



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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November 29, 2016

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Millennium Bulk Terminals–Longview NEPA EIS
c/o ICF International
710 Second Avenue, Suite 550
Seattle, Washington 98104

Dear Ms. Guy:

On June 13, 2016, the Utilities and Transportation Commission (Commission) submitted the attached comments on the Draft Environmental Impact Statement (DEIS) for the proposed Millennium Bulk Terminals (MBTL) – Longview project in Longview, Washington. As part of the review process under the National Environmental Policy Act (NEPA), the Commission resubmits those comments and highlights a few key areas.

The Commission has responsibility under state law for regulating, inspecting, and establishing standards for safety at more than 2,800 public and private railroad crossings located in Washington on routes that carry crude oil tanker cars. The Commission also reviews and has approval authority over the construction of new crossings, and alteration, modification, or closure of existing railroad crossings. In addition, the Commission partners with the U.S. Department of Transportation's Federal Railroad Administration (FRA) and employs FRA-certified inspectors to perform inspections in transporting hazardous materials, signal and train control, track, operating practices, and motive power and equipment in support of FRA's regulatory and inspection program.

The Commission continues to have concerns with the proposed project and its ultimate impact on public safety. Of particular concern is the probability of more vehicle-train collisions at public railroad-highway grade crossings in Washington due to increases in rail traffic if the project become operational. The DEIS includes an accident probability analysis conducted on all BNSF Railway mainline public crossings in Cowlitz county, along with some statewide BNSF mainline

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public crossings and the five Longview Switching Company public crossings affected by the proposed project. (See SEPA Vehicle Transportation Technical Report at 2.1.2.7, page 2-12 and Vehicle Transportation 5.3.3.2, pages 5.3-13 & 14.) The analysis relies almost entirely on the FRA GradeDec.Net web-based software to estimate the predicted annual accident probability at each crossing in the study. However, the GradeDec by itself is insufficient to predict such accident probability, and must be supplemented with other site-specific information, as well as on-site safety review by local road authorities, the railroad, Commission staff, and other interested parties. Without more, the results of the GradeDec analysis cannot be considered determinative in deciding whether additional safety devices are necessary.

As the Commission states in the attached comments, the proposed project will significantly increase rail traffic to the state. The Commission continues to have significant concerns regarding the type of rail traffic the project will produce, its impact on safety to the residents of the state, and the effectiveness of mitigation measures outlined to date.

Sincerely,



Steven V. King
Executive Director