

Provincial Railway Guide

Utility Crossings

PRG 2004

Introduction:

It is against the law for a utility to cross over or under a provincially regulated railway or alter an existing utility crossing without the written approval of the Minister responsible for *The Railway Act*. Pursuant to Section 9 of *The Railway Act*, utility crossings include pipelines, water courses, telecommunications, electrical power or any other utilities that cross a railway line.

The Railway Act authorizes the Minister to fix the location of the crossing and direct details of the construction or alteration of the crossing in the case that there is a dispute between the utility company and the railway. *The Railway Act* gives the Minister the authority to apportion the cost of constructing or maintaining the utility crossing. The authority to apportion the cost of constructing or maintaining the crossing has been delegated to the Highway Traffic Board by the Minister.

Applications to construct or alter utility crossings and disputes arising from existing or planned utility crossings will be handled in accordance with this guide.

Existing Crossings:

Existing utility crossings do not require approval unless an order to correct an unsafe condition is issued to the railway by the inspector, pursuant to Section 23.1 of *The Railway Act*, or the utility company or the railway require an alteration to the existing crossing.

Applications:

A utility company must apply to the Minister for written approval to construct or alter a utility crossing before the construction or alteration of the crossing is underway. Applications submitted for approval will be checked to ensure the design complies with provincial standards (see section on Standards in this Guide).

The utility company must provide the owner of the affected railway with a copy of the application and all material filed in support of the application prior to applying to the Minister.

An application to the Minister is not necessary for maintenance activities including abandonment or removal of the overhead or underground utility crossing.

Where to Apply:

Submit application to: Ministry of Highways
Transportation Programs
8th floor, 1855 Victoria Avenue
REGINA SK S4P 3T2

Phone: 306-787-4900

Email: rail.services@gov.sk.ca

Application Content:

There is no application form to apply to the Minister to construct or alter a utility crossing. The utility company should email a letter addressed to the Minister stating its wish to construct or alter a utility crossing. The application should include the following:

1. Name, address, telephone number, and email of the owner of the affected railway.
2. Detailed scale drawing of the proposed installation including:
 - Subdivision name and railway mileage (in miles)
 - Plan and profile of tracks and crossings including
 - i. position and angle of the crossing relative to the tracks
 - ii. railway and utility right-of-way boundaries
 - iii. general layout of track(s) and railway facilities
 - iv. other structure or crossings in the immediate area
 - v. pipe, wire, or cable in relation to actual profile of ground and tracks including depth of wire/cable, casing and carrier pipes where applicable
 - vi. proposed limits of excavation
3. Include agreements between the utility company and the railway respecting the crossing.
4. Include additional information depending on type of utility crossing: For example:

Pipeline Crossing

(Oil, gas, steam, water, sewer, and other non-flammable substance pipelines) requires:

- drawings sealed by a professional engineer
- statement identifying the specific standard to which the pipeline crossing was designed
- proposed signage plan
- proposed contents of carrier pipe
- details of carrier pipe including
 - i. outside diameter
 - ii. pipe wall thickness
 - iii. pipe material (specification and grade)
 - iv. maximum operating pressure
 - v. coating and/or cathodic or other protection
 - vi. type and treatment of joints

- details of casing pipe including:
 - i. outside diameter
 - ii. pipe wall thickness
 - iii. pipe material (specification and grade)
 - iv. coating and/or cathodic or other protection
 - v. type and frequency of spacers
 - vi. type and treatment of joints
 - vii. end treatment (seals, open)
- depths:
 - i. base of rail to top of carrier or casing pipe
 - ii. top of grade to top of carrier or casing pipe
- valves/vents:
 - i. location of valves
 - ii. method of marking valves
 - iii. location of vents

