



2024 ANNUAL REPORT

HAZMAT BY RAIL PROGRAM

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EXECUTIVE SUMMARY

The Oregon legislature passed House Bill 3225 in 2015 relating to the safe transport of hazardous materials by rail. The law made changes to Oregon Revised Statutes 453.307 to 453.414 relating to the safe transport of hazardous materials by directing the Oregon Department of the State Fire Marshal (OSFM) to coordinate training, preparedness, and response planning activities with a focus on oil or hazardous materials spills or releases that occur during rail transport. The law mandates the OSFM to plan for the coordinated response to oil or hazardous material spills or releases that occur during rail transport, identify response resources (existing and needed), and to coordinate training for emergency responders.



In 2019, the Oregon legislature passed House Bill 2209 relating to safe transportation of oil and creating new provisions. The law made changes to Oregon Revised Statutes 453.932 to 468B.495 through the establishment of an Oil and Hazardous Material Transportation by Rail Action Fund through fees established by rule collected from shippers of tanks of oil through the state of Oregon via rail. The law mandates the OSFM to initiate a recurring, three-year training cycle of statewide exercises.

The OSFM Hazmat by Rail program, in partnership with the railroad industry and other state agencies, assists local communities with training and planning for hazardous materials rail incidents. The program works closely with local emergency planning committees (LEPC), public health officials, law enforcement, and the Oregon fire service. Program funding creates rail response plans, commodity flow studies, tabletop and full-scale exercise response scenarios, and procures rail-specific response equipment. The program also provides training for emergency personnel to respond to rail incidents around Oregon. This report analyzes four areas as required by the Oregon legislature:

- **An inventory of all emergency response resources available in Oregon, including information on:**
 - The location of, and the means of access to, the resources;
 - Whether the resources are publicly or privately maintained; and
 - Additional resources needed to provide for adequate response.
- **Possible structure changes for continued coordination between state agencies and Industry.**
- **Possible revisions to the response roles or responsibilities to state agencies, local governments, and railroads.**
- **Strategies for ensuring adequate funding at the state and local government levels to cover the training, equipment and administrative costs associated with providing comprehensive response and equipment.**

HAZMAT BY **RAIL PROGRAM**

The Oregon legislature passed House Bill 3225 in 2015 relating to the safe transport of hazardous materials by rail. The law made changes to Oregon Revised Statutes 453.307 to 453.414 relating to the safe transport of hazardous materials by directing the Oregon Department of the State Fire Marshal (OSFM) to coordinate training, preparedness, and response planning activities with a focus on oil or hazardous materials spills or releases that occur during rail transport. The law mandates the OSFM to plan for the coordinated response to oil or hazardous material spills or releases that occur during rail transport, identify response resources (existing and needed), and to coordinate training for emergency responders.

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- **Possible structure changes for continued coordination between state agencies and industry:**
 - This report does not recommend structural changes to the coordination between state agencies and industry.
- **Possible revisions to the response roles or responsibilities to state agencies, local governments, and railroads.**
 - This report does not recommend changing the response roles or responsibilities to state agencies, local governments, and railroads.
- **Strategies for ensuring adequate funding at the state and local government levels to cover the training, equipment and administrative costs associated with providing comprehensive response and equipment.**
 - This report recommends the OSFM continues to work closely with the railroad industry and partner agencies to share information, provide training, and share equipment to ensure the Oregon fire service is prepared to respond to a rail incident involving the release of hazardous materials.





EMERGENCY RESPONSE **RESOURCE INVENTORY**

An inventory of all emergency response resources available in Oregon, including information on:

- The location of, and the means of access to, the resources;
- Whether the resources are publicly or privately maintained; and
- Additional resources needed to provide for adequate response.

The OSFM maintains an inventory of all emergency response resources available on the [OSFM website](#) and within the OSFM ArcGIS [HazMat Rail Plans](#). The inventory is part of a list which serves a directory of oil spill response equipment ownership and locations. Its purpose is to provide the response community and regulators with a current listing of response equipment.

In this inventory, the OSFM includes a variety of firefighting foam trailers and 275-gallon totes containing fluorine-free firefighting foam. Union Pacific maintains a trailer in the Albina UPRR railyard in Portland, one tote of foam at the Graymar Environmental office in Portland, and two totes of foam in Klamath Falls. Access to the equipment can be coordinated through coordinated through Union Pacific's 24/7 emergency number. Burlington Northern Railroad has one trailer staged in La Pine at the Deschutes County Sheriff's Office. Access to the trailer in La Pine is through the local dispatch center. All maintenance and equipment readiness are coordinated by the individual railroads and local responders who use the equipment. that own them. No additional equipment is necessary for adequate deployment of the resources as delivery will be handled through the railroads directly. The state-owned response equipment is stored and maintained at the 12 Regional Hazardous Materials Emergency Response Teams' main fire stations.

