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Petitions Delivered to Biden Administration to Reinstate the National Ban on Transporting LNG by Rail – Put the Public First! Over 15,000 people call on federal transportation agency to adopt binding rulemaking and deny permits

Petitions signed by 15,157 individuals were submitted today to the Pipeline and Hazardous Materials Safety Administration (PHMSA), an arm of the U.S. Department of Transportation, calling for action to prohibit the transport of Liquefied Natural Gas (LNG) by rail. Diverse communities from across the nation presented three necessary measures to fulfill the Biden Administration's promise to serve environment justice and protect public safety and the environment from the unacceptable threat of "bomb trains."

<u>The petition</u> first calls upon PHMSA to adopt proposed rule RIN 2137–AF55, a pending Biden Administration federal rulemaking to suspend the Trump Administration's 2020 rule that lifted the long-standing ban on LNG rail transport, allowing it to be transported on the nation's railways; and second, that PHMSA reinstate the permanent ban. Lastly, the petition insists that Special Permits for LNG rail transport be denied before the ban is adopted, including Special Permit DOT-SP 20534 for the proposed Gibbstown/Wyalusing LNG Export Project.

The recent push to increase the export of LNG by rail due to the Ukraine crisis has heightened community concerns that the desires of the gas and oil industry will overwhelm government's responsibility to protect the public and replace dirty fracked gas with truly clean, renewable energy. The organizations delivered the petitions with an urgent message for President Biden to fulfill his pledge to put public safety, our environment, and the need to combat the climate crisis above all else by preventing LNG transport by rail.

Residents of Pennsylvania, New Jersey, New York, Delaware and other states signed petitions, all stating the same demands. The petitions were issued by: Berks Gas Truth Clean Water Action Clean Air Council Delaware Riverkeeper Network Earthworks Food & Water Watch League of Women Voters of Delaware

Additional groups shared the Stop LNG by Rail Network <u>petition</u>, listed below. These petitions drew enormous support from concerned communities.

"We call on the Biden Administration to do the right thing by adopting the federal rule to suspend LNG transport by rail, denying all Special Permits allowing this hazardous, flammable, and potentially explosive cargo and reinstating the permanent ban for the sake of all our communities targeted by train route terror," **said Tracy Carluccio**, **Deputy Director, Delaware Riverkeeper Network.**

"The fossil fuel industry is using the catastrophic war in Ukraine to expand pollution here in the United States, which will delay the necessary transition to clean energy," **said Food & Water Watch organizer Noa Gordon-Guterman.** "We must continue to pressure the Biden administration to ban the use of LNG bomb trains in order to protect the health and safety of the communities at risk."

"There is no such thing as clean or responsibly sourced liquid natural gas. Investments in and permitting of LNG infrastructure is climate denialism. The Biden administration must permanently ban LNG bomb trains to protect communities from large-scale disaster and keep fossil fuels in the ground to avoid climate catastrophe." **said Anaïs Peterson, Petrochemicals Campaigner, Earthworks.**

"The actions of the Trump Administration in 2020 were nothing but a gift to oil and gas companies without regard to its impact on our environment or the safety of our communities. The Biden Administration's proposed rule is a recognition of the real dangers posed by transporting LNG by rail and an important first step toward reinstating needed safeguards," said Steve Hvozdovich, Pennsylvania Campaigns Director, Clean Water Action.

"Moving LNG by rail has never been allowed because such a large quantity of inherently unstable LNG on a mobile rail pipeline through our nations' population centers presents an unacceptable risk in the event of a puncture or derailment. Just 22 rail tank cars hold the equivalent energy of the Hiroshima bomb. Because trains and rail lines cannot be protected, a failure to ban LNG by rail presents national security issues since rail bridges can be sabotaged and the computer train signals can be hacked in ways that result in the next 9/11, with the gravest of consequences," **said Rail Pollution Protection Pittsburgh (RP3) General Counsel Glenn Olcerst.**

"My small town sits between Allentown & Reading. The railroad tracks are just a couple of miles from my town, meaning that we would feel the impacts should something go wrong, but the Mennonite farms that sit in between would be decimated. We don't need LNG. We need farms. President Biden must get his priorities straight and ban LNG by rail," said **Karen Feridun, Founder, Berks Gas Truth**.

"We are asking PHMSA to deny the renewal of Special Permit DOT-SP 20534 granted in 2019 allowing Energy Transport Solutions to transport LNG by rail from Wyalusing, PA to Gibbstown, NJ. From there it would be loaded onto massive LNG tanker ships, which will travel down the Delaware River through densely populated areas, including Wilmington, DE. The railroads involved in this plan are inappropriate in that many are old and endanger hundreds of communities and major population centers including Wilkes Barre, Reading, Allentown, and Philadelphia in Pennsylvania and Camden, New Jersey and communities south to Gibbstown. We want this and other reckless Special Permits stopped", **said Coralie Pryde, League of Women Voters of Delaware.**

"The federal government must not allow LNG transport by rail which would risk the safety of communities everywhere with rail lines. There is a reason that LNG movement by rail has not been allowed in the United States: The explosive hazard cannot be eliminated. If we haven't needed to move LNG by rail for the past several decades, why would we start to do it now, when domestic demand for gas-fired power is flat?" **said Diana Dakey, facilitator, Protect Northern PA.**

