

## Snyder, Jennifer (UTC)

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**From:** Boni Biery <birdsbeesfishtrees@gmail.com>  
**Sent:** Sunday, June 21, 2015 11:11 PM  
**To:** UTC DL Records Center  
**Subject:** Comments on UTC Rail Safety Rulemaking, Docket # TR-151079

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Dear Mr. King,

The risk of an oil spill here in Washington is already great and growing exponentially. I'd like to answer each of the questions you ask:

What is your definition of a reasonably likely worse-case spill of oil?

- First and foremost, a worse case spill must take into account where the train is traveling and what is alongside that train, as well as what type and how much crude oil the train is hauling. The risk is not theoretical, as we have seen in the 11 large-scale crude oil derailments in just two years since the tragic accident in Lac Megantic July of 2013.

In that accident, an estimated 1.6 million gallons spilled. It is reasonable to assume that a worse case spill would be the whole 120 car unit train of over 1 million gallons, and up to 3.5 million gallons, of crude oil. The derailment could result in a spill of tar sands or Bakken crude oil and could be in a forested area sparking fires, into the Columbia River during salmon migration, through the middle of a densely populated area like Seattle, or in a rural community where it will be difficult to get resources to the scene.

What is the reasonable per-barrel cleanup and damage cost of spilled oil?

- It is hard to assess the price of human life, environmental quality, clean water, and the lives of other species. We have seen in the disaster of Lac Magnetic where 47 people died that those lives have not been fully accounted for. The UTC needs to take into account human health and livelihoods, environmental quality and health, uneven impacts on proximate communities to the rail and crossings, long-term economic impacts of a spill and/or explosion, and the actual cost of cleaning up the spill and the long term restoration costs of things like stabilization of burned slopes, poisoned shell fish and tidal lands, ongoing health issues of those in the area, etc.

What risk factors should the Commission consider in establishing safety standards at private crossings?

- The risk factors are numerous and include: number of trains, number of crossings, location of crossing to communities and bodies of water (including ground water), history of derailment and maintenance, type of oil being carried, type of car being used and the length and weight of train, available response time, quantity and quality.

Thank you for taking public comment on how to assess the impacts and risks. By strengthening its role around rail safety, the UTC can be a leader in how and what types of impacts are evaluated. As a citizen of Washington, I am counting on you to accurately reflect the risk.

Boni Biery

903 N 188th St  
Shoreline, WA 98133