

**CITY OF STANWOOD
RESOLUTION 2014-03**

A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON SUPPORTING INCREASED SAFETY STANDARDS FOR RAIL TANK CARS THAT TRANSPORT OIL ETHANOL AND OTHER FLAMMABLE LIQUIDS THROUGH BELLINGHAM, AND CALLING ON THE FEDERAL U.S. PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION TO ADOPT AS SOON AS POSSIBLE RULES REQUIRING SAFETY RETROFITTING OF EXISTING RAIL CARS

WHEREAS, Public Safety is the City of Stanwood's primary goal; and

WHEREAS, rail lines through Stanwood pass near the homes of many residents and numerous businesses, recreation sites, and critical infrastructure; and

WHEREAS, safe rail operations are of critical interest to local governments, and there is a demonstrable need for (1) preventing catastrophic rail accidents such as those that have occurred most recently on four separate locations in Canada and the United States; and (2) local governments to provide the primary emergency response to rail accidents that happen within their jurisdiction; and (3) local governments and communities to have a mechanism to recover the clean-up costs, environmental remediation costs, medical expenses, and any other damages and/or claims that are not reimbursed by the responsible party; and

WHEREAS, rail transports 11% of the nation's oil, according to the Association of American Railroads; and

WHEREAS, according to the Association of American Railroads, the transport of crude oil by tank car has increased from 9,500 carloads in 2008 to about 400,000 carloads in 2013, and is likely to increase still; and

WHEREAS, there are 92,000 rail tank cars carrying oil, ethanol, and other flammable liquids, of which the vast majority (85%) do not meet the puncture-resistance and other standards voluntarily established by railroads and shippers in 2011; and

WHEREAS, the railroad industry, which does not own the majority of tank cars authorized to travel on the nation's railways, has recently urged federal regulators to toughen the existing standards for new tank cars and require that existing tank cars used to transport flammable liquids, including crude oil, be retrofitted with advanced safety-enhancing technologies, or if not upgraded, aggressively phased; and

WHEREAS, improvements in the rail infrastructure as well as rail operations and maintenance safety requirements should continue to be a priority; and

WHEREAS, in the event of a derailment and/or spill, significant adverse effects to habitat, both marine and near-shore, as well as air and water quality could occur; and

WHEREAS, the U.S. Department of Transportation's (DOT) Pipeline and Hazardous Materials Administration issued a safety alert on January 2, 2014 stating that "the type of oil being transported from the Bakken region may be more flammable than traditional heavy crude oil,; and requiring additional testing and other safety measures in response; and

WHEREAS, the Washington State Department of Commerce has provided a GMA update checklist to assist cities identify components of their comprehensive plans and development regulations that may need to be updated to comply with changes to the GMA since their last update; and

WHEREAS, there is compelling rationale for making long overdue changes in safe rail operations whether through the retrofitting of existing rail tank cars or through increased standards on new tank cars or both.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD DOES HEREBY RESOLVE AS FOLLOWS:

The City of Stanwood supports the implementation of increased safety standards for rail tank cars, and encourages efforts of industry to retrofit or replace rail tank cars as soon as possible to meet puncture resistant and other safety standards.

The City of Stanwood calls upon the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration to adopt as soon as possible in 2014 rules requiring an accelerated retrofitting of existing cars to an equal standard to that required of newly manufactured rail cars.

PASSED AND APPROVED by the City Council of the City of Stanwood this 13 day of March, 2014

CITY OF STANWOOD



Leonard Kelley, Mayor

ATTEST:



Greg Thramer, City Clerk