

# ALL ABOUT RAILROADS

LONE STAR LEGAL AID Environmental Justice Team April 21, 2021



### All Aboard!



- Regulations
- Blocked Crossings
- Quiet zones
- Right-of-Way issues
- Illegal Dumping
- Drainage
- Air Monitoring
- 5<sup>th</sup> Ward Legacy Contamination
- Nuclear Waste Transport
- Derailments
- High Speed Rail

## REGULATIONS

### Who regulates railroads?



Federal Railroad Safety Act

- Enacted in 1970
- To "promote safety in every area of railroad operations and reduce railroad-related accidents and incidents." 49 USC § 20101.
- Secretary of Transportation has the power to "prescribe regulations and issue orders for every area of railroad safety."
- The Federal Railroad Administration (FRA) is the federal agency under the U.S. Department of Transportation responsible for railroad regulations.

# Federal pre-emption of state and local laws based on two federal laws

#### Federal Railroad Safety Act (FRSA)

Preempts any state or local law, regulation, or order related to railroad safety or security if any federal regulations "cover" or "substantially subsume the subject matter of the relevant state law." In order to trigger preemption, any relevant federal regulations "must cover the same subject matter, and not merely touch upon or relate to that subject matter."

49 U.S.C.A. §20106 (1970).

#### Interstate Commerce Commission Termination Act (ICCTA)

- Preempts any regulation related to the "transportation by rail carriers," including "rates, classifications, rules (including car service, interchange, and other operating rules), practices, routes, services, and facilities of such carriers."
- State or local regulation related to the "construction, acquisition, operation, abandonment, or discontinuance of spur, industrial, team, switching, or side tracks, or facilities" is under the exclusive jurisdiction of the Surface Transportation Board and is thus preempted.

U.S.C.A. §10501(b) (1995).

#### What are the limits on pre-emption?

- Two exceptions to FRSA's general pre-emption provision.
  - (1) Subject matter is not already covered by regulation enacted by
    - Secretary of Transportation (with respect to railroad safety matters) or
    - Secretary of Homeland Security (with respect to railroad security matters)
       49 U.S.C.A. §20106 (1970).
  - (2) The law, regulation or order
  - (a) is necessary to eliminate/reduce an essentially local safety hazard;
  - (b) agrees with a law, regulation, or order of the US government; and
  - (c) does not unreasonably burden interstate commerce.
  - 49 U.S.C.A. §20106 (1970). This exception is only applicable to state regulations and does not apply to local laws or regulations.

#### How long can a train block a RR crossing?

- States lack authority to enforce time limits on how long a railroad company can block a crossing.
- In 2001, the Fifth Circuit Court of Appeals ruled that federal laws preempt state antiblocking statutes.
- Section 471.007 was removed from the Texas Transportation Code per the Texas attorney general's opinion in June 2005.
- The only legitimate authority to regulate blocked crossings is the federal government.
- Multiple times in the past the FRA has been requested to begin the rulemaking process to determine effective measures to regulate blocked crossings.
- Federal Railroad Safety Authorization Act of 1994 (FRSA), 49 U.S.C. § 20101 et seq. (2000), is the main source of the railroad industry's contention that state and local laws are not enforceable.

### City of Houston, Ordinance on Railroads

9

Sec. 38-9. - Obstructing street or crossing

Any officer, agent, servant or receiver of any railway corporation who willfully obstructs for more than five minutes at any one time any street, railway crossing or public highway by permitting a train to stand on or across such crossing, shall be fined not less than \$50.00 nor more than \$500.00.

#### City of Houston Ordinances, Section 38-7

Railroads must:

- maintain all drains, culverts, waterways, ditches, and sewers to properly drain the streets near railway
- keep all streets near railroads free from obstructions of every kind
- construct and keep in good repair all bridges and rail crossings over all ditches, sewers and culverts
- fill up and grade all sinks and gullies adjacent to Railroads.

