Rail operations impacts on the Town of Charlotte, Vermont

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These are the significant impacts as I see them from the present rail traffic through Charlotte, the present EPA permit process that allows Vermont railroads to store large quantities of hazardous material cargos in Vermont towns such as Charlotte, and the impact of proposed increases in rail freight and passenger traffic that will continue to pass through Charlotte.

1.0 Charlotte has two town road crossings, both have signs and lights, and just one (Ferry Road) has gates in addition to signs and lights.

What are the plans to add gates for all road crossings in Charlotte, and the other towns that will experience the increase in rail traffic?

2.0 Charlotte has at least six private/agricultural crossings. Only one of them has stop signs and a mirror, none of them have clear sight lines.

How will these crossings be protected?

Who will cover the liability should a collision with or without a hazardous spill occur?

3.0 Liability Coverage for railroad operators in Vermont: The contract between Vermont Rail Systems (VRS) and the State requires railroads to have a minimum of $1 million of liability insurance per accident occurrence.

What are the actual insurance coverages in place for railroads operating in Vermont for collisions, spills, and life and property destruction should a hazardous material spill, fire, explosion, environmental damage and the resulting clean-up occur? Recent hazardous material spills and fires in the US and Canada have caused damage exceeding hundreds of millions of dollars.

What protections are in place should a worst case hazardous material spill occur and the railroad involved elect to declare bankruptcy leaving the Vermont taxpayers to cover the damages as has occurred following catastrophic rail accidents in other parts of the US and Canada?

4.0 Emergency responder training and equipment: There has been an increase in the past year of training for emergency responders to deal with rail transported hazardous materials. We have been told that there are limited quantities of specialized fire suppression foam concentrate stored in a few locations in Vermont.

These steps are a start but there is still a need for increased emergency responder training for rail related accidents and hazardous material spills, and additional training specific to passenger rail accidents.

There is also a need to increase the stock pile of fire suppression foam concentrates that are specific to the types and quantities of hazardous materials being transported through Vermont

by rail, and insuring that these fire suppression materials are stored within 1 hour of any community impacted by rail traffic.

Equipment specific to rail collisions, especially passenger rail: Following passenger rail accident training, any specialized tools and equipment identified in the training that can help Vermont emergency responders deal with these emergencies should be made available to communities where passenger rail traffic is now or will occur in the future.

5.0 Fire suppression water supplies: Water available in quantities necessary for the suppression of the fires that can result from rail related hazardous material spills does not exist in many Vermont communities, including Charlotte. There must be consideration given to the fact that should a rail related hazardous material spill occur in most communities in Vermont there are not adequate water supplies to deal with the resulting fire.

6.0 Vermont railroad operators and out-of-state corporations entering into leases with Vermont rail operators are permitted under Federal Rail Administration (FRA) and EPA regulations to engage in the long term storage of large quantities (greater than 1 million gallons) of hazardous materials such as propane on the rails in our towns. Charlotte is one of these communities.

The EPA permit process does not require any consideration of a local community's ability to protect its residents should a hazardous material leak, fire or explosion occur.

The EPA permit process does not consider the impact of a stored hazardous material leak, fire or explosion on adjacent critical public infrastructure such as power distribution substations, health centers, child care facilities, municipal buildings such as town offices, fire stations, senior centers, State highways, as well as residences and businesses. All of these public infrastructures are impacted by the propane storage facility located in Charlotte.

The EPA permit process does not consider the potential impact of a stored hazardous material leak on significant wetlands and waterways that lead to Lake Champlain that are adjacent to the storage site in Charlotte (or any community).

The FRA and EPA regulations covering railroad operators preempt local and state permit requirements in most cases.

7.0 Financial impacts on the community: There should be consideration given to the impact of communities and property owners adjacent to the rails with increases in rail traffic, and rail related business activities, the associated hazards, and noise. Negative impacts on property values, as well as the quality of life in the areas adjacent to the rails have not been addressed but there are measurable impacts.

8.0 Local input in planning for rail related operations and infrastructure: The Transportation Board is being proactive in seeking local input on railroad operations and we welcome that opportunity. What provisions will be made to allow local communities that are directly impacted by rail related traffic, infrastructure and potential harm from these rail activities to have input on present or proposed increases in rail related activities? To date town zoning

regulations and town plans have been ignored by rail operators who cite Federal rule preemption over most local or state regulations and permit reviews.