

Closing Gaps in Spill Response Planning for Rail Routes

Oil and hazardous material spills are toxic and threaten public health and the environment. The Oregon Department of Environmental Quality's ability to prepare for those types of spills along rail routes is limited due to gaps in regulatory authority.

Proposed legislation, House Bill 2209, would address the gaps and give DEQ authority to protect Oregon's communities through better spill response planning requirements.



Oil train derailment in Mosier, OR, 2016

California and Washington have had the authority to require railroads to develop and maintain oil spill contingency plans since 2015 and 2016, respectively. Without the same authority in Oregon, DEQ is unable to effectively plan for oil-train related emergencies.

While vessels and pipelines that transport oil, or facilities that store oil, are required to prepare contingency plans and conduct spill drills Oregon does not require the same for railroads.

What are the gaps in planning for rail?

Currently, railroads transporting oil through Oregon are **not** required to:

- provide contingency plans that outline how they would respond to a spill
- provide information that will help DEQ develop Geographic Response Plans
- conduct and participate in oil spill drills and exercises to demonstrate response capabilities

What changed?

Transport of crude oil by rail was not prevalent in Oregon when the state's oil spill contingency planning and preparedness laws were developed. A single train consisting of 100 or more tank cars can carry over three million gallons of crude

oil. The types of crude oil trains carry can vary from the Bakken Formation, primarily in North Dakota, to tar sands from Alberta, Canada, to waxy crude from Utah. Each of these products has unique chemical properties which require a wide range of response tactics.

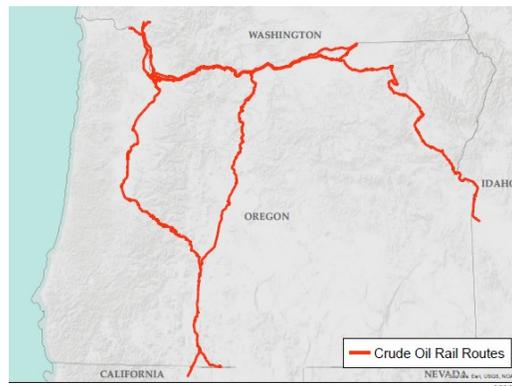
What would the proposed legislation do?

HB 2209 would require railroads that transport oil in bulk to prepare oil spill contingency plans and conduct oil spill drills and exercises, as well as participate in the development of Geographic Response Plans. It would make high hazard rail transportation in Oregon subject to the same spill response planning requirements as vessels, pipelines, and facilities.

What's the difference between contingency and Geographic Response Plans?

Contingency plans explain what a company will do if the oil it is transporting, storing or transferring spills. Contingency plans provide details on response equipment and personnel; document the plan holder's training, drills and exercises; demonstrate the plan holder's capability to respond to spills; and include protection strategies for sensitive areas.

While contingency plans focus on containment of a spill, Geographic Response Plans are the product of a larger planning process that involves more resource managers and stakeholders. These plans identify sensitive resources and describe strategies to protect these resources and recover released oils. They are designed to help first responders avoid the initial confusion that generally accompanies any spill.



High hazard rail routes in Oregon



State of Oregon
Department of
Environmental
Quality

Land Quality Division
Cleanup and Emergency
Response Program
700 NE Multnomah St.
Suite 600
Portland, OR 97232
Phone: 503-229-5696
800-452-4011
Fax: 503-229-6762
Contact: Michael Zollitsch
Phone: 503-229-6931
www.oregon.gov/DEQ

DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.

Roles and Responsibilities

Under the State's Comprehensive Emergency Management Plan, DEQ and the Office of State Fire Marshal are the lead agencies for responses to oil and hazardous material spills in Oregon. Oregon Revised Statutes (ORS) 468B directs DEQ to develop interagency response plans for oil and hazardous material spills to the Columbia River, the Willamette River below Willamette Falls, coastal waters and estuaries of the state. ORS 466.620 also requires the Environmental Quality Commission to adopt an oil and hazardous materials response master plan.

For more information, please contact:

Mike Zollitsch, Interim Manager

Cleanup and Emergency Response Program

503-229-6931

michael.zollitsch@state.or.us

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.