

#E1-20412

LAW OFFICES
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235631 March 14, 2014

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D. C. 20423

ENTERED
Office of Proceedings
March 14, 2014
Part of
Public Record

Re: Docket No. AB 1095 (Sub-No. 1), Paulsboro Refining Company LLC—
Adverse Abandonment—SMS Rail Service, Inc. in Gloucester County, N.J.

Dear Ms. Brown:

Attached are the Comments of SMS Rail Service, Inc., regarding the Environmental Assessment prepared by Ms. Diana Woods of the Office of Environmental Analysis and served February 12, 2014.

Copies of this letter and of the Comments are being served by me on each party of record.

If you have any question concerning the Comments or if I otherwise can be of assistance, please let me know.

Sincerely yours,


Fritz R. Kahn

Att.

Cc: Eric M. Hocky, Esq.
David L. Coleman, Esq.
Paul R. Hitchcock, Esq.
David Ziccardi, Esq.

SURFACE TRANSPORTATION BOARD

Docket No. AB 1095 (Sub-No. 1)

PAULSBORO REFINING COMPANY LLC
-- ADVERSE ABANDONMENT --
SMS RAIL SERVICE, INC. IN GLOUCESTER COUNTY, N.J.

COMMENTS
OF
SMS RAIL SERVICE, INC.

Fritz R. Kahn
Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036
Tel.: (202) 263-4152

Attorney for

SMS RAIL SERVICE, INC.

Dated: March 14, 2014

SURFACE TRANSPORTATION BOARD

Docket No. AB 1095 (Sub-No. 1)

PAULSBORO REFINING COMPANY LLC
-- ADVERSE ABANDONMENT --
SMS RAIL SERVICE, INC. IN GLOUCESTER COUNTY, N.J.

COMMENT
OF
SMS RAIL SERVICE, INC.

Protestant, SMS Rail Service, Inc. ("SMS"), pursuant to 49 C.F.R. § 1105.10(h) and the Decision of the Board, Victoria J. Rutson, Esq., Director, Office of Environmental Analysis, ("OEA") served February 12, 2014, offers the following comments regarding the Environmental Assessment:

1. At page 4 of its Environmental /Historic Report, filed December 9, 2013, the Applicant, Paulsboro Refining Company LLC ("PRC"), contended:

"If the requested adverse abandonment authority is granted * * * [c]ommon carrier service to and from the Refinery would be provided by Norfolk Southern Rails ('NS') and CSX Transportation, Inc. ('CSX'), or their agent Conrail, in the same manner as service was provided before SMS began providing common carrier service at the Refinery. Applicant will contract with a qualified non-carrier switching contractor to perform its in-plant switching. Based on the foregoing, Applicant believes that the abandonment would not result in any significant changes in operations and would not have any significant effects upon the environment"

Applicant's asserted expectation is completely unwarranted. The in-plant switching within the Paulsboro refinery at no time has been performed by a non-carrier switching contractor. Before SMS was engaged by Valero Refining Company – New Jersey on August 31, 2000, to take over the maintenance of and render operations on the

approximately 5.8 miles of railroad track within the Paulsboro refinery, the service was rendered by Consolidated Rail Corporation ("Conrail"), a rail carrier subject to the economic regulation of the Board and the safety regulation of the Federal Railroad Administration ("FRA") and the Pipeline and Hazardous Materials Safety Administration ("PHMSA"). Moreover, the service rendered the past thirteen years by SMS and, before then, by Conrail, constitutes appreciably more than simply in-plant switching. It includes as well the interchange of inbound and outbound carloads of freight on designated interchange tracks situated beyond the gates of the refinery, across Billingsport Road in what is the Conrail yard, on property leased from ExxonMobil Corporation. There were other rail carriers that rendered the service at the refinery before Conrail, and none of them was a non-carrier contract switcher.

2. The e-mail which Mr. James O'Malley of PRC's parent company, PBF Energy Company, sent to Mr. Ray Bucko of SMS on September 22, 2011, identified Savage Services Group ("Savage") as the non-carrier switching contractor that PRC plans to use should it manage to have SMS evicted from the Paulsboro refinery. In paragraph 7. SAFETY, on page 7 of its Environmental/Historic Report, PRC alleges:

"Applicant intends to contract with an experienced, safety-conscious switching contractor with experience with operations at refinery facilities. As such, Applicant does not believe that the proposed abandonment will have any adverse effect on public health and safety."

That simply would not be the case. A copy of Savage's brochure is attached as Exhibit

A. Savage purports to do a lot of things for a lot of industries, but interlining freight shipments with line haul railroads is not among them.

3. As a rail carrier, SMS operates FRA inspected locomotives, operated by FRA certified engineers and FRA certified conductors. Savage does not. SMS is a superbly

safe operator. In the thirteen years that SMS has operated as the rail carrier at the Paulsboro refinery its owner never expressed any concerns about the safety of SMS' rail carrier operations. In fact, SMS has not had a reportable accident in more than eight years' time. That accident occurred when a refinery employee who had consumed alcohol following his shift ignored the crossing stop signal at Billingsport Road and unsuccessfully tried to outrun a SMS train, resulting in his death.

4. Now that the present owner of the Paulsboro refinery, PRC, wants to oust SMS in favor of Savage, PRC alleges that there have been safety issues and accidents in connection with the service provided by SMS. Appended to its Reply, filed March 10, 2014, is the Verified Statement of Mr. Steven Krynski and its attachment which purport to identify 23 alleged safety incidents occurring between May 27, 2009, and January 12, 2014. If accurate, that comes to no more than a single mishap by SMS on average of 70 days' operations within the Paulsboro refinery. Although the alleged safety incidents were those of SMS, PRC inexplicably has designated Mr. Krynski's Verified Statement and attachment as "Highly Confidential", meaning that pursuant to the Protective Order entered by the Board on July 26, 2012, only SMS' lawyer and consultant who have signed the undertaking for "Highly Confidential Materials" can review Mr. Krynski's Verified Statement and attachment, and obviously they have no personal knowledge of SMS' operations within the refinery. The lawyer and consultant can't even discuss the 23 alleged safety incidents with the personnel of SMS to learn what actually may have transpired.¹

¹ SMS on March 11, 2014, petitioned the Board to change the designation of Mr. Krynski's Verified Statement and attachment from "Highly Confidential" to "Confidential". The request remains pending.

