From: Sheila Phipps <sheila.phipps@verizon.net>
To: p66-railspur-comments@co.slo.ca.us
Date: 11/24/2014 05:06 PM
Subject: Opposition to P66 Rail Terminal Project

Dear Mr. Murry,

I am very concerned about the proposed rail spur expansion of Phillips 66.
The increase in air pollution from diesel will impact the air quality on the Nipomo Mesa.
Our air already exceeds EPA guidelines for particulate matter an many occasions and is often more polluted than Los Angeles.
This effect on the health of those who live here will be adversely impacted. PHS-01

The noise pollution and light pollution will also affect those of us who live close to the rail spur. PHS-02

The number of accidents of railcars carrying oil has greatly increased in the last few years.
These accidents have resulted in loss of life, water supplies and caused great economic and environmental damage.
The REIR focused on previous years before the number of accidents increased.
The proposal is for 520 oil trains coming through SLO county each year.
Should there be an accident, this would have a negative impact on the entire San Luis Obispo county, including Cal Poly, Pismo beach, many wineries and other agricultural areas, and the entire state of California plus endangering the lives and safety of many residents of SLO county. PHS-03

The railcars carrying oil would travel close to two Monarch butterfly protected areas.
The impact of an accident would be disastrous to the butterflies. PHS-04

IF the board of supervisors approves this plan, which is fraught with danger, there would be other possibilities to still stop the expansion. However, Phillips 66 has already filed a lawsuit against the state of California, stating any restriction the state would have on this perilous spur, would be overridden by the federal laws against restricting interstate commerce.
This huge oil company has almost unlimited resources to fight government and other groups opposed to this project.

If this first step is not approved , you will eliminate the chances of second, third or final step to move forward with this very hazardous proposal.
You were elected by the people of San Luis Obispo county to represent and protect them, not to promote the interests of a powerful corporation.

Please think of the health and well-being of all of the people in San Luis Obispo county, including your families, and reject the Phillips 66 Rail Terminal Project. PHS-05

