



NEW YORK STATE SENATOR

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## Column by Senator Bill Larkin on Oil Shipment Safety

WILLIAM J. LARKIN JR. July 22, 2014

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Now that the state Division of Homeland Security (DHS) has ruled crude oil shipment information must be made available to the public through the Freedom of Information Law (FOIL), the criticism surrounding oil shipments in New York can get directed back to where it belongs: the federal government's continued lack of enhanced oil train safety standards.

Since 2006, the National Transportation Safety Board reports there have been 16 significant rail accidents in the United States and Canada involving trains carrying crude oil and ethanol, most notably a disaster in Quebec last year which killed 47 people and destroyed several city blocks.

In response to these and several other recent incidents, the U.S. Department of Transportation (USDOT) in May finally took action on this issue. Unfortunately, their efforts were far from adequate. The USDOT issued an *order* requiring oil companies to share information regarding oil shipment schedules and routes with impacted states, but only *recommended* that oil companies avoid using the outdated DOT-111 tank cars they currently use for the shipment of Bakken crude oil.

Interestingly, instead of criticizing the USDOT for not banning DOT-111 cars like Canada did, many across the state began attacking state officials for merely considering whether or not rail oil shipment schedules and routes should be public knowledge.

I feel that both the USDOT and a number of critics seemed to have missed the point, at least the larger point. Hudson Valley residents aren't concerned about oil train departure and arrival times. And they already know which rail lines oil companies are utilizing. Clocks and windows provide this information.

What Hudson Valley residents really care about is the vast amount of oil being moved past their homes, through their communities, and along the Hudson River. They care about getting outdated and unsafe oil tank cars off the rail lines so that their families, communities and the mighty Hudson remain safe and protected. Avoiding an explosion like the one in Quebec or an oil spill like the one in Virginia's James River are their priorities. Plain and simple.

Thanks to the DHS ruling and the FOIL law, we now know that CSX and Canadian Pacific Railway together haul about 44 trains each week through upstate New York. Enlightening? Sure. But are residents along rail lines sleeping any better at night armed with this information? Does this now public information – or the USDOT's futile tank car recommendation – really change anything for Hudson Valley residents? I don't think so.

Again, while I certainly support the DHS's decision to share oil shipment information with the public, I am much more concerned about removing outdated and unsafe oil tankers from rail lines. That being said, the federal government needs to stop dragging its feet and immediately implement stronger oil train safety standards that protect our people and our natural resources.