



LEAGUE OF WOMEN VOTERS® OF OREGON

The League of Women Voters of Oregon is a 97-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

February 6, 2018

To: [House Committee On Veterans and Emergency Preparedness](#)
[Representative Paul Evans](#), Chair
hvet.exhibits@oregonlegislature.gov

Re: **HB 4004** – Relating to safe transport of hazardous substances including fossil fuels – **Support**

Since the 1950's, the League of Women Voters has been at the forefront of national efforts to protect air, land and water resources. The League's position is that members work to "Preserve the physical, chemical and biological integrity of the ecosystem, with maximum protection of public health and the environment" **with a focus on demanding pollution prevention**. Additionally, the League's Social Policy is very clear; "Secure equal rights and equal opportunity for all. Promote social and economic **justice and the health and safety of all Americans.**"

Our testimony in support of HB 4004 is consistent with the League's national position and focus on pollution prevention, rather than just cleanup and post-spill settlements, and justice and public safety for all people.

With the production of domestic oil in Montana and North Dakota, increased rail and vessel shipment of crude oil has begun. In many parts of the country record volumes of oil have moved by rail and vessels with multiple spill related accidents. Some major accidents include Lac-Mégantic, Quebec province explosion (>\$3Bil), Mosier, Oregon (>\$8M), and Kalamazoo River in Michigan (five-year >\$ 1.4Bil on-going clean-up). Just in the past few years over 32 major fossil fuel transport/storage related accidents have occurred, including in West Virginia a massive oil rail explosion and aquatic spill.

House Bill 4004 - Oil Rail Safety for **ONLY** high hazard train routes

- Requires contingency plans and training for oil train-related spills;
- Levies fees on railroads to build Oregon's Oil Spill Contingency Fund;
- Requires railroads to have only "adequate" insurance to cover worst-case oil train derailments;
- Benefits the health and safety of all Oregonians by reducing the risk to our water-resources, related ecosystems and other hazards, such as explosions (causing air pollution) and other life-threatening events.
- However, it's unclear if this bill adequately addresses increasing the number of rail inspectors.

Because many of the oil transport facilities and infrastructures go through or are located in highly populated areas, the potential for human harm is high. Additionally, the Columbia, Willamette and Deschutes River fragile ecosystems are at risk. We are in agreement with the Columbia Gorge Commission and a number of other groups concerning the priority funding for oil and other fossil fuels spills and/or explosion prevention, preparedness planning and related funding. It appears this bill only begins to address all applicable statutes relating to the safe transport of hazardous materials.

We are disappointed this bill is not a comprehensive solution and seems to be a compromise with the rail industry. This bill does not create a comprehensive hazardous waste transportation plan; a complete solution modeled after Minnesota law, which addresses applicable safety regulation; appropriate funding for comprehensive rail safety **prevention measures**; preparedness-related education; relevant equipment/machinery requirements; extensive training and other efforts, which are focused on prevention. Fossil fuel transportation legislation must ensure we can focus applicable resources on prevention and ensure state agencies and communities are properly prepared for the public/environmental tragedy that can accompany fossil fuel hazardous waste materials spill/discharge accidents associated with existing insufficient vessel/rail transportation and associated storage practices.

The League of Women Voters urges your support of HB 4004 as a minimal first step to comprehensive safety of fossil fuel hazardous material transportation.

Thank you for the opportunity to discuss this legislation.

