

# Wild Idaho Rising Tide

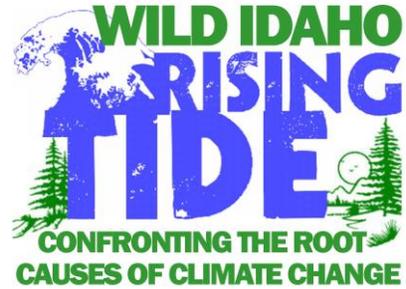
301 N First Ave 209B, Sandpoint, ID 83864

PO Box 9817, Moscow, ID 83843

Phone: 208-301-8039

Email: [wild.idaho.rising.tide@gmail.com](mailto:wild.idaho.rising.tide@gmail.com)

Website: [WildIdahoRisingTide.org](http://WildIdahoRisingTide.org)



July 8, 2019

William S. Schoonover  
Associate Administrator of Hazardous Materials Safety  
Pipeline and Hazardous Materials Safety Administration  
Washington, DC

Docket Management System  
U.S. Department of Transportation  
West Building, Ground Floor, Room W12-140, Routing Symbol M-30 1200  
New Jersey Avenue SE  
Washington, DC 20590

Sent via full comment in PDF attachment and partial comment posted through  
Regulations.gov portal, docket number PHMSA-2019-0100-0002 [1]

## **WIRT Comments on Draft Environmental Assessment SP 20534 of Proposed Special Permit for Energy Transport Solutions to Transport Liquefied Natural Gas in Rail Tank Cars**

I respectfully offer these written comments and accompanying links to further information, on behalf of Wild Idaho Rising Tide (WIRT) and its over 3,200 climate activists, members, friends, supporters, and allies, including U.S. citizens and residents owning property, working, and/or residing in the inland Northwest, north Idaho, and surrounding watersheds, who would be potentially and directly impacted by Energy Transport Solutions, LLC (ETS) and other railroad companies, such as Burlington Northern Santa Fe (BNSF) Railway, Montana Rail Link (MRL), and Union Pacific (UP) Railroad, receiving special permits for and transporting large quantities of liquefied natural gas (LNG) in unit trains of DOT-113C120W tank cars. Because rail shipments of LNG pose significant health, safety, and environmental risks to rail corridor communities throughout the United States, we urge you to deny this special permit requested by ETS. LNG train derailments could inflict citizen and train crew injuries and death, and impose fires, property damage, huge economic costs, and other significant, direct, indirect, and cumulative impacts that the cursory, 23-page, draft environmental assessment (EA) SP 20534, offered by the Pipeline and Hazardous Materials Safety Administration (PHMSA) for public review, as analysis of ETS's proposed special permit impacts, thoroughly ignores [1-3]. For instance, ETS proposes allowing up to 100-car, unit trains to dangerously ship LNG, a super-chilled (to -260°F) but highly flammable, fossil fuel product, through populated and rural areas,

but does not identify among permit application documents its rail routes, likely between fracked, Appalachian gas fields and East Coast power plants and export terminals. ETS's draft environmental assessment offers limited, public information and insufficiently identifies and analyzes the socioeconomic and environmental factors impacted by this proposal.

We earnestly and respectfully encourage and request PHMSA to: 1) Accept and include these and all of our oral and written remarks and linked documents in the official, public record for PHMSA-2019-0100-0002 and related project comment periods for ETS's permit application, 2) Extend this comment period to 90 days, to better involve citizens across the country in PHMSA decisions, 3) Make all documents pertaining to this special permit publicly available for review, comment, and testimony, 4) Hold hearings on this draft EA in the most impacted communities and environments, whom ETS did not specify in its draft EA, 5) Obtain all federal, state, county, and city land ownership and lease records for impacted railroad right-of-ways and easements, to ascertain the proper jurisdictions and authorities of the project area, before all government environmental review and permit decisions, 6) Deliberate and include in the ETS permit requirements less environmentally damaging, practicable, alternative transportation options and better safety precautions and designs for this project, and 7) Conduct a more community-preferred, scientifically rigorous, independent, unbiased, full environmental impact study and statement (EIS) examining this LNG shipment scheme.