5. Savage, not being subject to FRA or PHMSA regulation, need not and does not report its accidents and, therefore, its safety record is unknown. On pages 6-7 of its Reply of March 10, 2014, PRC faults SMS for not having presented any evidence that SMS' continued service would be any safer than the service that would be provided by Savage. Far more significant is the failure of PRC in its Reply to offer any evidence that Savage's operations serving the Paulsboro refinery would be as safe as that of SMS. PRC included no verified statement from anyone at Savage to discuss the safety of its operations and its record of safe interchanges with line haul railroads. What is known, however, is that just within the past month, on February 19, 2014, Savage derailed the front two engines of a freight train hauling 15 cars on the track of the Utah Transit Authority's Red Line in the West Jordan area of Salt Lake City, Utah. Attached as Exhibit B are news stories of the incident from The Salt Lake Tribune and the Deseret News.

4. Being a rail carrier, SMS qualifies for the receipt of financial assistance from the New Jersey Department of Transportation under its Rail Freight Assistance Program, N.J.S.A. 27:iA-5 & 6, to maintain the "track certificated by the United States Surface Transportation Board", and over the years SMS, in addition to investing its own funds, has received hundred of thousand of dollars for track repairs and upgrades. Savage not being a rail carrier would not qualify for such public assistance and would need to pay with its own funds for whatever work needed to be performed to maintain the refinery track.

5. Under 49 U.S.C. § 10903(d), the Board has a greater responsibility than simply considering the interests of the owner of the railroad line. "[T]he Board shall

consider whether the abandonment or discontinuance will have a serious, adverse impact on rural and community development.” Without identifying them in violation of the Protective Order, it is no secret that hazardous materials move by rail to and from PRC’s Paulsboro refinery. SMS completes the bills of lading and waybills for the outbound shipments of hazardous materials, and verifies the accuracy of their description and of the emergency response provider and its telephone number, in compliance with 49 C.F.R. 172.201, but it is without confidence on the inbound shipments of hazardous materials.

6. Attached as Exhibit C are copies of news stories of the November 30, 2012, derailment of a train in Paulsboro, not a mile from the PRC refinery. The leak of hazardous vinyl chloride from an overturned tank car sent 70 people to the hospital, and residents in 150 homes in Paulsboro and the nearby towns of Greenwich and West Deptford were ordered evacuated for three nights. SMS now has had 13 years’ experience handling the hazardous materials shipped by or consigned to the Paulsboro refinery. Whether Savage has the knowledge and personnel to handle hazardous materials in compliance with the regulations of PHMSA is unknown.

7. Allowing Savage to operate trains across Billingsport Road to reach the Conrail interchange tracks opposite the entrance to the Paulsboro refinery is no way to find out. Billingsport Road is a very busy street, and, although in part at least it runs through residential areas, it is one on which large numbers of tank trucks laden with hazardous materials operate.

8. The Environmental Assessment is disappointing and deficient. When it comes to the safety of the operations of Savage, the non-carrier contract switcher, OEA accepts at face value PRC’s assertions in reaching the conclusion that “OEO does not believe that

the proposed adverse abandonment would cause significant environmental impacts.”

The Board is not the agency to make that determination. “[F]ederal agencies other than the STB have been delegated authority over rail safety matters [footnote omitted].”

Docket No. 35781, Brazos River Bottom Alliance—Petition for Declaratory Order, served February 19, 2014, slip op. p.5. “The FRA, not the Board, has primary jurisdiction over rail safety matters at the federal level.” Docket No. FD 35164, BNSF Railway Company—Petition for Declaratory Order, served December 2, 2010, slip. Op. p. 7.

“FRA is primarily responsible for railroad safety regulation.” Docket No. FD 34914, Desert Enterprises, LLC—Petition for Declaratory Order, served May 7 2010, slip op. p.16. The Board requests comments from the FRA and PHMSA regarding the effects on safety of proposed railroad operations. Docket No. FD 35517, CF Industries, Inc. v. Indiana & Ohio Railway, Point Comfort and Northern Railway, and the Michigan Shore Railroad—Petition for Declaratory Order, served June 21, 2013, slip op. p 3; Docket No. FD 35517, CF Industries v. Indiana & Ohio Railway, Point Comfort and Northern Railway, and the Michigan Shore Railroad—Petition for Declaratory Order, served November 28, 2012, slip op. pp. 1-2. OEA failed to secure the views of FRA and PHMSA regarding the effects on safety in changing the operation at the Paulsboro refinery, including the switching of cars on the interchange track across Billingsport Road in the Conrail yard, from a rail carrier, such as SMS, to a non-carrier contract switcher, such as Savage.

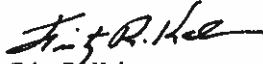
WHEREFORE, the Office of Environmental Analysis should refrain from offering its views as to the environmental effects of the proposed adverse abandonment

until it has consulted and obtained the views of the Federal Railroad Administration and the Pipeline and Hazardous Materials Safety Administration.

Respectfully submitted,

SMS RAIL SERVICE, INC

By its attorney,



Fritz R. Kahn
Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036
Tel.: (202) 263-4152

Dated: March 14, 2014

CERTIFICATE OF SERVICE

I certify that I this day have served the foregoing Petition on the Paulsboro Refining Company, Norfolk Southern Railway Company, CSX Transportation, Inc. and Consolidated Rail Corporation by e-mailing copies to their attorneys, Eric M. Hocky, Esq., at ehocky@clarkhill.com, David L. Coleman, Esq., at david.coleman@nscorp.com, Paul R. Hitchcock, Esq. at Paul_Hitchcock@CSX.com, and David C. Ziccardi, Esq. at David.Ziccardi@Conrail.com.

Dated at Washington, DC, this 14th day of March, 2014.