# BLOCKED CROSSINGS



- **1. Approach with care.** Warn others that you are slowing down. Turn on 4-way flashers. Use pull-out lane if available.
- 2. Prepare to stop. Turn off fans and radio and roll down windows. Locate your cell phone for use in emergency. Stop at least 15 feet, but not more than 50 feet, from nearest rail.
- **3.** Look and listen both ways, carefully. Bend forward to see around mirrors and A-pillars.
- 4. If it won't fit, don't commit. Do not enter a crossing unless you can drive completely through without stopping! And, remember, trains are wider than the track. Before you pull onto the track, make sure there is enough room on the other side for the back of your vehicle (and any overhanging cargo) to be at least 3 feet beyond the furthest rail.
- 5. Look again. Before you move, look again in both directions.
- 6. Cross tracks with care. Signal, watch for a safe gap, pull back onto the road if you used a pull-out lane. Use highest gear that will let you cross without shifting.
- 7. Keep going once you start, even if lights start to flash or gates come down.

#### WHAT TO DO IF YOUR VEHICLE STALLS OR HANGS UP ON THE TRACKS

- **GET OUT IMMEDIATELY.** Evacuate your vehicle. (Trains traveling at 60 mph may take a mile or more to stop.)
- Move away. Walk toward the oncoming train, and away from the tracks at a 45degree angle. (If your vehicle is hit, debris will spread out from the tracks in the same direction the train is moving.)
- Locate the emergency phone number.

When you are safely away from the tracks, find the railroad's emergency phone number and the DOT crossing identification number posted near the crossing.

• Call for help! Call the railroad's emergency phone number, the local police, or 911. Tell them a vehicle is on the tracks. Provide the location, crossing number (if posted), and the name of the road or highway.

### What can you do?

- Write down:
  - Time
  - Date
  - How Long
  - Numbers on side of rail cars
  - # on the lead locomotive
  - (e.g., HLCX 1234)





#### FIND THE EMERGENCY NOTIFICATION SIGN (ENS)

**DOT Number** (six digit number with alpha character at the end)

**Railroad Company Name** 

Railroad Identification, Emergency Phone Numbers, and DOT Number Locations.







#### How to Report Crossing Blockages

| Railroad                   |
|----------------------------|
| Amtrack                    |
| BNSF Railway               |
| CSX                        |
| Canadian National          |
| Canadian Pacific           |
| Kansas City Southern       |
| Norfolk Southern           |
| <mark>Union Pacific</mark> |

**Emergency Phone Number** 1-800-331-0008 1-800-832-5452 1-800-232-0144 1-800-465-9239 1-800-716-9132 1-877-527-9464 or 1-800-892-6295 1-800-453-2530 1-888-877-7267

#### **Union Pacific Contacts**



Richard A. Zientek Director - Public Affairs Union Pacific Railroad 24125 Old Aldine Westfield Road Spring, Texas 77373 P 281-350-7178 F 402-997-2011 C 713-228-7045 E richardzientek@up.com

Report any issues (such as blocked crossings) to Union Pacific's Response Management Communications Center (RMCC). The RMCC number is 1-888-877-7267.

# QUIET ZONES

### Warning Sound Regulations

- Federal law requires that trains must sound the horn 15-20 seconds prior to arrival at a grade crossing.
- This regulation means the train horn must be sounded continuously from about a ¼ mile in advance of a grade crossing until the train reaches the crossing.



Segments of railroad lines where train crews are exempt from sounding the horn at grade crossings.

### Quiet Zones



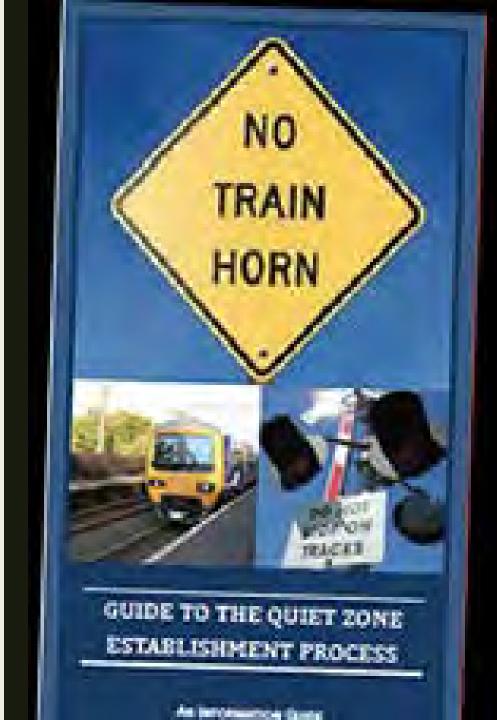
Enhance at-grade crossing safety and improve the quality of life near the railroad corridor by eliminating horn noise.



