From: Alvin Remmers <westof113@me.com>
To: P66-railspur-comments@co.slo.ca.us
Date: 11/21/2014 08:47 PM
Subject: Concern over oil-by-rail proposal

Dear Mr. Murry Wilson,

Thank you for adding our comments to the public record on the Phillips 66 Rail Spur Extension Project.

We are uprail residents of Davis, Calif., and the proposed 80-car crude-oil train headed to the Santa Maria refinery five days a week will travel through Davis. We are concerned for a number of reasons. REA-01

First is the cumulative impact of more trains. For Davis, the SLO rail spur means a second daily train moving through our community, if both this and the Valero crude-by-rail project are approved. We all live with the threat of more trains as California expects 25 percent of its crude to arrive by rail in the next few years, according to the California Energy Commission projection. As at the number and frequency of trains increase, the significant impacts multiply. No single project stands alone. REA-02

Second, the map prepared by the Office of Spill Prevention and Response reveals serious dangers for our state. All three northern routes bring the oil trains over identified "high hazard" rail sections of tract. These include coming south through Dunsmuir (site of a spill that killed life in the Sacramento River for 35 miles), through the Feather River Canyon with long stretches of rail on high wooden trestles, and over the treacherous Donner Pass. REA-03

In addition, California has many untrustworthy, old bridges such as the Carquinez Straights Bridge at Benicia, not built to carry trains of 100 heavy tank cars regularly. The map can be found at http://is.gd/VEueI8. REA-04

Third, the same OSPR map reveals earthquake faults indicating seismic instability that run just south of Davis along the rail stretch to Benicia, and along the Capitol Corridor all the way to San Luis Obispo. REA-05

Fourth, tar sands produce the dirtiest crude oil, and the decision to import it for refining should be made at the state level, not by any single industry or refinery. Spills that cannot be cleaned up threaten our waterways, and the defining process gives off sulfur dioxide, which causes health problems. Tar sands give off more greenhouse gas emissions and exacerbate climate change. REA-06

Fifth, oil trains themselves create Class I toxic air pollution every mile they travel in California. REA-07

Sixth, Phillips 66 and the Union Pacific and Burlington Northern Santa Fe railroads have not offered liability to cover accidents or spills despite California's SB 861, enacted in June, calling for safety measures and assurance of such liability. REA-08

Seventh, states across the country are experiencing major disruptions to Amtrak and freight movement as railroads are favoring crude oil transport over apples in Washington, grain in the Midwest and people on Amtrak. REA-09

Based on the seven serious concerns, among others, we recommend that the San Luis Obispo Country Board of Supervisors reject the Phillips 66 Rail Spur Extension Project. REA-10

Thank you for reading our comments.

Sincerely,

Residents of Davis
—Alvin Remmers and Diane Barnhart

## Responses to Alvin Remmers and Diane Barnhart Comments

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| REA-01 | This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. No further response is required. |
| REA-02 | The EIR addresses the cumulative impacts of crude oil trains. Table 3.1 (See Chapter 3.0, Cumulative Projects) for a list of cumulative crude by rail project evaluated in EIR. Section 4.7, Hazards and Hazardous Materials, discusses the cumulative risk levels associated with train traffic from multiple projects along the various rail routes within California (See Section 4.7.6). Depending upon the mainline rail route and the location there could be as many as 8 to 16 crude oil trains per day (these numbers are one-way trips). The EIR indicates that this would "represent a significant cumulative risk." The EIR identifies the principal cumulative crude by rail projects for risk and determines that cumulatively, these projects would produce a significant and unavoidable impact. |
| REA-03 | 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 the safety and environmental impacts of the project are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project. |
| REA-04 And REA-05 | For the route from Roseville to the SMR via Oakland 94.9% of the tack is Class 4 and 5. For the route from Roseville to the SMR via Altamont Pass 95.2% of the track is Class 4 and 5. For the route from Colton to the SMR 96.7% of the track is Class 4 and 5. Appendix H.1 provides more information on the track class for each of the possible mainline rail routes to the SMR. This is all considered high grade track. The mainline track along the three routes (including all of the bridges) has an allowable gross weight rating of 315,000 lbs per car, with the exception of the track from Niles Junction to near Stockton (Altamont Pass), which has an allowable gross weight rating of 286,000 lbs per car (UPRR 2013). The weight of the Rail Spur Project cars would be limited to a maximum of 286,000 lbs, which is at or below the allowable weight limit.<br>In estimating the probability of a train accident, items such as roadbed failure (mainline and on bridges) and earthquake were taken into account. Table 4.7.1 list the various initiating and contributing causes of rail accidents. As discuss in Impact HM.2 (see Section 4.7, Hazards and Hazardous Materials), regular inspection and testing of mainline track and bridges is conducted. As discussed in Impact HM.2, the risk associated with a rail accident was found to be significant and unavoidable (Class I). |
| REA-04 Continued | In July 2010, Federal Railroad Administration (FRA) released a Bridge Safety Standards Final Rule requiring railroad track owners to adopt and follow specific procedures to protect the safety of their bridges and to strengthen federal oversight of railroad bridge programs. The Bridge Safety Standards Final Rule requires rail carriers to:<br>• Implement bridge management programs that include at minimum annual inspections of railroad bridges<br>• Conduct special inspections if the weather or other conditions warrant such inspections |

