Docket EF-131590

Tesoro Savage CBR
Agency Scoping Comment
#008

STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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ENERGY FACILITY SITE
EVALUATION COUNCIL

Stephen Posner, EFSEC Interim Manager
Energy Facility Site Evaluation Council
1300 S. Evergreen Park Drive Southwest
P.O. Box 43172
Olympia, WA 98104-3172

RE: Application No. 2013-01/Docket No. EF-131590
Environmental Impact Statement Scoping Comments on the
Tesoro Savage Vancouver Energy Distribution Terminal Project

Dear Mr. Posner:

The Utilities and Transportation Commission (UTC or Commission) appreciates the opportunity to comment on the scope of the Environmental Impact Statement (EIS) for the proposed Tesoro Savage Vancouver Energy Distribution Terminal in Clark County, Washington.

The UTC has responsibility under state law for ensuring the safety of the more than 2,600 public railroad crossings in Washington state.[1] Among other things, the UTC inspects the surface conditions of railroad crossings and establishes required clearances over, beside and between railroad tracks. The UTC also reviews railroads' requests to increase train speeds within the limits of a city; establish new crossings at, above or below grade; and alter or close a railroad crossing.

Tesoro Savage Petroleum Terminal, LLC (Tesoro Savage), proposes to construct and operate Tesoro Savage Vancouver Energy Distribution Terminal (Tesoro Terminal). The new crude oil export facility will be located at the Port of Vancouver (Port) on 41.5 acres. The Tesoro Terminal

[1] The UTC's authority does not include railroad crossing located within the limits of first class cities, RCW 81.53.240. These cities are Aberdeen, Bellingham, Bremerton, Everett, Richland, Seattle, Spokane, Tacoma, Vancouver, and Yakima.

would house a 3,400 square-foot office building for administrative functions and two additional buildings to house other employee support facilities, each consisting of approximately 3,400 square feet. The Tesoro Terminal is proposed to receive crude oil by rail, unload and temporarily store it, and then re-load the crude oil onto marine vessels for primary delivery to refineries located on the west coast of the United States.

Tesoro Savage proposes construction of two additional rail lines to the existing rail loops at Terminal 5 at the Port's West Vancouver Freight Access rail facility. With the additional two rail loops, on average four unit trains, carrying up to 360,000 barrels of crude oil could be received at the unloading facility daily. The unit trains would be composed of approximately 120 rail cars and be up to 8,000 feet in length. Once unloaded, the crude oil would be stored in above-ground steel tanks and then transferred by pipeline from the storage tanks to the marine terminal for vessel loading and export.

When the Tesoro Terminal becomes fully operational, up to four loaded unit trains would be entering the Port and four empty unit trains will be departing the Port on a daily basis. In the Commission's view, the EIS should evaluate the potential impact of the Tesoro Terminal on the safety of the public on and around all railroad lines and crossings that would be used to deliver crude oil to the facility. Currently, less than one train per day serves the Port of Vancouver. Increasing the train traffic could potentially require upgrades to the rail infrastructure, including new crossings, or new or expanded sidings or upgrades to existing crossings.

The UTC monitors accidents and fatalities at public railroad crossings. Approximately 40 accidents have occurred at railroad crossings in each of the past 10 years, including seven fatalities per year. Moreover, the trend has shown that accidents are increasingly occurring in western Washington near population centers. Because crude oil for export may move through populated western Washington communities, it is likely that without proper planning the increase in train traffic could result in an upturn in the number of railroad crossing accidents or fatalities in Washington state.

Moreover, closures of existing railroad crossings bring potential disruption to communities as vehicle traffic is rerouted, farms and neighborhoods divided, and businesses isolated from their customers. Understanding the scope of such potential disruption should be a focus of the EIS.

The EIS should further examine whether the additional train traffic would significantly increase wear and tear on existing crossings, necessitating increased inspections by UTC rail safety staff and increased maintenance costs for the railroads. At present, the UTC inspects each rail crossing at least once every 36 months. If increased train traffic is shown to quicken deterioration of crossing surfaces and signal equipment, the UTC will need to find additional staffing and resources to take on the additional rail inspection work. In addition, costs for maintaining or

replacing crossing surfaces and signal equipment for railroad companies will likely increase because of the rise in usage.

Increased train traffic, particularly multiple unit trains a day at lengths up to 8,000 feet, would also likely result in an increased number and duration of blocked crossings. UTC defines a blocked crossing as a crossing where a train sits without moving for 10 minutes or more. This happens when two trains occupy the same track and one must move to a siding, or side track, to allow the other to pass. It also happens when a long train must be stopped to add or subtract cars. Blocked crossings pose an inconvenience to the public because motorists must stop and wait for the train to vacate the crossing. Blocked crossings also cause increased public safety risks because emergency response vehicles cannot go over a crossing to reach an emergency on the other side.

Finally, because the rail corridor will experience additional train traffic, the UTC would need to be prepared to review proposals from the railroads to modify train speeds within cities and towns. While the UTC has very little direct jurisdiction over train speeds because of federal preemption, it is responsible for reviewing and commenting on any train speed increase proposed by a railroad.

In sum, the impact of increased train traffic in Washington state must be carefully evaluated from a safety standpoint and appropriate planning must be undertaken to mitigate any risks identified.

Thank you for the opportunity to comment on the scope of the EIS for the Tesoro Savage Vancouver Energy Distribution Terminal project. We look forward to assisting EFSEC in any way as the EIS is prepared. Please contact me at (360) 664-1115 or sking@utc.wa.gov if we can provide additional information.

Sincerely,

Steven V. King
Executive Director and Secretary

cc: David W. Danner, Chairman, UTC