



Workers clean up derailed oil train cars in downtown Lynchburg, Va., a day after an April 30 accident there. Containment booms to prevent oil from spreading into the James River weren't put in place for hours.

PHOTO BY CURTIS TATE/MCT

Oregon has no plans for river spills by oil trains

By Rob Davis | The Oregonian
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When a CSX oil train derailed and caught fire April 30 in Lynchburg, Virginia, dumping more than 20,000 gallons of crude into the James River, the spill wasn't controlled for hours.

If a similar accident happened on an Oregon waterway, the response could be just as slow. Like Virginia, Oregon doesn't have any state law requiring railroads to plan for oil spills. Readiness has lagged.

Almost 500 million gallons of crude oil moved alongside Oregon waterways last year: the Columbia River, the Deschutes, the Willamette and Upper Klamath Lake. It's a new phenomenon, one that has introduced the risks of potentially catastrophic spills to some of the state's most iconic rivers, best-known salmon runs and world-renowned fishing destinations.

But despite months of nationwide public scrutiny of crude-by-rail safety, concern from Oregon Gov. John Kitzhaber and efforts by state regulators, spill planning is still a mess.

"It's moving very slow," said Scott Knutson, a U.S. Coast Guard oil spill official. "There's a lot of equipment. It may not yet all be in the right place for the changing transportation picture in the Northwest."

After the Virginia accident, an oil sheen spread 12 miles downriver. Containment booms, floating plastic barriers used to corral spills, weren't deployed for several hours, Virginia regulators say.

Getting booms around the submerged oil tankers took even longer. Regulators worried that motorboats would reignite the highly flammable North Dakota oil that had already set the river on fire once that day.

Virginia got lucky. Just one tank car that fell into the river punctured. But an environmental advocate there said the slow response was a missed opportunity that could've prevented the spill from spreading and threatening drinking water supplies downstream.

"It could not have hurt to have booms ready to go at some strategic locations," said Pat Calvert with the James River Association. "They could've been more effective than they were."

Federal laws preempt state authority to regulate railroad companies' oil spill planning. But federal law doesn't require them to plan for worst-case accidents. Railroads don't have to share information with state officials who make sure Oregon is ready for an oil spill. Railroads have instead promised to volunteer information, then failed to do it.

"It'd be better if we had a legal way to tell them to do it, but we don't," said Don Pettit, an emergency response planner at the Oregon Department of Environmental Quality. "A lot of it ends up being voluntary. Often we're told, 'We'll get that to you,' or 'We'll check into it,' but we don't get it."

BNSF Railway Co., a major Pacific Northwest oil train hauler, has reported the locations of some of its boom equipment to a regional database that state oil spill planners use to track caches. But the company hasn't disclosed the sites of all its boom equipment. When asked why its information was incomplete, a BNSF spokeswoman noted that the company's participation in the database was voluntary.

A spokesman for Union Pacific, which also moves oil around Oregon, said his company would consider participating in the database, which it doesn't today. The company has been slow to tell state spill planners where it keeps its booms.

Communication has been so lacking that The Oregonian was able to relay new information from the railroad to state oil spill planners.

The Union Pacific spokesman, Aaron Hunt, told The Oregonian that the company bought 800 feet of floating boom for a Klamath Falls fire station, which fire officials confirmed. State spill planners didn't know it was there until The Oregonian told them.

The Columbia River is better prepared than some Oregon waterways. Because barges have long moved petroleum products on the river, spill containment caches are kept in strategic places by nonprofit cooperatives.

Ships moving oil on waterways are more strictly regulated than railroads moving oil next to them.

State law requires ships moving through Oregon to have emergency equipment at the ready. Within two hours of an accident, containment booms have to be on scene.

But railroads companies are exempt. Their caches are sparse. And their response capabilities are unclear.

Union Pacific keeps 15,000 feet of boom in Portland. But its rail lines run from Portland to Idaho and south to California.

Hunt, the company spokesman, said in an accident, it could call on help from the Army Corps of Engineers, which stores boom equipment at its dams and reservoirs throughout the state.

But the Army Corps said it wouldn't be much help. It couldn't respond to an oil train accident unless it



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SPORTS
New Orleans selects Oregon State wide receiver Brandin Cooks in the first round of the NFL draft **B4**



Zoo death, firings latest in Metro PR hurdles

By Anna Griffin
The snarling and elected officials at Metro, the Portland area's regional government, oversee a sometimes incoherent collection of public services: garbage and garbage pickup, planning and construction, and planning and construction. Recent events suggest more is as fundamentally challenging as the Metro Zoo.
Metro officials thought they had solved the zoo's public relations problems after agency auditors examined construction spending and found something near chaos. But this week the zoo became a public punching bag again as two of its top managers — Director Kimberly Smith and senior veterinarian Mitch Frangos — were fired. The dismissals were tied to the January death of an orangutan after surgery, a Metro statement said, but beyond that Metro leaders have offered few additional details.
Activists hoping to fine zoo elephants and stop the zoo's nationally renowned — and, in some circles, vilified — breeding program claimed some credit for the firings and used the opportunity to promote their cause. They've called on Portland-area voters to write in [see box, A2](#)



San Antonio's Tony Parker guards Portland's Damian Lillard during another easy Spurs win Thursday night. Lillard scored 29 points but shot only 2 for 6 on three-pointers. Parker scored 25 points and had 10 assists.

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When a CSX oil train derailed and caught fire April 30 in Emeraldburg, Virginia, dumping more than 20,000 gallons of crude into the James River, the spill wasn't controlled for hours.
If a similar accident happened on an Oregon waterway, the response could be just as slow. Like Virginia, Oregon doesn't have any state law requiring railroads to plan for oil spills. Realities are tough.
Last year almost 900 million gallons of crude oil moved alongside Oregon waterways: the Columbia River, the Deschutes, the Willamette and Upper Klamath Lake. It's a new phenomenon, one that has introduced the risks of potentially catastrophic spills to some of the state's most important rivers, both known salmon runs and well-revered fishing destinations.
But despite months of studies, while public secretary of oil train shipments, concern from Gov. John Kitzhaber and efforts by state regulators, spill planning is still a mess. "It's moving very slowly," said Scott Kriston, a U.S. Coast Guard oil spill official. "There's a lot of equipment. It may not yet all be in the right place for the changing [see train, A2](#)

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had been declared a federal emergency under the authority of Oregon's governor. That would not happen quickly after a derailment.

"We have limited to no authority to respond off site," said Scott Clemans, an Army Corps spokesman. "Off our own project sites, our capability and authority are both very limited."

A spokeswoman for Kitzhaber said the governor's office has asked railroads for more information about their response capabilities. And environmental advocates say coordination must improve.

Oil train terminals shouldn't be able to expand or open until the region is ready for spills along railroads, said Brett VandenHeuvel, director of Columbia Riverkeeper, a local environmental group.

"Oregon and the Pacific Northwest are being subjected to a grand experiment right now, moving explosive oil through communities and along our waterways with no preparation, no forethought, no planning," VandenHeuvel said. "It's a huge problem."

