

Statement of Senator Patty Murray, Chairman
THUD Appropriations Subcommittee
Hearing on Rail Safety – April 9, 2014

“The Subcommittee will come to order.

“We are here today to discuss rail safety. Whether a railroad is carrying crude oil through towns across America, or people taking a well-earned vacation or commuting to work,

“We need to make sure people are safe, whether on the train and near the tracks.

“For our first panel, I would like to welcome back Secretary Foxx. We look forward to hearing what the Department of Transportation is doing to ensure the safety of our railroads.

“But first, I want to thank you for the quick release of emergency relief funds after the Oso mudslide in Washington State. The devastation there has been unimaginable. I know the Department will continue to be a strong partner as the community makes its long recovery.

“I also want to welcome Debbie Hersman, Chairman of the National Transportation Safety Board. We had the opportunity to work together during the Skagit River bridge collapse in Washington last year. I appreciate your hard work, and I look forward to hearing your thoughts on how we can improve rail safety.

“And I look forward to hearing from the expert witnesses on our second panel, Ms. Barb Graff, the Director of Seattle’s Emergency Management Office, and Mr. Tim Pellerin, Chief of the Ranglely Fire Department. Both have valuable perspectives on the challenges of responding to fuel train accidents.

“Rail continues to be one of the safest modes of transportation, and 2013 was the safest year on record. But the increase in domestic energy production is changing the industry.

“With advances in technology, we now have access to oil deposits that were unobtainable just a few years ago.

“Today, we meet 66 percent of our demand for crude oil with domestic production right here in North America.

“As our energy independence improves, the way oil is brought to refineries is also changing. Most oil used to be imported overseas in ships, but today more and more of it moves by rail and pipeline.

“In my home state of Washington, there was virtually no shipment of crude oil by rail as recently as 2011.

“But now, due to the expanding drilling of crude oil from the Bakken shale in North Dakota and Canada, 17 million barrels of oil were shipped across Washington state last year alone.

“And that number will only continue to grow: Shipments are expected to triple to 55 million barrels in this year.

“And those 55 million barrels of crude oil moving through Washington State by rail are only the tip of the iceberg.

“There are ten more refinery expansions and proposals under consideration all across Washington State.

“And, if approved, those proposals would bring millions of barrels of crude oil on rail right through communities like Seattle, Spokane, Bellingham, Vanouver, and many more

“If these projects are fully realized, they would add 11 train trips per day. That might not sound like a lot, but it could amount to 241 million barrels of oil per year coming into Washington State by rail.

“Oil and gas are not the only energy products breaking record levels in rail shipments. Since the enactment of the renewable fuel standard in 2005, ethanol shipments have increased 441 percent. Ethanol is now the most frequently shipped hazardous material.

“But the shipment of energy products over rail has safety implications.

“Since July, there have been major rail accidents involving crude oil in Quebec, Alabama and North Dakota. These accidents have - resulted in lost lives, forced entire towns to evacuate, caused over \$1.2 billion in property damage, and contaminated the environment.

“As the NTSB pointed out in January, our current regulations were written long before anybody could imagine how much oil would move over rail.

“Federal oversight must adapt to these rapid changes in domestic energy production.

“We need to have the right policies in place to prevent accidents and respond to emergencies when they do happen. And these policies need to address the safety of the entire supply chain, from the point of well production to the refinery, and during every movement in between.

“For starters, we know that human error and track defects account for more than two-thirds of all train accidents.

“We need to improve automated track inspection technology and have the right number of track inspectors in the field.

“This is why we included 45 additional safety staff at the Federal Railroad Administration in the 2014 transportation spending bill.

“In addition, changes to tank car design are long-overdue and a necessary safety improvement. I cannot emphasize enough that we need regulatory certainty on this issue for both new builds and the existing fleet.

“But there are many other questions that need to be answered, including:

- Are some shale oil deposits, like those in the Bakken region, more volatile?
- Are there processes that energy companies can use to make oil safer to ship?
- And, are you getting all of the information you need from industry to make informed decisions on these issues?

“Finally, if an accident does occur, we need to have the resources and trained personnel in place to respond. So I want to know if the Federal Railroad Administration should be doing more oversight on oil spill response plans? What is FRA doing to ensure state and local emergency response plans are in place and sufficient to deal with the realities of this rapidly changing industry?

“The requirements for response plans are more robust for pipelines and ships than they are for railroads. Should we be looking to develop a consistent level of preparedness across all modes of transportation?

“I look forward to discussing these issues with our witnesses today. Your feedback will provide us with valuable information as we make decisions on the Administration’s budget request for 2015.

“I would now like to recognize my Ranking Member for any opening remarks she would like to make.”