Fritz R. Kahn

EXHIBIT A
Savage Brochure



SAVAGE[®]

INNOVATIVE SUPPLY CHAIN SOLUTIONS



Mining



Utilities



Transportation



Manufacturing



Agriculture



Energy

WHO IS SAVAGE?

Savage is an innovative supply chain solutions company.

We create value for customers by moving and managing critical materials and improving operational efficiency with worry-free consistency. With over 150 locations, we serve many industries including electric power generation, coal production, oil and gas, refining, agriculture, chemical, mining and manufacturing. Our services span transportation, asset management and maintenance, and material handling and processing.

Savage is a privately held company founded in 1946 with a single truck hauling coal and timber in Utah. Today we handle more than 100 million tons of our customers' materials annually. We have continued to grow by working together with our customers to offer services that exceed your expectations.



HOW CAN WE HELP YOU?

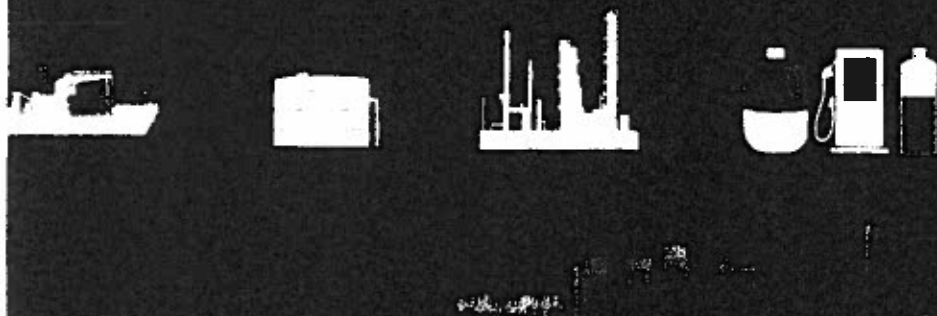
Getting products from source to market is no small task. Your focus is on producing and delivering the best product on the market. And our focus is on the logistics, transportation and handling systems required to get your product where you want it, when you want it and how you need it.

Supply chain challenges can be complex. We use the right combination of people, processes, and technology to simplify and streamline those challenges. That's why we offer a wide range of services across key supply chain disciplines: transportation services, facility operations and maintenance, materials handling and logistics management. All leveraging the latest technologies to deliver a complete solution.

Our team takes care of the critical components of your supply chain so your team can focus on your core competencies. By choosing Savage to handle the complexities of getting your material to its destination, you'll reduce costs, improve visibility and increase overall productivity.

"We don't have a contract with Savage -- we have a relationship. And relationships don't expire."

Large Energy Company



ACROSS THE GLOBE

From Utah's Uintah Basin, to Luleå, Sweden. From Galveston, Texas to Jakarta, Indonesia. From Montreal, Canada to Rio de Janeiro, Brazil. Savage does business on five continents and has over 150 operations that serve customers around the world.

Understanding the implications of geographic location and capabilities of production facilities, stocking points, sourcing points and destinations is the natural first step in creating an effective supply chain. Those locations create the paths for your products' movement to your final customers. We can go anywhere you need us, to optimize the flow of your product with positive impact on your revenue, cost, and level of service. This "can do" attitude fostered at Savage stems from our passion for providing unparalleled service to our customers.





BENEFIT FROM OUR EXPERIENCE

Through our years of service in many different industries, Savage has built a unique skill set. Our experience spans virtually every aspect of the supply chain. We're not afraid to get our hands dirty and do the hard work of moving and managing materials and products. Whether it's moving grain by truck, crude by rail, sulphur by vessel, or managing the hand-offs between any of the links in the chain, Savage has the know-how to get it done, with efficiency and reliability.

SUSTAINABLE, RELIABLE SERVICE

We know that value is in the eyes of our customer. That's why we treat your business like it was our business. Our approach is straightforward: We do what we said we'd do, how we said we'd do it. By treating customers as partners, we form relationships that promote collaboration and communication. We work with you to understand your needs and deliver the services you expect. And when those needs or expectations change we adapt.

"Their people are top notch."
Freight Railroad Company



SAVAGE SUPPLY CHAIN SOLUTIONS



Material Source

We provide materials and logistics support at the point of origin to support your timely and efficient output. Savage provides on-site logistics management, operations and maintenance within your production facility. Our team begins your material's journey to market.



Truck Transport

Savage moves millions of tons of materials by truck every year. We tailor our fleet of late model, fuel efficient trucks to work either as your sole mode of material transport or as a part of your intermodal transportation strategy. We can adjust load capacity and frequency to your rate of output.



Material Handling

We design, construct and operate the systems and processes critical to handling liquids and dry bulk products. Our team has the experience and discipline to ensure your material is loaded or by product is handled safely, efficiently and in compliance with regulatory requirements.



Rail Services

Savage owns or operates over 55 train terminals and railcar storage yards across North America. Our services for class one railroads include operations, switching, and switching equipment, construction, operations planning, loading, track and railcar inspection and maintenance planning and technology. We move over 40 million tons of materials in over 1,600 railcars annually.

← Savage logistics management and information technology provide

Savage provides specialized services for our customers at virtually every link of the supply chain. We are constantly growing and expanding our services to meet the unique needs of our customers and their industries. Our commitment to keeping team members safe and preserving the environment complements the services we deliver as your product travels to market. Here's a quick overview of the types of solutions we can provide for you.

"They grasp the issue at hand and know what needs to be done."
Large Chemical Company

Frontload

We provide expert service to load your product from our mode of transportation to another or into storage. Our transfer services are aimed at making sure the materials between the truck, rail and marine systems are seamless.

Storage

Timing is essential in a successful supply chain. Sometimes that includes wait time. That's why Savage builds and operates liquid and dry bulk storage facilities at or near critical transit points.

Processing

Savage process engineers provide the expertise needed to convert your raw materials along the journey to market. Our chemical tolling and dry bulk sizing, blending, pulling and consolidation services help reduce your manufacturing and transportation costs and also minimize your environmental impact.

