



# North Carolina Railroad Company

## **PIPELINE AND UNDERGROUND/AERIAL WIRELINE OCCUPANCY APPLICATION INSTRUCTIONS (FORM NCRR 230)**

North Carolina Railroad Company has retained HNTB North Carolina, P.C. (HNTB) to process applications and perform technical reviews pertaining to pipeline and wire/conduit/cable occupancies on NCRR's Corridor. All correspondence and requests for information pertaining to this process shall be directed to HNTB. Described below are the occupancy agreement process procedures and requirements.

### **Definitions**

|                            |                                                                                                                                                           |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| NCRR                       | - North Carolina Railroad Company                                                                                                                         |
| Operating Railroad         | - A railroad company designated by NCRR to operate trains on its Property. Currently, Norfolk Southern Corp. and in some places CSX Transportation.       |
| Engineering Representative | - Person or persons designated by NCRR to review and approve plans and applications for occupancies of its Corridor. Currently, HNTB North Carolina, P.C. |
| Owner (Applicant)          | - Individual, corporation or municipality desiring occupancy of NCRR Corridor.                                                                            |
| Professional Engineer      | - Engineer licensed in North Carolina.                                                                                                                    |

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### **Engineering Representative**

All occupancy agreement applications shall be submitted through the NCRR engineering portal: <https://engineering.ncrr.com/>. All applications must be submitted through this platform. No emailed or mailed submissions will be accepted.

For additional information or assistance with the application process, please contact the following:

Manager of NCRR Pipe and Wire Occupancy Agreement Process, email: [NCRR\\_Utilityies@HNTB.com](mailto:NCRR_Utilityies@HNTB.com)

HNTB's general office telephone number is (919) 546-8997 and the fax number is (919) 546-9421. The HNTB website is [www.hntb.com](http://www.hntb.com) and the North Carolina Railroad website is [www.ncrr.com](http://www.ncrr.com).



## **Application Review Fees**

Occupancy agreement engineering review and application fees are payable through the engineering portal. These fees are non-refundable. Failure to submit the fee with the application may delay the review process.

The engineering review and application fees are for the processing and review of the application only and do not include the license agreement fees payable to North Carolina Railroad Company and the risk financing fee and application fee payable to the Operating Railroads. The license agreement fees are available upon initial engineering review submittal in the engineering portal.

The engineering review and application fees are shown on the Fee Schedule for the current year and are available on North Carolina Railroad Company's website.

The engineering review fees include one (1) pre-submittal meeting and one (1) meeting during the engineering review phase between HNTB and the Applicant. Additional meetings, if required, shall be at additional cost to the Applicant.

Engineering review fees for unusually complicated or unique applications will be determined on a case-by-case basis. Examples may include projects that include significant retaining walls along the Corridor or longitudinal encroachments for significant distances.

For additional information see the North Carolina Railroad Company Utility Occupancy Agreement Current Year Fee Schedule (HN-02). All fees are subject to change.

## **Application Process**

Submit an application along with the required fees and supporting documents to NCRR and the Engineering Representative at the engineering portal linked above. All applications shall include as a minimum the following:

- Application Review Process Fee
  - HNTB Engineering Review Fee
  - North Carolina Railroad Application Fee
- Completed Online Application for:
  - Underground/Aerial Wireline Occupancy (NCRR Form 210), or
  - Pipeline Occupancy (NCRR Form 220).
- Map showing location of proposed occupancy.
- Plans
- Specifications

Note that application forms other than those identified above are not acceptable.

NCRR reviews the application for completeness and assigns a tracking number (HNTB File No.) and a NCRR ID number related to the milepost location of the application.



If the application is incomplete, the Applicant will be notified of any deficiencies and asked to submit the required information before further action is taken. Should a site inspection be required to complete the review, the Applicant will be notified by NCRR. Notification of incompleteness will be sent to the Applicant through the portal. Upon receipt of a complete application, NCRR will release the application to the Engineering Representative to commence the engineering review. A response will be sent to the Applicant from the Engineering Representative stating the results of the review. If the application does not meet the requirements of the NCRR, it will be returned to the Applicant for correction. The Applicant will be required to return the corrected application for further review and approval.

Certain applications will require further review by the Operating Railroads and may incur additional review time. These applications include, but are not limited to:

- All applications where CSXT has operating rights (generally between Raleigh and Cary)
- Longitudinal occupancies over 300 feet
- Occupancies within 50 feet of a bridge or other structure
- Culverts and drainage structures

The Engineering Representative will coordinate all reviews with the Operating Railroads.

If an application has had no activity within six (6) months whilst in the 'Engineering Review' phase, the application will be canceled automatically.

If the application is approved, the Engineering Representative will prepare the Occupancy Agreement for the project. The completed Agreement will be uploaded onto the portal for the Applicant to review.

The applicant will upload insurance certificates for both North Carolina Railroad Company and the Operating Railroads where NCRR will verify the documentation. Once approved, the Applicant will make their payment for all license agreement fees.

The Applicant will sign the License Agreement through Docusign via the engineering portal.

Upon execution of the Agreement by the Operating Railroads, Engineering Representative will prepare the final documentation.

The Engineering Representative will release the fully executed Agreement through the engineering portal. At the time of receipt of the signed Occupancy Agreement, the Applicant will be instructed as to who shall be contacted in order to gain access to the Corridor and begin construction. The Applicant must also meet all right of entry requirements of the Operating Railroad.

Construction cannot begin until the Applicant receives permission from the Engineering Representative and the Operating Railroad(s) to proceed with the work.

The Operating Railroad in conjunction with the Engineering Representative will provide inspection of the completed project and coordinate all other construction aspects of the project that relate to railroad operations (flagging, track work, protection of signal cables, etc.). Any construction errors and omissions observed by the Engineering Representative and/or the Operating Railroad shall be corrected immediately. All costs associated with these corrections shall be borne by the Applicant.



## **Right of Entry**

Entry to the NCRR Corridor for the purpose of conducting surveys, field inspections, obtaining soil information, or any other purpose associated with the design and engineering of the proposed occupancy, will not be permitted without a proper Entry Permit prepared by the NCRR and the Operating Railroad(s) and Executed by the Applicant. For requirements related to work on NCRR Corridor see the "North Carolina Railroad / Norfolk Southern Railway - Special Provisions for the Protection of Railway Interests".

## **Additional Information**

For a description of all information required for an Underground/Aerial Wireline Occupancy Application, see Section 1.6 of NCRR Form NCR 101 "Specifications for Wire, Conduit and Cable Occupations of North Carolina Railroad Company Property."

For a description of all information required for a Pipeline Occupancy Application, see Section 1.6 of NCRR Form NCR 102 "Specifications for Pipeline Occupancy of North Carolina Railroad Company Property."

NCRR Forms 101, 102 and the North Carolina Railroad / Norfolk Southern Railway - Special Provisions for the Protection of Railway Interests may be obtained on the NCRR website at [www.ncrr.com](http://www.ncrr.com) or by contacting the Engineering Representative.

The length of time required to process an application is dependent upon the quality of the information submitted, and applicants are urged to carefully follow the suggested guidelines for submission.