Underground Wire/Cable Crossing

- drawings sealed by a professional engineer
- statement identifying the specific standard to which the crossing was designed
- purpose of wire/cable such as signal transmission, power transmission, etc.
- voltage (where applicable)
- details of casing(s) including:
 - i. outside diameter
 - ii. pipe wall thickness
 - iii. pipe material (specification and grade)
 - iv. coating and/or cathodic or other protection
 - v. type and treatment of joints
 - vi. end treatment (sealed, open)
- Depths:
 - i. base of rail to top of wire/cable or casing pipe
 - ii. top of grade to top of wire/cable or casing pipe
- Markers:
 - i. type and location markers

Overhead Wire/Cable Crossing

- drawings sealed by a professional engineer
 - i. statement identifying the specific standards to which the crossing was designed
 - ii. purpose of wire/cable signal transmission, power transmission, voltage (where applicable)
- heights:
 - i. top of rail to wire/cable
 - ii. top of grade to wire/cable

Inspections:

Approval from the Minister to construct or alter a utility crossing may be subject to an onsite inspection of the proposed construction or alteration by a designated railway inspector. Affected parties may be invited to attend the inspection or contacted by the railway inspector to provide information.

Agreements:

A utility company and railway may enter into a written agreement covering the location, and the cost apportionment for the construction, alteration and/or maintenance of a crossing.

If required by the railway, the utility company may pay compensation or application fees directly to the railway for administrative costs associated with the review of the application for the utility crossing.

It is not mandatory for utility companies and railways to enter a formal crossing agreement to obtain a crossing approval. However, some railways may require agreements and for projects that necessitate modification or upgrades to the track or railway infrastructure, it is recommended that the railway and utility company develop a comprehensive crossing agreement.

Railway Approval:

Upon receipt of an application, the Ministry of Highways will give the railway an opportunity to provide comments regarding any safety concerns they may have with the application. All comments or concerns from the railway must be submitted to the Minister within five (5) days of the railway receiving a copy of the application. The ministry may request that a signed utility crossing agreement between the two parties be submitted prior to approving the crossing application.

Ministers Approvals, Orders and Disputes:

The Minister may approve the application on whatever terms and conditions, if any, the Minister considers necessary.

If an applicant and a railway are unable to agree with respect to the location of a proposed utility crossing, the Minister may make an order fixing the location of a crossing.

Orders of the Minister, Provincial Railway Inspector, or the Highway Traffic Board are binding upon the parties and remain in effect until amended or rescinded.

The Minister has delegated responsibility for resolving disputes regarding cost allocation to the Highway Traffic Board. The Highway Traffic Board may, in case of dispute, allocate costs and cost sharing on a case-by-case basis. Unresolved disputes respecting the apportionment of costs related to a utility crossing will be referred to the Highway Traffic Board for determination. The process for mediation or binding dispute resolution will be established by the Highway Traffic Board in consultation with the parties.

Confidentiality:

All applications and attached documents become part of the public record and may be available for public viewing. Upon request, certain aspects of an agreement or application may, to the extent permitted by law, be kept confidential.

Referenced Standards:

The ministry recommends that all new or altered utility crossings be constructed and maintained in accordance with the applicable following standards as determined by the railway and/or applicant's engineer:

1. TC E-10 Standards Respecting Pipeline Crossings Under Railways;
2. Oil and gas pipeline crossings will be required to comply with C.S.A. standard Z662:23 Oil and Gas Pipeline Systems (or subsequent revisions thereto);
3. Steam, water, sewer and other non-flammable Substance pipeline crossings will be required to comply with TC E-10 or AREMA "Specifications for Pipelines Conveying Non-flammable Substances" and subsequent revisions thereto; and/or
4. Overhead wire and underground cable crossings will be required to comply with C.S.A. standard C22.3 No. 1-15 Overhead Systems and C.S.A. standard C22.3 No. 7-15 Underground Systems, respectively, or subsequent revisions thereto.

Contacts:

For additional information, contact: Ministry of Highways
Transportation Programs
8th floor, 1855 Victoria Avenue
REGINA SK S4P 3T2

Phone: 306-787-4900
Email: rail.services@gov.sk.ca