Marine Transport

Our experience, processes and technology for marine operations allow you to leverage this highly efficient method of transport. Savage marine services include logistics, barge and vessel operation, loading, unloading, towing, maintenance and marine terminal operations.

Market

Every year, we move more than 100 million tons of materials for our customers. The materials we manage directly benefit end consumers around the world. From food to fuel, we get your product where it needs to go, safely, at priority and reliably.

metrics, reporting and accountability for integrated supply chain management.

INDUSTRIES WE SERVE

Our supply chain solutions span a broad range of industries and markets across North America and around the world:

- Energy
- Chemicals
- Refineries
- Power Generation
- Mining
- Transportation
- Oil & Gas
- Sulphur
- Coal
- Petroleum Coke
- Manufacturing
- Agriculture

But no matter which industry your business is in, we focus on your unique needs and challenges. We incorporate best practices from our collective supply chain services, regardless of industry, and bring the appropriate elements of our experience to all our customers.

While you focus on your customers, production, and development, we focus on moving and managing your materials - so you have one less thing to worry about. While you work to make your numbers, we work to help you make your numbers bigger and better. We put our people, equipment and technology to work on your toughest logistics and supply chain needs. Our team becomes your team - with a shared dedication to your business. We work shoulder-to-shoulder with your people on key performance indicators. By leveraging Savage's cross-industry insight, we consistently provide sustainable solutions and worry-free service.

"Their dedication and commitment is unequalled."

Natural Gas Pro

THE SAVAGE CUSTOMER VALUE PROPOSITION IS BASED ON FOUR KEY COMPONENTS:

- Innovation
- Creating Value
- Collaboration
- Reliability

NOTHING TRUMPS SAFETY AT SAVAGE

A critical part of the peace of mind we deliver to our customers is our shared commitment to safety. Safety is woven into the fabric of the Savage culture. We believe that safety is the responsibility of every employee. Savage provides extensive training and tools to support the safety awareness and education of all team members. Our full-time safety professionals serve as resources to our managers and employees regarding the technical requirements of OSHA, MSHA, FRA, DOT and other government agencies.

In recognition of our commitment to safety, Savage was named as one of *America's Safest Companies* in 2011. And our operations have been awarded many safety awards and recognition by our customers and various industry organizations such as OSHA.

Alongside the safety of our people, Savage is dedicated to the preservation of our environment. We regularly evaluate our equipment and processes for environmental impact. Savage is a member of Responsible Care® and participates with other conservation agencies.



THE SAVAGE TEAM

Our people really do make the difference. We work with our eyes and ears open. We look for opportunities to improve our service, we listen to customer needs, and we anticipate industry trends. One of our founders, Neal Savage, tells us, "There is a better way. Find it." This principle guides how we do business and how we deliver value to our customers – by working as a team looking for ways to improve. Together we explore new concepts, analyze problems, challenge conventional thinking and generate new ideas. We find the better way to create new value for you on an ongoing basis.

THE SAVAGE CULTURE

The company was founded by the three Savage brothers in 1946 with a single truck hauling coal and timber in Utah. The brothers became known and respected for their integrity, innovation, and ability to deliver results. These values remain the foundation of everything we do.

Throughout the company's growth the Savage family and the company leadership has ensured that the company has maintained our core value of providing high quality, worry-free service to our customers. We are committed to continued growth, innovation and integrity.

The **SAVAGE** System



CREATING VALUE FOR OUR CUSTOMERS THROUGH INNOVATIVE SUPPLY-CHAIN SOLUTIONS

WHY CHOOSE SAVAGE?

We will develop a solution uniquely suited for you. At Savage we listen first and talk second. We want to understand your needs, challenges and expectations. Once we know your requirements, we'll put our people, processes and technology to work, solving your toughest supply chain challenges. When the solution is created and delivered, we'll continue to work with you to find new ways to deliver value.

SAVAGE[®]

*We'd love to work with you to develop a solution
that meets your unique supply chain challenge.*

To learn more about Savage and some of
the services we provide contact us:

www.savageservices.com • info@savageservices.com • 800-827-4439

EXHIBIT B

The Salt Lake Tribune

Deseret News

News

Tuesday, February 25, 2014 | Last Updated: 11:02 am

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W. Jordan freight train derailment slowed TRAX commuters

By Bob Mims | The Salt Lake Tribune

First Published Feb 19 2014 06:28 am • Last Updated Feb 19 2014 02:47 pm

A partial freight train derailment in West Jordan brought nearby TRAX light rail traffic to a crawl during Wednesday morning's commute, but was cleared by noon.

The 3:30 a.m. Wednesday derailment involved the front two engines of a Savage Systems freight train hauling 15 cars, 10 of them empty and five containing tanker loads of isobutane gas. None of the tankers were compromised, but the engines, while upright, were teetering off the rails near 4000 W. 9000 South in West Jordan.

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Savage spokeswoman Rebecca Boucher confirmed that no injuries occurred and none of the cars behind the engines had derailed. She said the cause of the accident was under investigation, though company personnel reported were looking at the possibility of a faulty rail switch being a factor.

Light rail traffic — specifically the "Red" line leading to the University of Utah campus — was delayed about 15-20 minutes as trains shared the one remaining rail span to get

through the accident scene.

Utah Transit Authority spokesman Remi Barron said that in addition to that, a "bus bridge" was used to ferry commuters around the scene.

<http://www.sltrib.com/sltrib/news/57566616-78/rail-derailment-engines-freight.html.csp>

2/25/2014

Deseret News

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Train derailment in West Jordan causes delays

By Mary Richards, Deseret News

Print Font [+][-] 1 Comment »

Published: Wednesday, Feb. 19 2014 9:15 a.m. MST

Updated: Wednesday, Feb. 19 2014 2:48 p.m. MST



View 2 photos »

Two freight train locomotives tipped over in west Salt Lake County on Wednesday, Feb. 19, 2014, just before 3:30 a.m. Investigators do not know why the Savage freight locomotives came off the tracks.

