



February 11, 2020

House Interim Committee on Energy and Environment
Oregon State Legislature
900 Court St., NE
Salem, OR 97301

Sent via email to: Rep.KarinPower@oregonlegislature.gov, hee.exhibits@oregonlegislature.gov

RE: Support for House Bill 4105

Dear Chair Power, Vice-Chair Sollman, Vice-Chair Bonham, and members of the Committee,

We are writing to express support for House Bill 4105 on behalf of Columbia Riverkeeper, Center for Sustainable Economy, Portland Audubon Society, Neighbors for Clean Air, Willamette Riverkeeper, Oregon Physicians for Social Responsibility, 350 PDX, Friends of the Columbia Gorge, Human Access Project, Friends of the Earth, Portland Harbor Community Coalition, Sierra Club and the Northwest Environmental Defense Center. Together our organizations represent tens of thousands of members and supporters across Oregon who strongly support HB 4105.

As you know, Oregon faces significant public safety and spill risks from increased oil-by-rail traffic through our region. Several of your districts already see oil trains shipping Bakken crude oil or diluted bitumen to facilities in Oregon, Washington, and California. In 2019, Washington passed a law limiting the vapor pressure of oil received in Washington facilities to 9 pounds per square inch (psi). Washington’s law decreases the risk of fires and explosions by limiting the volatility of oil. HB 4105 offers an important safety measure to ensure that Oregon’s laws are no weaker than Washington’s.

Volatile crude oil poses a serious risk to our state. The increased flammability and potential explosiveness of crude oil from the Bakken region, caused by high levels of dissolved propane and other flammable gases in that crude, has been well documented.¹ And the volatility of Bakken crude oil has been on full display during over a dozen fiery accidents, including in Mosier, Oregon.

¹ Why Bakken Oil Explodes. Sightline Institute. 2014. <https://www.sightline.org/2014/01/21/why-bakken-oil-explodes/>

Heavier types of crude oil, such as Canadian tar sands bitumen, are often diluted with chemicals and lighter hydrocarbons that increase the volatility of the oil. Just days ago, an oil train carrying diluted bitumen (also known as “dilbit”) in newer, upgraded rail cars² derailed in Saskatchewan. This derailment, and another in the same area just six weeks ago, prompted Canadian regulators to propose slowing trains while investigations continue.



Above: Smoke billows up from a derailed Canadian Pacific Railway train near Guernsey, Sask., on Thursday, February 6, 2020. THE CANADIAN PRESS/Matt Smith (THE CANADIAN PRESS)

Volatile dilbit may already be coming to Oregon. For instance, the dilbit received at Portland’s Zenith oil train terminal may approach or exceed Washington’s 9 psi standard.³ Zenith’s dilbit may contain toxic and hazardous vapors such as hydrogen sulfide and volatile organic compounds such as benzene, which could endanger first responders and the public in the vicinity of a large spill or fire.⁴ By adopting a 9 psi standard, Oregon can take an important step toward protecting communities and the environment. We urge you to support the bill.

HB 4105 would also protect state-owned lands from dangerous new fossil fuel projects. Section 2 of HB 4105 represents an important and careful effort to reduce the tremendous public health, public safety, natural resource, and climate pollution threats posed by new fossil fuel infrastructure. New oil and gas pipelines, as well as oil train terminals, should not be allowed to endanger the public lands and waterways that belong to all Oregonians. We rely on public lands and waters for clean drinking water, fishing grounds, forestry, and wildlife habitat; new oil and gas pipelines, as well as oil-by-rail terminals, threaten these values. The bill is tailored to address

² [Ignited Sask. crude oil train was using new puncture-resistant tank cars endorsed by feds.](#) CBC. February 9, 2020.

³ MEG Energy. Rail Loaded Dilbit. [Material Safety Data Sheet](#). Page 4. 2019. (Explaining that MEG Energy’s rail-loaded dilbit delivered to Zenith Energy has a vapor pressure of 64.1 kPa at 37.8°C, which [converts](#) to 9.3 psi. Please note that pressure values are temperature dependent.)

⁴ [Tar Sands Crude Shipments Quietly Increased In Oregon, With Regulators In the Dark.](#) Tony Schick. OPB. April 4, 2019.

only *new* fossil fuel infrastructure on state-owned land. The bill expressly exempts existing facilities and allows for repair and continued use of existing infrastructure.

As proposed, Section 2 of HB 4105 would ensure that Oregon's public lands and waters do not become throughways for extreme fossil fuels—fracked gas, fracked oil, and tar sands—that would pollute our waters, threaten public safety and health, and diminish the stability of our climate.

For these reasons, we strongly urge members of the Committee to support this bill.

Sincerely,

Dan Serres, Conservation Director, Columbia Riverkeeper, Co-Director, Power Past Fracked Gas Coalition

Nicholas Caleb, Staff Attorney, Center for Sustainable Economy

Bob Sallinger, Conservation Director, Audubon Society of Portland

Damon Motz-Story, Healthy Climate Program Director, Oregon Physicians for Social Responsibility

Mary Peveto, President, Neighbors for Clean Air

Travis Williams, Executive Director, Willamette Riverkeeper

Jonah Sandford, Staff Attorney, Northwest Environmental Defense Center

Dineen O'Rourke, Campaign Manager, 350PDX

Michael Lang, Conservation Director, Friends of the Columbia Gorge

Willie Levensen, Human Access Project

Marcie Keever, Friends of the Earth

Cassie Cohen, Executive Director, Portland Harbor Community Coalition

Lloyd Marbet, Executive Director & Cathryn Chudy, Board Member, Oregon Conservancy Foundation

Jessica Beckett, Conservation & Political Director, Oregon Chapter, Sierra Club