

ASSESSING THE COUNTY'S EMERGENCY PREPAREDNESS TO ADDRESS FREIGHT RAIL DISASTERS

On February 3, 2023, a Norfolk Southern train derailed in East Palestine, Ohio, with a total of 38 cars derailed and an ensuing fire that damaged an additional 12 cars. The National Transportation Safety Board (NTSB) indicated that the train had approximately 20 cars carrying hazardous materials, of which 11 derailed. The derailment of the cars carrying hazardous materials, including vinyl chloride and butyl acrylate which are used to produce plastics, prompted a massive scramble to evacuate nearby communities following the controlled release of the toxic chemicals, to prevent an explosion.

At the onset of the incident, residents were unable to get consistent messaging from local, state, and federal authorities as a massive evacuation was directed for the surrounding the disaster site. Residents were allowed to return less than a week later, but the lasting impacts of this derailment and the scope of the ensuing environmental disaster will take weeks to assess. In addition, it may take months for the NTSB to make a final determination of the cause of the train derailment.

While local and state officials have assured local communities that the air and water remain safe, there are concerns about the potential contamination of the Ohio River, which provides drinking water to millions of people. Local officials have said that many fish that are native to the river have been found dead as a result of the disaster.

On February 16, 2023, another Norfolk Southern train derailed in Van Buren Township, Michigan, resulting in 30 cars being derailed. According to reports from local, state, and federal officials, this train only had one car transporting hazardous materials, which was decoupled from the cars that were overturned. Federal officials inspecting the site noted that there were no indications of hazardous materials being released.

According to data from the Federal Railroad Administration, more than 1,000 train derailments occur each year. However, less than one percent of such incidents involve the release of hazardous materials.

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MOTION

SOLIS	_____
MITCHELL	_____
HORVATH	_____
BARGER	_____
HAHN	_____

Los Angeles County is home to the two largest ports in North America, the Port of Los Angeles and the Port of Long Beach. Both ports utilize an extensive and modern network of on-dock and near-dock rail facilities that move imports and exports to and from international markets and connect to the transcontinental mainlines of the BNSF and Union Pacific (UP) Railroads. Approximately 35% of intermodal containers utilize the Port of LA's rail network and the Port of Long Beach is realizing a rapid expansion of its on-dock rail facilities which will also see it moving 35% of its containers by rail.

Accordingly, Los Angeles County has numerous freight rail rights of way traversing its geographic boundaries, many of which are shared by passenger and intercity railroads, and it is home to three of the seven Class I railroads in the United States: BNSF, UP, and Amtrak. These rail rights of way are also proximal to countless residential, commercial, and industrial areas in our incorporated cities and unincorporated communities.

Regulatory oversight of the various railways and rail services falls to a number of state and federal agencies. This includes the Federal Railroad Administration, the Surface Transportation Board, and the Rail Safety Division of the California Public Utilities Commission. Locally, BNSF, UP, Amtrak and Metrolink are charged with the safe operation and maintenance of their respective railways and services.

These varying levels of oversight create a complicated regulatory structure for local jurisdictions to navigate. In the event of any potential disaster or derailment, local government is the first to respond and the first line of support for our local communities and residents. In addition, as many of our freight rail corridors are utilized by passenger rail services, it is imperative that the County be prepared to address potential derailments and associated disasters including the release of hazardous materials

I, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Office - Office of Emergency Management, in collaboration with Los Angeles County Fire Department, Los Angeles County Sheriff's Department, and the Departments of Public Works and Public Health to present to the Board of Supervisors at its March 7, 2023 Regular Meeting on the County's preparedness and readiness to respond to potential train derailments and the potential for associated hazardous material spills.

I, FURTHER, MOVE that the Board of Supervisors direct County Counsel, in collaboration with the Chief Executive Officer, and in coordination with the Los Angeles County Metropolitan Transportation Authority, Metrolink, and the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, Union Pacific Railroad, and BNSF Railway to report back in writing in 45 days on the varying regulatory requirements and roles and responsibilities for rail safety in Los Angeles County.

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