Derek Peterson, Deseret News

Summary

The front locomotives on a freight train came off the tracks in West Jordan, causing minor traffic delays Wednesday.

WEST JORDAN — Two freight train locomotives tipped over in west Salt Lake County just before 3:30 a.m. Wednesday.

Investigators do not know why the Savage freight locomotives came off the tracks, but apparently the trouble occurred around a corner near 4000 West and 9000 South.

Bobcats, cranes and other equipment were on scene to help with the cleanup. By 8:30 a.m., crews had detached the first two tipped cars from the rest of the train. The other 15 cars connected to the locomotives were not damaged and stayed on the tracks, said Rebecca Boucher, Savage Services communications director.

<http://www.deseretnews.com/article/865596820/Train-derailment-in-West-Jordan-causes-d...> 2/25/2014

Deseret News

No one was injured in the incident, and the products of the cars did not spill, Boucher said.

The derailed cars lay near the path of a TRAX train, causing minor delays to the commute on the Utah Transit Authority's Red Line. Vehicle traffic in the area was also slightly delayed by the derailed train.

"We realize this is affecting commuters utilizing TRAX service, and Savage is working as quickly as possible to reposition the locomotives that are impacting the UTA mainline," Boucher said.

— Mary Richards



★ Popular Comments

See all 1 comment

toosmartforyou Farmington, UT

I can just hear the train dispatchers: "I wonder why 8620 hasn't arrived yet. They seem a little slow tonight."

11:37 a.m. Feb. 19, 2014 Top comment

Comments

Leave a comment

DeseretNews.com encourages a civil dialogue among its readers. We welcome your thoughtful comments.
— About comments

About the Author



Mary Richards

Connect:

EXHIBIT C

Associated Press

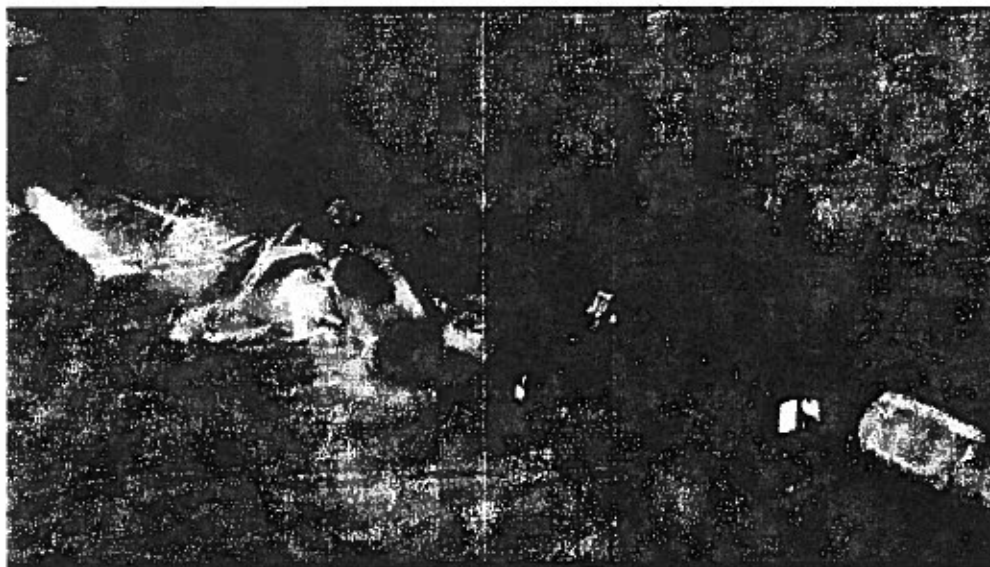
CNS News

Courier-Post

Train derailment sends chemical tank cars into New Jersey creek

Published November 30, 2012
Associated Press

<http://www.foxnews.com/us/2012/11/30/train-derailment-sends-chemical-tank-cars-into-...> 12/13/2013

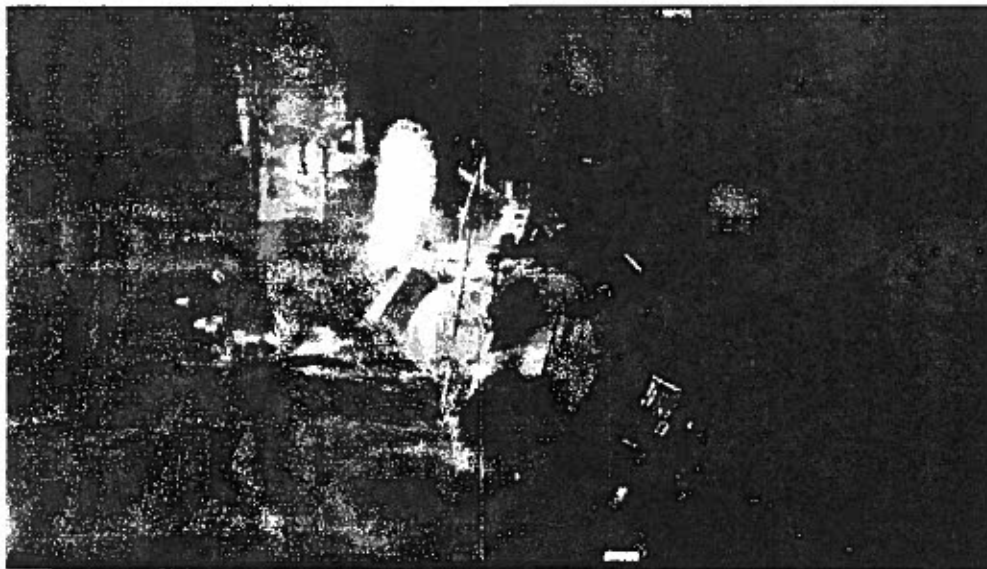


MyFoxPhilly.com



Nov. 30, 2012: This photo shows the scene of the accident. (MyFoxNY.com)

<http://www.foxnews.com/us/2012/11/30/train-derailment-sends-chemical-tank-cars-into-...> 12/13/2013



Nov. 30, 2012: This aerial shot shows the scene of the accident. (MyFoxPhilly.com)
Next Slide Previous Slide

PAULSBORO, N.J. — A freight train derailed Friday on an old southern New Jersey railroad bridge that has had problems before, toppling two tanker cars partially into a creek and causing a leak of hazardous gas that was blamed for sickening dozens of people, authorities said.

