

Permitting/Safety



Permitting

- Types of Permits
- Fee Schedules
- Insurance Requirements
- Safety Issues
- Flagging
- Notification - Contacts and Procedures

BNSF

- **Consent to Assign (selling property, name change)**
- **Environmental Access**
- **House/Structure Crossing**
- **General License (culvert, ditch)**
- **Pipeline Crossing**
- **Private Road Crossing**
- **Roadway Surfacing/Resurfacing**
- **Seismograph Survey**
- **Temporary Occupancy**
- **Wireline Crossing & Longitudinal Communication & Electric**

UPRR

- Advertising Signboards
- Drainage Modifications
- Environmental Right of Entry
- House Moves
- Road Crossing (Private)
- Right of Entry
- Utility Crossing and Encroachment
- Permit for Non-Intrusive CE Survey Work

BNSF

- **Temporary Occupancy Agreement - BNSF**
Used to access railroad property for a temporary timeframe - usually not to exceed one year. Used for surveys, temporary storage of machinery, and any other work not being performed for the railroad.
- **Right of Entry - BNSF/UPRR**
Issued for IMMEDIATE access to railroad property. Must have Property Mgmt or Real Estate approval. Used mainly in construction or emergency situations for firms or individuals currently under contract with the railroad.
- **Permit to be on RR Property for Non-Intrusive CE Survey Work - UPRR**
Used to access property for surveys associated with pipeline/wireline installations. Can also be used for temporary access for surveyors needing location of the tracks for property surveys.

Temporary Occupancy Agreement - BNSF INSTRUCTIONS

Complete the application and submit to JLL with the following:

- \$600 processing fee (non-refundable)
- 2 sets of drawings showing area to be occupied. Include streets, distance from tracks and streets, mileposts and any other land marks.
- Purpose and length of time of occupation.
- Average processing time is 45 – 60 days
- All employees need to complete the safety course(s) listed at www.contractororientation.com (BNSF training)
- BNSF Flagman is required to protect employees—scheduled with the BNSF Roadmaster (contact info included in agreement)

Insurance Requirements

Temporary Occupancy Agreement:

General Liability--\$2Million per occurrence, \$4Million aggregate

Automobile Liability--\$1Million combined single limit

Workers Comp--\$500K each accident

Railroad Protective Liability--\$2Million per occ, \$6Million aggregate

Application for Right of Entry - UPRR INSTRUCTIONS

Complete the application and submit to UPRR with the following:

- \$545 processing fee (non-refundable)
- 2 sets of drawings showing area to be occupied. Include streets, distance from tracks and streets, mileposts and any other land marks or fixed objects.
- Purpose and length of time of occupation.

Permit for Non-Intrusive CE Survey Work - UPRR INSTRUCTIONS

Complete the application and submit to UPRR with the following:

- 8-1/2" x 11" sketch showing area to be occupied. Include streets, distance from tracks and streets, mileposts and any other land marks.
- Purpose and length of time of occupation.

Right of Entry and Accessing Property

Any entry or construction activities on railroad right of way must be authorized by the railroad in writing. Written authorization is obtained through a Right of Entry Permit or Contractor Occupancy/Access Agreement. The application is accessible via the link provided below.

The applicant must submit the completed application to the Real Estate Department including a check or money order, to cover the non-refundable fee of \$1,500 made payable to RailAmerica, Inc. The application must include railroad milepost, railroad subdivision, and scope of work. **If any of these items on the application are incomplete, the application will be immediately rejected.**

The standard term for a Right of Entry Permit or Contractor Occupancy/Access Agreement is sixty (60) days. Longer terms are reviewed on a case by case basis and may be assessed additional fees.

Upon approval of the application, the Real Estate Department will draft an agreement and forward to the applicant for signature. **Application does not guarantee approval.** The applicant must then return the signed document to the Real Estate Department along with the pertinent certificate of insurance outlined in the agreement. Once in receipt of these documents, the railroad will then execute the agreement.

