

HB1434 - Rail Safety Act of 2016

Common Sense Solutions for Oil Train Safety

Oil train traffic has grown by 4,000 percent in the past six years, due to the rapid increase in fracking for oil in the Bakken shale fields of North Dakota and in tar sands oil extraction in Canada.ⁱ An alarming rate of derailments and explosions across North America has followed.

In Maryland, oil trains are a growing danger to communities near rail lines and to Baltimore in particular. A company called Axeon shipped more than 100 million gallons of crude oil out of the Fairfield Peninsula in South Baltimore over the years 2013 and 2014 (up from zero gallons the previous two years)ⁱⁱ. Substantially more crude oil passes through Maryland communities, but that data is not captured by regulators unless the oil is unloaded.

In Baltimore alone, oil trains travel in close proximity to Baltimore homes, schools, churches, and major economic hubs like the Inner Harbor.ⁱⁱⁱ When overlaid with U.S. Census data, that puts 165,000 Baltimore residents in the oil train “blast zone” — the area that would be directly impacted if a train were to derail and explode.

WHAT THIS BILL DOES

The Rail Safety Act of 2016, sponsored by Delegate Lam, Delegate Barkley, and Delegate Turner, creates common sense policy solutions to legitimate and documented rail safety concerns. HB1434 raises the barrel fee for oil transferred in Maryland (ex. rail to barge) from 8 to 10 cents per barrel, and will **generate funding** for:

- **First Responders** - Improving preparedness for a rail disaster and explosion. This would pay for increased training and improved response efforts to rail accidents.
- **Rail Car Inspectors** - Hiring additional rail car inspectors will ensure that the most dangerous train cars carrying crude oil (DOT-111) won't have a fatal flaw, reducing the risk of tank failure.
- **At-Grade Rail Crossings** - Rail companies routinely say rail crossings over streets are the most likely places for a derailment to occur. HB1434 creates a program to address at-grade rail crossings ensures older rail infrastructure will be updated over time.
- **Hazmat Updates** - Developing an advanced, real-time system for warning state and local entities of trains carrying Hazardous Materials.
- **Oil Spills** - Supplementing the Maryland Oil Disaster Containment, Clean-up and Contingency Fund.



Explosive Trains. This photo shows the aftermath of a DOT-111 train derailment and subsequent explosion that brought crude oil into Lac-Mégantic, Québec. The explosion killed 47.

The Rail Safety Act of 2016 also implements the following safety measures:

- **Oil Spill Response Plan** - Railroad companies must submit every 2 years.
- **Certification of Financial Liability** - Railroad companies must submit every year.
- **Increased Number of Train Engineers** - Railroad companies are required to staff trains with 2 engineers when operating a train with more than 100 cars in length.

WHY WE NEED THESE MEASURES

The Bakken crude oil that the oil industry is moving on trains through Maryland is more toxic and explosive than conventional oil. It contains a higher concentration of flammable methane and toxic fracking chemicals.^{iv}

Not only are the contents extremely hazardous, but the trains themselves are outdated and dangerous. A study by the National Transportation Safety Board found that crude oil trains have a high incidence of failure. The oldest model trains, labeled “DOT-111,” have derailed dozens of times in the past year. But newer “CPC-1232” train car models have also exploded in recent derailments.

When accidents happen, the human and environmental impacts are costly. The deadliest oil train explosion occurred in July 2013 in Lac-Mégantic, Québec. Twenty crude oil trains derailed and exploded, killing 47 people and flattening 30 buildings. In April 2014, 10 newer tank cars carrying crude oil derailed and exploded in Lynchburg, VA, spilling about 30,000 gallons of Bakken crude oil and setting the James River on fire for two hours. Since January 2015, seven trains have derailed and exploded across North America.

A GROWING MOVEMENT TO ADDRESS RAIL SAFETY

Mayors, first responders, neighborhood associations, railroad workers, and citizens are coming together all over the country to take a stand against oil trains and crude oil export terminals — including right here in Maryland. CCAN is opposed to oil trains, but if they must come through the city, we must make sure there are common sense safety measures in place to protect communities that live along those lines.

SUPPORT HB1434 - THE RAIL SAFETY ACT OF 2016

ⁱ American Association of Railroads, Moving Crude Oil by Rail, July 2014, Pg. 1-2

ⁱⁱ Rector, Kevin. “Crude oil continues to flow through Maryland amid debate about safety.” *The Baltimore Sun*. 30 March, 2015

ⁱⁱⁱ ForestEthics. “Oil Train Blast Zone” 2014. <<http://www.explosive-crude-by-rail.org/>>

^{iv} Cook, Lynn. “Bakken Crude Is Highly Volatile, Oil Study Shows.” *Wall Street Journal*. 14 May 2014 <<http://online.wsj.com/news/articles/SB10001424052702304908304579562471022167310>>



For more information, contact: Jon Kenney, Healthy Communities Organizer, at jon@chesapeakeclimate.org or 240.396.1985. Learn more at chesapeakeclimate.org/fighting-crude-oil-by-rail-in-baltimore/