Members of the National Transportation Safety Board came to New Jersey to investigate, including trying to determine whether it was a problem with the bridge that caused the derailment or the derailment that caused the partial collapse of the bridge.

A delicate operation lies ahead, as a huge crane was being brought from New York Harbor to pick up tanker cars precariously dangling from the bridge.

The accident happened just after 7 a.m. when a train with two locomotives, 82 freight cars and a caboose made its way from Camden to the industrial town of Paulsboro, just across the Delaware River from Philadelphia International Airport.

Cars went off the rails on a swing-style bridge, owned by Conrail, over Mantua Creek.

One tanker containing 25,000 gallons of vinyl chloride was sliced open in the accident and some of the gas spewed into the air, while the rest turned into a solid and settled into the bottom of the tanker.

People who live nearby said the air was smoky and had a sweet chemical smell for part of the morning.

Breathing the chemical, which is used to make polyvinyl chloride (PVC), a material used to manufacture a variety of plastic and vinyl products including pipes, wire and cable coatings and packaging materials, can make people dizzy or sleepy. Breathing very high levels can cause you to pass out, and breathing extremely high levels can cause death. Most of the vinyl chloride is gone from your body a day after you breathe it.

More than 40 people were being treated Underwood-Memorial Hospital, most having complained of breathing problems, said spokeswoman Karen Urbaniak. She said 11 arrived by ambulance and 31 walked in. All those seen by late morning were listed in stable condition.

Residents of Paulsboro, West Deptford and East Greenwich Township were told to remain indoors early Friday before an all-clear was given. One resident walked through town Friday morning wearing a gas mask.

By late morning, state Department of Environmental Protection spokesman Larry Hajna said that sensors were not measuring any amounts of the chemical at the site.

Tom Butts, the director of emergency management for Gloucester County, said it would take at least a day to get the large crane to the site from New York Harbor to pick up the damaged cars. The recovery work was expected to take place only during daylight hours and it was not clear how long it would take.

The bridge usually supports at least three major trains each day serving refineries and other customers in this industrial area. It was rebuilt after it buckled in 2009.

State Senate President Stephen Sweeney, whose district includes Paulsboro, said he had been told that complaints had been made in recent weeks about noise coming from the bridge and that Conrail was looking into it. But he said he didn't have any details.

At a news conference, Conrail spokesman John Enright said that the company is concerned with safety and cooperating with authorities, but he would not take any questions.

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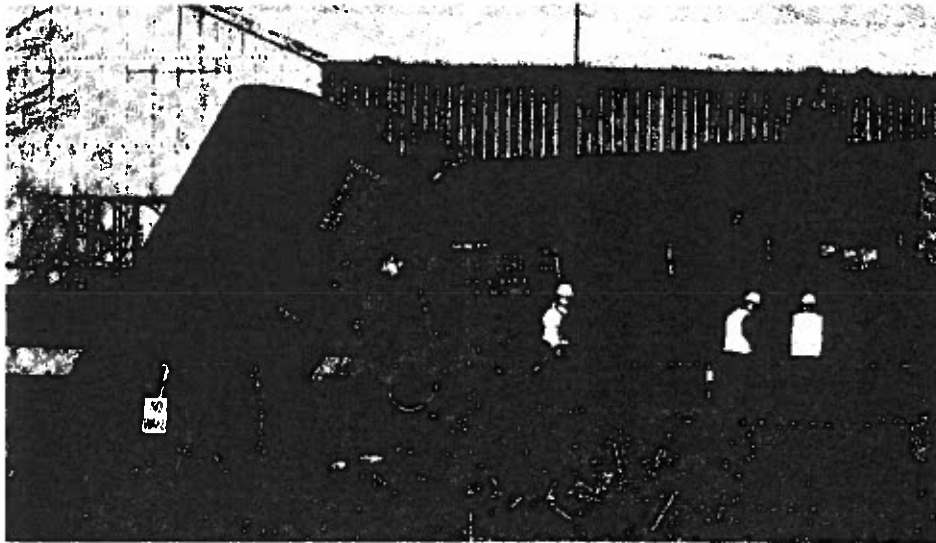
The Federal Railroad Administration last inspected the bridge in January 2010 and found no defects. Railroads are required by law to conduct their own inspections. The FRA does not know when Conrail last did one.

Nine cars on a coal train derailed at the moveable bridge on Aug. 23, 2009, in an accident that was attributed to a bridge misalignment.

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CBS/AP / November 30, 2012, 6:11 PM /

More than 70 sickened from poisonous fumes from N.J. train derailment



Officials work the scene of derailed freight train tank cars in Paulsboro, N.J. on Nov. 30, 2012. Several tanker cars carrying hazardous materials toppled from a bridge and into a creek. At least one tanker car contained vinyl chloride, according to authorities. / AP PHOTO/MEL EVANS

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<http://www.cbsnews.com/news/more-than-70-sickened-from-poisonous-fumes-from-nj-tr...> 12/13/2013

PAULSBORO, N.J. | A southern New Jersey hospital said that 71 patients were hospitalized complaining of breathing problems, burning eyes or scratchy throats on Friday after a poisonous gas was released in the area during a train derailment.

The Conrail train incident occurred around 7 a.m. on Friday in Paulsboro, derailling four cars and sending at least two cars into Mantua Creek. One of the cars leaked a hazardous gas known as vinyl chloride, used to make plastics, into the environment.

New Jersey authorities have blamed the incident on an old-style swing rail bridge that had previously buckled and been rebuilt. The National Transportation Safety Board's investigation is ongoing.

The train with two locomotives, 82 freight cars and a caboose was making its way from Camden to the industrial town of Paulsboro, just across the Delaware River from Philadelphia International Airport. Cars went off the rails when passing over a swing-style bridge. One tanker containing 25,000 gallons of vinyl chloride was sliced open in the accident and some of the gas spewed into the air, while the rest turned into a solid and settled into the bottom of the tanker.