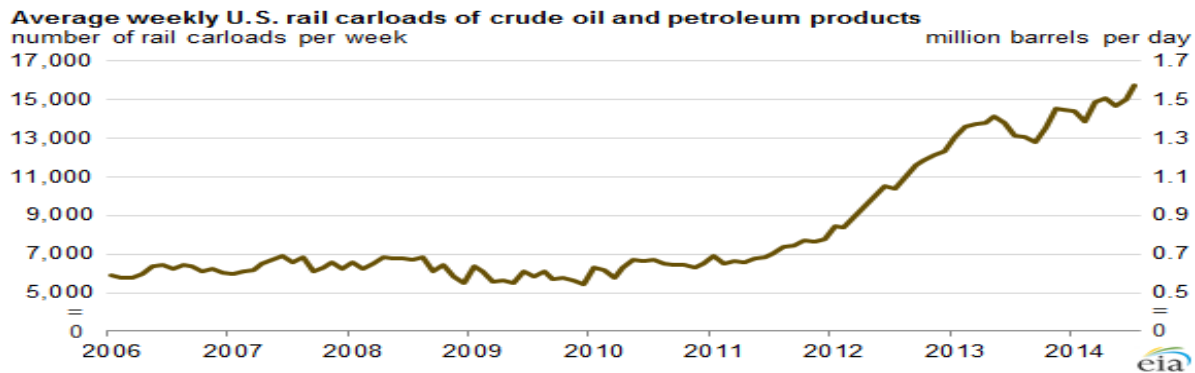


Norman Turrill
LWVOR President



Claudia Keith
Climate Change Policy Portfolio

Supplemental

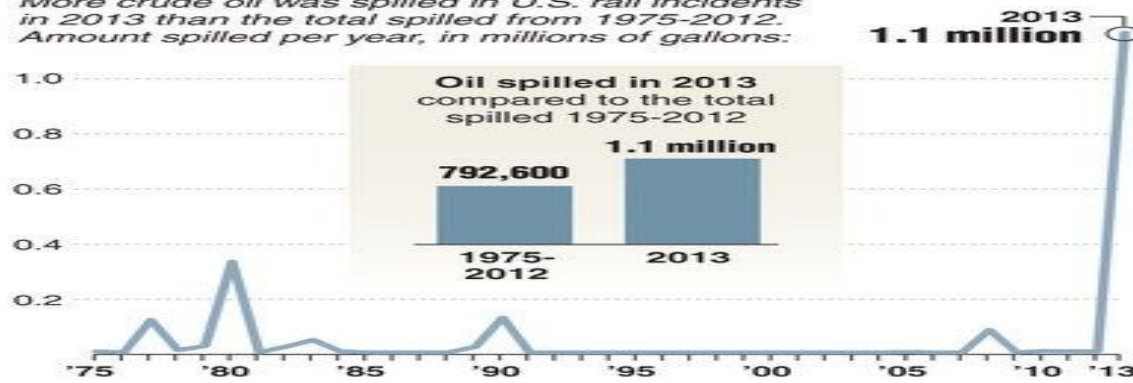


(Energy Information Administration)

Spike in oil spills from trains

More crude oil was spilled in U.S. rail incidents in 2013 than the total spilled from 1975-2012.

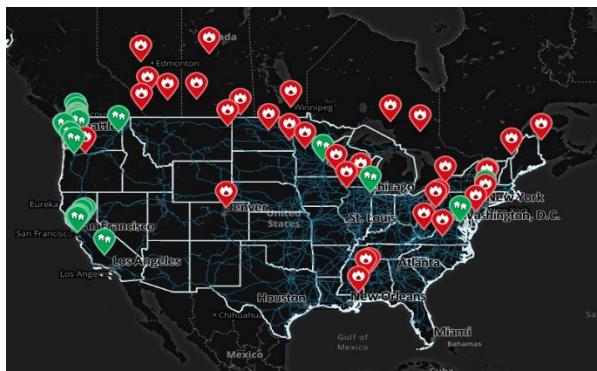
Amount spilled per year, in millions of gallons:



Source: U.S. Pipeline and Hazardous Materials Safety Administration

Graphic: Judy Treible

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Oil Train Disasters, recent oil train accidents and communities fighting for protections. Blue lines indicate U.S. major freight rail lines.
<http://earthjustice.org/features/map-crude-by-rail>

The Fraser Institute, a nonprofit think tank based in Canada, found that [rail is “over 4.5 times more likely](#) to experience an occurrence when compared to pipelines.” Though, to put that in perspective, the institute also concludes that “transporting oil and gas by pipeline or rail is, in general, quite safe.”

