

Rail Spill Preparedness and Response

Planning Efforts & Authorities in Oregon (and comparison with Washington)

The State of Oregon Preliminary Statewide Rail Safety Review (July 25, 2014) stated that “By 2012 unprecedented quantities of crude oil were moving along rail lines” and that “much of the crude oil traveling by rail through Oregon is destined for refineries in other states.” The safety review also identified as one of its initial findings that “State agencies must regularly review emergency plans prepared by railroads handling hazardous materials, including crude oil.”

The safety review examined several inland crude oil spills, lessons learned from those spills, and preparedness deficiencies in the state. Primary issues identified include the need for contingency planning, the lack of information regarding the behavior of oil when spilled, the limited response equipment resources in close proximity to a spill, and lack of coordinated training among responders.

Comprehensive spill preparedness and response requires coordination between several types of plans:

- **Government developed spill response plans** - identify authorities and responsibilities to provide for an orderly and effective implementation of response actions to protect people, natural resources and property from oil spills. The Region 10 Northwest Area Contingency Plan (NWACP) is the Oil and Hazardous Materials Response Plan for the State of Oregon (co-lead agencies: OSFM and DEQ).
- **Industry prepared contingency plans** - describe the plan holder’s ability to respond to oil spills. In Oregon, DEQ has review and approval authority for maritime shipping and oil handling facility plans, but no state agency has authority to review and approve railroad plans (ORS 468B.345-500).
- **Geographic response plans (GRP’s)** - tactical response strategies planned and exercised in advance that guide oil spill response for specific areas and that protect sensitive natural, cultural or significant economic resources at risk from injury from oil spills (Oregon lead authority: DEQ).
- **Local Emergency Planning Committee plans** - developed by elected officials, police, fire, health, facility and community groups that describe local emergency response procedures. Local plans should conform with the NWACP (Oregon lead authority: OSFM).

The following table compares the current status of critical preparedness planning and spill response between the two west coast states. To summarize, Oregon has identified key deficiencies in the following areas:

- Authority to review and approve industry prepared contingency plans,
- Development of Geographic Response Plans (GRP’s) that aim to identify and protect critical resources at the local level, and
- Requirements for drills and exercises to ensure a well-coordinated response.

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Phase	Action	Washington		Oregon		
		Vessels Facilities Pipelines	Rail	Vessels Facilities Pipelines	Rail	Agency roles/responsibilities/expertise relevant to authorities/gaps
Prevention/ Mitigation	Risk-Reduction Management Practices/Requirements	Yes	Yes	Yes	Yes	ODOT (ORS 824.082)
Preparedness	Industry Contingency Planning	Yes	Yes	Yes	No	ODEQ (ORS 468B.300) review/approve function for maritime but no corresponding authority established for rail.
Preparedness	Geographic Response Plans	Yes	25 Completed or Underway	Yes	One	ODEQ (ORS 468B.300) develops and maintains GRP's for navigable waters of state, but no corresponding responsibility is established for resources at risk along inland waterways.
Preparedness	Required Drills and Exercises	Yes	Yes	Yes	No	OSFM (ORS 453.520) ODEQ (ORS 466.610)
Response - Life Safety	Local and Hazmat Teams	Some local teams, but no Statewide Hazmat Teams		Yes		OSFM (ORS 453.520)
Response - Environmental	Protection of Resources at Risk Pollution Recovery	Yes		Yes, but limited capacity		ODEQ (ORS 466.610)