

From: Cole, Chris [Chris.Cole@state.vt.us]
Sent: Tuesday, June 02, 2015 12:41 PM
To: Springer, Darren; Mears, David
CC: Coriell, Scott; Allen, Susan
Subject: RE: Lake/Tar Sands

Hi Darren,

We could express concern but that's really a political call. There isn't any jurisdiction for states in the movement of commerce by railroads. The Interstate Commerce Act of 1887 reaffirmed a US Supreme Court decision from the previous year that it is the exclusive power of Congress to regulate interstate commerce. The Federal Railroad Administration in the federal agency that regulates safety on railroads.

What NYS is doing is working with the FRA to conduct spot safety inspections of rail shipments of Bakken crude going through NY, basically reviewing whether the tanker cars meet safety regulations. They have a lot of unit trains which is a train that consist of over 100 cars of a single commodity, in this case Bakken crude. Here is an article and a website that tracks all the goings on with the 111 tanker cars.
<http://dot111.info/2015/05/29/nys-conducts-another-round-of-oil-train-safety-checks/>

There was a finding that some of the valves had been replaced by some railroad companies or shippers and the FRA this spring placed a requirement that these valves needed to be replaced with a certain valve. <http://dot111.info/2015/03/17/fra-tank-cars-must-upgrade-valves/>

President Obama has maintained the railroad reporting requirement to VT DEMHS by railroads and Joe Flynn would have the actual information of what hazardous shipments are moving through the state. At our last rail council meeting the railroads indicated they weren't shipping any Bakken crude through VT.

Chris

From: Springer, Darren
Sent: Tuesday, June 02, 2015 11:12 AM
To: Mears, David; Cole, Chris
Cc: Coriell, Scott; Allen, Susan
Subject: Lake/Tar Sands

Hi David and Chris,

I'm sure you saw this piece below, any action we could/should be taking in conjunction with NY to express concern here?

<https://vtdigger.org/2015/05/31/tar-sands-could-be-headed-by-rail-to-lake-champlain/>

Thanks,
Darren

Darren M. Springer

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