

# Oil train legislation sent back to committee

By Gillian Flaccus  
Associated Press

PORTLAND, Ore. (AP) — State lawmakers sent a proposed oil train safety bill back for more work Friday after growing concerns that an amendment favoring the railroad industry had watered down key provisions on public oversight and financial accountability.

The Oregon House was prepared to vote on House Bill 2131, but Rep. Barbara Smith Warner, a Democrat from Portland, made a surprise motion to send the proposed legislation back to the Joint Ways and Means committee for changes. The move came after environmental groups and residents of the Columbia River Gorge raised concerns about an amendment they felt neutered the state's ability to police the railroads that run oil trains through communities.

The bill was crafted at the start of the legislative session to address safety concerns after an oil train derailment near the small Columbia River Gorge town of Mosier sparked a fire near an elementary school that took hours to put out. Oil trains run

continuously along tracks that parallel the Columbia River and pass through Mosier and other small communities.

The bill was amended in May. Critics said the changes compromised transparency and public safety for the benefit of the rail industry.

**"I am disheartened that we would send this bill back."**  
—Rep. Mark Johnson

"Our intention was not to hide oil train safety plans from the public," Smith Warner said before the vote on the motion. "This has been a complicated path, a long negotiation, and despite that there are times when the need for good policy overrides the need for consensus."

The railroad industry says making information about oil train routes and plans for a potential spill public would endanger national security by identifying where the easily identifiable, mile-long trains move. Smith Warner said Friday that the proposed bill had been crafted in a way that would help it survive legal

challenges.

Justin Jacobs, a regional spokesman for Union Pacific Railroad, did not immediately return a call for comment.

Environmentalists had been vocal in their criticism of the amendments, which made the railroads' safety plans secret from the public.

The original bill would have allowed the public to read the plans; required railroads to pay a fee for oil response planning and required financial disclosures to prove railroads could pay for any accident cleanup, said Michael Lang, conservation director for Friends of the Columbia Gorge.

Oregon currently has the weakest laws on the West Coast around oil train safety and accident response planning, Lang said.

In Washington, railroads must provide extensive details on how they will respond to spills large and small: who will be involved; how first responders will be notified; where containment equipment is stored; how the public will be protected; and how air pollution from the vapors or burning oil will be monitored. The public can read and comment on the plans.

In California, a federal judge in 2015 dismissed a challenge to a state law requiring that railroads and other entities that transport oil across the state prepare comprehensive oil spill response plans and demonstrate financial responsibility to clean up a worst-case oil spill.

"These laws in California and Washington passed, they're implemented and they've withstood judicial challenges and scrutiny," Lang said.

Not all lawmakers were pleased with Smith Warner's decision to pull the bill at the last minute.

Rep. Mark Johnson, a Republican from the Columbia Gorge town of Hood River, blamed inflammatory coverage in the media for Smith Warner's change of heart and said sending it back to committee would jeopardize lawmakers' ability to get any oil train safety legislation passed. Oregon's legislative session ends in the next two weeks.

"My fear if this bill goes back to committee, it has a very uncertain pathway through this legislature," he said. "I am disheartened that we would send this bill back."

# Alaska Air offers charter flight for solar eclipse

PORTLAND, Ore. (AP) — Alaska Airlines is offering a charter flight over the Pacific Ocean this Aug. 21 that will allow select passengers to view the astronomical event from the sky.

The company said Monday that the flight will take off at 7:30 a.m. Pacific from Portland, Oregon and is by invitation-only for astronomers and serious eclipse chasers.

The total solar eclipse is the first coast-to-coast total solar eclipse to hit the continental U.S. in 99 years.

A total eclipse occurs when the moon passes between the sun and the Earth.

The path of totality — the area of complete darkness where the moon's shadow completely obscures the sun — begins in the U.S. on the Oregon coast before traveling east.

Alaska is also holding a contest to give away tickets to one person and a guest.



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