

**Presentation to the House Veterans' Affairs & Emergency Preparedness Committee
By Tinicum Township, Delaware County
March 5, 2014**

Good Morning, Mr. Chairman, and thank you for the opportunity to address the panel this morning regarding the anticipated Bakken Crude Oil trains that will be moving through Tinicum Township.

Tinicum Township has a long history of being a proud, blue-collar, working class community. There have been many industries in Lester and Essington including the Lester Piano Company, Westinghouse Electric, Union Carbide, Linde Aircraft, Piasecki Aircraft, Philadelphia International Airport, and many many others. These are the companies that put food on families' tables, pay bills, and provide a good living wages to our residents.

The Board of Commissioners are always supportive of the opportunity to provide good paying jobs within Tinicum, the surrounding communities and Delaware County in general.

What brings us here today, specifically, is the project here in Eddystone to use the Exelon Generation Plant as a facility to unload Bakken Crude Oil from North Dakota onto barges for further delivery downstream. To put a finer point on it, we're here to talk about the movement of this Bakken Oil via railroad through our communities and the safety of these trains and the rails on which they travel.

Depending on which newspaper articles one reads, or what internet search one does, there have been at least 10 train derailments that have spilled significant amounts of crude with fires and explosions since 2008. In the more recent past, like over the past 12 months, there have been at least half a dozen significant derailments. Some involving the same type of oil that we will soon see here and others involving different, but equally hazardous material. These more recent incidents include locations in Quebec and New Brunswick, Canada, Alabama, North Dakota, Ulster County, New York, and closer to home in Western Pennsylvania, Philadelphia, and Paulsboro, NJ.

Therefore, it comes as no great surprise that Tinicum Township's greatest concern is the safety of the rails, cars, and facilities that transport and handle this material and the protection of our residents.

The Department of Transportation's recent emergency order requiring oil from North Dakota to be tested and properly labeled to reflect it volatile nature is a step in the right direction. It should be noted, however, that older Department of Transportation 111 tank cars, which are reported to be prone to puncture during accidents are still permitted to carry Bakken Crude. The DOT should be urged to require a review of these cars and to possibly require a new, safer, upgraded tank car to carry this product.

In the meantime, a structured, targeted training protocol for emergency responders should be developed and implemented so that communities in which this product travels are well equipped and prepared to deal with emergencies that these trains may present.

The other major concern Tinicum Township would like addressed is the responsiveness of ConRail and the associated rail companies. By way of giving credit where credit is due, it would only be fair to say that since Eddystone Rail Corporation and Canopy Prospecting have become involved in our community, they have been terrific. Mr. Galloway and his staff have been responsive to all of the Townships concerns not only as they pertain to their particular interests, but to the Townships concerns about the railroad in general.

Where the Township's concerns lie is with the responsiveness of the railroad companies themselves. The Railroad seems to be one big bureaucracy. Worse, it's a bureaucracy regulated by the Federal government that enjoys federal protections and privileges that date back to the 1800's. By way of a small example, it's a chore just to get the railroad to maintain their property when they do brush cutting along the railroad tracks – they often fail to remove the cut debris, leaving it to clog drainage ways and thereby causing flooding and erosion issues. Debris from repairs to tracks and ties is also often left behind without being picked up. Now, we're not trying to compare what may seem like small maintenance issues to a major emergency like a fire or derailment. However, the small examples I relate are meant to illustrate how it can sometimes be difficult to deal with such a large and compartmentalized organization.

What would really help the Township and local governments in general would be for our legislators is a means to require or compel the railroad companies to be responsive to local governments by providing a dedicated area or person to provide service – a live person, not an automated response system. By doing this, municipalities would be able to contact railroad representatives directly to have issues addressed in a timely manner.

Thank you for your time this morning and we appreciate your attention.