77th OREGON LEGISLATIVE ASSEMBLY – 2014 Regular Session **MEASURE: HJM 201 A**
STAFF MEASURE SUMMARY **CARRIER: Rep. Smith Warner**
House Committee on Energy & Environment

REVENUE: No revenue impact
FISCAL: No fiscal impact

Action:		Be Adopted as Amended and Be Printed Engrossed
Vote:		9 - 0 - 1
	Yeas:	Bentz, Boone, Johnson, Lininger, Reardon, Smith Warner, Vega Pederson, Whitsett, Bailey
	Nays:	0
	Exc.:	Weidner
Prepared By:		Rick Berkobien, Administrator
Meeting Dates:		2/11

WHAT THE MEASURE DOES: Urges Congress to enhance safety standards for new and existing rail cars used to transport crude oil and other flammable liquids. Urges Congress to direct Pipeline and Hazardous Materials Safety Administration to strengthen standards for new tank cars and require existing cars used for transporting hazardous materials be promptly retrofitted with advance safety technology or, if not upgraded, phased out of service.

ISSUES DISCUSSED:
- Canadian accident involving tank cars
- Scappoose derailment and fire
- Rail lines that run through large population areas of Portland
- Cost per rail car to retrofit
- Federal standards for safer rail cars

EFFECT OF COMMITTEE AMENDMENT: Adds language urging Pipeline and Hazardous Materials Safety Administration to strengthen standards for new tank cars and require existing cars used for transporting hazardous materials be promptly retrofitted with advance safety technology or, if not upgraded, phased out of service.

BACKGROUND: Crude oil shipments by rail have increased in recent years due in large part to the rise in production from the Bakken formation and Canada's oil sands. Due to a lack of pipelines, crude oil is being shipped to refineries by rail cars. Many of these shipments travel through populated areas, which has raised concerns that rail company safety plans do not adequately address potential safety issues, and that current rail cars used to transport crude oil and other flammable liquids may rupture too easily in the event of an accident.

In July 2013, an unattended train rolled down a descending grade into Lac-Mégantic, Quebec. The train derailed and at least 60 of the tank cars released about 1.6 million gallons of crude oil with some of the spilled oil igniting immediately. Forty-seven people died as a result of the fire and nearby structures were destroyed or extensively damaged.

In January 2014, the National Transportation Safety Board (NTSB) and the Transportation Safety Board of Canada, citing accidents involving tank car spills and fires, including Lac-Mégantic, issued joint recommendations. The NTSB recommended to the Federal Railroad Administration that they: 1) Expand hazardous materials route planning and selection requirements for railroads, where technically feasible, to require rerouting to avoid transportation of such hazardous materials through populated and other sensitive areas; 2) Develop a program to audit response plans for rail carriers of petroleum products to ensure that adequate provisions are in place to respond to and remove a worst-case discharge to the maximum extent practicable and to mitigate or prevent a substantial threat of a worst-case discharge; and, 3) Audit shippers and rail carriers of crude oil to ensure they are using appropriate hazardous materials shipping classifications, have developed transportation safety and security plans, and have made adequate provision for safety and security.