The Federal Railroad Administration authorizes Quiet Zones.

### **Criteria for Quiet Zones**

- Grade crossings must have:
  - gates
  - constant warning time (as determined by the railroad company)
- Safety Calculation of Risk Index compared to national levels
- Affected Area: must be primarily residential, transient lodging, recuperative medical facilities, cultural, spiritual or performing arts centers, schools, nature preserves, parks and playgrounds.
- Funding: must be secured. Costs can run into the hundreds of thousands of dollars. City has allocated funding to create some quiet zones.



#### Safety Features



- Prevent drivers from deliberately driving around lowered railroad gates. A median barrier may be installed along the centerline of the street.
  - FRA requires concrete barrier or channelization devices to be 100 feet in length (60 feet if a driveway or cross street is present) from the nose of the median to the tip of the grade crossing gate.

#### Gates with medians or channelization devices

#### Safety Features



#### Four Quadrant Gate Systems

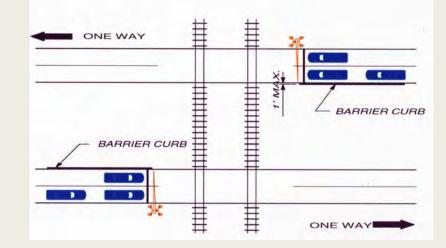
- The use of four sets of gates to block vehicles from passing on the entire street and prohibiting motorists from driving around the gate arms.
- The railroad companies typically require an annual fee (over \$5,000) to maintain the additional railroad signal equipment.

#### **Other Safety Features**

Street Closure: Street closures effectively eliminate the grade crossing removing the need to sound the train horn.



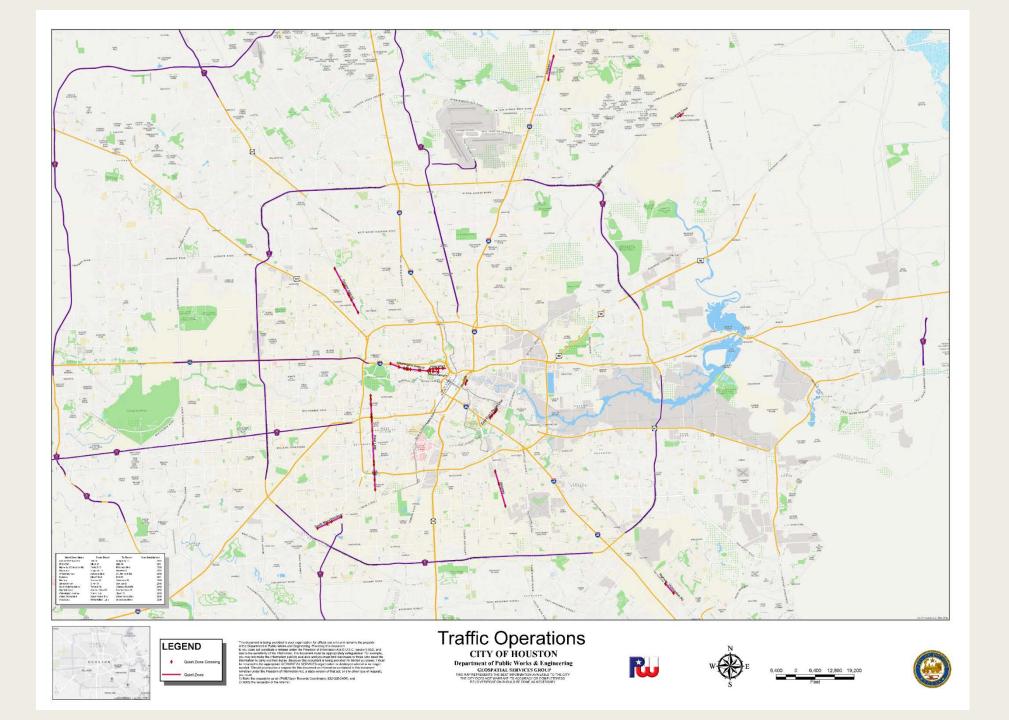
- One Way Street with Crossing Signal: One way street operation with gates covering the entire stretch of street
  - Paired One-Way Streets Single Gate Option



