

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of)	DOCKET NO. TR-990423
)	
Petition for Limited Exemption from)	ORDER GRANTING PETITION
Clearance Rules for Tacoma Rail at)	FOR EXEMPTION FROM
Schnitzer Steel Industries)	CLEARANCE RULES
)	
.....)	

BACKGROUND

1 On March 15, 1999, Schnitzer Steel Industries filed a petition requesting an exemption for Tacoma Rail from the side clearance rules in WAC 480-60-040. The exemption is requested to allow continued operation of a radiation detector that is placed near the tracks at the company's place of business in Tacoma, Washington.

DISCUSSION

2 Staff investigated the petition. The radiation detector is already in place. The company filed the petition to comply with Commission regulations. The detector consists of vertical metal pillars located on each side of the track, which are connected to microprocessors.

3 Clearance rules require obstructions to be at least eight feet six inches from the centerline of the track. The pillars are six feet four inches from the centerline on one side of the track and six feet eleven inches on the other side of the track. The detector was designed to detect the presence of a shielded radioactive source or other radioactive materials in rail cars fully loaded with scrap metals or waste materials. The detector is effective only if the pillars are positioned as noted. The detector is essential to the efficient and safe operation of the business.

4 Tacoma Rail is a railroad that serves Schnitzer Steel Industries. Rail crews will not ride the side of rail cars through the detector, and Tacoma Rail will inform its employees not to do so by posting notice in its timetable. Signs will be posted at the site informing rail crews of the danger and that they cannot ride on the sides of the train beyond a certain point. The warning signs will be 24 inches wide and 30 inches high. The words "RESTRICTED CLEARANCE" will be included on the signs in red letters that are three inches tall. The words "TRAIN CREW DO NOT RIDE BEYOND THIS POINT" will be included on the signs in black letters that are 2 and 3/4 inches tall. The background will be white reflective material. The signs will be installed on each side of the tracks 300 feet from the detector, 150 feet from the

detector, and at the detector. Tacoma Rail officials agreed to this installation and the warning proposals.

5 Staff recommends the petition be granted.

FINDINGS

6 THE COMMISSION FINDS:

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

11 THE COMMISSION DIRECTS the Secretary to issue the order.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The Commission grants the petition of Schnitzer Steel Industries for an exemption from side clearance rules set forth in WAC 480-60-040 for the radiation detector located at its place of business in Tacoma, Washington.
- 13 (2) Tacoma Rail is authorized to operate rail equipment on the spur that includes the radiation detector so long as the following conditions are met:
- a. Railroad crewmembers shall not ride on the sides of trains closer than 300 feet from the radiation detector.
 - b. Tacoma Rail shall state the restriction and provide notice of the close clearance in its timetable.
 - c. Warning signs shall be installed on each side of the track 300 feet from the detector, 150 feet from the detector and at the detector. The warning signs shall be at least 24 inches wide and 30 inches high. The words "RESTRICTED CLEARANCE" shall be included

on the signs in red letters that are three inches tall. The words "TRAIN CREW DO NOT RIDE BEYOND THIS POINT" shall be included on the signs in black letters that are 2 and 3/4 inches tall. The background of the signs shall be a white reflective material.

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary