

## WHY IT MATTERS

In 2012, Washington received its first delivery of oil by rail, a practice that is growing rapidly. Transportation by rail is also driving changes in the marine transportation of oil.

The increased production of crude oil in the Bakken region presents unique safety and transportation challenges as this more-volatile form of crude oil moves across our rail lines.

Ensuring that first responders are trained at every level to effectively deal with a Bakken incident is vital to the safety of Washington citizens and communities.

In addition, the changes in transport over Washington waters also require a response. For example, while we know traffic patterns have changed, we also know that the properties of Canadian oil sands will present unparalleled challenges for spill response.

# Oil Transportation Safety Legislation

## Senate Bill 5087/House Bill 1449

*The Pacific Northwest is experiencing rapid changes in how crude oil is moved through rail corridors and over Washington waters, creating new safety and environmental risks.*

### The issue

In 2013, it was estimated that between 11.8 billion and 12.7 billion gallons of oil were shipped by railroad through the United States. That represents a 42-fold increase nationally since 2008. In our state, 0.7 billion gallons were shipped in 2013, starting from none just two years earlier.

Washington is taking action to protect public safety and the environment. The 2014 Marine and Rail Oil Transportation draft study detailing the impact of oil transportation in our state was released last December. Now Gov. Jay Inslee has proposed legislation (Senate Bill 5087/House Bill 1449) to meet the need for more safety on rail lines and in state waters.

### The proposal

The Governor's proposal will improve the safety oversight of oil transported in Washington and strengthen our ability to prevent and respond to spills. The legislation will increase the barrel tax on oil and expand it to include rail and pipeline. The barrel tax should apply to all modes of oil transport so that prevention, preparedness and response activities are properly funded.



**The legislation will address these key issues:**

Rail operators carrying oil will be required to have **state-approved contingency plans** for oil spills and participate in regular drills. Oil spill plans ensure that equipment is staged in critical locations throughout the state. Current federal rail plans are not comprehensive and not available to responders or the public.

Refineries, pipelines, terminals, etc., all need to work to **achieve best achievable protection**. In 2012, the Legislature set a new benchmark for commercial vessels to achieve the greatest degree of protection in their preparation for oil spills. Under the proposed legislation, this change will apply to all modes of oil transportation.

Rail facilities will be required to **report oil transfers** so that local responders and communities have the information needed to prepare for and respond to oil spills.

The Utilities and Transportation Commission will **increase inspections of crossings, track, equipment and hazardous material tank cars** to prevent derailments. Railroad regulatory fees will be increased to provide for more Federal Railroad Administration-certified inspectors.

The state will have authority to inspect private grade crossings along railroad routes where crude oil is transported.

Transporters of oil or responsible parties must **demonstrate financial ability** to pay for major oil spills so costs are not borne by taxpayers.

The state Pilotage Commission will have authority to write rules that will achieve **best available protections for vessels transporting oil** on Washington waters.

Local emergency planning committees will be required to **improve hazardous materials plans**. This would be done when plans are updated, but not less than once every five years. Emergency planning staff will be placed in each of the nine homeland security regions to assist local jurisdictions with updating their hazardous materials plans.

*Public interest on this issue is growing, with a growing number of communities and tribes calling for better safety measures. Public safety is the number one concern of Washington residents and local governments.*

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**Ecology's oil movement website**

[ecy.wa.gov/programs/spills/spills.html](http://ecy.wa.gov/programs/spills/spills.html)

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