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Carole J. Washburn, Commission Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive, S.W.
P.O. Box 47250
Olympia, WA 98504-7250

RECEIVED
GENERAL INVESTIGATIVE
DIVISION
JUL 19 11:18 AM '04

RE: Request for modification of **WAC 480-60-035 Walkways**

Dear Commissioners:

I understand that our request has been granted a docket number of 041051. I also understand from conversation with WUTC staff that more time is needed to process this request. The United Transportation Union desires that problem of large ballast on switching leads be corrected, therefore we have no problem allowing 90 extra days to do the necessary preparation to address this unsafe condition.

Enclosed with this letter please find additional information for WUTC staff. 49 CFR Section 213.33 Drainage is enclosed as copied from federal regulations. In addition BNSF engineering instructions regarding walkway ballast is enclosed. Please pay particular attention to 8.2.3 Walkway Section Construction (B) **EXCEPTION: Avoid fines or waste where good drainage is required**

Thanking you to your attention to this matter I remain

Very truly yours,

Tom Retterath
Washington State Legislative Director
United Transportation Union

CC: Mike Rowswell, WUTC Rail Safety Manager

Federal Railroad Administration, DOT

lower than the inside rail or more than 6 inches of elevation. (b) The maximum allowable cutting speed for each curve is determined by the following formula:

V_max = sqrt((E_c + 3) / 0.0007d)

where V_max = Maximum allowable operating speed (miles per hour). E_c = Actual elevation of the outside rail (inches). d = Degree of curvature (degrees).

Appendix A is a table of maximum allowable operating speed computed in accordance with this formula for various elevations and degrees of curvature.

§ 213.59 Elevation of curved track; (a) If a curve is elevated, the full length of the curve must be provided through the curve, unless physical conditions do not permit. If elevation occurs in a curve, the actual minimum elevation must be used in computing the maximum allowable operating speed for that curve under § 213.59. (b) Elevation runoff must be uniform rate, within the limit track surface deviation prescribed in § 213.63, and it must extend at least the full length of the spirals. If special conditions do not permit a longer length to accommodate the minimum length of runoff, part of the runoff may be on tangent track.

§ 213.63 Track surface. Each owner of the track to which this part applies shall maintain the surface of its track within the limits prescribed in the following table:

§ 213.57 Curves; elevation and speed limitations. (a) Except as provided in § 213.63, the outside rail of a curve may not be

Table with 5 columns: Class of track (1-5) and corresponding values for track surface deviation.

49 CFR Ch. II (10-1-92 Edition)

published in the FEDERAL REGISTER together with a statement of the reasons therefor.

§ 213.31 Scope. This subpart prescribes minimum requirements for roadbed and areas immediately adjacent to roadbed.

§ 213.33 Drainage. Each drainage or other water carrying facility under or immediately adjacent to the roadbed must be maintained and kept free of obstruction, to accommodate expected water flow for the area concerned.

§ 213.37 Vegetation. Vegetation on railroad property which is on or immediately adjacent to roadbed must be controlled so that it does not— (a) Become a fire hazard to track-carrying structures; (b) Obstruct visibility of railroad signs and signals; (c) Interfere with railroad employees performing normal trackside duties; (d) Prevent proper functioning of signal and communication lines; or (e) Prevent railroad employees from visually inspecting moving equipment from their normal duty stations.

§ 213.51 Scope. This subpart prescribes requirements for the gage, alignment, and surface of track, and the elevation of outer rails and speed limitations for curved track.

§ 213.53 Gage. (a) Gage is measured between the heads of the rails at right-angles to the rails in a plane five-eighths of an inch below the top of the rail head. (b) Gage must be within the limits prescribed in the following table:

Table with 5 columns: Class of track (1-5) and corresponding gage values.

§ 213.13

§ 213.13 Measuring track not under load. When unloaded track is measured to determine compliance with requirements of this part, the amount of rail movement, if any, that occurs while the track is loaded must be added to the measurement of the unloaded track.

§ 213.15 Civil penalty. Any person (including a railroad, any manager, supervisor, official, or other employee or agent of a railroad, any owner of track on which a railroad operates, or any person held by the Federal Railroad Administrator to be responsible under § 213.5(d)) who violates any requirement of this part or causes the violation of any such requirement is subject to a civil penalty of at least \$250 and not more than \$10,000 per violation, except that: Penalties may be assessed against individuals only for willful violations, and where a grossly negligent violation or a pattern of repeated violations has created an imminent hazard of death or injury to persons, or has caused death or injury, a penalty not to exceed \$20,000 per violation may be assessed. Each day a violation continues shall constitute a separate offense. See appendix B to this part for a statement of agency civil penalty policy.

