

WAC 296-860-100 Scope.

Important:

This chapter applies to all railroad clearances and walkways in rail yards and plants including logging railroad yards such as mill yards, maintenance yards and sorting yards. If you are uncertain about which WISHA requirements to follow, you must comply with those that best protect employees' safety and health. Contact your local L&I office if you need assistance in making this decision.

EXEMPTIONS:

These exemptions apply to chapter 296-860 WAC, Railroad clearances and walkways in private rail yards and plants, and do not require a department variance:

1. You may move the following equipment, using less than the minimum standard clearances, if the situation is unavoidable and you have taken all reasonable steps to protect your employees:
 - a. Track construction or maintenance materials.
 - b. Special work equipment used for railroad construction, maintenance or operations.
 - c. Any railroad equipment during emergencies.
2. You may have overhead or side clearances less than the minimum standard clearances required in this chapter if they were legally created before April 3, 1961.
3. Tracks built before April 3, 1961:
 - a. May be extended according to the legal track clearance requirements in effect when they were originally constructed.
 - b. Are exempt from the track clearance requirements in WAC 296-860-20060, Table 5.
4. Chapter 296-54 WAC, Safety standards—Logging operations, regulates all logging railroads or any rail operations related to logging, except for yard clearances.

Note: If a building, structure, or facility constructed before April 3, 1961, is relocated or reconstructed, the clearance requirements in this chapter apply unless the department grants a variance.

Other rules that may apply to your workplace:

- (1) The *DOSH Safety & Health Core Rules* book, chapter 296-800 WAC, contains the basic requirements that apply to employers in Washington. It also contains:
 - (a) An introduction that lists important information you should know, including a section on building, fire and electrical codes.
 - (b) A resource section that includes a complete list of all DOSH rules.
- (2) Other DOSH rules may apply to you, depending upon the activities and operations of your workplace. Contact your local L&I office if you are uncertain about which DOSH requirements pertain to you.
- (3) To access the *Safety & Health Core Rules* book online: <http://www.lni.wa.gov/safety/rules/chapter/800/default.asp>.
- (4) For a CD or paper copy contact us:

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P.O. Box 44620
Olympia, WA 98504-4620
Telephone: 1-800-4be-safe (1-800-423-7233)

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060. WSR 15-24-102, § 296-860-100, filed 12/1/15, effective 1/5/16; WSR 07-03-163, § 296-860-100, filed 1/24/07, effective 4/1/07. Statutory Authority: RCW 49.17.010, [49.17].040, and [49.17].050. WSR 02-17-106, § 296-860-100, filed 8/21/02, effective 10/1/02.]