Washington and Oregon Physicians for Social Responsibility recently confirmed that LNG is extremely hazardous to human and environmental health [4]. Oregon's senior Congress member and chair of the U.S. House Transportation Committee, Democratic representative Peter DeFazio, has called the recent, Trump administration plan to encourage LNG-by-rail "beyond absurd. Should even one tank car get punctured, the results could be devastating" [5]. But as alternative, renewable energy becomes increasingly accessible and economically competitive, fossil fuel companies continue to recklessly transport fracked gas through rail corridor communities via pipeline, rail, and truck. We ask PHMSA to consider the full risks to human and environmental health and safety posed by LNG trains, by expanding its project evaluation beyond the draft environmental assessment and its stated intention "to find that the issuance of the proposed special permit would not result in significant impacts to the human environment" [1, draft EA page 23].

Please see pages 26 to 33 of the 2017 Lake Pend Oreille and Pend Oreille River Geographic Response Plan [6] and previous WIRT facebook posts [7, 8] about hazardous rail shipments, to consider the risks potentially imposed by LNG-by-rail on inland Northwest communities and environments. We also concur with and incorporate into our comments the following letter of special permit opposition composed by Power Past Fracked Gas [5], and an article about the proposal by DeSmog [3], which both accurately reflect our concerns. Furthermore, we incorporate by reference into these remarks the written and oral comments of WIRT and all persons and organizations raising concerns about this project, its draft EA, and associated documents and processes, through all local, state, and federal, public input avenues before, during, and after this PHMSA comment period on the project's draft EA. We also incorporate by reference into these remarks all of the WIRT website and facebook posts and linked articles and documents relevant to this ETS project analysis and its issues of concern, as further, public input and information shared with PHMSA.

“The environmental assessment (EA) for the special permit fails to adequately account for potential health and safety impacts to trackside communities and sensitive environments, which could result from single or cascading tank car failures in an LNG train derailment. Moreover, the EA ignores the cumulative impacts of increased gas production, shipment, and consumption facilitated by the proposal.

The EA presents a misleading comparison between LNG trucks and LNG train cars, and it presents inaccurate conclusions about the public safety ramifications of LNG-by-rail shipments as a result. For example, LNG cargo trucks are not moved in large groups and are not subject to cascading failures in the same way as DOT-113 cars in proposed LNG unit trains. Furthermore, the EA fails to consider the consequences of multiple DOT-113C120W failures or how a cascading failure of cars in a LNG unit train could be avoided or mitigated.

PHMSA’s analysis does not present a reasonable no action alternative. The EA presents as its “no action” case the use of 1,200 cargo trucks per day to transport LNG. Trucking this quantity of LNG is, by itself, an extremely hazardous proposal requiring its own environmental impact statement. The EA should compare proposed LNG-by-rail shipments to an actual “no action” alternative, one where LNG shipments by rail or truck do not increase over current levels.

Finally, by omitting any meaningful consideration of the greenhouse gas impacts of the increased transportation, production, and consumption of LNG facilitated by the proposed request, PHMSA is acting in an arbitrary and capricious manner, inconsistent with the National Environmental Policy Act.

In short, the EA is incomplete and inaccurate, while the proposal it purports to evaluate is dangerous and ill-advised. We urge you to deny Energy Transport Solutions’ special permit application. At a minimum, PHMSA must develop a full, thorough environmental impact statement to address the serious public health, safety, and environmental consequences of shipping LNG via rail” [5].

“...Federal regulators, instead of learning from the deadly mistakes of the essentially unregulated oil-by-rail boom, are poised to allow the fossil fuel and rail industries to repeat the same business model with LNG, with potentially even higher consequences for public health and safety...In April, President Trump issued an executive order mandating a federal rule allowing LNG-by-rail by 2020...The flood of fracked natural gas...is expected to increase for decades to come.

[Railroads would ship cryogenic LNG, kept in a liquid state typically below -238 degrees Fahrenheit, flammable in air, and currently moving by tanker trucks, in the heaviest allowed, 100-plus, DOT-113C120W tank cars of unit trains, without rules preventing even longer trains that are more likely to derail and explode into fire.] PHMSA is recommending a speed limit of 50 mph for LNG trains,...and the risk of puncture increases with speed.

