoma Rail is authorized to operate rail equipment on the spur that includes the overhead crane so long as the following conditions continue to be met:
 - (a) Trains stop before entering the facility to ensure that no one is in the danger zone.
 - (b) Tacoma Rail continues to state the restriction and provide notice of the close clearance in a safety bulletin.
 - (c) Warning signs installed by Verco Manufacturing Co. remain visible and readable in all weather and lighting conditions on the overhead portion of the facility in which the crane is located. The sign shall have a white reflective background

and the message shall state: RESTRICTED OVERHEAD
CLEARANCE NO ENGINE BEYOND THIS POINT.

Dated at Olympia, Washington, and effective this 28th day of December 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary