

SB 7 STAFF MEASURE SUMMARY

Senate Committee On Veterans and Emergency Preparedness

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Sub-Referral To: Senate Committee On Finance and Revenue

Meeting Dates: 4/18

WHAT THE MEASURE DOES:

Directs Environmental Quality Commission to adopt rules imposing oil spill prevention and emergency response planning on high hazard train routes. Requires proof of financial responsibility from railroad owners or operators. Assesses \$375,000 annually, proportioned among certain railroads.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

[-1 amendment] Replaces the measure. Modifies State Fire Marshall's response planning with respect to hazardous materials transported by rail, to require: statewide training and "tabletop exercises" involving Department of Environmental Quality (DEQ), Office of Emergency Management, state and local responders, tribes and railroads; and comprehensive large-scale training exercises as specified. Permits State Fire Marshal to make limited inquiry of railroads and to share information on limited basis. Creates public records exemption for such information and deems it undiscoverable except for adjudication of railroad compliance. Provides for reimbursement of expenses incurred by DEQ to develop response plan with the State Fire Marshal and for environmental testing after hazardous material spill.

BACKGROUND:

On June 6, 2014, an Emergency Order issued by the U.S. Department of Transportation went into effect requiring railroad carriers operating trains transporting 1,000,000 gallons or more of Bakken crude oil in a single train to provide information to the State Emergency Response Commission on estimated volumes and frequencies of the train traffic implicated.

In 2015, the Legislature enacted House Bill 3225 which required the Office of State Fire Marshal to adopt a plan for coordinated response to an oil or hazardous material spill or releases that could occur during rail transport.

In June of 2016, a train shipping crude oil derailed near the small city of Mosier in the Columbia River Gorge. Eleven cars from the 96-car train left the rails around noon, near Rock Creek, which feeds the Columbia River. Several cars caught fire and some oil was released. Interstate 84 was closed in both directions and a community school and others were evacuated. The event brought preexisting concerns about crude oil transport into sharp focus: the potential risk to people and property; the value of Oregon's natural landscape, wildlife, and water resources; the differences in fire behavior and the type of firefighting required to combat volatile and potentially explosive fuel; how the time of day, weather conditions, and other factors influenced the outcome; and local and state resources and capacities to combat such hazards.

Senate Bill 7 requires oil spill prevention and emergency response planning to be imposed on high hazard train routes by the Environmental Quality Control Commission and assesses \$375,000 annually, proportioned among certain railroads.

This Summary has not been adopted or officially endorsed by action of the committee.