



Borough of Eddystone

LEGISLATIVE HEARING (RAIL SAFETY)

(03/05/2014)

Good morning, my name is William Stewart and I am the Council President for Eddystone Borough. On behalf of our Mayor (Allen Reeves, Jr.), other members of Eddystone Borough Council (Vice President – Karen Reeves; Pro tem – Despo Tatasciore; Dave Paterson; Beth Gross; Danielle Thompson; and Bob Donahue) and the 4,210 citizens that call this town home...we welcome you to the Borough of Eddystone.

We would like to thank Representative Joe Hackett (of the 161st Legislative District) and his staff for coordinating this meeting. Additionally, we appreciate the members of the House Veterans Affairs and Emergency Preparedness Committee for traveling to moderate this morning's hearing on Crude by Rail Safety.

Eddystone was built on a foundation of heavy industry. Baldwin Locomotive Works operated in Eddystone in early 1900's and it is only fitting that a rail-based operation is stimulating our economic growth today. The Borough of Eddystone has welcomed the Eddystone Rail facility to our town. We commend the developers of this project, Enbridge and Canopy Prospecting, for their context sensitive approach during the development, construction and now operation of this facility. They provided a series of public outreach meetings to educate our residents about the importance of domestic crude oil to the energy industry and have fostered a partnering relationship with our local government officials. We are confident that this facility will satisfy the intended goal of providing a long-term, stable and reliable source of energy for the Philadelphia region.

As a point of reference, the Eddystone Rail facility is located less than 1-mile from this venue. The Eddystone Rail facility will provide Philadelphia-area refineries access to the growing supply of crude oil from North American producers. Light sweet crude oil will be transported via rail from the Bakken region and other areas of North Dakota to the Eddystone Rail facility. The facility will then transfer the crude oil from rail to storage tanks then to barges for delivery to nearby refineries along the Delaware River. Construction of the new rail facility is nearly complete and the first unit train delivery is expected by the end of this month. Once in service, the facility will receive 80,000 barrels per day (or 1-unit train per day), but deliveries could ultimately be expanded to 160,000 barrels per day (or 2-unit trains per day).



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With the anticipated volume of crude-by-rail (or CBR) being shipped to this facility, safe transport is not only of the utmost importance to our neighborhood (Eddystone, Tinicum and Ridley Township), but also all the communities throughout the Commonwealth that are adjacent to these rail lines.

Thank you for bringing together the experts of this industry. We are looking forward to some very production discussion. As local government officials, we have an obligation to provide answers to concerns of our constituents. Our residents have brought forth a list of concerns that would be applicable to the industry as a whole. With the panel's permission, we wish to submit the following questions and we trust that the panel will assist us in addressing these issues during the course of today's hearing:

- **Regulatory Authority:** How much input or regulatory control does the Commonwealth of Pennsylvania have on the rail operations inside the State? Can additional regulatory requirements be implemented at the State level or must all regulatory changes be implemented at the Federal level, by agencies such as the NTSB (National Transportation Safety Board) or FRA (Federal Railroad Administration)?
- **Hazardous Material Identification:** What is the testing procedure at the point of original to determine the volatility characteristics of crude oil being shipped? How will the hazardous nature of the material be demarcated on the tank cars? What additional safety procedures will be followed for unit trains that haul higher volatile materials?
- **Tank Car Safety:** Will the proposed tank cars utilize the most up to date safety features available for hauling this type of material? What steps are currently being taken to address the safety concerns associated with the current fleet of DOT-111 tank cars? Who owns the safety responsibility for the tank cars?
- **Speed Restrictions:** Will any speed restrictions be in place when unit trains travels through densely populated areas? Who will determine the implementation of these speed restrictions? How will these speed restrictions be enforced?



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- **Track Condition:** How can the industry ensure that the track remains in good condition? What is the current inspection schedule for track maintenance? What special considerations are being made for bridge crossings? Considering the hazardous nature of the material being shipped, should inspections be performed more frequently than the current cycle?
- **Transport Security Protocol:** Understanding that the security at the unloading (transfer) facility is governed by TWIC requirements, what is the security protocol during the transport of the CRB unit train? Does the transporter have security requirements associated with type of tank car to be used or the size of the crew required to assure safety of the load? Are these types of loads ever left unattended during the course of the transport?
- **Emergency Response Protocol:** In the event of an incident, who has jurisdictional authority of the scene? What mutual aid relationships exist between the track owner, the rail operator, the material shipper and the transfer facility? How will emergency responders and residents be notified of an incident? What State agencies will be involved in incident management and cleanup responsibilities? Who would be responsible for the cost of cleanup? What measures are in place to assure that the party (or parties) responsible for cleanup is financially secure to cover all costs?
- **Training for Emergency Responders:** What additional training will be made available to emergency response personnel to address incidents of this nature? Will the rail transporters provide assistance in the preparation of emergency response plans for the municipalities?