CBR Information Request
Responses
December 6, 2013

	VALERO COMMENTS
Rail Road Related Information	
2. We have found the statement below from this article; can UP provide what they would/will do for our project? http://www.eenews.net/stories/1059982047 *"US. rail operators are required to conduct a safety assessment when plotting routes for hazardous materials such as crude oil, taking into account factors such as trip length, proximity to population centers and traffic density. FRA, in conjunction with other federal agencies, can force railways to use alternate routes if necessary."*	Reference UPRR response, dated September 18, 2013 section 'How Railroads are Regulated.' Please also reference: 1. 49 CFR 172, provided at the following link: Hazardous Materials Regulation 2. Valero Emergency Response Plan statement dated 12/3/2013. 3. UPRR Emergency Response Plan dated 10/1/2009.
3. We have requested additional info on tank cars and accidents. This was an open ended request. We know now that the cars are DOT 111 type. We don't have any UP statistics for rail car accidents, in general and/or specifically involving hazardous or crude oil. Also, we don't know the volume of train movement along the mainline between Roseville and Benicia and any associated history of accidents in that corridor. Please provide data on these items.	Reference UPRR response, dated November 18, 2013, section 'Safety.' Please also reference the following: AAR Information regarding Safe Movement of Hazardous Materials There are an average of 42 trains traveling daily between Roseville and Benicia. Rail traffic on Union Pacific main lines in the Benicia area include passenger trains operated by Amtrak and Capitol Corridor, auto rack trains and manifest trains. Auto rack trains are comprised of rail cars full of automobiles, from both domestic and international sources. Manifest trains are freight trains with a mixture of car types (boxcars,

	tank cars, piggyback cars, etc) and cargoes. Please reference UPRR Safety Statistics, attached.
5. We sent these paragraphs to Valero requesting help to fill in the holes in these paragraphs (or provide similar info): *tank car is 0.38 gallons spilled/per million barrel [I} miles. The risk for an oil spill of more than xxx gallons from a tank car is ??/per tank car mile. Given that the distance from Roseville to Valero is 68 miles, and assuming that the train is 50 tank cars, the risk of an oil spill of any size from a tank car on the train is(= 50 x 68 miles x ??) and the risk of an oil spill of more than xxx gallons from a tank car on the train is (= 50 x 68 mz-lesx.?.?\.* *Historically, the rail segment from Valero to Roseville {2} has an accident rates of 0.Oxxx per train. For similar trains that also handle hazardous materials, such as ethanol (which is blended into California gasoline), the accident rate is 0.Oxxx per train or 0.Oxxx per train-mile. For comparison purposes, in California there have been no catastrophic accident or spills involving ethanol (true?) from similar rail transport, which carried in*	Reference UP response document, section 'Safety.' Note that this response is not in the exact format as the question. However, the response responds to the question. National statistics provide the most robust estimates for spills and releases because such events are so rare that relying on local statistics could mask the incident rate. For information on national spill and accident rates, please reference the UP letter dated September 18, 2013 and also, AAR Information regarding Safe Movement of Hazardous Materials The AAR states "99.9977% of all rail hazmat shipments reached their destination without a release caused by a train accident". Therefore, the likelihood of one release (of any size) to occur during rail transport for this project would be 1 in 120 years. Additionally the AAR states "train accidents with a hazmat release have declined 26% since 2000, and 78% since 1980 (through 2012), while hazmat train accident rates have declined 38% since 2000, and 91% since 1980 (through 2010)." This shows not only a very low incident rate, but also continued improvement in safe rail transportation through the years. Please reference UPRR Safety Statistics, attached.

excess of 8,000 to 10,000 rail car equivalents of ethanol[3] in the state in 2008, and expect to carry double that amount in 2015. *[1}1 Barrel= 42 gallons.* *[2} This segment is designated as a Restricted Access -- Mainline Corridor, in Guidelines for Rail Service to New Industry Locations on Union Pacific's Mainline Seattle*	
7. We need a description of what procedures are in place and actions taken by UP in the event of a release of crude oil from the tank cars either on to the ground or water body. In addition, what actions would UP take should a release of crude oil occur within a sensitive area, e.g., similar to Suisun Marsh etc.	Reference UP Response Document, section 'Crude Movements' Please also reference the following: 1. Union Pacific information: Securing the Chemicals Our Customers Produce, Chemical Transportation Safety, Chemical Transportation Safety Update and FRA Emergency Order 28. 2. Valero Emergency Response Plan statement dated 12/3/2013. 3. UPRR Emergency Response Plan dated 10/1/2009.
8. Derailments are not unknown at switches. Any derailments while moving into and out of the Refinery could block road crossings. How are derailments handled now by UP and Valero and how would those be handled with CBR trains? How would this change in the event of a crude oil spill resulting from the derailment?	Please reference the following: 1. Valero Emergency Response Plan statement dated 12/3/2013. 2. UPRR Emergency Response Plan dated 10/1/2009.

9. Describe the track and other projects that UP is now undertaking (or planning) in Benicia along the route of the CBR (mainline, sidings, spurs)? How are these related or not related to CBR?	Reference UPRR response, dated November 18, 2013, section 'Project Benefits' In Summer and Fall 2013, Union Pacific completed a track upgrade and maintenance project to enhance rail infrastructure in the Benicia Port area. (Please see the Project Fact Sheet for additional project details.) The project is one of nearly 1,500 Union Pacific will complete across its 32,000-mile network in 2013 to help improve train operating efficiency, reduce motorist wait times at crossings and enhance safety. Union Pacific continually invests billions of dollars annually to maintain and upgrade rail facilities, including facilities that will enhance rail freight service in the Benicia area. Union Pacific's capital and maintenance program exceeds infrastructure spending of the state highway departments in 46 states. These are private investments, not taxpayer dollars. Improved and additional rail capacity benefits everyone. It allows freight rail service to grow, contributing to a cleaner environment. For example, Union Pacific can move one ton of freight nearly 500 miles on a single gallon of diesel fuel, and, according to the U.S. Environmental Protection Agency, freight trains are nearly four times more fuel efficient than trucks. Motorists also benefit from reduced congestion on highways as a single Union Pacific train can remove up to 300 trucks off our roads.
10. What (UP) train signaling (train horns, other, etc) will occur for the CBR trains in and out of the Refinery? Will any Refinery personnel be involved in each entry/exit operation?	There will be no refinery personnel involved in the crude railcar train entry/exit activity into and out of Valero property. . On April 27, 2005, the Federal Railroad Administration (FRA), which

	enforces rail safety regulations, published the Final Rule on the Use of Locomotive Horns at Highway-Rail Grade Crossings. Effective June 24, 2005, the Final Rule requires that locomotive horns be sounded at all public grade crossings 15-20 seconds before entering a crossing, but not more than one-quarter mile in advance. The pattern for blowing the horn remains two long, one short, and one long sounding to be repeated as necessary until the locomotive clears the crossing. Locomotive engineers will retain the authority to vary this pattern as necessary for crossings in close proximity and will be allowed to sound the horn in emergency situations.
11. Any commitment to, or any agreement with UP, improvements to the Park Road crossing, such as, crossing arms on all sides of the crossing, and other potential improvements.	Valero response was forwarded via email 11/18/2013. Reference UP Response Document, section 'Project Benefits'
Additional Questions:	
4. Antitrust Please provide a statement addressing legal antitrust requirements..	A copy of the antitrust statement has been provided.