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4 **BEFORE THE STATE OF WASHINGTON**  
5 **ENERGY FACILITY SITE EVALUATION COUNCIL**

6 In the Matter of:  
7 Application No. 2013-01

8 TESORO SAVAGE, LLC

9 VANCOUVER ENERGY DISTRIBUTION  
10 TERMINAL

CASE NO. 15-001

**PREFILED TESTIMONY OF WAYNE  
11 SENTER, FILED BY THE CITY OF  
12 VANCOUVER**

13 Q: Please state your name, place of employment and title, and address.

14 A: Wayne Senter  
15 Executive Director  
16 Washington Fire Chiefs  
17 605 11th Ave. SE, Suite 211  
18 Olympia, WA 98501

19 Q: What does the Washington Fire Chiefs do?

20 A: The Washington Fire Chiefs is a professional membership organization that represents  
21 fire agencies in the State of Washington. It provides its members with high quality  
22 education and professional development to meet the diverse needs of our member  
23 agencies. We provide high quality services that are responsive to the changing needs of  
our members and external agencies. We can create an environment that provides open,  
timely and relevant communication both internally and externally. Legislative advocacy  
is one of our primary focuses.

TESTIMONY OF WAYNE SENTER- 1

CITY ATTORNEY'S OFFICE  
PO BOX 1995  
VANCOUVER, WA 98668  
Tel: (360) 487-8500 Fax: (360) 487-8501

1 Q: Have you, on behalf of the Washington Fire Chiefs, attempted to obtain information from  
2 Burlington Northern Santa Fe regarding the operation of oil trains within Washington?

3 A: Yes, on March 6, 2015, I sent BNSF the letter that is attached hereto as Exhibit A. In it, I  
4 requested information regarding:

- 5 1. BNSF's own calculated Worst Case Scenarios for a potential crude oil train  
6 emergency in urban and sensitive environmental locales;
- 7 2. What is the potential impact of a crude oil disaster in Washington communities?
- 8 3. Evidence of the levels of catastrophic insurance coverage your railroad has purchased  
9 relevant for potential serious releases in Washington State and for what level of potential  
10 disaster is BNSF covered?
- 11 4. BNSF's high hazard flammable train Comprehensive Emergency Response Plans,  
12 both generic and for specific locations in Washington, urban and rural;
- 13 5. Whether BNSF was aware of any credible emergency response to crude oil train  
14 disasters except evacuation and I requested copies of such plans covering all counties  
15 with crude train routes; and
- 16 6. BNSF's route analysis documentation and route selection results for Washington  
17 State., pursuant to 2007 Public Law 110-53 on urban hazmat safety and security routing,  
18 with the currently covered cargoes, especially chlorine and ammonia, as well as for the  
19 newly-recognized "key trains" of crude oil and ethanol and how the 27 federal routing  
20 factors were weighted and what interchange agreements BNSF had with others to avoid  
21 high-risk areas?

22 Q. What response did you receive from BNSF?  
23

1 A: BNSF did not provide any written response to my letter, but I did meet with  
2 representatives from BNSF.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Regarding the emergency response plan, I'm aware that BNSF has a comprehensive plan  
10 for spills, but they have not provided such a plan for fires and I do not believe that one  
11 exists.

12 [REDACTED]

13 [REDACTED]

14 Q. Have you had conversations with BNSF regarding funding for responses to hazardous  
15 materials spill planning?

16 A. Yes, after my letter, I met with representatives of BNSF in Seattle to discuss ways to fund  
17 an update to the statewide hazardous materials response plan and the implementation of  
18 that plan. The BNSF representatives verbally expressed interest in the subject but nothing  
19 tangible ever resulted from that meeting.

20 Q. What concerns does the Washington Fire Chiefs have concerning the operation of fire  
21 trains within Washington?

1 A. As stated in my letter, the safety of our communities and firefighters is of utmost  
2 importance. We have seen a number of oil train derailments and resulting fires.  
3 Fortunately, these accidents have not occurred in a heavily populated urban area.  
4 Normally, the type of information I requested would be available through right-to-know  
5 and other public documents. However, the railroad industry has sought and gained  
6 exemptions to these sunshine laws. The Washington Fire Chiefs believe that the  
7 information we requested is vital to the safety and health of our fire agencies,  
8 communities and environment. We believe that our citizens have a right to know what  
9 chemical disaster risks exist, and the various hazardous operations that are exposing them  
10 to this risk. We are disappointed that BNSF chose not to provide the requested  
11 information.

12  
13 I declare under penalty of perjury of the laws of the State of Washington that the  
14 foregoing is true and correct to the best of my knowledge.

15 DATED this 9 day of May, 2016 at 3:25PM, \_\_\_\_\_.

16 

17 \_\_\_\_\_  
18 Wayne Senter, Executive Director  
19 Washington Fire Chiefs  
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