Read more here: <http://www.chicagotribune.com/news/nationworld/midwest/ct-iowa-train-derailment-fire-20170311-story.html>

<https://www.usnews.com/news/best-states/montana/articles/2017-04-05/apnewsbreak-thousands-of-defects-found-on-oil-train-routes>

<http://www.sanluisobispo.com/opinion/editorials/article136472098.html#storylink=cpy>

<http://www.nbcnews.com/news/investigations/oil-train-spills-hit-record-level-2014-n293186>

<https://insideclimatenews.org/news/09022017/kalamazoo-river-oli-pipeline-spill-settlement-epa-enbridge-oil-sands>

<https://gorgefriends.org/protect-the-gorge/gorge-issues/oil-train-legislation--the-mosier-acts.html>

<http://www.statesmanjournal.com/story/news/2016/12/04/costs-train-derailment-along-columbia-river-adding-up/94973428/>

<http://www.columbian.com/news/2016/dec/01/mosier-derailments-costs-near-9-million/>

http://www.oregonlive.com/environment/index.ssf/2015/03/for_oregon_4_oil_train_acciden.html-

<http://www.globalresearch.ca/rolling-bombs-crude-oil-rail-tankers-threaten-u-s-canada-populations-environment/5439245>

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Wisconsin seems to have a clear roadmap

<https://mailchi.mp/dbb24cf54d52/for-immediate-releaselocal-legislators-introduce-rail-safety-legislation>

Jill BillingsSTATE REPRESENTATIVE
95TH ASSEMBLY DISTRICT**Jennifer Shilling**STATE SENATOR
32ND SENATE DISTRICT**FOR IMMEDIATE RELEASE:**

January 29, 2018

CONTACT:Rep. Jill Billings
(608) 266-5780**Local Legislators introduce Rail Safety Legislation**

Rep. Jill Billings and Sen. Shilling reintroduce Wisconsin Rail Safety Act

Madison, Wis. – Today, Rep. Jill Billings (D-La Crosse), along with Senator Jennifer Shilling (D-La Crosse) introduced the Wisconsin Rail Safety Act, which aims to increase safety, preparedness, coordination and training between rail companies operating in Wisconsin and local emergency management agencies.

“We cannot wait for another train derailment to occur before we take action to improve the safety of our rail system and preparedness of our local responders,” Rep. Billings said. “We have been lucky in recent years that we haven’t had any derailments in Wisconsin, but we shouldn’t have to rely on luck to ensure the safety of our communities and citizens.”

The bill, which was modeled after rail safety legislation enacted in Minnesota, would do the following:

- Provide for more state rail track inspectors
- Provide training for local emergency first responders with jurisdiction along railroad routes
- Require railroad companies to submit prevention and response plans to the state
- Provide guidelines for coordination and response timelines in the event of a derailment
- Require post-incident review and report to the legislature after a derailment
- Require the Division of Emergency Management, under the Wisconsin Department of Military Affairs, to submit a report to the legislature on emergency preparedness, assessment of training needs for first responders statewide, inventory of both public and private resources available in the event of a derailment/discharge, and recommendations to the legislature to improve preparedness and safety of our citizens

“We recognize that the freight rail industry is an important part of Wisconsin’s economy,” Sen. Shilling said. “In La Crosse, rail infrastructure has been a part of the city’s history and identity since its earliest days. Yet, the recent increase in rail traffic has led to heightened safety concerns in our community and across the state. Wisconsin residents rightfully want to know what measures are being taken by state and federal regulators and industry stakeholders to ensure meaningful oversight and emergency response readiness.”

This legislation was first introduced during the 2015-16 legislative session after Rep. Billings and Sen. Shilling listened to and worked with the local Citizens Acting for Rail Safety (CARS) organization. CARS is supportive of this legislation.

“This bill would directly impact members of the La Crosse community – where oil trains run right through our city every day – and hundreds of other communities across Wisconsin by ensuring safe, scrutinized rail transport,” Billings concluded.

A copy of the legislation can be found [here](#)