

January 26th, 2021

EI-31142

Joshua Wayland
Surface Transportation Board
9300 Lee Highway
Fairfax, VA 22031
Joshua.Wayland@stb.gov
Attention: Environmental filing, Docket No. FD 36284
Subject: STB Should Deny Coalition Petition as Currently Formulated

Uinta Basin Railway EIS No Action Comment #1: The No Action Alternative is most consistent with public convenience and necessity due to unresolved safety and occupational health issues with SCIC proposal

Dear Mr. Wayland:

I am writing to you to point out that only the “No Action” alternative addresses the unresolved problems with the proposed Uinta Basin rail line which will create significant safety and health issues for workers and citizens of the United States.

The Seven County Infrastructure Coalition (SCIC) proposal, which clearly only benefits the oil & gas industry, should be denied so that it can be reformulated to actually serve the public interest of the workers and citizens of Utah, Colorado, and the rest of the United States in a safe and economic manner.

The UIB EIS creates major public inconveniences by not adequately addressing the major safety considerations (not minor considerations as labeled in the EIS) with the antiquated and inefficient rail line proposed by the SCIC.

More thoughtful energy industry project sponsors around the country have demonstrated safer and far more economic alternatives that could be used to expand Uinta Basin energy production than the out of date, single-purpose crude oil railroad. These superior transportation alternatives would actually provide public convenience and effectively serve the oil & gas industry. The project as proposed is clearly neither a

public convenience nor a necessity for any Americans except the special interests who are proposing it.

I respectfully request that the STB deny the SCIC proposal and require them to upgrade and improve their proposal to address the major safety and health problems created by their proposal.

1) EIS Fails to Address Current Trucking Hazards: The public in Utah is badly misinformed in believing that oil trucking along US40 and I-80 will decrease if railway is built. As stated deep in the EIS, the 90,000 BPD of current oil Uinta Basin production will continue to cause road safety issues in Utah whether or not the railway is built because the EIS does not include a plan to rail crude oil to Salt Lake City. Therefore, this project has minimal public benefit. Having been nearly killed twice by crude oil trucks on I-80, the SCIC proposal does not serve “public convenience and necessity” because it fails to address the most obvious existing traffic safety problems that a superior transportation alternative would.

2) EIS Understates Future Trucking Hazards: The public in Utah is badly misinformed if they think that local traffic safety in the Uinta Basin will improve if oil production increases by 350,000 BPD on top of the current production. This will be almost unimaginable increase in actual road traffic (not paper studies by hired consultants) as trucks move crude oil to the two proposed rail terminals. In no way can this huge new public safety danger be presented as an improvement in “public convenience and necessity”.

3) EIS Understates Catastrophic Rail Accident Risk: The SCIC proposal does not effectively address the risk of a catastrophic rail accident on the single line railway. The four page Appendix on Rail Safety acknowledges the dramatic, recent increase in major crude oil rail accidents since oil production in remote regions without a modern fuel transportation system increased. The EIS then goes on to say that the risk of this type of well-documented accident occurring is essentially zero – which is ridiculous for anyone familiar with “black swan” events.

A Union Pacific rail engine just exploded during in the past few weeks near the Utah/Wyoming border - what happens when there a thousand + rail cars stranded by such an event? The “No Action” proposal is by far the safest option for the citizens of Northeast Utah and Western Colorado. Responsible transport officials must also consider the 1500 miles the rail cars will have to travel to get to the “Cancer Alley” refining network on the US Gulf Coast.

4) EIS is Deficient in terms of Emergency Response Planning: The EIS is deficient in that it simply states that the SCIC sponsors will produce an “emergency response plan” as if that will somehow mitigate the fundamental risk of executing a badly designed project. The oil & gas industry had a “emergency response plan” for the BP oil spill in the Gulf of Mexico that mentioned wildlife only present in the Arctic and called for response materials to come from Asia rather than local Gulf ports. How do transportation response teams get to the site? Where will the skilled responders come from? How fast can they get to the site with the necessary equipment to resolve the issues? How much will it cost to maintain effective response teams? What if the massive accident occurs in the mountains of Colorado or in a populated area in Texas or Louisiana? The quality and effectiveness of a SCIC “emergency response plan” must not be taken for granted. The lives of rail workers, emergency responders and those of track side communities are at stake.

