



Support Strong Oil Train Emergency Response Legislation

Oregon communities continue to be at risk due to unsafe crude oil trains and the lack of emergency response preparation. The threat was illustrated in June 2016 when an oil train in Mosier, OR derailed and spilled oil that leaked into the Columbia River, causing a large fire near homes and an elementary school.

Friends of the Columbia Gorge, Stand Up to Oil Coalition, Oregon Conservation Network, Columbia Riverkeeper, Sierra Club and Oregon Physicians for Social Responsibility are supporting legislation in the Oregon Legislature that would help protect Oregon from crude oil train derailments and oil spills. Transporting oil by rail is inherently unsafe. As long as it continues, we must prepare for the next derailment and spill.

Several bills addressing oil train emergency response have been introduced. These bills should require:

- ✓ Approval of contingency plans and training for oil train-related spills;
- ✓ Fees on railroads to improve oil spill response and establish funding for emergency preparedness;
- ✓ Adequate insurance for railroads to cover true worst-case oil train derailments and oil spills; and
- ✓ 24-hour notice for oil trains.

S.B. 99 and its companion in the House, HB 2858, include all of these common-sense steps to address oil train emergency preparation and response. Three other oil train bills, including HB 2064, HB 2209 and SB 229, lack one or more of the components above and would need to be amended to better protect Oregon's communities and waterways from oil spills and fires.

Why Oil Train Legislation is Needed



Unsafe Rail Cars: Since 2012, explosive Bakken crude oil is being transported by rail at high speeds through the Columbia River Gorge National Scenic Area, the Deschutes River Canyon, and many communities throughout Oregon. Oil is transported through Oregon to refineries in California and Washington, with no direct benefit to

Mosier derailment and fire, June 2016.

Oregon's economy. Explosive Bakken oil and heavy tar sands oil (bitumen) are transported in unsafe rail cars that puncture at speeds as low as 14 mph, leading to oil fires and explosions. New federal safety standards for rail cars only slightly improve impact resistance. Unit trains of oil carry up to 120 oil tank cars containing over 3 million gallons of volatile Bakken Crude oil or tar sands oil. These *pipelines on rails*

endanger communities and waterways along major rail routes through Oregon, risking severe damage to public safety, drinking water, and Columbia River salmon habitat.

- **Derailments and Explosions:** In the past five years, several oil train derailments, explosions, and fires in North America have resulted in 47 deaths, the evacuation of thousands of people, millions of gallons of oil spilled into waterways, and billions of dollars of property damage and environmental destruction. Our fears were realized in 2016 when an oil train derailed in the small Gorge town of Mosier, catching fire, and spilling 42,000 gallons of oil. Mosier residents were spared only because it was a rare windless day, thus preventing the fire from spreading into the community. The Federal Railroad Administration (FRA) determined that Union Pacific Railroad’s negligence caused the derailment. FRA statistics show Union Pacific has more derailments and accidents caused by equipment failures compared to the industry average. We continue our work to reduce the threats of oil-by-rail in the hope of preventing any future such disasters.
- **Crude oil export ban lifted in 2015:** For 35 years, the U.S. ensured energy independence by prohibiting export of U.S. crude oil. In 2015, Congress lifted the U.S. crude oil export ban, thus creating the likelihood of new export terminals on the West Coast. As soon as the price of oil rebounds, residents of the Northwest can expect to see more oil train traffic.
- **Trump administration repeals oil train safety requirement:** The Trump administration repealed the 2015 requirement for oil trains to use electronically controlled pneumatic (ECP) brakes by 2021, which would have improved the safety of oil trains and likely reduced the severity of derailments and resulting oil spills. Safety advocates, transportation union leaders and lawmakers oppose the repeal of the ECP brake rule. Several Governors, including Governor Kate Brown, criticized the repeal and called on federal policy makers to put in place the strongest rail safety measures. (Source: Governors Brown and Inslee Joint Media Release, Dec. 8, 2017)
- **Is Oregon ready?** Oregon has the weakest laws on the west coast related to oil train emergency response. In the Mosier derailment, oil spill and fire, Oregon had to rely heavily on the Washington Department of Ecology for assistance. Both California and Washington have passed laws similar to those proposed in the 2019 session in Oregon. Notably, these new laws have not been preempted by federal railroad laws.

Oregon: Weakest Oil Train Laws on the West Coast			
LAW	OR	WA	CA
Require Railroad Emergency Response Plans	NO	YES	YES
Fees On Oil Trains For Emergency Response	NO	YES	YES
Railroad’s Ability To Pay For Worst-Case Spill	NO	YES	YES
24-Hour Notice Required For Oil Trains	NO	YES	NO

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