Sincerely,
Sheila Phipps

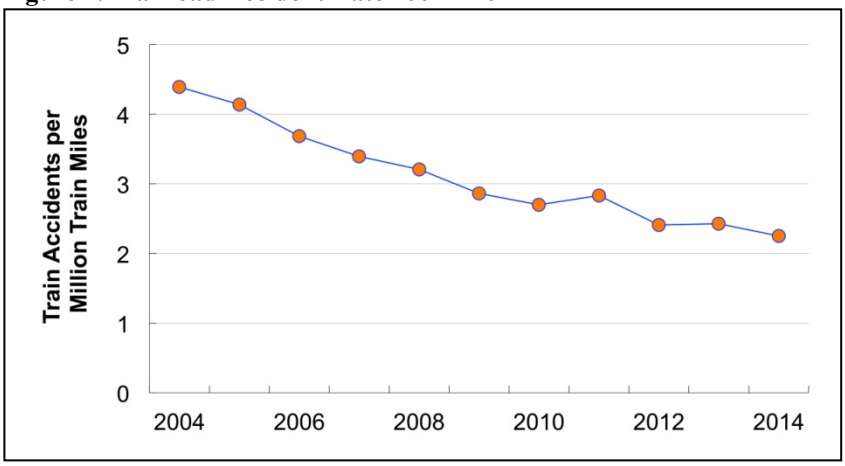
Responses to Sheila Phipps Comments

PHS-01	The RDEIR addresses the potential impacts and recommends mitigation measures for the proposed Project consistent with the requirements of CEQA. Section 4.3 (Air Quality and Greenhouse Gases) addresses GHG emissions, criteria air emissions and health risks. The EIR concludes that emissions of pollutants would exceed the SLOCAPCD thresholds and would be a significant impact.
PHS-02	Noise levels along the mainline and at the SMR would increase with the additional trains. Noise levels along the mainline are addressed in Section 4.9 (Noise and Vibration) under impact N.3. Noise levels at the SMR are discussed in Section 4.9 under impacts N.1 for construction and N.2 for operations. Based on in-field monitoring and modeling, noise impacts would be less than significant with mitigation (Class II).
PHS-03	The historical accidental data used in the RDEIR is not limited to trains shipping crude oil in recent years, but the long term historical train accident data for all freight. The use of data from all freight train movements nationwide provides a very robust database for estimating rail accidents and derailments. Average U.S. train derailment rates over the 5-year period 2005 – 2009 have previously been estimated using data from the U.S. Department of Transportation, Federal Railroad Administration (FRA) Rail Equipment Accident (REA) database combined with traffic data from the rail industry (Liu et al, 2014). This dataset was used to develop detailed derailment rates as a function of three factors: FRA Track Class, traffic volume (which appears to be correlated with additional maintenance above basic federal requirements) and Method of Operation (i.e., signaled or non-signaled trackage). All three of these factors have a significant effect on freight train derailment rate. These factors were used to calculate segment-specific derailment rates thereby enabling a fine grained calculation of derailment probability for any particular route. As discussed below, the overall accident rate has declined since this data was recorded and analyzed, thereby resulting in an overestimate of the present-day risk, and future risk. For example the average accident rate for the five-year period 2010-2014 was 27% lower than the average for the five-year period from 2005-2009, and the preliminary estimate of the accident rate for 2014 was 35% lower than the five-year period from 2010-2014. The reason data from 2005-2009 was used is because that dataset contained additional information that allowed for the estimated effect of FRA Track Class, Traffic Density and Method of Operation (Signaled or Unsignaled) on derailment rate. This additional granularity is needed for more precise segment-specific accident rate used in the analysis. The derailment rates calculated were based on 1,420 Class 1 railroad mainline derailments. Inclusion of a few more crude oil train derailments in recent years would have virtually no effect on the estimated rates. The suggestion that because these recent accidents were not included in our dataset somehow

invalidates the results reflects a lack of understanding of the analytical technique and how it was used. The data needed for this analysis are less complete than for overall accident rate but all other things being equal, there is no reason to believe that crude oil trains derail at a rate different than other freight trains. Using what data are available and making certain assumptions, the EIR consultant conducted an analysis in 2014 and observed no significant difference in the derailment rate for crude oil trains then for other freight trains.

The railroad accident rate has been steadily trending downward for over a decade. The accident rates in the past few years were the lowest since the FRA started recording the data in the mid-1970s. In the period from 2004 to 2014 the rate declined by 49% (almost half) (see Figure 1 below). Most derailments receive little or no attention from the public or media. Railroads are required by regulation to report all accidents that exceed a certain monetary threshold in damage to track, signals and rolling stock (currently $9,600). Proper estimation of train accident rates involves analysis of all accidents, divided by the total amount of traffic. The reason that some perceive an increase in the railroad petroleum crude oil accident rate is because of the more than 50-fold increase in this traffic since 2009. Estimates are that 233,698 tank cars of crude oil were moved by rail in 2012. This increased to over 435,000 tank cars moved by rail in 2013 (the full year of data is not yet available for 2014). With this increase in crude by rail traffic, the derailment and spill probability data would suggest that multiple crude by rail accidents would happen each year.

Figure 1. Railroad Accident Rate 2004 – 2014



Data Source: US DOT Federal Railroad Administration
http://safetydata.fra.dot.gov/officeofsafety/publicsite/summary.aspx
(Data for 2014 include January through November)

Using the accident and spill probability data from the RDEIR the DEIR would have estimated that between 2012 and 2013 there would have been two to five derailments that had spills of 100 gallons or more in the U.S. Based upon the United States Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) incident data base, there were three crude oil

	train derailments with spills of 100 gallons or more. This does not contain the accident and spills that have occurred in Canada over this period since the accident and spill probability data is for mainline rails within the United States only. The methodology for estimating crude oil unit train accidents and spill probabilities is also consistent with the methodology outlined by the American Institute of Chemical Engineers, Center for Chemical Process Safety (AIChE CCPS) document *Guidelines for Chemical Transportation Risk Analysis* (CCPS, 1995), which is the definitive reference on the methodology for estimating hazardous materials transportation risk.
PHS-04	The potential impacts resulting from a catastrophic spill have been specifically discussed within BIO-11 of the RDEIR. The commenters concern regarding substantial adverse effects from a catastrophic spill is included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project. The impact classification would not change as a result of this comment. Impacts to sensitive biological resources would be significant and unavoidable in this scenario.
PHS-05	This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The commenter's concerns about health and hazards are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.