### Safety Upgrades

#### Alternative Safety Measures include the following:

- Modified Supplementary Safety Measures: An SSM that has been adjusted to accommodate unique circumstances.
- Engineering Alternative Safety Measures: An ASM that addresses underlying geometric conditions including sight distance, that are a source of increased risk at a crossing.
- Non-engineered Alternative Safety Measures: Photo enforcement, or a consistent and systematic program of traffic law enforcement, public education programs and the like that produces a measurable reduction of risk at the crossings.



| Quiet Zone Name         | From Street        | To Street        | Year<br>Established |
|-------------------------|--------------------|------------------|---------------------|
| Greater Inwood          | Watonga Blvd       | W Little York Rd | 2016                |
| Water Works Blvd        | Water Works Blvd   | Water Works Blvd | 2016                |
| Silver/ Sawyer          | Silver St          | Sawyer St        | 2015                |
| East End Phase 1        | Polk St            | Telephone Rd     | 2014                |
| Kingwood                | Kingwood Dr        | Hamblen Dr       | 2012                |
| South Main/ Westbury    | Fondren Rd         | Chimney Rock Rd  | 2012                |
| Spanish Cove            | Spanish Cove Dr    | Spanish Cove Dr  | 2012                |
| First Ward              | Oliver St          | Holly St         | 2011                |
| Mykawa                  | Airport Blvd       | Dixie Drive      | 2011                |
| Highway 3/ Galveston Rd | Pintech Dr         | El Dorado        | 2010                |
| Runnels                 | Runnels St         | Commerce St      | 2010                |
| Washington Ave          | Sherwin St.        | Oliver St.       | 2010                |
| West Loop E             | E Briarhollow Lane | Willow Bend Blvd | 2006                |

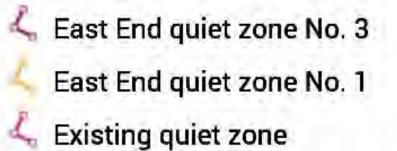
#### Quiet Zones in the City of Houston

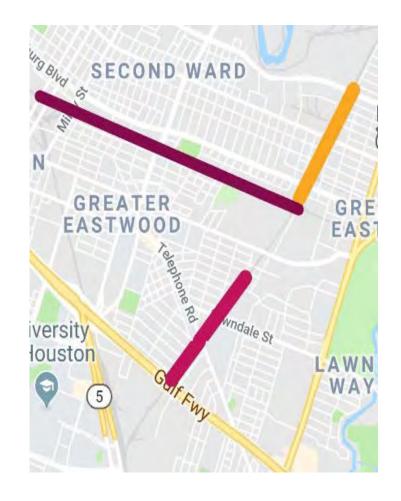
#### What is required?

- Rail segment and the crossings must be suitable for adding Quiet Zone devices
- Project funding must be secured
- The costs of creating new intersections along cross streets that comply with federal regulations can run up to hundreds of thousands of dollars (\$250,000 to \$500,000 per crossing)
- Train engineer may use the train horn if there is any activity on or near the track that he or she deems to be unsafe.

#### East End Quiet Zones

- On December 21, 2011, by Ordinance #2011-1210, City Council appropriated \$1,680,000.00 for services by the Union Pacific Railroad Company (UPRR) in order to establish the East End I and East End III quiet zones.
- Of this amount, \$1,575,000.00 was appropriated for contract services associated with railroad crossing improvements.
- The scope of the UPRR services include new installations or upgrades of constant warning timing circuitry at the 8 railroad crossings within the East End I and III quiet zone limits.
- The improvement is necessary to comply with the Federal Railroad Administration quiet zone establishment requirements.