"Current reckless rules astonishingly allow liquefied natural gas to be transported by rail cars that were not designed to carry it. These trains would snake through multiple Black and Brown neighborhoods. President Biden must listen to the thousands of residents calling for the permit for a project proposing to transport LNG by rail be denied and permanently ban all transport of LNG by rail." said **Susan Sunhee Volz, Advocacy Coordinator, Clean Air Council.**

"The proposal to transport LNG by train through Philadelphia as the Gibbstown Special Permit authoriizes, puts thousands of people's lives at risk. Rail transport of liquefied natural gas is not safe. We need the Biden administration to revoke federal rules that allow companies to endanger the lives of Philadelphians and others across the country by engaging in this practice," **said Mitch Chanin, 350.org Philadelphia.**

Groups that shared the Stop LNG by Rail Network <u>petition</u> with members and the public: 350.org Philadelphia EMPOWER NJ League of Women Voters of New Jersey League of Women Voters of Pennsylvania Protect Northern PA Rail Pollution Protection Pittsburgh Reclaim Philadelphia

Background:

The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a federal rule on July 24, 2020 that lifted the long-standing ban on LNG transport by rail (Docket PHMSA-2018-0025 (HM-264)). The federal rule authorized the bulk transportation of LNG by rail tank car for carriers nationwide, following a 2019 executive order by then-President Trump directing the Department of Transportation to authorize the movement of LNG by rail car to boost the energy industry and LNG exports (the "Trump Rule").

The Biden Administration's PHMSA issued a proposed rule to suspend the Trump Rule (while they research safety issues) with a comment period that closed in December 2021 (Docket PHMSA-2021-0058 (HM-264A)). As of the date of this petition, there has not been a PHMSA decision on the suspension rule; it is expected in June of this year.

Prior to the Trump Rule, a Special Permit (Special Permit DOT-SP 20534), was issued in December 2019 for transport of LNG by rail car from Wyalusing, PA to Gibbstown, NJ for a proposed LNG export terminal on the Delaware River. The Special Permit expired November 30, 2021 and PHMSA is currently deciding how to handle the application. This is the first and only use in the nation of DOT 113C120W tank cars to transport LNG, which were designed 50 years ago and never used for LNG; the only permit to allow daily "unit-train" volumes of LNG over enormous distances (approximately 200 miles). The trains cut through many communities of color and low-income populations already overburdened with environmental injustices, including Scranton, Wilkes Barre, Reading, Allentown, and Philadelphia in Pennsylvania and Camden and other southern municipalities in New Jersey. Just 22 tank cars hold the equivalent energy of the Hiroshima bomb (which is why they are dubbed "bomb trains").

Transporting LNG in rail cars poses unique hazards. If there is a container breach such as a derailment, the super-cooled (-260 degrees F) liquid methane is released as a vapor cloud that is 600-620 times greater than the volume of the liquid, causing freeze burns and robbing oxygen from the air for those in proximity, which can be deadly.¹ The

¹ SP 20534 Special Permit to transport LNG by rail in DOT-113C120W rail tank cars. Final Environmental Assessment. Docket No. PHMSA-2019-0100. December 5, 2019. P. 11.

vapor cloud can travel miles very quickly. PHMSA's Environmental Assessment² issued in 2019 describes response to a broken cryogenic tank car as very difficult for first responders and fire companies and risks catastrophe due to the great potential for explosions and large fires. The response is essentially to evacuate the area since a methane gas-fueled fire cannot be extinguished. The result is not only fire but can also result in a bomb-like explosion that is similar to a thermogenic event - literally a bomb. LNG can cause a catastrophic BLEVE or Boiling Liquid Expanding Vapor Explosion under certain conditions. These public safety hazards are why LNG transport by rail car was banned.

LNG is liquefied methane. Methane is a greenhouse gas (GHG) 86 times more powerful than carbon dioxide in heating the atmosphere on a 20-year time scale and 104 times more powerful over a 10-year period, the periods of time when scientists say we must reduce GHG emissions to address the climate crisis. Methane leaks and/or is vented in all phases of the LNG production process, including storage, transport, transloading and use. The Biden administration has pledged to slash methane emissions. Pushing LNG onto train tracks, enabling export of LNG overseas, and stepping up gas extraction does the opposite.

The Petition demands:

1. We call upon PHMSA to adopt proposed rule RIN 2137–AF55 in order to suspend the previous federal administration's federal rule that authorized LNG to be transported on the nation's railways.

2. Deny a renewal request by Energy Transport Solutions of Special Permit DOT-SP 20534, authorized in 2019, for the transport of LNG from a planned LNG liquefaction plant in Wyalusing Township, PA to the Gibbstown Logistics Center in Gibbstown, NJ. The trains would cut through hundreds of communities, including densely populated areas such as Wilkes Barre, Reading, Allentown, and Philadelphia in Pennsylvania and Camden and other southern municipalities in New Jersey. The permit was never used and the renewal request was received at the last minute.

3. We call upon PHMSA and the Biden administration to permanently ban the transport of LNG on the nation's railways, as was the status for decades, prior to the previous administration's rulemaking to permit it and to deny approval for Special Permits before the ban is adopted.

To read the full Stop LNG by Rail Network petition go here: <u>https://actionnetwork.org/petitions/stop-Ing-by-rail</u>

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² <u>https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/docs/safe-transportation-energy-products/72911/environmental-assessment.pdf</u>