5) EIS is Deficient as it Fails to Discuss Disaster Recovery Plans: The EIS does not explain what happens after an accident on the single line track shuts down the line. What happens to the crude production that is far greater than the average available surge capacity in the proposed rail terminals? What happens with the stranded empty rail cars and the full rail cars on either side of the rail line? How long can the rail cars full of waxy crude be maintained at heat especially in the mountain in the winter when such events are most likely? What is the plan for dealing if a two mile long wax candle is created? Who pays the demurrage on the thousands of rail cars put out of action? How will the pollution caused by the train accident be handled? How will wildlife be protected and helped to recover? What happens if a major wildfire closes the line? Who will pay? SCIC is avoiding any discussion of

important financial risks to this project. For the sake of the American public, please chose the “No Action” alternative until the superior plan for UIB energy transport is brought forward.

6) EIS Does Not Adequately Address Long Term Engineering

Failure: The SCIC proposal does not adequately address the long term, engineering vulnerabilities of a single line caused by (a) large winter avalanches, (b) landslides and earth movements, (c) flood damage or undermining at the contemplated 400 water crossings, (d) implication of earthquakes in Utah or Colorado that could damage rail infrastructure causing transportation shutdown. These issues are exacerbated by a design that includes inherently vulnerable switchbacks (e.g. double-S) and the long, steep downgrade sections in the mountains that will be transited by fully loaded trains where a slight mishap could accelerate into a major transportation accidents as in Quebec. As you are well aware, many impacted parties in Colorado are already protesting the poorly conceived UIB railway project for its “down-line” safety and environmental impact in their state as well.

7) EIS Does Not Address Dramatically Increased Risk of Wildfires:

The SCIC proposal fails to recognize the “new normal” of large seasonal wildfires in Utah and Colorado caused by global and regional climate change. Having a two mile long train stranded in the mountains during a large wildfire would certainly qualify as a “black swan” but EIS fails to address this obvious risk. Massive wildfires in Colorado almost shut down the state in 2020. The amount of greenhouse gases emitted by the increased oil production in the Uinta Basin will only extend the existing long term drought in Utah and Colorado caused by climate change. How is increasing the severity of massive wildfires in the Utah and Colorado mountains by lighting off a two mile long crude oil train a “public convenience and necessity”?

8) EIS Fails to Discuss Critical Fire Protection Needs at New Rail

Terminals: The SCIC proposal does not address the significant risk of major fires at the two large rail terminals and crude oil tank farms that will be required by the Uinta Basin Railway. Simply stating that these terminals will be operated by a third party does not eliminate the major

risk to the public of accidents and unsafe operations at these massive new facilities. There must be a separate “emergency response plan” and “disaster recovery plan” for these facilities with public review and comment.

9) EIS Fails to Discuss Safety Risks of LNG and LPG Transport: An SCIC partner (the Roosevelt Utah Economic Development Council) has suggested that LPG and even LNG may eventually be transported by the UIB. These are specialized fuels that require even more reliable handling by a trained workforce than waxy crude oil. All the issues with the non-existent UIB emergency response plan are made dramatically worse by the presence of these dangerous materials. The added risk of these products show that the UIB is clearly not a transportation proposal for the public convenience or a necessity for the state of Utah, the state of Colorado or America.

10) EIS Fails to Address Increased Occupational Health and Safety Risks: The SCIC proposal does not address occupational health and safety to risks to the transportation workers exposed to hydrocarbons during normal operation or during an emergency event. Given the massive increase in local trucking, rail car loading and unloading, EIS fails to discuss how transport workers will be protected from well know health risks from handling hydrocarbons. In addition to failing to address the health and safety of transport workers, EIS is silent about the health impacts on refining workers in the “Cancer Alley” refining network along the US Gulf Coast further proving that this project is neither a public convenience nor a necessity.

What is particularly tragic from a worker safety standpoint is that there is clearly a superior fuel transport alternative to the SCIC proposal that is being ignored in favor of an option that essentially maximizes worker exposure to hydrocarbons from production all the way to the US Gulf Coast.

The Surface Transportation Board would be doing a great service to the Seven County Infrastructure Coalition and to the citizens of the United States by choosing “No Action” on the current project because it creates

such detrimental impacts on public convenience and health. I respectfully request that the STB exercise wise stewardship in denying this permit as currently formulated.

There is a far superior alternative economic development strategy for the Uinta Basin that the Coalition has completely missed which includes a much safer and economically superior fuels transportation system . This alternative would offer significantly more benefits to Northeastern Utah if implemented and would also minimize negative impacts in Western Colorado and the rest of the country.

As responsible public officials with a fiduciary duty to the citizens, of the US, please tell the Seven County Infrastructure Coalition to go back and engage a broader set of Utah constituents beyond their oil & gas industry sponsors in order to identify and build out a superior Uinta Basin economic strategy that would achieve higher crude oil production with much less collateral damage to everyone else.

Thank you for your consideration.

Craig Wallentine
Summit County, UT