### What progress has been made on East End Quiet Zones?

- In the past 8 years, upgrades were made to 4 railroad crossings at no cost to the City.
  - Milby Upgrades were included for as part of a larger UPRR project.
  - Upgrades at the Lockwood, Dumble, and Altic railroad crossings were completed as part of roadway improvement projects by the Texas Department of Transportation.

| Location   | UPRR Cost Estimate | Status           | Total Approved |
|------------|--------------------|------------------|----------------|
| Navigation | \$496,067.00       | APPROVED 9-25-18 | \$496,067.00   |
| Canal      | \$610,606.00       | APPROVED 9-25-18 | \$610,606.00   |
| Harrisburg | \$632,443.00       | APPROVED 10-2-18 | \$632,443.00   |
| Hughes     | \$493,431.00       | APPROVED 10-2-18 | \$25,104.00    |
| Total      | \$2,232,547.00     |                  | \$1,764,220.00 |

# COH has confirmed that all upgrades have been completed by UPRR.

### Quiet Zone Approvals Still Needed

- FRA tested the safety of 203 quiet zones established nationwide from 2005 to 2011 and found no significant difference in collisions before and after the zones were established.
- FRA still has to approve East End #1 (Phase 2) and East End #3 Quiet Zones. Funding already approved by City Council.
- Additional pending applications for quiet zones.
  - Not evaluated based on geography
  - Dependent on risk index of crossing
  - Ability to upgrade safety measures at crossing to have constant warning
  - Funding availability

# SLIDE ON PENDING APPLICATIONS (to be received from COH)

### **RIGHT-OF-WAY ISSUES**

#### Tex. Transportation Code, Sec. 112.059

Railroad must

 Keep the portion of the railroad's roadbed and right-of-way over or across which a public county road runs in proper condition for the use of the traveling public.

If no compliance, subject to penalty of \$10 /week after notice to company responsible for repairs and repairs not completed in 30 days.

County attorney must institute civil lawsuit against railroad to recover penalty. Penalty paid to county's bridge and road fund.

#### City of Houston Ordinances, Section 38-7

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## DRAINAGE CONCERNS

### City of Houston Ordinances, Section 38-7

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## ILLEGAL DUMPING

# What can I do about overgrown weeds and maintenance?

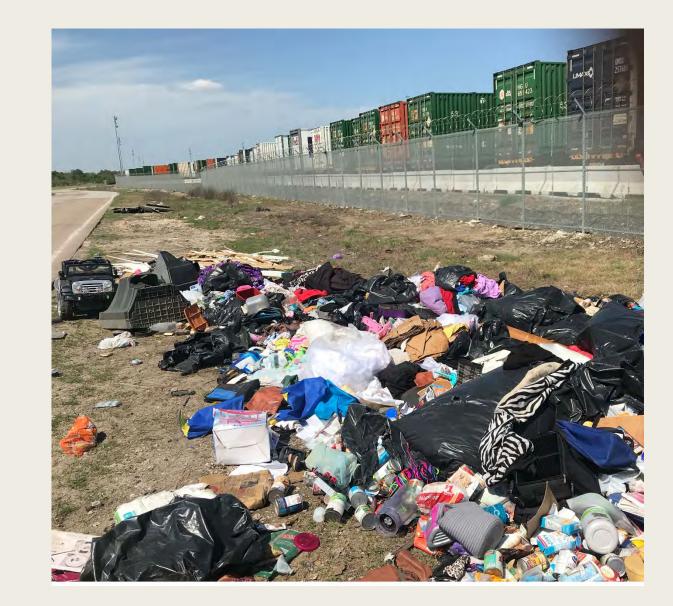
If vegetation is considered a safety concern affecting a public at-grade crossing, please contact the railroad using the number provided at the crossing. If the railroad is nonresponsive, you may report safety concerns to

### TxDOT's Rail Hotline at (512) 416-2376.

Problems such as vegetation control, trash and drainage should first be addressed to the railroad company or commercial/industrial owner of a side track.

If the problem is not corrected, contact TxDOT at

(512) 416-2376.



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# 5<sup>th</sup> WARD Contamination

## Union Pacific Wood Preserving Works

- 4910 Liberty Rd. was previously a wood treatment site.
- Active cleanup and monitoring of DNAPL/Creosote plume.
- Industrial Hazardous Waste corrective action from the Texas Commission on Environmental Quality (TCEQ) in 2002.
- 4 Notices of Deficiency issued by TCEQ.
- Union Pacific seeks Resource Conservation and Recovery Act (RCRA) Permit from TCEQ related to its proposed cleanup plans.
- TCEQ public meeting on the proposed RCRA Permit in tentatively scheduled for late June 2021.