People who live nearby said the air was smoky and had a sweet chemical smell for part of the morning. More than 70 people were hospitalized, most complaining of breathing problems after the accident. Eleven people were transported to Underwood-Memorial Hospital, and many more arrived on their own accord, according to spokeswoman Karen Urbaniak. Sixty-three patients have been discharged, and the eight that remain are in stable condition. Paulsboro, East Greenwich, and West Deptford residents were told to stay in their homes after the accident.

Inhaling vinyl chloride can cause eye and respiratory tract irritation, according to the Environmental Protection Agency. At high levels, it can cause loss of consciousness, lung and kidney irritation, prevention of blood clotting in humans, cardiac arrhythmias in animals and other effects on the central nervous system, including dizziness, sleepiness and giddiness. Vinyl chloride has also been shown to increase the risk of a rare form of liver cancer and, in a few studies, to affect male sexual performance.

By late morning, state Department of Environmental Protection spokesman Larry Hajna said that sensors were not measuring any amounts of the chemical at the site.

Tom Butts, the director of emergency management for Gloucester County, said it would take at least a day to get the large crane to the site to pick up the damaged cars. The recovery work was expected to take place only during daylight hours and it was not clear how long it would take.

The bridge usually supports at least three major trains each day serving refineries and other customers in an industrial area along the Delaware River. It was rebuilt in 2010 after it buckled in 2009.

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Wider evacuation area declared in Paulsboro

Move ends
intermittent
orders to
stay indoors

By George Mast and Phil Dunn
Courier-Post Staff

PAULSBORO — Authorities on Tuesday expanded an evacuation zone near the site of a freight-train derailment here, and said residents will be displaced until at least Sunday as a precaution against dangerous fumes.

Meanwhile, a South Jersey congressman

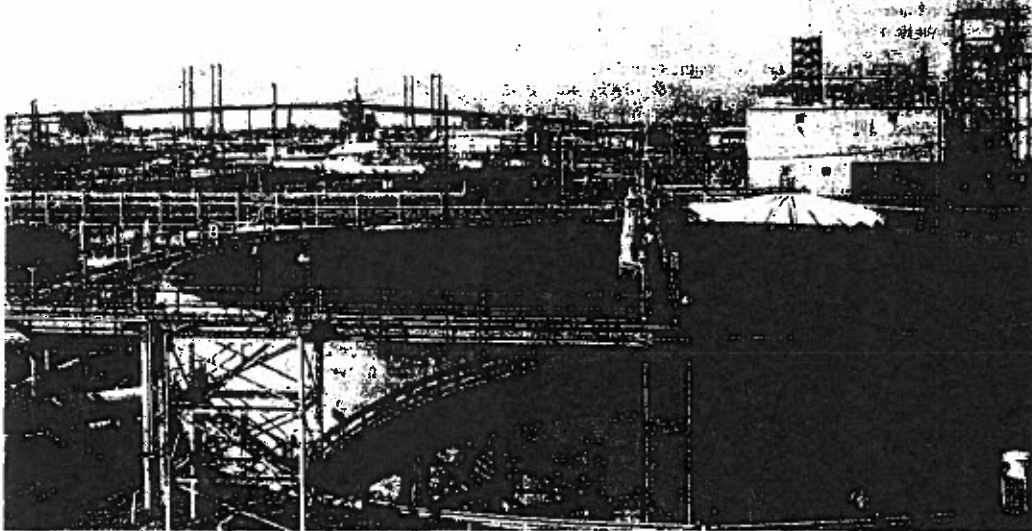
said cleanup activities have been too slow in the wake of Friday morning's accident.

"I'm not satisfied with the pace of this cleanup and I'm willing to take this as high as it needs to go," said Rep. Rob Andrews, a Haddon Heights Democrat.

Coast Guard Capt. Kathy Moore responded at a press conference later Tuesday by

See **CLEANUP**, Page 9A

EVACUATION AREA » The Coast Guard has declared an evacuation in Paulsboro for an area extending from Broad to Spruce streets, from Spruce to the railroad tracks, from the railroad tracks to North Delaware Street, from North Delaware Street to 7th Street, and 7th Street to Mantua Creek.



The disruption in rail service has been a headache for producers including DuPont Chambers Works in Deepwater, Salem County. The derailed train left four tanker cars destined for Deepwater on the north side of the bridge. PHOTO PROVIDED

Cleanup

Continued from Page 1A

saying: "We are moving as swiftly as we can, considering the very complicated situation before us. We are doing the right things and we are doing them in the right order."

Officials said they've encountered difficulty in emptying a breached tanker car that initially held 180,000 pounds of vinyl chloride, a chemical with short- and long-term health effects. That task might not be completed until Sunday, Moore said.

That car was one of seven to derail shortly after 7 a.m. Friday as a freight train tried to cross a bridge between West Deptford and Paulsboro. A leak of vinyl chloride sent more than 60 people to a hospital on Friday morning, most with respiratory complaints.

The Coast Guard, which initially declared the evacuation of about 50 homes on Friday evening, called for residents to leave an additional 100 homes on Tuesday afternoon.

Officials also said the evacuation would last one day longer than previously thought.

The expanded evacuation is intended for the convenience of residents elsewhere in the borough, said Moore.

Officials previously have been telling all borough residents to stay indoors — or shelter in place — whenever tests found elevated levels of vinyl chloride in the air. The expanded evacuation zone includes the areas where pollution spikes have occurred, and the Coast Guard said that should end the need for residents in other neighborhoods to stay indoors.

The elevated levels of vinyl chloride are still far below those deemed to be toxic.

Those residents evacuated from their homes Tuesday night were granted hotel and food vouchers for the next three days. Most were sent to hotels in Gloucester City, Runnemede or Carneys Point.

A shelter also is operating at Kingsway Regional High School in Woolwich.

