

Calls to hike rail tanker-car safety

Danger of oil spills loom in mid-Hudson

By [James Walsh](#) Times Herald-Record April 13, 2014

Rail tanker cars hauling volatile crude oil through the Hudson Valley are likely to rupture if they fall from the tracks.

Safety experts, environmentalists, railroads, and federal agencies share that opinion about a huge fleet of tank cars with a propensity to burst into flames and explode in a train wreck.

DOT-111 is the formal name for the black tankers that have become a familiar sight rolling through populated areas like Kingston and Newburgh. They sometimes pass within feet of the Hudson River in Orange and Ulster counties. It's the model that exploded when a runaway train derailed in Lac-Megantic, Quebec, in July, killing 47 people and destroying much of the downtown.

In December, a train hauling Bakken crude oil in North Dakota smashed into a derailed freight train. Ensuing explosions and a giant fireball forced the evacuation of Casselton, N.D. Eighteen of the 21 derailed tank cars ruptured, releasing about 400,000 gallons of oil, according to the federal Department of Transportation.

Close to home, the engine of an empty oil train derailed in the Town of Ulster in February. A few days later, 13 older model DOT-111s on a loaded oil train derailed in CSX's Selkirk yard near Albany. None toppled and no oil spilled.

It might have been different if the cars fell from the tracks. The National Transportation Safety Board has found that valve fittings snap off, and that the steel shells are too thin to keep from bursting open in crashes.

Among its recommendations: Increase the thickness of the cars, install protection for the valves, and use steel more capable of handling the stress of a crash.

CSX, the railroad hauling crude oil through the Hudson Valley, supports strengthened tank car standards, spokesman Robert Sullivan said. He said the DOT-111s handled by CSX are owned or leased by the railroad's customers, "and are subject to inspection before and during transit."

More oil, more tank cars

There are 335,000 active tank cars, of which 228,000 are the DOT-111s. About 92,000 of them carry flammable liquids including crude oil and ethanol, but only about 14,000 are up to industry safety standards, according to the Association of American Railroads.

Some carried nonhazardous cargo such as corn syrup until demands of the Bakken oil fields in North Dakota, and others in Canada, pressed them into virtual pipeline duty.

Railway industry officials called the Quebec accident unparalleled in recent times while appearing last year before the federal Pipeline and Hazardous Materials Safety Administration. Train accidents per million train miles have decreased 80 percent since 1980, according to the industry, and nearly all hazardous material carloads reach their destination without an accident-causing spill.

Environmentalists and government officials, though, have grown alarmed at the increasing number of oil trains traversing the country and the Hudson Valley. Oil trains can haul 80 to 120 tank cars, each capable of holding 30,000 gallons. Critics fear more trains increase the possibility of an accident.

"It's not a question of whether a spill, an accident or explosion is going to happen," said Kate Hudson of Riverkeeper. "It's when."

The Pipeline and Hazardous Materials Safety Administration found that crude oil shipments increased to about 400,000 nationally in 2013, up from 4,700 in 2006.

And since 2011, New York state has allowed Buckeye Partners of Houston and Global Companies of Waltham, Mass., to bring annual rail shipments of nearly 3 billion gallons of crude and other volatile petroleum products to the Port of Albany. That's almost twice as much as previously permitted.

Global, one of the Northeast's largest distributors, plans to boost shipping capacity with a rail yard at its riverfront New Windsor terminals.

From there, it can transfer crude oil to barges. And it intends to install boilers to heat the products to speed their transfer from trains and storage tanks. Global seeks modifications to its Department of Environmental Conservation air-quality permits at both New Windsor and Albany for the heating process.

Besides crude oil, about 40,000 DOT-111s are used to transport ethanol around the country, according to the National Transportation Safety Board. A 2012 review of federal railroad accident data by the Associated Press showed that tank cars carrying ethanol breached in at least 40 serious accidents since 2000.

Regulatory wait

Rail-car manufacturers have asked for several years that the federal Department of Transportation issue new regulations for the tank car.

"We clearly laid out how tank cars can be made safer as quickly as possible," said Thomas Simpson, president of the Railway Supply Institute, a trade association, in a prepared statement. "Now it's up to the federal government "» to issue new standards for the manufacture and modification of tank cars meant to carry crude oil or ethanol."

Among the suggestions: Prohibit adding older DOT-111 models to the current fleet carrying crude oil and ethanol, and prioritize modifications to existing tank cars carrying the volatile cargo.

Gov. Andrew Cuomo and U.S. Sen. Charles Schumer are among New York officials calling for the federal Department of Transportation to act. Schumer said a voluntary "rail safety initiative" between the DOT and the Association of American Railroads was insufficient.

"I am pushing all sides to implement a plan to phase out and retrofit these deficient DOT-111 tank cars," Schumer said in a statement last week. "All stakeholders must also lower speed limits in high-traffic, populous areas throughout New York. These derailments are happening far too often, and it's critical that we make changes ASAP to prevent catastrophe."

In a March letter to DOT Secretary Anthony Foxx, Cuomo requested stronger regulations on tank car safety that would lead to "mandatory regulations governing the shipment of crude oil." A Cuomo-ordered 90-day assessment of municipal emergency response readiness to rail disasters concludes this month.

As part of its rule-making process, the Pipeline and Hazardous Materials Safety Administration, part of the federal DOT, conducted a public comment period that ended in December. It's reviewing 135 observations regarding the DOT-111 from interest groups ranging from railroads to environmentalists. The findings are due for examination by Secretary Foxx over the summer.

The federal DOT expects to implement new regulations governing tanker cars in early 2015.

"But things might be fast-tracked, depending on how fast the reviews can be completed," said DOT spokesman Joe Delcambre.

Some people in the Hudson Valley think it shouldn't take so long.

"There are no dissenting views among the regulators, and yet there are only voluntary measures in place," said Hudson of Riverkeeper. "Why isn't there a sense of urgency?"