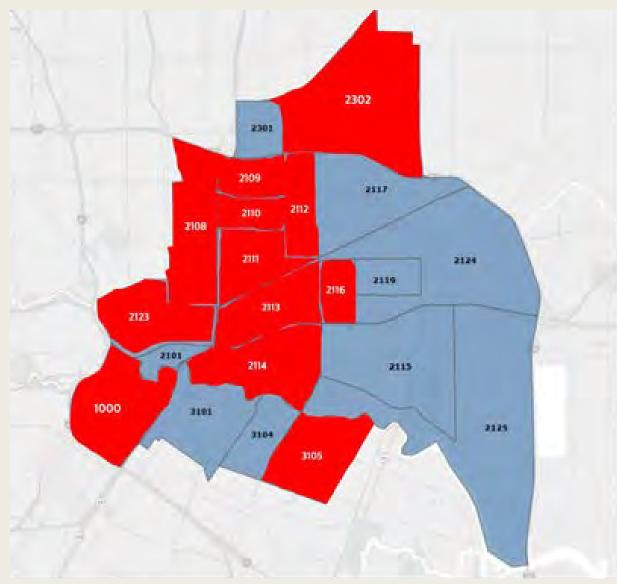


## Passive Soil Gas Survey Results

- In November of 2020 the City of Houston completed a passive soil gas survey that Impact and Lone Star Legal Aid (LSLA) had requested.
- The results, which establish a low level exposure pathway for more than twenty chemicals that originate at the DNAPL/creosote plume beneath residential homes, were communicated to property owners in December, to the TCEQ in January 2021, and to Texas Department of State Health Services (DSHS) in February.
- In March 2021, DSHS responded to the passive soil gas survey results stating that it would be conducting an exposure health assessment to analyze whether community members are coming into contact with contaminants, and if so, the potential for health impacts.

- More recently, DSHS sent a letter to the TCEQ that echoes Impact's and LSLA's concerns about the established exposure pathways as well as their recommendation that more passive soil gas testing be done.
- Impact and LSLA had expressed the need for such testing in the form of comments to the TCEQ, but that requested was largely ignored by Union Pacific who opted in favor for a different sort of testing across a small area of where the creosote/DNAPL plume is known to be.

## **DSHS – STUDY AREA OF CANCER INCIDENCES**



This map indicates the study area for the cancer investigations published by DSHS.

Zones in red indicate census tracts with at least one type of cancer at an abnormally high rate.

In total, DSHS found abnormally high rates of acute lymphoblastic leukemia in children and the following cancers in people over the age of 18:

- acute myeloid leukemia,
- lung and bronchus cancers,
- esophagus cancer,
- larynx cancer, and
- liver cancer.

## **DSHS Findings for 7 Specific Birth Defects**

| Birth Defect Type               | Study Area Prevalence | Harris County Prevalence |
|---------------------------------|-----------------------|--------------------------|
| Spina Bifida without            | 4.07                  | 3.35                     |
| anencephaly                     |                       |                          |
| Pulmonary valve atresia         | 1.36                  | 1.23                     |
| Hypoplastic left heart          | 2.03                  | 1.83                     |
| syndrome                        |                       |                          |
| Cleft palate alone              | 3.39                  | 4.84                     |
| Cleft lip with or without cleft | 10.85                 | 8.82                     |
| palate                          |                       |                          |
| Gastroschisis                   | 8.14                  | 4.16                     |
| Trisomy 21 (Down Syndrome)      | 17.63                 | 12.23                    |
|                                 |                       |                          |