"I'm glad we are out and safe, but what makes me nervous is the lack of information," said Chante Scott, who left her West Jefferson Street home. "I live just on the other side of the first evacuation line, so was I in harm's way before today?"

Dawn and Richard Wright said they worried more about looters than toxic fumes.

"People have Christmas presents at their homes," said Richard Wright. "We all have to leave, but the rest of the town is still there."

A 7 p.m. curfew has been issued for the evacuation area to deter theft.

"Local police will be on active patrol in the evacuation zone to ensure homes are protected," said Paulsboro Police Chief Chris

Wachter.

In line with the evacuations, public schools in Paulsboro remain closed until further notice.

The Coast Guard also canceled a community meeting and borough council session that had been planned for Tuesday night, describing that as a precautionary measure.

Authorities said weather conditions aren't helping. With higher temperatures and low winds, the chemical does not dissipate as quickly.

The cleanup effort has also delayed investigators with the National Transportation Safety Board from reaching the scene and beginning their physical investigation into the rail cars and bridge structure.

A 150-ton crane on a sea-going barge is expected to pluck the rail cars from the stream, but authorities have not said when that operation might begin.

Moore said workers have faced a challenge in removing 600 to 800 gallons of vinyl chloride that remain in the ruptured car, which is lying on an angle.

"What we are going to do is pump a new liquid in that will dissolve the vinyl chloride and we will then pump that liquid back out," she said. "We hope to be completed by Sunday."

Reach George Mast at (856) 486-2465 or gmast@gannett.com

Off the rails, firms suffer

Disruption highlights reliance on S.J. freight tracks

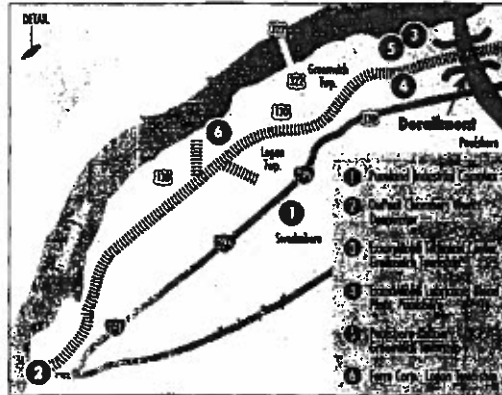
By Kim Mulford
Courier-Post Staff

Since Friday's freight train derailment, Conrail's customers down the line from Paulsboro to Deepwater have been scrambling to get raw materials brought in and their finished products shipped out.

The Penns Grove Secondary rail line handles coal, plastic pellets, lumber, vinyl chloride and other hazardous materials used in oil refining and chemical manufacturing.

The disruption in rail service has been a major headache for producers in Gloucester and Salem counties, including DuPont Chambers Works in Deepwater.

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INSIDE

» Police called to evacuation motel; 22 arrested, some on drug charges.
Page 9A

ON THE WEB

» View more photos at cpsj.com

ADAM MONACELLI
COURIER-POST

Freight

Continued from Page 1A

ter and several companies within Logan's Pureland Industrial Complex.

That's where SMS Rail Lines President Jeffrey Sutch has been working the phone, trying to find transportation alternatives for his customers. His company operates 6½ miles of track throughout Pureland, and has been forced to cut workers' hours since the railroad went silent Friday.

"I want it over yesterday," said Sutch. "This is something none of us need."

As their inventories are depleted, most of the affected companies will turn to trucks or barges until Conrail gets the rail line back in service. One rail car carries the equivalent of three to five tractor trailer loads. That means an increase in traffic along Interstate 295 and an increase in costs to Conrail's affected customers.

It's a complex issue for DuPont Chambers Works in Deepwater, which makes more than 500 specialty chemical products, said Public Affairs Manager Meredith Avakian-Hardaway. The derailed train left four tanker cars destined for Deepwater on the north side of the bridge.

Each of the products

brought into the plant are regulated differently; without rail, some materials must be brought in by barge and others must be trucked over land.

The Paulsboro Refinery in Greenwich also uses the rail line, but company officials could not comment about the derailment's impact on its oil refining operations.

The company is set to go public within the next several weeks and is under a "quiet period," as mandated by the Securities and Exchange Commission. The plant employs around 435 people and can produce 180,000 barrels of gas, home heating oil and jet fuel a day.

On Friday, ExxonMobil temporarily shut down its technical center and its lubricants manufacturing site in Paulsboro, but reopened for business Monday. Fuel and finished lubricant products are shipped out via rail, and the raw materials to make them are shipped in. About 400 people work at the two sites.

"We have a business continuity plan in place and are in the process of deploying it," said Exxon-Mobil spokeswoman Claire Hassett. "It will involve greater utilization of trucks and potentially the fulfillment of orders from alternate locations, if necessary."

Companies along Route 130 in Logan and Oldmans

Township also use the line to bring in raw materials, including chemical manufacturers PolyOne and Ferro Corp. Ferro officials said there was no immediate effect to its production, but that the long-term impact is unknown.

At least a half dozen companies are affected at the Pureland Industrial Complex, said its president, Carl Helwig, including Home Depot, a paper products company and a plant that produces plastic drainage pipes.

"There's pretty heavy usage of rail in Pureland," Helwig said. "However, a lot of these products can be delivered by truck. It costs more... but I haven't heard of any company that hasn't come up with alternatives."

"It's not a desirable option, but it's a viable option in the short run."

The damaged rail line has also affected construction of the Paulsboro Marine Terminal.

At this time the South Jersey Port Corporation is

still vetting bids for work there, said deputy executive director Jay Jones. However, the accident has temporarily halted work on a Gloucester County-run project to build a new Mantua Creek overpass and railway related to the terminal.

Still, Jones said the derailment "shouldn't have too much impact on us.... We're in between contracts for the construction right now."

Conrail officials would not estimate how long it will take to investigate the accident, pull the rail cars out of the water and rebuild the bridge. A company spokesman also would not say how many of its customers are affected, nor how many rail cars are shipped on the line in a given week.

Staff writer Christina Mitchell contributed to this report. Reach Kim Mulford at kmulford@gannett.com. Follow her @CP_KimMulford