

**DECISION MEMORANDUM**

**TO: COMMISSIONER HANSEN  
COMMISSIONER NELSON  
COMMISSIONER SMITH  
MYRNA WALTERS  
DON HOWELL  
DAVID SCOTT  
RON LAW**

**FROM: BOB HORTON**

**DATE: JANUARY 28, 1999**

**SUBJECT: REQUEST FOR WAIVER OF COMMISSION'S RAILROAD  
CLEARANCE RULES**

We have received a letter from Crown Pacific seeking a waiver of the Commission's railroad clearance regulations. Crown Pacific recently constructed netting platform devices alongside and above the railroad spur tracks on their property at it's Bonner's Ferry plant. The devices do not meet the Commission's side and overhead clearance standards, IDAPA 31.71.01.000 et seq. The netting devices were built to rectify a safety hazard for Crown Pacific workers who previously were required to carry a net up the ladder on the sides of a rail hopper car, then balance on the top edges of the rail car while covering its open top.

The application for the waiver was filed when Crown Pacific learned from railroad personnel that the platform devices fall short of meeting the normal clearance requirements. Our side clearance rule 53 requires a setback from the center line of the tracks of 8' 6" and the platform upon which the workers walk comes to 7' 6-5/16" from the centerline of the tracks for the 60' length of the platform. In addition, at each end of the platform there is a cable support arm extending perpendicular above the tracks that is 23' 4" above the top of the rails. Our overload clearance rule 201 normally requires 23' 6" (at the centerline of the tracks, at the highest point of the "arch" of the clearance zones. See the attached diagram). An OSHA mandated worker's safety harness is connected to a cable stretched along the centerline between the tracks between the support arms. The affected plant workers are very much in favor of such safety measures.

The rail spur terminates on the Applicant's property no further than 150 yards west of the platforms and no other rail users are affected as the additional track is used only for temporary storage of idle cars.

