

Reporting Oil Movement by Rail

The Issue

On a national level, the number of rail cars carrying oil has increased nearly 44 times in the last six years – from 9,500 carloads in 2008 to 415,000 carloads in 2013. By the end of 2014, 650,000 carloads carrying 19.5 billion gallons of crude oil were expected.

Following the national trend, Washington State has experienced dramatic changes in the amount and types of oil transported by rail.

The new oil types coming through include heavy crude oils such as bitumen from Canada and Bakken crude from North Dakota. Diluted bitumen is concerning because it may become submerged below the water surface or sink to the bottom when spilled into water, especially if there is a great deal of sediment and turbulence in the water, as in a fast-moving stream. This poses huge risks to Washington's waterways.

Bakken crude is potentially volatile or flammable oil. It is also more likely than other oil types to seep into the groundwater when spilled. An accident involving these oil types may create greater safety and health risks.

Ecology needs adequate information to effectively prepare for and respond to oil spills from rail cars.

A recent emergency order issued by the U.S. Department of Transportation (USDOT) (June 6), requires railroads to notify the state of the frequency and oil volumes for trains carrying one million gallons or more of Bakken crude.

The state does not believe the reporting threshold provides the level of information needed for rapid, aggressive, and well-coordinated oil spill preparedness and response. Washington needs to know information such as type of oil, volume, and number of rail cars.

In 2014, Ecology received \$300,000 one-time funding from the Washington State Legislature to conduct a Marine and Rail Oil Transportation Study. The Study analyzes the risks to public health

WHY IT MATTERS

Washington is experiencing a dramatic increase in the amount and types of oil transported by rail.

Information on the time, location, volume, and type of oil transferred in the state is essential to providing a rapid, aggressive, and well-coordinated response to incidents involving oil trains.

Requiring the reporting of this information will improve our ability to plan for and respond to oil spills from rail cars, increasing the safety of the people and environment of Washington.

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Ecology's Spills Website

ecy.wa.gov/programs/spills/spills.html

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and safety and the potential environmental impacts associated with the transport of oil in Washington State.

The Solution

The state should require oil transfer reporting by rail facilities to give local responders and communities the information needed to prepare for and respond to oil spills:

- Establish a mechanism to obtain more complete information on the volume and characteristics of crude oil transported by rail and stored in the state.
- Store and manage this information in an Ecology database.
- Make the information available to land and maritime emergency responders.

This requirement would provide the transparency that Ecology and other emergency responders need. Receiving timely, relevant information enables effective preparation for training purposes and obtaining the proper resources.

Proposed Legislation

Add a new section in state law (RCW 90.56) requiring notice be provided before oil is transferred between a rail facility and another facility or covered vessel.

This notice will include the time, location, and volume of the oil transfer. To do so, Ecology would need to establish rules. The rules would be scaled to the risk posed to people and the environment and categorized by type of transfer, volume, and other risk factors identified by Ecology.

How the Legislation Benefits Washington

The ability to prepare for and respond to a major oil spill from rail cars will protect the lives of people living and working near rail lines and the economy and environmental resources of Washington. Many of the products transported by rail, including bitumen from oil sands, and Bakken crude, pose significant environmental, human safety, and health risks.

