

11/20/20 11:21

State Of WASH.
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COMMISSION

From: [Karls, Don W](#)
To: [Turcott, Mike \(UTC\)](#)
Cc: [Greg Bowlin](#); trkn_gas@hotmail.com
Subject: RE: industry track agreement
Date: Friday, November 20, 2020 5:54:02 AM
Attachments: [image001.png](#)
[Pages from NDTKSTD Aug 2018.pdf](#)

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Thanks Mike,

BNSF acknowledges the UTC exemption as highlighted in yellow below and does not take exception to serving this location under UTC exemption terms and where signage complies with BNSF standard (see attached).

Once signage is in place on the structure and verified BNSF will issue the necessary general order and provide UTC with a copy, please advise best address to send this.

Don

From: Turcott, Mike (UTC) <mike.turcott@utc.wa.gov>
Sent: Thursday, November 19, 2020 9:12 AM
To: Karls, Don W <Donald.Karls@BNSF.com>
Cc: Greg Bowlin <Greg@vanderyachtpropane.com>; trkn_gas@hotmail.com; Turcott, Mike (UTC) <mike.turcott@utc.wa.gov>
Subject: FW: industry track agreement

*** This email includes an ATTACHMENT from outside of BNSF and could contain malicious links. Ensure email is from a **trusted** sender before opening the attachment.

Never enter your login credentials if prompted. Click the **Email Alert** button on the Outlook toolbar to send SPAM email to Security.

EXTERNAL EMAIL

Dear Mr. Karls,

VanderYacht Propane has petitioned for an exemption of the side clearance requirements for its new propane facility in Mount Vernon. The UTC requires a minimum side clearance of 8'6" from the centerline of track to the nearest structure. The VanderYacht facility has piping and other utilities attached to Unistrut which is 8'0" from the centerline of track. UTC staff will recommend the Commission grant an exemption to its rules in this scenario which will allow BNSF to serve the

facility. Here is a [link to the clearance rules](#).

The Commission typically attaches conditions to these exemptions:

- The facility must post a sign warning train crews of the close clearance.
- The railroad must notify its employees of the close clearance through general order and in the next revision of the employee timetable.
- The railroad must also provide the UTC a copy of the general order within 60 days of the order.

For UTC staff to proceed with the exemption we need a statement from BNSF that they are aware of the close clearance exemption request and do not object. (It's not necessary for BNSF to "approve" of the clearance exemption, just acknowledge it and agree to serve the customer under the terms of the exemption). The response from BNSF can be a simple email.

I've attached an order for a very similar close clearance exemption approved last year. This is a tank car facility served by BNSF in Vancouver. Also attached a photo of the VanderYacht facility

Let me know if you have any questions.

Mike Turcott

Transportation Planning Specialist

Rail Safety Section

Mobile: 360-764-0572

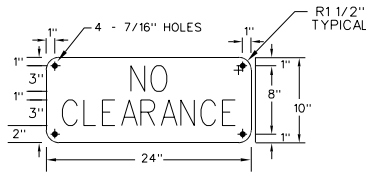
mike.turcott@utc.wa.gov

www.utc.wa.gov

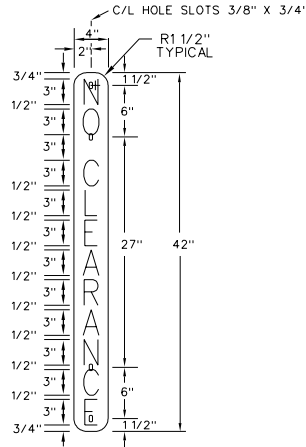


This email states the informal opinion of commission staff, offered as technical assistance, and is not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.

EXAMPLE 1



EXAMPLE 2



SIGNS:

NO. 44 - "NO CLEARANCE"

PLACE NO CLEARANCE SIGN ON BUILDING STRUCTURE OVER C/L TRACK WHERE VERTICAL CLEARANCE IS LESS THAN REQUIRED. LETTERED AND MOUNTED AS SHOWN IN EXAMPLE 1.

NO. 44A - "NO CLEARANCE"

PLACE NO CLEARANCE SIGN ON BUILDING STRUCTURE OR POST WHERE HORIZONTAL CLEARANCE IS LESS THAN REQUIRED. LETTERED AND MOUNTED AS SHOWN IN EXAMPLE 2.

NOTES:

1. THE SIGNS LISTED IN THIS PLAN ARE 10" X 24" AND 4" X 42" SIZED WITH WHITE BACKGROUND AND BLACK LETTERS, ONE SIDE ONLY, AS SHOWN IN EXAMPLES 1 AND 2.
2. SEE PLAN 3000.01 FOR ADDITIONAL SPECIFICATIONS AND INFORMATION CONCERNING THE REFLECTIVE AND PANEL MATERIAL.
3. FOR USE IN THE STATE OF MINNESOTA AS ORDERED BY THE PUB. SERV. COMM. AT POINTS WHERE CLEARANCE IS LESS THAN THE LEGAL REQUIREMENT.

BILL OF MATERIALS

QUANTITY	SIGN PANEL
1 EA.	SIGN NO. 44-NO CLEARANCE ITEM NO. 047220983
1 EA.	SIGN NO. 44A-NO CLEARANCE ITEM NO. 047220984
	OPTIONAL HARDWARE
1 EA.	2 LB. PER LIN. FT. GALVANIZED FLANGED CHANNEL STEEL POST, 8'-0" LONG WITH 3/8"Ø MONTING HOLES, 1" CENTERS, WITH POINTED END.
2 EA.	5/16" DIA. X 2" GALVANIZED ROUND HEAD SQUARE NECK MACHINE BOLT, ALL THREAD, WITH LOCK NUT AND WASHER.

BURLINGTON NORTHERN SANTA FE STANDARD PLAN ENGINEERING DEPT., FORT WORTH, TEXAS		
CLEARANCE SIGNS		
RAIL:		
DATE: 06/10/96	SCALE:	
DWG. NO. 3044	SHEET NO. 01	REV. NO. 04
<small>USE OF THIS DRAWING IS LIMITED TO BURLINGTON NORTHERN SANTA FE AND THE PARTY DESIGNATED ON THE ATTACHED CHECKS. NO USE MAY BE MADE BY ANY THIRD PARTY WITHOUT THE WRITTEN CONSENT OF BURLINGTON NORTHERN SANTA FE.</small>		