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**To:** Representative Paul Evans, Chair, et al.  
House Interim Committee on Veterans and Emergency Preparedness

**Re:** Statement in Support of HB 2209

**Dt:** Thursday, February 7, 2019

I was the Fire Chief in Mosier, Oregon for ten years.

On June 3, 2016, I was the first on-scene emergency responder to the derailment of a mile-long Union Pacific oil train in Mosier. I retained operational command of the incident through the subsequent oil spill, fire, and clean-up.

I do not claim to be an expert on rail safety. However, I have devoted considerable time and effort to a careful analysis of the Mosier derailment, as my community's risk management professional.

The end of the story is mostly happy. Mosier came through relatively unscathed, though some of us felt understandably traumatized, and many lives were changed.

It's tempting to attribute the positive elements to intentional safety measures. Tank cars performed as intended, limiting the amount of oil released. Emergency responders were fast and effective, in part because of a regional training six weeks prior, which gamed out a scenario eerily similar to the Mosier derailment. And Union Pacific's HazMat team led a model clean-up prioritized as a public emergency, not a railroad emergency.

But I'm here with a finding that this story of silver linings is largely down to pure luck, which in no way diminishes the fine work of dozens, if not hundreds, of emergency responders, regulators

and mitigation specialists.

There are three key points to keep in mind.

First, Mosier's typical summer weather – high wind from the west – was absent that day. Had the normal 25-mph west wind been blowing, as it was less than twenty-four hours prior, the oil fire would have been about the same. But several acres of mature timber surrounding the derailment would have caught fire immediately, sending burning embers downwind and causing a raging urban and wildland inferno. All incoming responders would have ignored the oil fire, and turned to saving lives and property downwind as those fires spread quickly and unpredictably, possibly for many miles.

When they arrived four hours into the fire, Union Pacific's tiny crew would have been on their own, without the fleet of forty water trucks which allowed them to extinguish the oil fire quickly.

Second, the robust showing of emergency responders from nineteen agencies in Oregon and Washington was absolutely critical to the success of the fire response. The Gorge is possibly unique in the region for having in place a single agreement which allows for easy mobilization of resources anywhere in five counties, three in Oregon and two in Washington. Without that agreement, we would have assembled enough resources on June 3, 2016, eventually. But it would have kept a considerable crew very busy, asking for help, one by one, from people who want to provide it, but have no easy way of doing so absent an agreement.

Furthermore, we learned a month after the derailment that even this robust two-state mobilization is not a given. At 3AM on July 4, 2016, Mosier had a structure fire. We were short-handed, and called for help from neighboring agencies. None responded. All of the dozens of fire departments who offered help on June 3 were tied up on the Pond Spring Fire, bearing down on The Dalles at 3AM on July 4. It was their third major fire in less than a week.

And it was blowing like stink in Mosier at 3AM on July 4.

If the house fire call was instead exactly the same derailment and fire we experienced on June 3, a handful of Mosier fire fighters would have faced the wind-driven nightmare of rapidly spreading wild fire outlined above. They would have done it alone for the most part, until exhausted crews began showing up and ignoring the oil fire.

Finally, the simple fact of the Mosier derailment is proof that safety measures are not enough to prevent these occurrences. Chances are it's going to happen again somewhere, despite best efforts.

Union Pacific did everything by the book, and it still failed to detect sheared bolts which led to track separation and derailment of sixteen tank cars in my home town. The result could have been destructive on a scale I have often contemplated and hope never to see.

This is the reason I have been outspoken in condemning unit oil trains. It's long past time for federal regulators to outlaw such a massive accumulation of risk.

Recognizing that state leverage is limited, in my view any steps which improve safety, or which improve the ability of local and regional jurisdictions in assessing and preparing for the inevitable, are essential.

I enthusiastically support efforts to firm up HB 2209 through amendments.

Yours sincerely,

/s/

Jim Appleton