For "standard processing", the entire process takes between 4-8 weeks. "Expedited processing" will reduce the processing time to between 1-2 weeks and costs an additional \$1,750.

Please contact the Real Estate Department at 904-538-6365 with any questions about Right of Entry permits.

http://www.railamerica.com/realestate/Accessing_Property.aspx

Real Estate Contact Information

General Information:

Kathy Petroglou
Administrator - Real Estate
Office: (904) 538-6345
Fax: (904) 256-0564
kathy.petroglou@railamerica.com

Accessing Property Documents

- [ROE Application](#)

Real Estate Services

- [Property Purchases](#)
- [Track Leases](#)
- [Land Leases](#)
- [Utility Occupancies](#)
- [Grade Crossings](#)
- [Accessing Property](#)
- [Insurance Requirements](#)



Real Estate Department, 7411 Fullerton Street, Suite 110, Jacksonville, FL 32256

APPLICATION FOR CONTRACTOR OCCUPANCY ON RAILROAD PROPERTY

Name of Applicant:				Telephone Number:			
Mailing Address:				Fax Number:			
Contact Name:				Email Address:			
Preferred Courier:	UPS Number:			Fed Ex Number:			
Overnight Delivery Address:							
Corporate Name:				State of Incorporation:			

LOCATION

Railroad Name:										
Nearest City:				County:			State:			
Nearest Railroad Mile Post:				Distance and direction from nearest Railroad Mile Post:		Feet	N	S	E	W
Quarter, Section, Township & Range:										

EXISTING AGREEMENT

Is there an Existing Agreement at this Location which will be affected by this Request?									
<input type="checkbox"/> Yes	<input type="checkbox"/> No	If YES, List Agreement Number(s):							
Will Line Exclusively Serve Lessee of Railroad?				<input type="checkbox"/> YES			<input type="checkbox"/> NO		
If YES, List Name of Lessee:									

Describe in detail the manner and method of installation on Railroad property:

Mail the application of the proposed occupancy in triplicate, along with a non-refundable \$1,500 Right of Entry Fee to:

RailAmerica, Inc.
Attn: Real Estate Department
7411 Fullerton Street - Suite 110
Jacksonville, FL

Please make your check payable to the Railroad in question!

It is recommended that any questions concerning this application should be submitted to the Real Estate Department of RailAmerica, Inc. All correspondence submitted by email shall receive a rapid response. Other requests can be made by phone: (904) 538-6367 ask for a representative from the Real Estate Department, or fax: (904) 256-1405.

Date:		Signature:	
Phone Number:		Printed Name:	
Fax Number:		Title:	
Contact Email Address:			

IMPORTANT NOTE: The following items must be submitted before this application can be processed. Please place a check mark next to each of the following, acknowledging that each item is enclosed:

	Completed Application (3 Copies)
	Right-of-Entry Fee Enclosed (\$1,500)
	Engineering Review Fee (\$1,500.00)

Insurance Requirements

Temporary Occupancy Agreement:

General Liability--\$2Million per occurrence, \$4Million aggregate

Automobile Liability--\$1Million combined single limit

Workers Comp--\$500K each accident

Railroad Protective Liability--\$2Million per occ, \$6Million aggregate

BNSF and JLL shall be named as Additional Insured Party.

Insurance Requirements

Right of Entry:

General Liability--\$2Million per occurrence, \$4Million aggregate

Automobile Liability--\$1Million combined single limit

Workers Comp--\$500K each accident

Railroad Protective Liability--\$2Million per occ, \$6Million aggregate

UPRR shall be named as Additional Insured Party.

Permit for Non-Intrusive CE Survey Work:

General Liability--\$1Million per occurrence, \$2Million aggregate

Automobile Liability--\$1Million combined single limit

Workers Comp--\$500K each accident

UPRR shall be named as Additional Insured Party.



Real Estate & Utility Inspections

- [Advertising Signboards](#)
- [Contact Lists](#)
- [Drainage Modifications](#)
- [Environmental Cleanup or Access](#)
- [Existing Lease Conversion or Sale](#)
- [House Moves](#)
- [UPRR's Mineral Lease Program](#)
- [Applying for Property Leases](#)
- [Property Purchases](#)
- [Road Crossing Installation](#)
- [Temporary Use of Railroad Property](#)
- [Utilities Installations](#)

Report Emergencies
Contact UP Police:
1-888-877-7267

Temporary Use Checklist

In Order For Your Right of Entry Request to be Processed

The following is a checklist of the items that you will need to send to us. If we do not have all of the necessary information, or if it is incomplete, we will be unable to process your request.

<hr/>	<p>Rush Handling (PDF File) Form Required if rush handling is requested. Include a check in the amount of \$3,055.00 for rush handling fee.</p>
<hr/>	<p>Completed Application for Right of Entry (PDF File) Include a check in the amount of \$545.00 for the application fee.</p>
<hr/>	<p>Contractor's Information Required in all cases where a contractor will be used.</p>
<hr/>	<p>Site Plan Showing locations of all property you wish to enter (including all proposed bore holes and all other testing locations and/or facilities) to identify the specific location of the Right of Entry area.</p>
<hr/>	<p>USGS Map An expanded view showing the work area and street names.</p>
<hr/>	<p>Railroad Protective Liability Insurance Railroad protective insurance can be obtained from your commercial insurance carrier. In certain cases, Railroad Protective Liability Insurance is also available from Union Pacific Railroad Company. In all cases, general public liability insurance, automobile liability insurance, and workers' compensation insurance will also be required. You do not need to submit insurance information or certificates at the time of application, but you will need to submit proof of all required coverage with the agreement we send for your execution.</p>

Please Note:

This process is **not** to be used for environmental testing or remediation projects. If your project has any environmental aspects, please use the "Application for Environmental Right of Entry Agreement" found in the [Environmental Cleanup or Access](#) section.

<http://www.uprr.com/reus/tempuse/checklst.shtml>

Safety Issues:

There are various forms of protection for roadway workers while foul of the track:

- Track and Time – In signaled track and requires authorization by the dispatcher**
- Track Permit – In non-signaled track and requires authorization by the dispatcher**
- Form B – Trains must obtain authorization by the foreman\flagman before entering limits**
- Individual Train Detection (Lone Worker/Lookout) – Completion of Statement of On-Track Safety form**

Under which form of protection do you think most railroad fatalities occur?

Safety Issues:

- **Prior to occupying railroad r/w, the permittee must comply with all applicable safety rules and regulations. Prior to commencing any work, the permittee shall complete the safety orientation program at the website "www.contractororientation.com". This program must be completed at least 2 weeks in advance of occupation of r/w so that the completion card can be mailed. Card is good for 12 months.**
- **The permittee shall develop and implement a Safety Action Plan which shall be made available to the railroad prior to occupation. The permittee should expect and comply with a safety audit performed by a railroad representative at any time.**
- **A job briefing will be conducted with all affected persons present prior to commencement of work.**
- **Work conducted within 25 feet of centerline of an active track must be protected by a railroad flagman. Flagging charges are the responsibility of the permittee and the flagman is scheduled through the railroad's Roadmaster.**

Login or Register

Registration and Info

Here is what you do.

1. If you have a username and password just login, if not;
2. Find your company on our registration database below.
3. Register yourself with your company.
4. Your account will be opened.
5. Take any/all of the courses that you need.
6. Your name will appear on the database listing your completed courses.
7. Attach your photo to your account to receive your photo ID badge.

[Click here for requirements](#)

[Register yourself or your company here.](#)

Exciting new features:

- Additional Courses
- Photo ID Badges
- Your completions are posted instantly

Courses available:

[Do you need the Full RWP
Roadway Worker Protection](#)

[Visit our Alaska site](#)

Welcome to our Website!



Contractor Orientation Course(s) and Photo ID Badges for Contractors

www.contractororientation.com:

- **Register yourself and/or your company.**
- **Registration fee is \$11 per person. Each person completing the course will receive a card which is good for one year.**
- **Upon successful completion of course all registered names will be entered into a database that is accessible by railroad officials.**
- **Select the railroad whose r/w you plan to occupy.**
- **Then select the "Course" from On-Line Information and read through the course materials. An Adobe (pdf) format is available to print out.**
- **After completion of the course, complete the "Course Exercise Form" and submit through the website.**

Safety Action Plan:

- **General information such as Name, Address, Project Location, On-Site Safety Coordinator, Railroad Project Representative.**
- **Company Safety History for last three years. Areas of concern and how you are addressing these concerns.**
- **Job Safety Briefing will be completed at the start of the work shift and as needed during the course of the day as conditions change (personnel changes, weather or changes in assignments). Briefing will include Emergency Preparedness Information and Risk Assessments.**
- **Employee Training - All employees have completed the Contractor Safety Orientation Program. All employees working within 25' of track centerline will be directed by the railroad's flagman at all times. Other types of training may be required depending on the type of work being performed (Fall Protection, Confined Space, Hazmat, etc).**

Safety Action Plan (cont.):

- **Emergency Preparedness -** Written information needs to be at the job site and will include identification of responding agencies such as Medical, Fire and Police. Need to identify person assigned to make contact and means of communication (check cellular coverage at site). Identify employees that are First Aid and CPR certified and ensure a First Aid Kit is available at the job site. Also include written directions to job site for emergency personnel.
- **Fire Prevention -** Job Safety Briefing should include risks for fire such as exhaust pipes in tall, dry grass, smoking materials, etc. List fire prevention and suppression equipment on site.
- **Safety Auditing/Risk Assessment -** Identify physical hazards, hazardous conditions and assessment of work behavior. Compliance with an audit conducted by railroad personnel is mandatory. Failure to cooperate or any compliance failures found during the audit will be grounds for removal from the property.

Job Safety Briefing:

- **Plan the Job Briefing**

Review task to be done. Check the job location and work area. Break down the work into step-by-step procedure. Determine tool and equipment requirements. Determine safety rules or procedures applicable.

Consider existing and potential hazards due to weather conditions, the nature of the work to be done, location, visibility, time of day and personal protective equipment (PPE).

Consider how work assignments will be made based upon personnel needed for each step or task and individual abilities and experience.

Job Safety Briefing (cont.):

- **Conduct the Job Briefing**

Explain the work to all employees--What is to be done, why, when, where, how, who is to do what and what safety precautions are necessary.

Discuss existing or potential hazards and ways to eliminate or protect against them.

Make definite work assignments and make sure employees understand the assignments. If special tools or methods are to be used, make sure everyone knows how to proceed safely. Issue all instructions clearly and concisely; check to see that they are understood.

- **When a person approaches your job-site after the initial briefing, a representative of your work group needs to meet him prior to entering the property. If this person needs to be on the property notify the railroad flagman and provide a Job Safety Briefing to all involved.**

Job Safety Briefing (cont.):

- **Job Briefing for Special Conditions**

For complex jobs brief only a portion of the job and give additional briefings as the job progresses.

Change in job conditions - when it becomes necessary to change plans and procedures as the job progresses, brief employees on these changes (such as weather condition changes).

- **Individual Responsibility**

All employees are responsible to see that the work plan is carried out according to the Job Briefing or modified when conditions change. If there is a change that would affect your safety or if a question arises, work must be stopped immediately and the question or change brought to the attention of the supervisor. Another Job Safety Briefing may need to be conducted.

Personal Protective Equipment (PPE):

- **Hardhats - Worn at all times. ANSI Z89.1 is standard type as shown on a decal on inside of hardhat. Should have 6-pt suspension. "Cowboy hat" type is not allowed.**
- **Safety Shoes - Above-the-ankle, lace-up boots with a well-defined heel, and safety toe must be worn. The safety toe may be steel or composite material.**
- **Safety Glasses - Must be worn at all times. ANSI Z87.1 appears on one of the temple bars. Safety lens can be glass, plastic and polycarbonate, and is indicated by an engraved monogram at the top center of the lens. Safety glasses must have permanently affixed side shields. Yellow lens tints are not acceptable as they may affect the ability to distinguish colors. Reflective lenses (mirrors) are not allowed.**
- **Orange and retro-reflective work wear needs to be worn when working within 25' of track centerline. The orange/retro-reflective vests worn by highway workers are acceptable.**

Personal Protective Equipment (PPE) (cont.):

- **Workers are not to wear/use items that impair hearing or vision. Listening to personal radios, CD players or tape players is prohibited. Do not use ear muff speakers for 2-way radios.**
- **Finger Rings may not be worn on-site.**
- **Shirts with sleeves and long pants must be worn. Sleeveless shirts, tank tops, shorts and cutoffs are prohibited.**
- **Any worker under suspicion of being under the influence of drugs or alcohol, or in the possession of same, will be removed from the immediate job-site and subsequently released to the custody of a representative of the worker's management. Future access to the property will be denied.**

Working on RR Property :

- All movements within 25' of track centerline are to be made under the direction of a railroad flagman. When working "foul of the track" (4' from nearest rail) workers need to be properly protected and authorized. Authorization can include, but is not limited to, Statement of On-Track Safety (Lone Worker form) with a railroad lookout, Track and Time authority, and Form B protection.
- Do not walk, step, sit or stand on the rail. Some rails are part of the railroad's signal operating system. Devices that could shunt current are not to be laid across the rails. Use a wooden lath to keep steel tape separated from rails when measuring adjacent to tracks.
- Maintain adequate clearance around on-track equipment. Do not climb on or crawl under rail cars to reach other side of track. When passing around standing on-track equipment, allow 25' of clearance. Do not make any movement towards an on-coming train and remain at least 25' from track until train has passed or stopped.

FOUL OF TRACK



Working on RR Property (cont.):

- **Railroad vehicles and workers have the right-of-way. Work on railroad property should not interfere with any railroad work or operations.**
- **Should an emergency arise where train movements need to be stopped, immediately contact:**

BNSF 1-800-832-5452

UPRR 1-888-877-7267

Where you have identified an emergency and need to stop trains or on-track equipment, you can violently wave your arms or swing your hardhat in a circular motion. Remember that it may take up to 1.5 miles for a train to stop. Be sure there is a clear emergency before taking this action as there are risks of personal injury to the train crew and equipment damage when a train goes into “emergency.”

Completion of Work:

- **Clean job-site by removing any equipment, materials and trash used during your work. Make sure you have not left any tripping or footing hazards such as deep ruts in soft soil.**
- **Make sure the railroad flagman understands you have completed your work on the property.**
- **Job De-Briefing**

Review what went well

Review opportunities for improvement

Prepare workers mentally for trip home or back to headquarters



Permit Contacts

- **BNSF Property**
Jones Lang LaSalle, www.staubach.com
Permits Dept
3017 Lou Menk Drive, Suite 100
Fort Worth, TX 76131-2800
866-498-6647 Toll Free
817-230-2600
817-306-8265 Fax
MO – Vicki Norman vicki.norman@am.jll.com

- **UPRR Property**
Union Pacific Railroad, www.up.com
1800 Farnam
Omaha, NE 68102
402-997-3546
402-997-3601 - Fax
KS - Tom Judkins, thjudkins@up.com

PROFESSIONALS

know their jobs so well that
safety becomes second nature...



OR DOES IT?

BNSF/KCSR

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