

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of)	DOCKET NO. TR-980855
)	
Petition for Limited Exemption from)	ORDER GRANTING PETITION
Clearance Rules for Tacoma Rail at)	FOR EXEMPTION FROM
T.C. Products)	CLEARANCE RULES
)	
)	
)	
.....)	

BACKGROUND

1 On June 12, 1998, T.C. Products filed a petition requesting an exemption for Tacoma Rail from the side and height clearance rules in WAC 480-60-040 and WAC 480-60-050 for a tank car unloading facility at its place of business in Tacoma, Washington. Tacoma Rail is a common carrier railroad that provides rail service to T.C. Products.

DISCUSSION

2 Staff investigated the petition. A tank car unloading facility already exists at this plant with impaired height and side clearances. It is not known whether an exemption exists for this facility. The facility can handle two tank cars at a time. The request is to expand the facility to accommodate four tank cars. The proposed unloading facility provides an efficient and necessary method for operating the petitioner's business. Engineering diagrams were submitted and are on file in this docket. The operation can be made safe for rail crews if they are prohibited from riding on the sides of rail cars beyond the entry gate into the plant, warning signs visible and readable in all weather and lighting conditions are installed on each side of the track at the entry gate, halfway to the unloading facility and on the overhead portion of the facility, and if notice of the impaired clearances and restrictions are posted in the railroad's timetable.

3 The railroad concurs with the request and recommended conditions. Staff recommends the petition be granted.

FINDINGS

4 THE COMMISSION FINDS:

5 (1) It has jurisdiction pursuant to RCW 81.28.010 and RCW 81.04.460.

- 6 (2) Granting the requested exemption is necessary to the efficient operation of the
business of T.C. Products.
- 7 (3) Granting the requested exemption will not endanger railroad employees if the
conditions stated in the discussion are followed.
- 8 (4) Granting the requested exemption is consistent with the public interest, and
the purposes of underlying regulations and statutes.

9 THE COMMISSION DIRECTS the Secretary to issue the order.

ORDER

10 THE COMMISSION ORDERS:

- 11 (1) The Commission grants the petition of T.C. Products for an exemption from
side and height clearance rules set forth in WAC 480-60-040 and WAC 480-
60-050 for the tank car unloading facility proposed for its place of business in
Tacoma, Washington. The facility shall be constructed according to the
engineering drawings on file in this docket.
- 12 (2) Tacoma Rail is authorized to operate rail equipment on the spur that includes
the tank car unloading facility so long as the following conditions are met:
- a. Railroad crewmembers shall not ride on the sides of trains beyond
the entry gate into the plant.
 - b. Tacoma Rail shall state the restriction and provide notice of the
close clearances in its timetable.
 - c. Warning signs visible and readable in all weather and lighting
conditions shall be installed on each side of the track at the entry
gate to the plant, halfway to the unloading facility, and on the
overhead portion of the facility.

Dated at Olympia, Washington, and effective this 12th day of December, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary