

Richmond calls on Congress to halt crude oil transport through Bay Area

By Robert Rogers Contra Costa Times

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RICHMOND -- A unanimous Richmond City Council voted Tuesday to call on Congress to halt rail transport of Bakken crude oil from North Dakota pending new regulations and explore what local measures could be enforced to thwart truck transport of the volatile fuel mix on local streets.

The resolution, proposed by Mayor Gayle McLaughlin, follows revelations in recent days of massive increases in crude-by-rail shipments into Contra Costa County, including at Kinder Morgan in Richmond, the only facility in the Bay Area that receives crude shipped on Burlington Northern Santa Fe trains and transfers it to trucks for transport to Bay Area refineries.

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"There are terrible threats in our midst," McLaughlin said.

"Ultimately, we need to ban (Bakken crude) from coming through our community."

The resolution directs city staff to send a letter to the Bay Area Air Quality Management District, Contra Costa County Hazardous Materials Division Director Randy Sawyer, Congressmen George Miller and Mike Thompson, Senators Dianne Feinstein and Barbara Boxer, State Senators Loni Hancock and Mark Desaulnier and Assemblymember Nancy Skinner urging them to work on new regulations, including halting the transport of crude near Bay Area communities. Councilman Tom Butt added an amendment directing staff to explore whether the city could use its own regulatory powers to ban transport of Bakken crude on city streets.

Railroad activity is typically beyond the scope of local laws and is regulated at the federal level.

The vote followed a presentation by oil industry author Antonia Juhasz detailing the nationwide increase in accidents associated with rail transport of Bakken crude, which is fracked in North Dakota and is more volatile and susceptible to explosion than heavier crude blends.

The volume of crude transported by rail into Northern California increased by 57 percent during 2013, according to California Energy Commission statistics.

About 85 percent of the crude by rail delivered to Northern California in 2013 came from North Dakota, followed by 12.5 percent from Colorado, according to the commission. Four of the five Northern California oil refineries listed by the commission are in Contra Costa County, with the other in Benicia.

"A whole lot more oil is being spilled by trains," Juhasz said. "It's dramatically worse."

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From 1975-2012. 792,600 gallons of oil were spilled in train accidents, Juhasz said. In 2013, 1.3 million gallons were spilled in accidents, more than the combined total of every year since 1975.

Juhasz said the problem centers on three factors: More oil is being harvested and moved within the continent, it's being sent to coastal refineries for processing and export due to higher international prices, and regulation has not kept pace with the rapid changes.

"The National Transportation Safety Board said oil spill response planning requirements are practically nonexistent," Juhasz said. "They recommend that you require rerouting to avoid transportation of such hazardous materials through populated and other sensitive areas."

In the past month, critics have hosted town hall meetings in Richmond, Martinez and Pittsburg decrying planned increases in crude-by-rail shipments into the Bay Area. On Tuesday night, the Berkeley City Council passed a resolution directing city staff to oppose efforts to transport Bakken crude through the city.

Juhasz drew specific attention to rising accident numbers, with particular emphasis on a train explosion in July in Lac-Mégantic, Quebec, where 47 people were killed.

"There is a movement toward more federal regulation," Juhasz said. "This (resolution) would not just be an exercise, it would add to the cacophony of voices making that demand."

Not all residents were convinced.

"I read about your agenda item to encourage to regulate this, now I am hearing ban it," said Don Gosney, a Richmond resident. "That is kind of overregulation isn't it? No one is even asking is there a safe way to transport this crude."

Contra Costa County Supervisor John Gioia released a statement Tuesday saying he is concerned that "there was no clear communication"

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between BAAQMD staff members and elected officials before a permit was issued to the offloading company last September, when Juhasz said it began offloading Bakken crude. He said the issue will be discussed at the next BAAQMD meeting on April 21.

"The dramatic increase in the volume of Bakken shale crude oil being transported by rail through Northern California should be of great concern to local government," Gioia wrote.

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