



## Legislation Details (With Text)

**File #:** 2023-1300    **Version:** 1

**Type:** Will of Council    **Status:** Adopted

**File created:** 3/6/2023    **In control:** City Council

**On agenda:** 3/7/2023    **Final action:** 3/7/2023

**Enactment date:** 3/7/2023    **Enactment #:** 120

**Effective date:** 3/7/2023

**Title:** WHEREAS, a train operated by Norfolk Southern derailed in East Palestine, Ohio on the 3rd of February, 2023; and,

**Sponsors:** Erika Strassburger, All Members

**Indexes:** PROCLAMATION - MRS. STRASSBURGER

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/7/2023	1	City Council	Adopted	Pass

**WHEREAS**, a train operated by Norfolk Southern derailed in East Palestine, Ohio on the 3rd of February, 2023; and,

**WHEREAS**, 20 of the 150 train cars were listed as carrying hazardous materials, including the highly dangerous chemicals vinyl chloride and propylene; and,

**WHEREAS**, on the 6<sup>th</sup> of February Norfolk Southern made the decision to conduct a controlled release of the remaining vinyl chloride under the rationale that such action would reduce the possibility of an explosion, after which the affected train cars were control detonated; and,

**WHEREAS**, 4,832 cubic yards of soil and 1.7 million gallons of contaminated water have been removed so far from East Palestine; and,

**WHEREAS**, there is no existing legal requirement for transport companies to notify government officials that a train with hazardous materials will travel through the state; and,

**WHEREAS**, as many as 176,000 Pittsburghers live within the potential blast zone of a similar derailment in the City; and,

**WHEREAS**, Pittsburgh meets the definition of a fossil fuel sacrifice zone, an area where residents are subjected to heightened levels of pollution and hazardous materials, despite the adverse impacts on their health; and,

**WHEREAS**, there have been 77 hazmat train accidents in Allegheny County during the past 10 years; and,

**WHEREAS**, the power to regulate the railroad industry is largely reserved to the federal government; and,

**WHEREAS**, the U.S. Senate’s “Railway Safety Act of 2023”, sponsored by Pennsylvania Senators Bob Casey and John Fetterman, calls for “advance notification and information regarding the transportation of hazardous materials”, “a written gas discharge plan with respect to the applicable hazardous materials being transported”, “increasing maximum civil penalties for violations of rail safety regulations”, and “safer tank cars”; and,

**WHEREAS**, the U.S. House’s “Decreasing Emergency Railroad Accidents Instances Locally (DERAIL) Act”, introduced by U.S. Reps. Chris Deluzio and Ro Khanna. calls for modifying “the definition of ‘high-hazard flammable train’ to mean a single train transporting 1 or more loaded tank cars of a Class 3 flammable liquid or a Class 2 flammable gas and other materials the Secretary [of Transportation] determines necessary for safety” and would mandate that rail carriers report to the National Response Center, state officials, and local officials within 24 hours when a train carrying toxic chemicals derails.

**NOW THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh stands in solidarity with our affected neighboring communities; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh will request information through the FAST Act to help us better understand the state of our rail infrastructure here in Southwest Pennsylvania and work collectively to focus investments and response plans in the areas that pose the greatest risk to our residents; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh hereby issues this Will of Council in support of stricter regulations requiring high-hazard flammable trains to carry more advanced safety and braking equipment, as well as the need for advance notification regarding the transportation of hazardous materials, harsher penalties for violations of rail safety regulations, written gas discharge plans, safer tank cars, and the designation of more trains as “high-hazard flammable.”