

Safe Energy Leadership Alliance

December 1, 2014

The Honorable Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Dear Governor Inslee:

We are members of the Safe Energy Leadership Alliance (SELA), a coalition of more than 120 local, state, and tribal leaders from across the Pacific Northwest, Montana, and Canada seeking full assessment and disclosure of the economic, cultural, environmental, and health impacts, safety risks, and costs from oil transport and coal export.

Thank you for directing the Washington State Department of Ecology to fast-track the state's *Marine and Rail Oil Transportation Study*, and for sharing your initial thinking on recommendations with SELA last week. We are writing today to ask you to strengthen state requirements for disclosure, reporting, and emergency planning for transport of crude oil by rail and barge to the maximum extent possible under federal and state law.

While we come from communities large and small, urban and rural, across a vast geographic area, we share a common mandate to protect the public health, safety, and welfare of our residents. Oil train derailments, spills, and fires have already resulted in evacuations, devastating pollution, and loss of life across the United States and Canada. We are deeply concerned about the growing traffic of oil trains through the heart of our communities, and the immediate risks of derailment, explosion, and fire. To date, nineteen local governments have passed resolutions expressing grave concerns about the growing threat of oil transport, and in some cases opposing expansion or development of new oil terminals.

Our state has seen a stunning increase in the amount of crude oil transport with an estimated 2.87 billion gallons of crude oil now crossing our state annually. Because of historic development patterns, rail lines carrying these flammable products pass through densely populated areas, commercial, and industrial districts, and transect Puget Sound and rivers, such as the Spokane and the Columbia. A derailment, explosion, or spill would be devastating to our communities and environment. Dedication of already limited rail capacity to oil trains already delays shipment of grain, agricultural fertilizer and locally manufactured goods and threatens our residents while bringing very little regional economic benefit. Freight mobility and safety issues will only become more acute if proposed oil and coal terminals are built along the Pacific Coast.

The preliminary findings of Washington State's *Marine and Rail Oil Transportation* study shine a light on the risks and costs to our communities and make recommendations to strengthen disclosure of hazards and emergency preparedness.

We support:

- Tightening up the definition of a “high-hazard flammable train” so all shipments get greater scrutiny.
- Requiring comprehensive oil-spill response plans for all oil tankers regardless of capacity.
- Increasing authority and resources of state agencies to conduct safety inspections, review road crossings, and require spill response planning.
- Assessing oil transportation risks from car explosions, toxic exposures, and compromised infrastructure, particularly to our most vulnerable populations.

However, these recommendations need to go further to *prevent* derailments and ensure that local governments and first responders have necessary information and resources to plan, train, and respond quickly to on oil spill or explosion. The costs for additional training, emergency preparedness, and equipment are substantial and the study appears to assume that local governments will bear this added cost. We request that you:

- Apply federal and state requirements for high hazard flammable trains to a broader geographic area. Current proposals leave out significant urban areas.
- Expand notice of high hazard flammable trains to include Local Emergency Planning Committees.
- Provide state funding to back proposed additional requirements for emergency response planning and training, as well as for stockpiled supplies (like firefighting foam) for local emergency responders.
- Call for phase out of unsafe DOT-111 tank cars to begin immediately and be completed within one year; two years is too long to wait.
- Call for immediate speed reductions for high hazard train speeds to 30 mph in urban areas.
- Strengthen oil-spill prevention and clean-up readiness now for Puget Sound, the Columbia, and Grays Harbor through actions like requiring escort tugs for oil barges.
- Seek federal requirements for railroads and shippers to carry adequate liability coverage for explosions, spills, and economic impacts to businesses, residents, and local jurisdictions affected by the spill or explosion.

- Clearly map gaps in federal, state, and local regulatory authority to help guide further action by state legislatures, tribal, and local governments.


Added train traffic will also bring economic impacts in the form of traffic and freight delays. Infrastructure investments like grade separation could help to mitigate these impacts, but the cost is astronomical and we do not see a commitment from railroads or shippers to pay a fair share of these investments. For reference, a recent study by the Puget Sound Regional Council (PSRC) of the potential impacts of increased train traffic from the proposed Gateway Pacific Terminal identified 34 crossings in the Puget Sound region that would benefit from mitigation such as grade separation to prevent traffic delays and maintain emergency access. Grade separation would likely cost \$50 million to \$200 million for *each* crossing. The PSRC study only projected impacts associated with the proposed Gateway Pacific Terminal. Potential impacts and need for infrastructure improvements are even more significant when you factor in the surge in oil-by-rail and risk for explosion.

The costs to assess, prevent, and mitigate risks from increased oil transport should not fall to local governments and the broader public. In the near-term, state and federal funding is needed to cover additional costs to strengthen local training and emergency response capacity and pay for infrastructure improvements to address safety and traffic congestion at rail crossings. Ultimately, oil companies and railroads – those who profit – should be shouldering the full and true costs and risks of oil extraction and transport, including sharing the significant cost of infrastructure improvements.

Even with stronger emergency management and preparedness, we cannot mitigate 100 percent of the significant risks from explosion and spills, or the opportunity costs of dedicating limited rail capacity to oil transport. Upcoming federal and state permitting decisions for oil and coal terminals will set the stage for whether we continue to subsidize risks to our communities, or shift our focus to economic development that is sustainable for our economy and environment.

It is imperative that we get ahead of the surge in oil transport by rail and barge. We urge you to make strong recommendations that reflect the risks to our communities and our hopes for future economic development. We call on our state lawmakers to act swiftly in response to these recommendations.

Sincerely,



Nancy Backus
Mayor, City of Auburn, WA



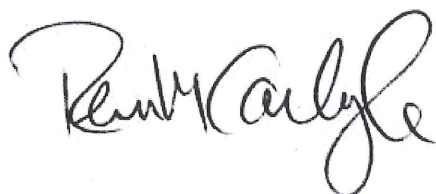
Sally Bagshaw
Councilmember, City of Seattle, WA



David Baker
Mayor, City of Kenmore, WA



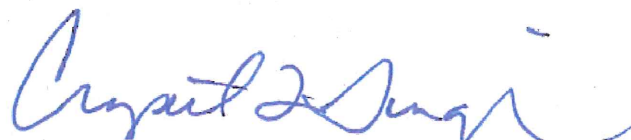
Stephen Buxbaum
Mayor, City of Olympia, WA



Reuven Carlyle
Washington State Representative (36th District)

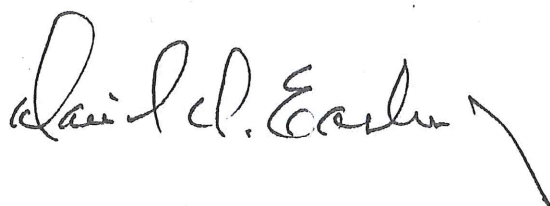


Dow Constantine
King County Executive



Peter Cornelison
Councilmember-Elect, City of Hood River, OR

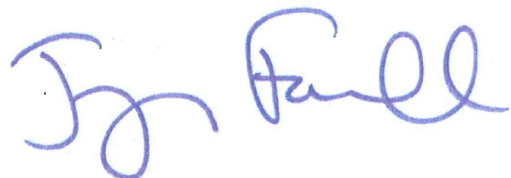
Crystal Dingler
Mayor, City of Ocean Shores, WA



Dave Earling
Mayor, City of Edmonds, WA



Chris Eggen
Councilmember, City of Shoreline, WA



Jessyn Farrell
Washington State Representative (46th District)



Joe Fitzgibbon
Washington State Representative
(34th District)

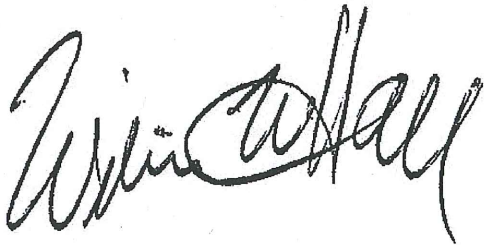
Amanda Fritz
Commissioner, City of Portland, OR



Jean Godden
Councilmember, City of Seattle, WA



Sue Gunn
Commissioner, Port of Olympia, WA



Will Hall
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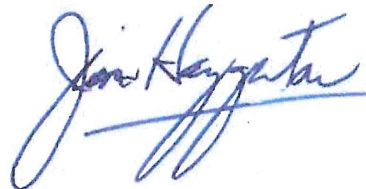
Dennis Higgins
Councilmember, City of Kent, WA



Mark Gamba
Councilmember, City of Milwaukie, OR



Jennifer Gregerson
Mayor, City of Mukilteo, WA



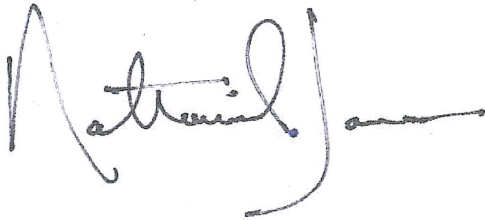
Jim Haggerton
Mayor, City of Tukwila, WA



Bart Hansen
Councilmember, City of Vancouver, WA



Sam Hunt
Washington State Representative
(22nd District)



Nathaniel Jones
Mayor Pro Tem, City of Olympia, WA

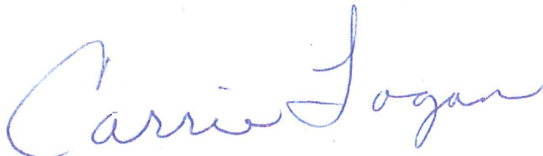


Ruth Kagi
Washington State Representative
(32nd District)



Joyce Lindsay
Councilmember, City of Washougal, WA


Michael Lilliquist
Councilmember, City of Bellingham, WA




Carrie Logan
Mayor, City of Sandpoint, ID



Liz Lovelett
Councilmember, City of Anacortes, WA



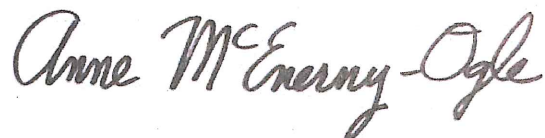
Sue Malek
Montana State Senate (46th District)



Doris McConnell
Councilmember, City of Shoreline, WA



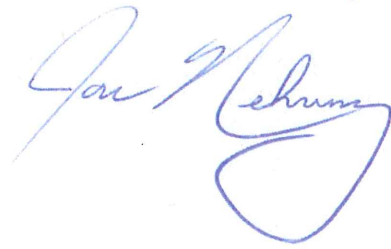
John McCoy
Washington State Representative (38th District)



Anne McEnery-Ogle
Councilmember, City of Vancouver, WA



Keith McGlashan
Councilmember, City of Shoreline, WA



Jon Nehring
Mayor, City of Marysville



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Tina Orwall
Washington State Representative (33rd District)



Jamie Pedersen
Washington State Representative (43rd Dist.)



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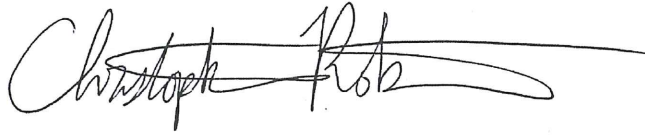


Gerry Pollet
Washington State Representative (46th Dist.)

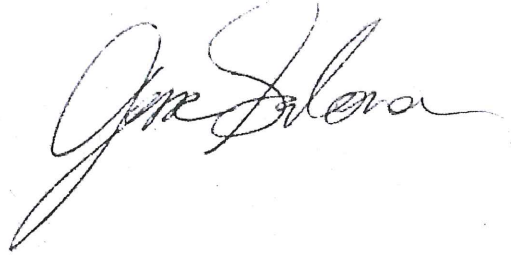


Chuck Puchmayr
Councillor, City of New Westminster, BC

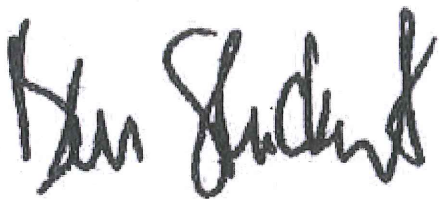
Christine Rolfes
Washington State Senator (23rd District)



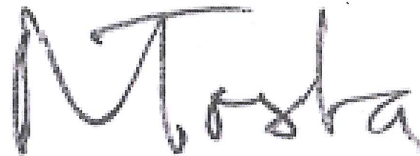
Chris Roberts
Councilmember, City of Shoreline



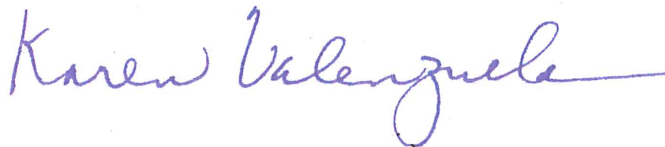
Jesse Salomon
Councilmember, City of Shoreline



Ben Stuckart
City Council President, City of Spokane, WA



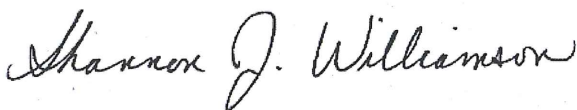
Nancy Tosta
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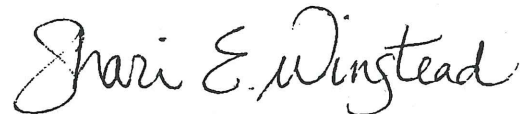
Karen Valenzuela
Commissioner, Thurston County, WA



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Shannon Williamson
Councilmember, City of Sandpoint, ID



Shari Winstead
Mayor, City of Shoreline, WA

cc: Maia Bellon, Director, Washington State Department of Ecology (DOE)
David Danner, Chairman, Washington State Utilities and Transportation Commission
Dale Jensen, Program Manager, Spill Preparedness and Response Program, DOE