

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Mike Petersen at 8:30 am on Tuesday, March 08, 2016, 546-S of the Capitol.

All members were present

Committee staff present:

Jill Shelley, Legislative Research Department  
Whitney Howard, Legislative Research Department  
Adam Siebers, Office of Revisor of Statutes  
Carolyn Long, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Lindsey Douglas, Director of Public Affairs, Union Pacific Railroad  
Ben Salo, Manager of Hazmat Materials, Union Pacific Railroad  
Lane Sekavec, Regional Hazardous Materials Management Program Manager, Union Pacific

Others in attendance:

[See Attached List](#)

### **Presentation on:**

Chairman Petersen opened the meeting and welcomed Lindsey Douglas, Director of Public Affairs for Kansas and Missouri, Union Pacific Railroad (UPRR) ([Attachment 1](#)). Ms. Douglas said that in 1862, Abraham Lincoln established the Pacific Railway Act, which in turn created the Union Pacific Company. The Union Pacific has 32,000 route miles in 23 states, employs approximately 47,000, has an annual payroll of \$4.6 billion, and has 10,000 customers and 8,500 locomotives nationally. Within Kansas it has 2,203 miles of track, an annual payroll of \$149.3 million, and 1,532 employees.

Top types of freight moved by UP included auto, agriculture, chemical, industrial, coal, and intermodal, resulting in a freight revenue of \$22.6 billion in 2014. Railroads are an efficient way to move freight as one ton of freight can be moved on one gallon of diesel fuel for 471 miles, thus one train can eliminate up to 300 trucks from the highway.

Strengthening the franchise is always a priority and in 2015 there was a budget of \$4.2 billion in the UP capital plan. 44 % for infrastructure replacement, 26% for locomotives and equipment, 15% for capacity/commercial facilities, 10% for positive train control, and 5% for technology and other. Positive train control (PTC) is a federally mandated requirement on routes that take passengers or hazardous materials.

Safety is a top priority. Union Pacific has been designated the safest railroad in the U. S. Vehicle train collisions have been reduced to half in the last 10 years as a result of funding from the federal

## CONTINUATION SHEET

MINUTES of the Committee on Transportation at 8:30 am on Tuesday, March 08, 2016 in Room 546-S of the Capitol.

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government to improve railroad crossing notifications.

The railroad's Response Management Communication Center responds to local communities when they are having events which involve crossings wherein the train operator can be notified to sound its horns at a more frequent rate. This Center also receives, and responds to calls regarding criminal activities, crossing accidents, derailments, fires, hazardous material spills, injured parties and track obstructions. The Center is staffed 24 hours a day and make mandatory notifications to state and federal agencies. Ms. Douglas stressed that a vehicle operator or pedestrian should never try to beat a train--a 100 car train will take one mile to come to a stop.

The Union Pacific is using technology in the following areas to enhance safety:

- Laser and ultra-sound to identify rail imperfections,
- Acoustic and vibration tracking to identify potential failures before they happen,
- Evaluation of 20 million cars everyday, and
- Training on simulators.

The UPRR has nearly 600 bridge maintenance and inspection professionals who perform 38,000 inspections per year, with more than 95 % of their bridges inspected a minimum of twice annually. The railroad maintains full-time teams who work on their bridge program.

Positive train control (PTC), federally mandated, is a tool for train engineers. On a screen, a yellow zone appears, notifying the engineer that he needs to begin slowing down. If the train has not slowed sufficiently before reaching the red zone, the brakes will engage and the train will slow and stop automatically. This is an unprecedented undertaking for the railroad, with a \$2.5 billion dollar investment by UP. This involved 6,500 locomotives, 20,000 route miles, 10,000 wayside antennas, and 6,500 locomotive radios.

Ben Salo, Manager of Hazardous Materials, said a common carrier, such as the UPRR, under federal law can not refuse to transport hazardous materials if they are packaged according to transportation laws. Railroads have 20 times fewer hazmat incidents than trucks. UPRR strives to protect human health, regulatory compliance, pollution prevention, and continuous improvement of environmental performance through their Environmental Management System. UPRR has a Hazardous Materials Management Team, consisting of 20 members, who are responsible for compliance with the Department of Transportation's hazardous materials regulations. They also work to prevent hazardous materials releases, actively prepare for response activities, and respond when necessary for recovery. Simply put, their mission is prevention by working closely with local and state agencies; preparedness through communication with communities, fire departments and response personnel; training of first responders, fire fighters and a crude-by-rail training program to enhance response; and, recovery, getting the population and environment back to normal.

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Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

## CONTINUATION SHEET

MINUTES of the Committee on Transportation at 8:30 am on Tuesday, March 08, 2016 in Room 546-S of the Capitol.

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Lane Sekavec, Regional Hazardous Materials Management Program Manager for UPRR, provided information concerning the Hazardous Materials Emergency Response Plan (HMERP) which was is composed of:

- A company level plan,
- Employee responsibilities,
- An incident command system and responsibilities,
- Roles, responsibilities and training of emergency response personnel; and
- Other actions.

Safety, coordination of responders, and response duties are a integral part of the railroad's response to a hazardous material incident. Among the UPRR's response assets are trailers equipped with response gear including foam-spreading equipment and emergency response contractors, whose duties can include tactical response, wrecking operations, environmental remediation and advanced air monitoring through the Center for Technology for Environmental Health.

The Union Pacific is the only railroad set up to transfer and carry any commodity. Should there be a need for recovery procedures following an incident, the railroad can provide product removal and transfer of the container, along with decontamination and cleaning of the container. Following the incident, they provide a debriefing including a post-incident analysis and a critique of the incident.

Following questions from the Committee, the Chair adjourned the meeting at 9:30 a.m. The next meeting is scheduled for Wednesday, March 09, 2016.