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| | • Maintain an inventory of all railroad bridges and know their safe load capacities<br>• Maintain design documents and to document all repairs, modifications, and inspections of each bridge<br>• Ensure bridge engineers, inspectors and supervisors must meet minimum qualifications<br>• Make sure bridge inspections are conducted under the direct supervision of a designated railroad bridge inspector<br>• Conduct internal audits of bridge management programs and inspections<br><br>49 CFR 237.71 requires railroad bridge owners to determine bridge load capacities as follows:<br>(a) Each track owner shall determine the load capacity of each of its railroad bridges. The load capacity need not be the ultimate or maximum load capacity, but must be a safe load capacity.<br>(b) The load capacity of each bridge shall be documented in the track owner's bridge management program, together with the method by which the capacity was determined.<br>(c) The determination of load capacity shall be made by a railroad bridge engineer using appropriate engineering methods and standards that are particularly applicable to railroad bridges.<br>(d) Bridge load capacity may be determined from existing design and modification records of a bridge, provided that the bridge substantially conforms to its recorded configuration. Otherwise, the load capacity of a bridge shall be determined by measurement and calculation of the properties of its individual components, or other methods as determined by a railroad bridge engineer.<br>(e) If a track owner has a group of bridges for which the load capacity has not already been determined, the owner shall schedule the evaluation of those bridges according to their relative priority, as established by a railroad bridge engineer. The initial determination of load capacity shall be completed no later than five years following the required date for adoption of the track owner's bridge management program in conformance with § 237.31.<br>(f) Where a bridge inspection reveals that, in the determination of the railroad bridge engineer, the condition of a bridge or a bridge component might adversely affect the ability of the bridge to carry the traffic being operated, a new capacity shall be determined.<br>(g) Bridge load capacity may be expressed in terms of numerical values related to a standard system of bridge loads, but shall in any case be stated in terms of weight and length of individual or combined cars and locomotives, for the use of transportation personnel. |

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| | (h) Bridge load capacity may be expressed in terms of both normal and maximum load conditions. Operation of equipment that produces forces greater than the normal capacity shall be subject to any restrictions or conditions that may be prescribed by a railroad bridge engineer.<br>The bridges along the proposed routes are currently rated to accommodate crude oil unit trains. ExxonMobil currently operates a unit train from San Ardo to Los Angeles following the same route as proposed by Phillips 66, including the Cuesta Grade and Stenner Creek Bridge. Plains All American pipeline also receives crude oil unit trains at their Kern County terminal that traverse much of the same routes that the proposed Phillips 66 unit trains would utilize. |
| REA-06 | The use of higher sulfur crude oils would increase the amount of sulfur produced at the SMR. This increase in sulfur and the associated truck trips are addressed in the EIR in Section 4.3 (Air Quality and Greenhouse Gases). Emissions of sulfur dioxide are not anticipated to increase as most of the sulfur in the crude is removed as elemental sulfur and trucked from the site and the SLOCAPCD has limits on the emissions of sulfur dioxide from the refinery processing equipment.<br>The refining of the different crude slate associated with this project would not produce different GHG emissions at the SMR than the normal range of crude oils refined at the SMR. Note that some Canadian crude oils are currently being processed at the SMR, transported by rail to Bakersfield, then by truck to the SMPS. GHG emissions are attributable to removal of the heavier ends, such as at the SMR, and associated with the cracking and formulation of lighter ends, such as gasoline, at the Rodeo Refinery. These activities would be within the range of normal activities at each refinery. The main difference in GHG emissions occurs at the extraction point, where extracting the tar sands generally produces substantially higher GHG per bbl of crude oil than convention methods, depending on the level of associated gas and the use of that gas. Some fields in California for example, extract the crude oil and just burn the associated gas in flares, which actually can produce a higher GHG intensity than even Canadian Tar Sands crude oils. The additional GHG emissions associated with mining the tar sands would occur no matter the destination of the crude oil, whether the crude oil is destined for the SMR, or other locations within the U.S. |
| REA-07 | Air emissions from tank car fugitive emissions are nominal, totaling only about 0.02 lbs/round trip within SLO County. Rails cars would not be opened during transit. Emissions associated with unloading of the tank cars, including pumps, pressure relief valves, manifolds, connections, etc, were all included in the EIR and listed in detail in the Air Quality Appendix. Emissions associated with unloading would not occur during transit.<br>The EIR does indicate that emissions of criteria pollutants along the mainline routes would exceed the thresholds in most Districts, thereby being a significant impact. |
| REA-08 | Issues of liability are not required to be addressed as part of the CEQA process. Under both Federal and state law, UPRR is responsible for costs associated with cleaning up any spill that occurs along the mainline rail routes. |

## Responses to Alvin Remmers and Diane Barnhart Comments

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| REA-09 | Impact TR.4 (see Section 4.12, Transportation and Circulation) contains a detailed analysis of potential impacts to passenger train performance with the addition of five trains per weeks from the Rail Spur Project. The analysis found that impacts would be less than significant. |
| REA-10 | This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. No further response is required. |