§ 213.17 Exemptions. (a) Any owner of track to which this part applies may petition the Federal Railroad Administrator for exemption from any or all requirements prescribed in this part. (b) Each petition for exemption under this section must be filed in the manner and contain the information required by §§ 211.7 and 211.9 of this chapter. (c) If the Administrator finds that an exemption is in the public interest and is consistent with railroad safety, he may grant the exemption subject to any conditions he deems necessary.

§ 213.31 Scope. This subpart prescribes minimum requirements for roadbed and areas immediately adjacent to roadbed.

§ 213.33 Drainage. Each drainage or other water carrying facility under or immediately adjacent to the roadbed must be maintained and kept free of obstruction, to accommodate expected water flow for the area concerned.

§ 213.37 Vegetation. Vegetation on railroad property which is on or immediately adjacent to roadbed must be controlled so that it does not— (a) Become a fire hazard to track-carrying structures; (b) Obstruct visibility of railroad signs and signals; (c) Interfere with railroad employees performing normal trackside duties; (d) Prevent proper functioning of signal and communication lines; or (e) Prevent railroad employees from visually inspecting moving equipment from their normal duty stations.

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B. Yard Ballast on Main Line Track

Use the following gradation of yard ballast on ~~main line track~~ ^{yard & Back track} ~~main line track~~:

Size of Square Sieve Opening	Percent Passing by Weight
1-1/2	100
1	95-100
1/2	25-60
#4	1-10
#8	0-5

C. Ballast on Branch Lines and Yard Tracks

Other variations of ballast products as approved by the System Chief Engineer are available from the quarries and may be used on branch lines and yard tracks.

D. Products Available

Available Material	Nominal Size	Approved Uses
Ballast	2-1/2" to 3/4"	Main line and siding
Yard ballast	1-1/2 to #4	Yard and industry
Chips	3/4" to 1/4"	Some roadway and walkway application
Sorted rip rap	Even sized as required: 20", 36", 48", etc.	Embankment stabilization
Shot rock	Quarry run: 6" to desk-size rock	Stabilization
Surge	6" to 8"	Stabilization and drainage
Waste/fines	1/4" minus	Some walkway application, subballast, road surface, fill material
Roadbase	1" minus	Some roadway and walkway application, fill material

8.2.3 Walkway Section Construction

In many locations, the state government has specific regulations concerning walkway sections around turnouts, crew change points, etc. Where applicable, follow these regulations or the directions of the Division Superintendent.

A. General Construction Guidelines

Use these general guidelines for constructing walkway sections:

1. Prepare the subgrade properly to enhance the effectiveness of the walkway material and reduce the amount of aggregate needed.
2. Where possible, extend the ballast shoulders/walkways on the turnout side of the switch:
 - 8 feet 6 inches wide (measured from the centerline of the track)
 - 3 feet radius around the headblock ties
 - 20 feet each direction from the headblock ties
3. Where required along track away from turnouts, construct the walkway at least 2 feet wide. Make sure the outer edge of the walkway is at least 8 feet 6 inches from the centerline of the track (at least 6 feet from the nearest rail).
4. When placing walkway material, compact it with a rubber tire or vibratory compactor until the material does not move.

B. Suitable Walkway Material

A safe and economical walkway surface can be constructed of construction aggregate. Ensure that the selected aggregate meets these requirements:

- Ease and safety of walking
- Resistance to erosion by surface runoff water
- Durability of material
- Cost of material from a given source or when compared to other options

You may use the following material for walkway surfaces if they meet the above requirements:

- Roadbase (1 inch and smaller) or yard ballast (1-1/2 inches and smaller). Each is evenly graded and generally works in most walkway applications.

- Chips (1/4 inch to 3/4 inch). Use in thin layers to avoid a "marbly" surface, which is difficult to walk on.
- Fines or waste (1/4 inch minus size).

EXCEPTION: Avoid fines or waste where good drainage is required or on slopes more than 3 percent. (These materials are subject to erosion and tend to be muddy when wet and dusty when dry).

8.3 Pre-Dumping Ballast

For mechanized tie and "super surfacing," as well as other projects, pre-dump ballast ahead of the gang. For tie projects, side-dump the ballast.

For mechanized tie projects, unload, plow, and sweep the ballast in advance of unloading the ties, if possible.

The Roadmaster specifies the number of cars per mile that are authorized to be unloaded on the project. A pre-dump of three cars per mile will result in rock on each field side of the rail 2 inches to 3 inches high (half the rail height).

8.4 Unloading Ballast Cars

When working around ballast-disturbing activities, follow the requirements of the BNSF Respiratory Protection Policy for Maintenance of Way Employees.

8.4.1 Preparing to Unload Ballast

Do the following before beginning the unloading operation:

1. Before calling a work train, inspect ballast cars to ensure that they contain the proper material.
2. Notify the local Signal Supervisor to protect signal equipment such as hot box detectors.
3. Ensure that the Supervisor in charge has stationed a member of the train crew on the ground to help communicate by radio with the engineer during unloading.