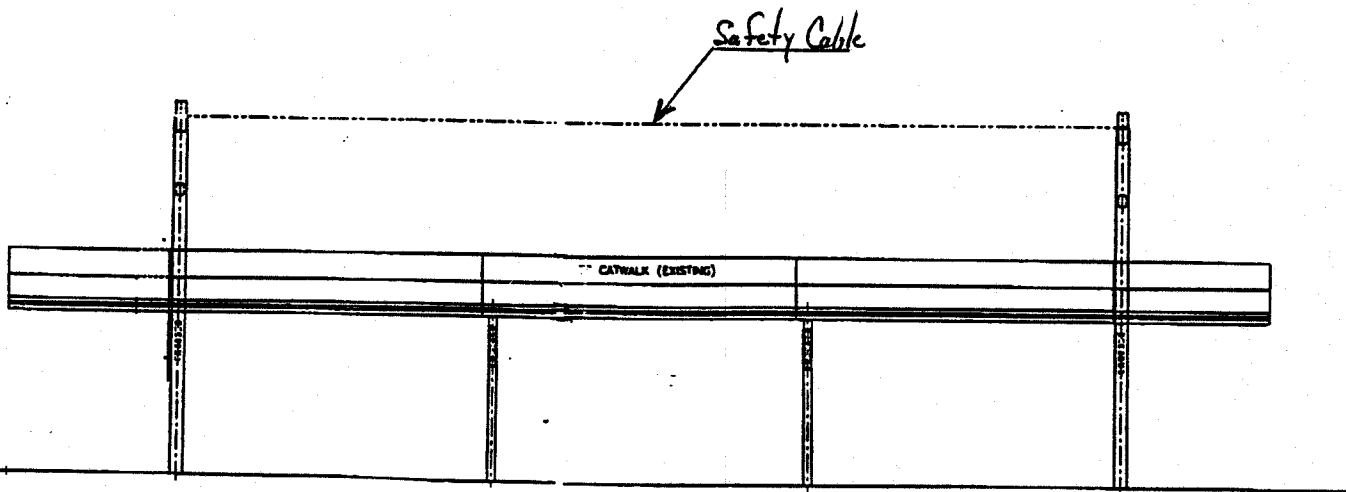
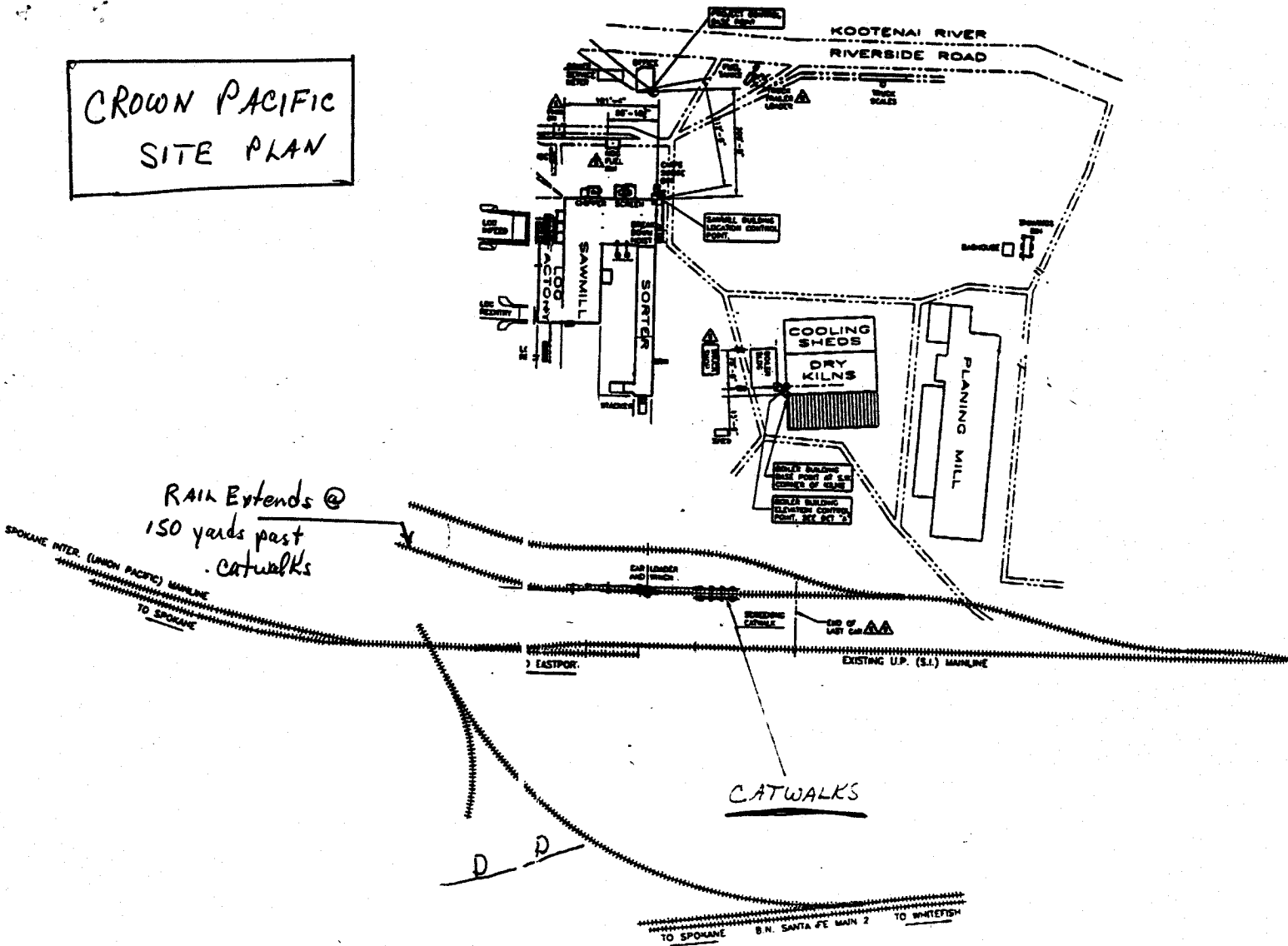
In the past the Commission has granted several waivers for similar platforms constructed under similar circumstances after processing the application via modified procedure. The railroads have concurred with the waivers so long as appropriate signs are posted warning any rail personnel of the impaired clearance. In this instance Crown Pacific advises the railroad has no objections if proper warning signs are placed for their crew at the entry end of the spur.

