

Oil train smuggles deadly risk into our backyards, again

By DAVID BOND, JAKUB CRCHA AND SHACHI MOKASHI

In what has become a dismal annual event, once again an oil train is parked in residential areas in Bennington. One hundred tankers now sit on the deserted tracks that stretch from Lake Paran to the Bennington Bypass. Each tanker car holds "pressurized, non-odorized liquid petroleum" and is adorned with a small red placard reading "1075," indicating flammable gases. Some tankers are parked next to homes, foregrounded by picnic tables, gardens, and playgrounds.

Last year Vermont Secretary of Transportation Joe Flynn visited Bennington to discuss widespread concerns about these trains and the risks they bring to our community. When we asked him what emergency response would be adequate to ensure public safety in the event of a crash or explosion involving an oil train of this magnitude, he responded, "We don't have a plan for that. That would be catastrophic."

As more oil and gas finds its way onto our nation's railways, many journalists and frontline communities have taken to calling them "bomb trains." The 2013 disaster in Lac-Mégantic, where an oil train exploded and wiped out an entire town in Quebec, was widely seen as a wake-up call. Subsequent investigations in the US revealed a severely neglected infrastructure — as the AP reported, federal inspectors found one serious defect roughly every two miles on the tracks they investigated. Yet knowledge of this dire situation did not translate into either new policy or investments on par with the need. And since Lac-Mégantic, dozens of oil trains have derailed and ruptured in at least 15 states.

The Obama Administration began modest improvements, including requiring new braking systems, better staffing requirements, and designating trains carrying more than 20 tankers of flammable liquid "High-Hazard Flammable Trains" subject to increased safety precautions (trains carrying flammable gas were not included). Over the past year, the Trump Administration has rolled back these modest improvements — including those that would have prevented the Lac-Mégantic disaster — and issued new rules allowing even more volatile petroleum products like Liquid Natural Gas on our nation's aging railways.

Last year, Vermont transportation officials assured us that an improved tanker car design — the new DOT-112 model — made these tankers virtually indestructible even if they travel on subpar tracks. Data does not support such official confidence. According to the Office of Hazardous Materials Safety — the federal record keeper for the transportation of hazardous material — the past few years have witnessed over a hundred accidents involving these "indestructible" tanker cars, 29 of which involve a failure of the equipment or a defect in the tanker. Many of these failures resulted in ruptured tankers, explosive fires, and extensive property damage.

For example, in August 2017 a train was crawling through the outskirts of Hyndman, Pennsylvania at dawn when a few cars derailed. A propane tanker careened down an embankment and into a house. The rural community woke to an ear-splitting boom and an enormous fireball as the tanker exploded. After a chaotic emergency response, eventually everyone within a mile of the blast was forced to evacuate. An official investigation revealed a propane tanker had ruptured during the crash and "burned vigorously" for two days. The resulting inferno, which forced the evacuation of an entire town and caused millions of dollars in property damage, was caused by a single DOT-112 carrying pressurized liquid petroleum.

Each of the one hundred DOT-112 tankers parked in residential areas in Bennington is loaded with 30,000 gallons of pressurized liquid petroleum. It's not hard to imagine what could happen. After the Hyndman incident, the Pennsylvania Department of Environmental Protection mapped out the extent of the blast on the town. We overlaid these Hyndman maps (again,

involving one propane tanker) over the train currently parked along the tracks in Bennington (again, consisting of over 100 propane tankers).

This is what we found. Up to 15 houses would be consumed by the fireball. A popular restaurant and senior center lies within what the Hyndman investigation called the "50% lethality range." The "lower range of blistering" includes large sections of Northside Drive and Hanford Square. The full blast radius encompasses an apartment complex, a shopping center, a retirement home, and an elementary school. Bennington College, where we live and work, lies within what is described as the "threshold of pain." As this train is currently parked on an inaccessible section of track, responding to even a minor accident or leak would be exceedingly challenging and could quickly escalate into a major disaster.

The shocking scale of destruction threatened by these oil trains is matched only by tremendous difficulty citizens face in doing anything about it. The alarm residents feel as they find themselves face to face with these deadly trains is all too often met with shrugs from government officials and dithering talk of federal preemption. That's certainly what is happening in Vermont.

Anything traveling on the railway is deemed under the jurisdiction of the federal government and thus exempt from municipal and state regulation. Absent a clear definition of "in-transit," this exemption extends to anything stored on the rails as well. As we've found out, this includes parking a mile-long string of propane tankers in neighborhoods for months on end. In effect, these exemptions offer a cheap and sneaky way for fossil fuel corporations to warehouse petroleum products outside the oversight that normally accompanies such storage facilities.

For example, storage facilities for liquid petroleum gas are now required to have special safety features, including adjacent fire hydrants, road access, and earthen dikes to contain a leak of heavier-than-air petroleum gas. There are also siting rules that limit how close such a facility can be to schools and other public places. All of these reasonable safeguards can be disregarded if the liquid petroleum gas is simply stored in trains instead.

Last year, Bennington residents voiced concerns to Vermont officials about the oil train parked next to their homes. These concerns fell on deaf ears. One official even told us, "I'm glad we're storing propane on rails," extolling the safety of railways (three propane tankers derailed in Hoosick Falls and narrowly avoided a disaster a few months later). Vermont state Sen. Dick Sears asked transportation officials, "Why are they parked in residential neighborhoods? Why do you park them directly next to a home?" Peter Young, a lawyer working for the Vermont Rail System, responded, "Because that's where the tracks are."

The absurdity of the situation is lost on them. These oil trains have smuggled new risks into our community under the cloak of federal preemption. In effect, these oil trains are re-zoning our homes, our farms, and our neighborhoods into petrochemical facilities without our consent, and without the safeguards that would normally accompany such operations. This makes a mockery of our right as citizens to participate in the governing of our community.

The arrival of the oil train this year coincided with the Climate Strike, which brought hundreds of residents and students to downtown Bennington. The contrast between the explosive dangers of the oil train and our community's growing concern over climate change is stark — and shows just how far we have to go to confront the ways that fossil fuel corporations have exempted themselves both from democratic oversight and the science of our collective future. Getting these trains out of neighborhoods is a fine place to start pushing back.

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