...Noted rail safety expert Fred Millar [has said] that emergency response for oil train accidents was a distraction...Despite industry public relations events about training first responders,...the typical response in actual events is to evacuate anyone in the blast zone and let the trains burn

out, which often takes days. PHMSA admits that this is the only option for dealing with a burning LNG tank car.

...The nightmare scenario for an LNG rail accident is a BLEVE event, or Boiling Liquid Expanding Vapor Explosion, when a fire engulfs full tank cars and heats them to the point they explode. PHMSA explains away this issue:...No data, no problem...Meanwhile, examples of such tests for other materials and tanks are easily found on YouTube, and [among federal agencies]...‘Exposure to heat from an LNG pool fire or ignition of LNG vapors could result in fatalities, serious injuries, and property damage for those within’ a blast zone.

There is a saying over a century old that says, ‘Railroad rules have been written in blood.’...The rail industry operates unchecked by safety rules, until enough people die to warrant regulation...[But] after 47 people died in the Quebec town of Lac-Mégantic’s oil train disaster, the regulations that followed failed to address the heart of oil train safety risks.

Under Trump, deregulation is the rule, and safety measures are voluntary. If past is prologue, and the federal government approves unit trains of LNG, expect the same scenes as with oil trains: flames, explosions, and deaths. And all in the name of exporting fracked gas to the highest bidder abroad” [3].

Furthermore, the climate impacts of LNG associated with the refrigeration process and the fugitive emissions of methane before end-point combustion impose public and environmental threats beyond the project area. Natural gas is mostly methane, one of the most intensive greenhouse gases in terms of global warming. When including the climate impacts of the emissions associated with the energy used by liquefaction processes, and of methane leaks before combustion, the total, global warming effect of LNG is cause for much broader and greater concern than addressed in the currently available documents for ETS’s special permit.

Thank you for accepting our comments on docket number PHMSA-2019-0100-0002, intended not to improve a final EA and FONSI, but to advocate for a justifiably anticipated EIS for this ETS proposal, during this decisive, project review phase.

/s/ Helen Yost, MSEE  
Wild Idaho Rising Tide  
301 N. First Avenue 209B, Sandpoint, Idaho 83864  
P.O. Box 9817, Moscow, Idaho 83843  
wild.idaho.rising.tide@gmail.com  
WildIdahoRisingTide.org  
Facebook.com/WildIdaho.RisingTide  
Twitter.com/WildIdahoRT

[1] *Hazardous Materials Safety: Notice of Availability of the Draft Environmental Assessment for a Special Permit Request for Liquefied Natural Gas by Rail*, June 6, 2019 Pipeline and Hazardous Materials Safety Administration  
<https://www.regulations.gov/docket?D=PHMSA-2019-0100>

[2] *COMMENT ON LNG-BY-RAIL BY JULY 8!* June 15, 2019 Wild Idaho Rising Tide  
<https://www.facebook.com/wildidaho.risingtide/posts/1426166297532873>

[3] *U.S. Poised to Approve Shipping LNG by Rail for Export with No New Safety Rules*, June 14, 2019 DeSmog  
<https://www.desmogblog.com/2019/06/14/energy-transport-solutions-phmsa-special-permit-lng-rail-export>

[4] *Northwest Doctors Weigh in on Fracked Gas*, June 20, 2019 Sightline Institute  
<https://www.sightline.org/2019/06/20/northwest-doctors-weigh-in-on-fracked-gas/>

[5] *No Dangerous LNG in Our Communities!* July 6, 2019 Power Past Fracked Gas  
<http://action.powerpastfrackedgas.org/landing-pages/submit-comment-to-phmsa>

[6] *Lake Pend Oreille and Pend Oreille River Geographic Response Plan*, pages 26 to 33, June 2017 Northwest Area Committee  
<https://www.rrt10nwac.com/GRP/Lake%20Pend%20Oreille%20Geographic%20Response%20Plan%202017%20FINAL.pdf>

[7] *John W Chamberlain, who retired last year...*, July 1, 2019 Wild Idaho Rising Tide  
<https://www.facebook.com/wildidaho.risingtide/photos/a.504017086414470/1439403426209160/?type=3&theater>

[8] *“The Montreal, Maine, and Atlantic Railway (MM&A)...*, June 23, 2019 Wild Idaho Rising Tide  
<https://www.facebook.com/wildidaho.risingtide/posts/1432946290188207>