POSSIBLE CHANGES

STRUCTURAL COORDINATION

Possible changes to the structure for continued coordination between state agencies and Industry:

Throughout 2024, the OSFM worked directly with partner agencies and industry representatives from Class 1 railroad companies, to provide and participate in training opportunities. This report recommends no changes to coordination but instead recommends continued close collaboration with our partners.

In February, the OSFM worked with Clackamas County Fire District to procure a grant funded rail training prop. The training prop among seven others throughout the state is used by the OSFM and local fire and hazmat responders to better prepare for actual emergencies.

In September, the department facilitated a grant-funded derailment full scale exercise with Mid Valley LEPC. Agencies involved include Portland and Northern Railroad, Albany Fire Department, Corvallis Fire Department, Lebanon Fire Department, Mid Valley Emergency manager, Albany General Hospital, and Hazmat Emergency Response Team 5 members.



The drill incorporated a simulated release of propane from a large rail tank car near a correctional facility and multiple industrial facilities. The exercise allowed for validation of emergency notification systems, practice of National Incident Management System Incident Command System coordination between multiple agencies and groups, and evaluation of tactical and task level responses to the simulated emergency.

The Oregon Department of Environmental Quality worked with Union Pacific Railroad, OSFM staff, and local first responders to plan and execute a worst-case discharge drill in Pendleton. The drill used the Incident Command System to bring together many agencies and concerned parties to test a response for a train derailment with 300,000 gallons of crude oil spilled into the Umatilla River. Participating agencies and parties were Union Pacific Railroad, Oregon Department of Environmental Quality, Umatilla County Emergency Management, Environmental Protection Agency, Confederated Tribes of Umatilla Indians, Pendleton Fire Department and Ambulance Service, Umatilla Fire District One, Oregon Department of Human Services, Marine Spill Response Corporation, Graymar, Clean Rivers Initiative, City of Hermiston, and the Umatilla Rural Fire Protection District.



Possible revisions to response roles or responsibilities to state agencies, local governments, and railroads.

The clearly defined roles and responsibilities of state agencies, local governments, and railroads are necessary to coordinate an effective response to hazardous materials rail incidents. The OSFM maintains an Emergency Support Function 10 hazmat incident by rail response annex as the guiding planning document. Partner agencies and private railroads are encouraged to offer improvements or modifications based on their roles and responsibilities.

This report does not recommend changing the response roles or responsibilities to state agencies, local governments, or railroads.

ADEQUATE FUNDING STRATEGIES

Strategies for ensuring adequate funding at state and local government levels to cover the training, equipment, and administrative costs to provide comprehensive response and equipment.

The Hazmat by Rail program is funded by the fee established by rule in HB2209 and a modest general fund allocation. Rail response partners referred to in this report consistently demonstrate their willingness to collaborate, train, and share knowledge and equipment throughout Oregon.

In 2019, the Oregon legislature enacted House Bill 2209 – Contingency Planning for High Hazard Train Routes. The legislation included a fee to be established by rule to support the OSFM in the initiation of a triennial exercise cycle. The triennial training cycle has been developed with a derailment tabletop exercise planned for Spring 2025, a functional exercise in quarter one 2026, and culminating with a full-scale exercise in 2027. The bill established a registration requirement and fee to owners of oil transported by railroad cars in Oregon. The owner is charged a fee either at the time the railroad car is loaded in Oregon or when it is transported into Oregon.

The OSFM, the Department of Environmental Quality, the Department of Revenue, and other partners worked collaboratively through the rulemaking process. A public comment period began in December 2023 on the administrative rule to establish this fee. The OSFM began receiving funding in April 2024 and filled the position of hazmat rail trainer. This training specialist's focus is to increasing high-hazard rail preparedness and response planning throughout the state.

At this time, it appears the fee will be adequate to provide the necessary training and equipment to provide comprehensive response to a high-hazard rail incident. The fee is currently set to sunset in January of 2027. Should the fee sunset, the Oregon State Fire Marshal would need to seek additional funding to provide the same quality training opportunities to the response community.



This report was prepared by:

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www.oregon.gov/osfm