Gov. Jay Inslee: ‘Outdated, inadequate and dangerous’ oil trains crossing state

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Oil tanker cars derailed beneath the Magnolia Bridge on Thursday morning.

“Outdated, inadequate and outright dangerous” oil trains are crossing Washington each day, and Gov. Jay Inslee vowed Wednesday to take actions that are within state powers, while urging the Obama administration to get moving on oil car safety.

“We have a situation that is glaringly obvious that these are dangerous oil trains . . . We have unsafe rail cars by the hundreds and thousands rolling through the state of Washington every day,” Inslee said, unveiling a report prepared by the Department of Ecology in conjunction with the state utilities commission.

The governor has written to U.S. Transportation Secretary Anthony Foxx, urging only a “one-year window” on aging, explosion prone DOT 111 rail cars, and that a 30 mile per hour speed limit be set for oil trains using the aging tanker cars.
Several CSX tanker cars carrying crude oil in flames after derailing in downtown Lynchburg, Va., Wednesday, April 30, 2014. (AP Photo/City of Lynchburg, LuAnn Hunt)

Under proposed rules, the Transportation Department would allow two years — starting in October of 2015 — to phase out the old tanker cars. “That is too long,” Inslee said.

The first oil train rolled into a Puget Sound refinery in September of 2012. Since then, operators of five Western Washington refineries have rapidly turned to the rails to receive Bakken crude oil from North Dakota. Supplies of oil from Alaska have gone down.

However, aging tanker cars carrying Bakken crude have been involved in explosive incidents. A train rolled into the small town of Lac-Megantic, Quebec, in the summer of 2013 and blew up the center of town killing 47 people. A train blew up near Casselton, N.D., fortunately away from populated areas.

In July, two rail cars carrying 28,000 gallons of Bakken crude oil derailed near the Magnolia Bridge in Seattle. The state “dodged a bullet,” Inslee said.

One major refiner, Tesoro, says it has phased out all DOT-111 railroad cars used to supply its refinery in Anacortes. The Burlington Northern-Sante Fe Railroad has announced it is purchasing 2,500 newer, safer railroad cars.

Tesoro has outlined procedures under which safety inspections are conducted on all tanker cars when they arrive at and when they leave its facilities. The company wants to build a major oil transshipment port at Vancouver on the Columbia River.
A DOT-111 rail tanker passes through Council Bluffs, Iowa. DOT-111 rail cars being used to ship crude oil from North Dakota’s Bakken region are an “unacceptable public risk,” and even cars voluntarily upgraded by the industry may not be sufficient, a member of the National Transportation Safety Board said last February. The cars were involved in derailments of oil trains in Casselton, N.D., and Lac-Megantic, Quebec. (AP Photo/Nati Harnik, File)

Still, Inslee is concerned as long as any aging tanker cars are on the rails anywhere in Washington.

“Speed kills,” said the governor. ”These cars were not designed to carry this product. . . . We don’t let speeding cars through our school zones. We should not allow unsafe (railroad) cars speeding through our cities.”

Under the Interstate Commerce Act, the federal government has most of the authority to regulate America’s railroads. The railroads have been used to a self-regulation environment in their operations, with the Department of Transportation rarely inflicting deadlines and stress.

Inslee has identified fields where the state can take action. Several will require legislative action. State initiatives would include:

–Getting legal authority to allow Washington Utilities and Transportation Commission inspectors to enter a private shipper’s property to conduct hazardous material inspections related to rail operations.

–Allow the UTC to fund additional inspector positions, including Federal Railroad Administration certified inspectors, plus three additional planners at the Department of Ecology. They would develop new and maintain existing geographic response plans for inland and marine areas at risk from oil spills.

–Enhance and provide for a continuous supply of oil-spill-response equipment and local first responder firefighting equipment.
–Change the law to allow designated ‘first-class cities’ to opt-in to the UTC’s railroad crossing inspection and enforcement program. Inslee would have lawmakers give the UTC jurisdiction to require first class cities to tell the UTC when crossings are opened or closed.

–Provide money for the UTC to conduct railroad and road authority diagnostic reviews of high-risk crossings.

A coal train passes an oil train after tanker cars derailed in Magnolia Bridge last May. Oil and coal could become the Northwest’s “supreme shipping commodities” crowding our trade dependent economy.

The main route of refinery-bound oil trains passed between several major cities — e.g., Seattle, Edmonds and Bellingham — and their water fronts.

Inslee voiced confidence that the Legislature will find money to pay for state safety measures, saying lawmakers don’t want “oil blowing up next to Safeco Field and QWest (actually CenturyLink) Fields.

“When these things (trains) go, I don’t want to use the word ‘bomb’ but that is the appropriate metaphor,” Inslee argued.

And, added the Governor, “The feds are taking action, but it is our job to prod them to additional action.”