Staff recommends that this application be processed by modified procedure.

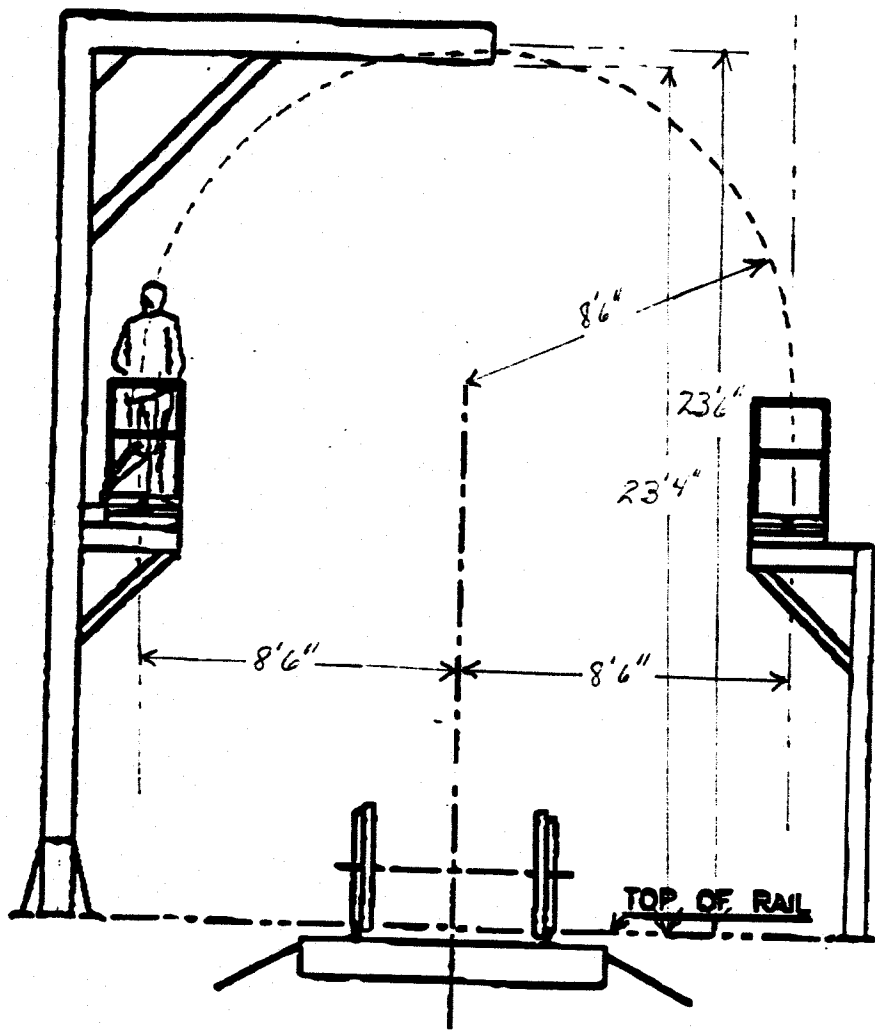
### **COMMISSION DECISION**

Should this matter be processed under modified procedure.

**CROWN PACIFIC  
SITE PLAN**



**CATWALK-SIDE VIEW**



CATWALK AND CABLE  
SUPPORT ARM-END VIEW