



Legislation Details (With Text)

**File #:** 16-0621      **Version:** 0      **Name:** Transport of Crude Oil by Rail  
**Type:** Ordinance      **Status:** Failed - End of Term  
**File created:** 1/26/2016      **In control:** Judiciary and Legislative Investigations  
**On agenda:**      **Final action:** 12/5/2016  
**Enactment date:**      **Enactment #:**

**Title:** Transport of Crude Oil by Rail  
FOR the purpose of requiring the City to conduct a health impacts assessment and a risk assessment of the transport of crude oil by rail; requiring the City to update, periodically study, and report on the City's incident response plans as they relate to the transport of crude oil by rail; requiring the City to create a mechanism to ensure proper clean up and effective response to derailments or other adverse impacts; requiring the City to develop certain public outreach programs; and providing for a special effective date.

**Sponsors:** President Young, James B. Kraft, Brandon M. Scott, Carl Stokes, Eric T. Costello, Nick Mosby, Sharon Green Middleton, Robert Curran, Warren Branch, Bill Henry, William "Pete" Welch, Mary Pat Clarke, Rochelle Spector, Edward Reisinger

**Indexes:** Crude Oil, Rail, Transport

**Code sections:**

**Attachments:** 1. 16-0621~1st Reader, 2. Finance 16-0621, 3. Health 16-0621, 4. City Solicitor 16-0621, 5. OMEM 16-0621

Date	Ver.	Action By	Action	Result
11/1/2016	0	Judiciary and Legislative Investigations		
9/12/2016	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
1/28/2016	0	The City Council	Refer to Dept. of Health	
1/28/2016	0	The City Council	Refer to Dept. of Finance	
1/28/2016	0	The City Council	Refer to City Solicitor	
1/28/2016	0	The City Council	Refer to Mayor's Office of Emergency Management	
1/26/2016	0	City Council	Assigned	
1/26/2016	0	City Council	Introduced	

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.  
INTRODUCTORY\*

CITY OF BALTIMORE  
COUNCIL BILL

Introduced by: President Young  
At the request of: Chesapeake Climate Action Network  
Address: c/o Jon Kenney, 6030 Carroll Ave., Suite 720, Tacoma Park, Md. 20912  
Telephone: 240-396-1985

A BILL ENTITLED

AN ORDINANCE concerning

**Transport of Crude Oil by Rail**

FOR the purpose of requiring the City to conduct a health impacts assessment and a risk assessment of the transport of crude oil by rail; requiring the City to update, periodically study, and report on the City's incident response plans as they relate to the transport of crude oil by rail; requiring the City to create a mechanism to ensure proper clean up and effective response to derailments or other adverse impacts; requiring the City to develop certain public outreach programs; and providing for a special effective date.

BY adding

Article 20 - Railroads

Section(s) 8-1 through 8-10, to be under the new subtitle,

◆Subtitle 8. Rail Transport of Crude Oil◆

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 20. Railroads

SUBTITLE 8. RAIL TRANSPORT OF CRUDE OIL

◆ 8-1. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) HEALTH DEPARTMENT.

◆HEALTH DEPARTMENT◆ MEANS THE BALTIMORE CITY DEPARTMENT OF HEALTH.

(C) HEALTH IMPACTS ASSESSMENT.

◆HEALTH IMPACTS ASSESSMENT◆ MEANS A SYSTEMATIC PROCESS THAT USES AN ARRAY OF DATA SOURCES AND ANALYTIC METHODS AND CONSIDERS INPUT FROM STAKEHOLDERS TO DETERMINE THE POTENTIAL EFFECTS OF A PROPOSED POLICY, PLAN, PROGRAM, OR PROJECT ON THE HEALTH OF A POPULATION AND THE DISTRIBUTION OF

THOSE EFFECTS WITHIN THE POPULATION.

(D) RISK ASSESSMENT.

◆ RISK ASSESSMENT ◆ MEANS A SYSTEMATIC PROCESS THAT MEASURES THE POTENTIAL LOSS OF LIFE, PERSONAL INJURY, ECONOMIC INJURY AND PROPERTY DAMAGE RESULTING FROM A HAZARD BY ASSESSING THE VULNERABILITY OF PEOPLE, BUILDINGS, AND INFRASTRUCTURE TO THE HAZARD.

◆ 8-2. {RESERVED}

◆ 8-3. HEALTH IMPACTS ASSESSMENT.

(A) REQUIRED.

AS EXPEDITIOUSLY AS POSSIBLE, THE HEALTH DEPARTMENT SHALL CONDUCT A HEALTH IMPACTS ASSESSMENT OF THE TRANSPORTATION OF CRUDE OIL BY RAIL IN OR THROUGH BALTIMORE CITY OR WITHIN 10 MILES OF THE CITY'S BOUNDARIES.

(B) MINIMUM ELEMENTS.

AT A MINIMUM, THE HEALTH IMPACTS ASSESSMENT MUST INCLUDE ALL OF THE FOLLOWING ELEMENTS:

- (1) SCREENING;
- (2) SCOPING;
- (3) ASSESSMENT;
- (4) RECOMMENDATIONS;
- (5) REPORTING; AND
- (6) MONITORING AND EVALUATION.

