

A RESOLUTION related to crude oil transport by rail through _____ and the Commonwealth of Pennsylvania/State of New Jersey; urging increased safety in tank car design and an immediate ban of all tank cars in use today, including USDOT 111 and CPC 1232 tank cars by the Federal Government; impact assessment of risks by state; railroad company restriction of crude oil transport through Our Community; and update of emergency management and incident response plans to address the potential safety, environmental, and economic impacts of fossil fuel transport by rail, including disclosure of tank car schedules.

WHEREAS, the volume of crude oil carried by rail increased 423% between 2011 and 2012 and volumes continued to increase in 2013, as the number of rail carloads of crude oil surpassed 400,000. As crude-by-rail traffic has increased, so have accidents, posing significant risks to life, property and the environment.¹ The most devastating was in Quebec where 47 people died.² Even Philadelphia had two near disasters when oil train cars derailed on a Schuylkill River bridge in January 2014 and several cars derailed in the CSX rail yard next to I-95 on the Delaware River in January 2015; and

WHEREAS, _____ # _____ unit trains of approximately 100-120 tank cars each carry approximately 3 million gallons of domestic crude oil through _____ every day from North Dakota's Bakken Shale³ which is potentially more volatile, corrosive and flammable than other types of crude oil⁴. The DOT111 and CPC 1232 tank cars that are used are not designed to carry this dangerous hazardous liquid and proposed changes to federal regulations allow these substandard cars to continue to be used for a period of time⁵ and don't provide the safety measures needed; and

WHEREAS, Philadelphia Energy Solutions (PES) in Philadelphia is the largest oil refining complex on the Eastern Seaboard, operates the largest crude by rail yard in the U.S., and is the largest single customer for crude oil produced from North Dakota's Bakken Shale, processing between 330,000 and 350,000 barrels of oil per day (bpd)⁶. PES, Monroe Refinery in Delaware County, PBF Refinery in Paulsboro, New Jersey,

¹ <http://www.noticeandcomment.com/PHMSA-2012-0082-fdt-17619.aspx>

² <http://tsb.gc.ca/eng/rapports-reports/rail/2013/R13D0054/R13D0054.asp>

³ <http://www.csxcrudebyrail.com/index.cfm/resources/news/philadelphia-energy-solutions-and-csx-partner-for-refinery-direct-solution/>

⁴ <http://1.usa.gov/1uiDFPT>

⁵ Notice of Proposed Rulemaking, Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains, USDOT, PHMSA, Docket No. PHMSA-2012-0082 (HN-251), July 2014 and US Government Accountability Office, *OIL AND GAS TRANSPORTATION, Department of Transportation Is Taking Actions to Address Rail Safety, but Additional Actions Are Needed to Improve Pipeline Safety*, GAO-14-667, August 2014.

⁶ Greater Philadelphia Chamber of Commerce _ News_files <http://news.gpcc.com/2014/03/a-conversation-with-phil-rinaldi-of-philadelphia-energy-solutions/>

and the refinery at Delaware City, Delaware are together refining 862,000 bpd.⁷ The Delaware River Port region is redeveloping as a hub for fossil fuel transport and refining, greatly expanding pipeline, storage, shipping and transportation infrastructure, exposing communities to increasing traffic, including oil trains, and the threats this brings. Oil refining is also expanding in northeastern New Jersey, spurring more train traffic; and

WHEREAS, these trains endanger populated communities and business centers and sensitive environmental and community resources including but not limited to name here important local features including rivers, parks, historic and cultural features, sensitive utilities like water treatment plants (store chlorine), chemical and power plants, etc., threatening the health and safety of residents that live and work within the blast zone and are exposed to hazardous air emissions from oil train traffic and idling on a daily basis and endanger the Community water supplies⁸; and

WHEREAS, increased production of domestic crude oil has led to rushed expansion of rail transport of Bakken and other crude oil and is expected to increase according to a letter from U.S. Senators to the Senate's subcommittee on transportation.⁹ Bakken Shale oil production is expected to continue to increase from 1 million barrels of oil per day (MMb/d) to approx.1.4 MMb/d by 2016¹⁰, and yet much of the rail infrastructure is dated and may be in need of repair or upgrading due to increased hazardous traffic; and

WHEREAS, the Local Office of Emergency Management has not provided the community with any information about hazardous crude oil emergencies or derailments and residents are unaware of Community's emergency response plan and evacuation plans. Residents deserve to have access to all relevant information that will allow them to avoid high risk areas and prepare for an emergency response or evacuation to ensure the safety of their families and community;

NOW THEREFORE BE IT RESOLVED THAT Our Community:

Section 1. Our Community strongly urges the U.S. Department of Transportation to increase federal tank car design and operation regulations for crude oil shipments and immediately ban all tank cars in use today for transporting this oil, including USDOT 111 and CPC 1232 tank cars.

⁷ <http://www.blankrome.com/index.cfm?contentID=37&itemID=3214>

⁸ <http://thinkprogress.org/climate/2014/07/09/3457911/map-oil-train-blast-zone/>

⁹ Letter from 16 U.S. Senators to U.S. Senate Committee on Appropriations Subcommittee on Transportation, Housing, and Urban Development, and Related Agencies dated 4.4.2014.

¹⁰ <http://northdakotapipelines.com/us-williston-basin-oil-production/> and <http://northdakotapipelines.com/presentations/> August 7, page 2.

Section 2. Our Community supports federal legislation insert bill numbers here to require training and equipment for local emergency response agencies and fire departments and the provision of funding for needed equipment.

Section 3. Our Community requests that the Governor of Pennsylvania or New Jersey, the Pennsylvania or New Jersey Department of Environmental Protection, and any other relevant state agencies refrain from permitting projects that would expand the capacity for fossil fuel transport (such as an increase in the number of trains carrying fossil fuels) through Our Community until a safety assessment of the trains carrying these fuels on our public safety, environment, and economy is completed by the State; until a thorough “inspection blitz” of all railroad bridges, at-grade crossings and other infrastructure is performed by safety engineers and these are found safe; until an assessment of the adequacy of maintenance, repair, and operational rail transport workers is performed by safety experts in concert with labor organizations and these are found adequate; and until the cumulative environmental and safety impacts of these projects are studied and addressed.

Section 4. Our Community strongly urges CSX Transportation, Norfolk Southern and other railroad companies that operate rail lines adjacent to the local rivers, and our parks and playgrounds, schools, hospitals and populated communities to voluntarily halt the use of all tank cars in use today to transport crude oil and limit routes, speeds, length of trains, number of cars, and other provisions such as installing the highest safety standard braking systems, to prioritize public safety through local community.

Section 5. Our Community requests that the Pennsylvania Emergency Management Agency and Our Community Office of Emergency Management work together to proactively and fully disclose train schedules and routes to first responders and the public, initiate emergency response information sessions specific to major oil train derailments for the public and review and update Our Community's emergency response plan, evacuation routes, equipment and hazardous materials response plan for the increasing risks imposed by the transport of crude oil by rail within sixty days of resolution adoption.