

RESOLUTION NO. 2014 - 03

A RESOLUTION SUPPORTING INCREASED SAFETY STANDARDS FOR RAIL TANK CARS THAT TRANSPORT OIL, ETHANOL, AND OTHER FLAMMABLE LIQUIDS THROUGH BELLINGHAM, AND CALLING ON THE FEDERAL U.S. PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION TO ADOPT AS SOON AS POSSIBLE IN 2014 RULES REQUIRING SAFETY RETROFITTING OF EXISTING RAIL CARS.

WHEREAS, Public Safety is the City's primary goal; and

WHEREAS, the Legacies and Strategic Commitments, adopted in July 2009, state that the City of Bellingham is, among other things, a Safe and Prepared Community, and strives to:

- Prevent and respond to emergencies
- Ensure safe infrastructure
- Increase community readiness and resilience

WHEREAS, rail freight operations impacts thousands of communities across all regions of the United State of America; and

WHEREAS, rail lines through Bellingham pass near the homes of thousands of Bellingham residents and near numerous businesses, recreation sites, transportation centers, and the City's wastewater treatment plant; and

WHEREAS, safe rail operations are of critical interest to local governments, and there is a demonstrable need for (1) preventing catastrophic rail accidents that have occurred most recently on four locations in Canada and the United States; and (2) local governments to provide the primary emergency response to rail accidents that happen within their jurisdiction; and (3) local governments and communities to have a mechanism to recover the clean-up costs, environmental remediation costs, medical expenses, and any other damages and/or claims that are not reimbursed by the responsible party; and

WHEREAS, rail transports 11% of the nation's oil, according to the Association of American Railroads; and

WHEREAS, according to the Association of American Railroads, the transport of crude oil by rail tank car has increased from 9,500 carloads in 2008 to about 400,000 carloads in 2013, and is likely to increase still further; and

WHEREAS, there are 92,000 rail tank cars carrying oil, ethanol, and other flammable liquids, with the vast majority (85%) not meeting puncture-resistance and other standards that apply to new tank cars; and

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WHEREAS, in 2011, railroads and shippers voluntarily established tougher standards for new tank cars, but only 15%, approximately 14,000 rail tank cars, of the tank cars in use meet this standard; and

WHEREAS, the railroad industry, which does not own the majority of tank cars authorized to travel on the nation's railways, has recently urged federal regulators to toughen the existing standards for new tank cars and require that existing tank cars used to transport flammable liquids, including crude oil, be retrofitted with advanced safety-enhancing technologies, or if not upgraded, aggressively phased out; and

WHEREAS, Bellingham can expect to see an increase of as many as two 100-car unit trains traveling to regional refineries daily; and

WHEREAS, regional refineries share our commitment and concern for the communities in which their employees live, work, recreate, and raise families; and

WHEREAS, BP has committed to dedicating 400 new rail cars to their Cherry Point facility that are newly designed and incorporate higher-grade steel, shielding for the tank heads and rollover protection, but other rail cars traveling the rail corridor through Bellingham may not be similarly equipped; and

WHEREAS, improvements in the rail infrastructure as well as rail operational and maintenance safety requirements should continue to be a priority; and

WHEREAS, the City has recently invested and plans to continue to invest substantially in restoration of nearshore and shoreline habitats, and revitalizing the old Georgia-Pacific site, and both would be adversely impacted by oil spills, train accidents and/or derailments, and increased rail traffic.

WHEREAS, the U.S. Department of Transportation's (DOT) Pipeline and Hazardous Materials Administration issued a safety alert on January 2, 2014 stating that "the type of oil being transported from the Bakken region may be more flammable than traditional heavy crude oil," and requiring additional testing and other safety measures in response; and

WHEREAS, there is compelling rationale for making long overdue changes in safe rail operations whether through the retrofitting of existing rail tank cars or through increased standards on new tank cars or both.


NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM: THE CITY OF BELLINGHAM SUPPORTS THE RAPID IMPLEMENTATION OF INCREASED SAFETY STANDARDS FOR RAIL-TANK CARS, AND ENCOURAGES EFFORTS OF INDUSTRY TO RETROFIT OR REPLACE RAIL-TANK CARS AS SOON AS POSSIBLE TO MEET PUNCTURE RESISTANT AND OTHER SAFETY STANDARDS. WE FURTHER CALL UPON THE FEDERAL U.S. DOT'S PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION TO ADOPT AS SOON AS POSSIBLE IN 2014

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RULES REQUIRING AN ACCELERATED RETROFITTING OF EXISTING CARS TO AN EQUAL STANDARD TO THAT REQUIRED OF NEWLY MANUFACTURED RAIL CARS. WE FURTHER CALL ON FEDERAL OFFICIALS TO SUPPORT AND ASSIST LOCAL GOVERNMENTS IN APPROPRIATE ENHANCED EMERGENCY RESPONSE PLANNING AND EMERGENCY RESPONSE CAPACITY FOR RAIL-TANK CARS WITH FLAMMABLE LIQUIDS.

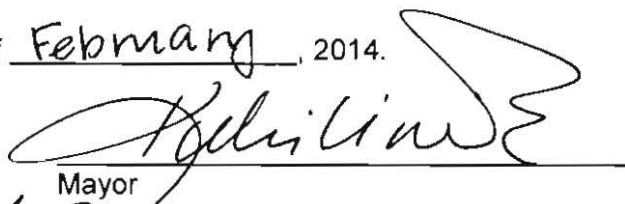
THE CITY OF BELLINGHAM SUPPORTS LEGISLATIVE EFFORTS AT THE STATE LEVEL TO IDENTIFY COMMUNITIES AT PARTICULAR RISK FOR SPILLS AND ACCIDENTS FROM ADDED FREIGHT TRAFFIC CARRYING CRUDE OIL, AND TO PROVIDE THE RESOURCES FOR IDENTIFIED COMMUNITIES TO ADEQUATELY MITIGATE AND MANAGE THESE NEW OR HEIGHTENED RISKS.

PASSED by the Council this 27th day of January, 2014.



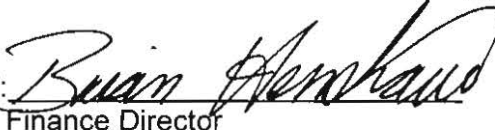
Council President

APPROVED by me this 3rd day of February, 2014.



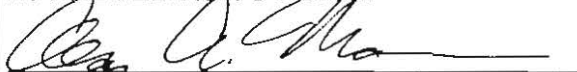
Mayor

ATTEST:



Finance Director

APPROVED AS TO FORM:



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