(C) HOW CONDUCTED.

TO CONDUCT THE HEALTH IMPACTS ASSESSMENT, THE HEALTH DEPARTMENT:

- (1) MAY CONTRACT WITH AN OUTSIDE ENTITY WITH ACADEMIC AFFILIATION; BUT
- (2) MUST HAVE AT LEAST ONE ADVISOR FROM A SCHOOL OF PUBLIC HEALTH LOCATED WITHIN THIS STATE.

◆ 8-4. RISK ASSESSMENT.

(A) REQUIRED.

AS EXPEDITIOUSLY AS POSSIBLE, THE HEALTH DEPARTMENT AND THE MAYOR'S OFFICE OF EMERGENCY MANAGEMENT SHALL CONDUCT A RISK ASSESSMENT OF THE TRANSPORTATION OF CRUDE OIL BY RAIL IN OR THROUGH BALTIMORE CITY OR WITHIN 10 MILES OF THE CITY'S BOUNDARIES.

(B) MINIMUM ELEMENTS.

AT A MINIMUM, THE RISK ASSESSMENT MUST:

- (1) IDENTIFY HAZARDS;
- (2) PROFILE HAZARD EVENTS;
- (3) INVENTORY ASSETS;
- (4) SUMMARIZE THE PREPAREDNESS AND EMERGENCY RESPONSE FRAMEWORK IN THE CITY;
- (5) ESTIMATE AND QUANTIFY POTENTIAL LOSSES; AND
- (6) PROVIDE RECOMMENDATIONS FOR INCORPORATION INTO INCIDENT RESPONSE PLANS.

(C) HOW CONDUCTED.

TO CONDUCT THE RISK ASSESSMENT, THE HEALTH DEPARTMENT AND OFFICE OF EMERGENCY MANAGEMENT:

- (1) MAY CONTRACT WITH AN OUTSIDE ENTITY WITH ACADEMIC AFFILIATION; BUT
- (2) MUST HAVE AT LEAST ONE ADVISOR FROM A SCHOOL OF PUBLIC HEALTH LOCATED WITHIN THIS STATE.

◆ 8-5. INCIDENT RESPONSE PLANS.

THE BALTIMORE CITY FIRE DEPARTMENT, PUBLIC WORKS DEPARTMENT, PLANNING DEPARTMENT, TRANSPORTATION DEPARTMENT, MAYOR'S OFFICE OF EMERGENCY MANAGEMENT, AND ANY OTHER CITY AGENCY DESIGNATED BY THE MAYOR SHALL:

- (1) UPDATE THE CITY'S INCIDENT RESPONSE PLANS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE HEALTH IMPACTS ASSESSMENT AND THE RISK ASSESSMENT TO ADDRESS THE INCREASING RISK IMPOSED BY THE TRANSPORT OF CRUDE OIL BY RAIL IN OR THROUGH BALTIMORE CITY OR WITHIN 10 MILES OF THE CITY'S BOUNDARIES; AND
- (2) PERIODICALLY REVIEW AND UPDATE THESE INCIDENT RESPONSE PLANS AS NEW RISKS EMERGE OR ARE DISCOVERED.

◆ 8-6. {RESERVED}

◆ 8-7. PUBLIC OUTREACH PROGRAMS.

(A) IN GENERAL.

THE MAYOR'S OFFICE OF EMERGENCY MANAGEMENT AND ANY OTHER CITY AGENCY DESIGNATED BY THE MAYOR SHALL UNDERTAKE PUBLIC OUTREACH PROGRAMS TO INFORM THE PUBLIC OF ALL INFORMATION LEARNED, ASSESSMENTS MADE, AND PLANS DEVELOPED UNDER THIS SUBTITLE.

(B) INCLUSIONS.

THESE PROGRAMS INCLUDE:

- (1) PUBLIC HEARINGS AND ◆TOWN HALL◆ MEETINGS;
- (2) NOTICE TO INDIVIDUAL RESIDENTS, COMMUNITY CENTERS, HOSPITALS, AND EDUCATIONAL INSTITUTIONS; AND
- (3) PUBLICATIONS ON THE CITY'S WEBSITE.

◆ 8-8. MITIGATION MECHANISM.

THE HEALTH DEPARTMENT SHALL CREATE A MECHANISM TO ENSURE PROPER CLEAN UP AND EFFECTIVE RESPONSE IN THE EVENT OF A DERAILMENT OR ANY OTHER ADVERSE HEALTH OR SAFETY IMPACT THAT RESULTS FROM EXPOSURE TO CRUDE OIL SHIPMENTS.

◆ 8-9. {RESERVED}

◆ 8-10. ANNUAL REPORTS.

EACH AGENCY ASSIGNED DUTIES BY OR UNDER THIS SUBTITLE SHALL REPORT ANNUALLY TO THE MAYOR AND CITY COUNCIL ON ITS ACTIVITIES IN CARRYING OUT THOSE DUTIES.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

dlr14-1041(5)~intro/20Jan16  
art20/CrudeOilTransport/me:me

dlr14-1041(5)~intro/20Jan16  
??4??  
art20/CrudeOilTransport/me:me