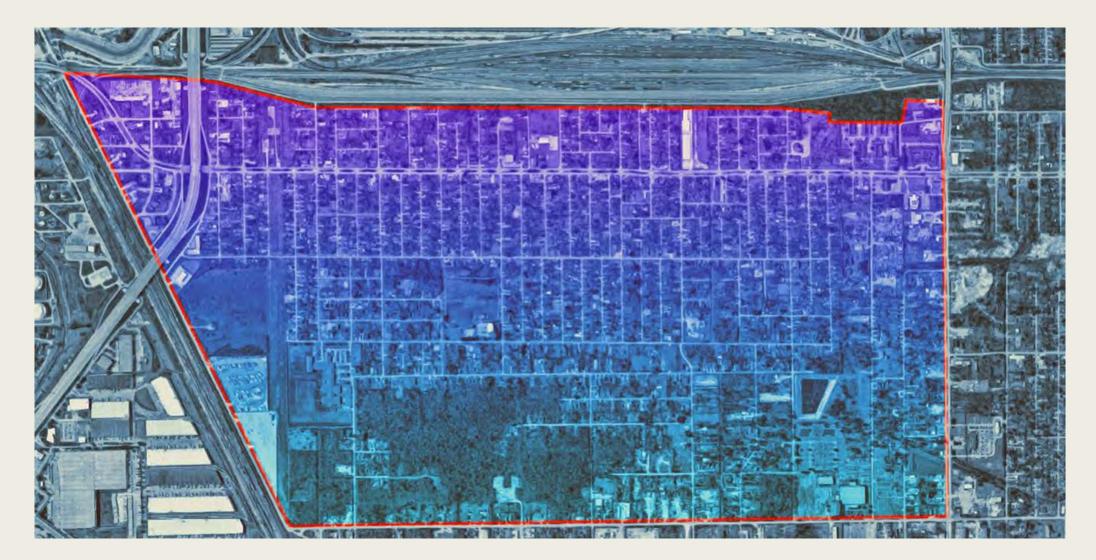
\* Data in the table originated from Texas Department of State Health Services and was compiled in this table by Texas Health & Environment Alliance.

Prevalence refers to cases per 10.000 live births.

DSHS recently disclosed a March 2020 study on 7 specific birth defects in the Greater 5th Ward area. DSHS compared rates of specific birth defects from the years 2000-2016 to rates observed across Harris County during the same time period. Comparisons arguably should have been made to rates in State of Texas.

## AIR MONITORING

## **Communities Near Railyards**



Settegast: A case study in endemic racism within Houston's housing system, https://kinder.rice.edu/urbanedge/2020/07/02/housing-inequality-settegast-racism-within-houston-redlining

## **Air Pollution Concerns**

TABLE 7. Cancer and Non-Cancer Health Effects of Major Toxic Air Pollutants

| Air Pollutant                           | Cancer | Non-Cancer           |  |
|---|--------|----------------------|--|
| Formaldehyde                            | ~      | Respiratory, eyes    |  |
| 1,3-Butadiene                           | ~      | Female reproductive  |  |
| Benzene                                 | ~      | Immune               |  |
| Acetaldehyde                            | ~      | Respiratory, eyes    |  |
| Carbon Tetrachloride                    | ~      | Liver, kidney damage |  |
| Acrolein                                | No     | Respiratory, eyes    |  |
| Diesel Particulate Matter (PM)*         | ~      | Respiratory, heart   |  |
| Chlorine                                | No     | Respiratory, eyes    |  |
| Hydrochloric acid/<br>Hydrogen chloride | No     | Respiratory, eyes    |  |

Stx out of the nine major air pollutants found in the communities studied can cause cancer, and all nine can cause health problems.

\* The EPA does not include cancer risks from diesel PM in the NATA.

SOURCES: EPA 2016E; ATSDR 2014; CALEPA 2016.

Double Jeopardy in Houston: Acute and Chronic Chemical Exposures Pose Disproportionate Risks for Marginalized Communities – Union of Concerned Scientists https://www.ucsusa.org/sites/default/files/attach/2016/10/ucs-double-jeopardy-in-houston-full-report-2016.pdf

## **Reporting Air Pollution Concerns**

- Houston Health Department Bureau of Pollution Control & Prevention
- Call 311 & report your concerns.
- <u>311@houstontx.gov</u>
- Report Emission events to the Texas Commission on Environmental Quality 888-777-3186
- <u>https://www.tceq.texas.gov/assets/publ</u> ic/compliance/monops/complaints/com plaints.html

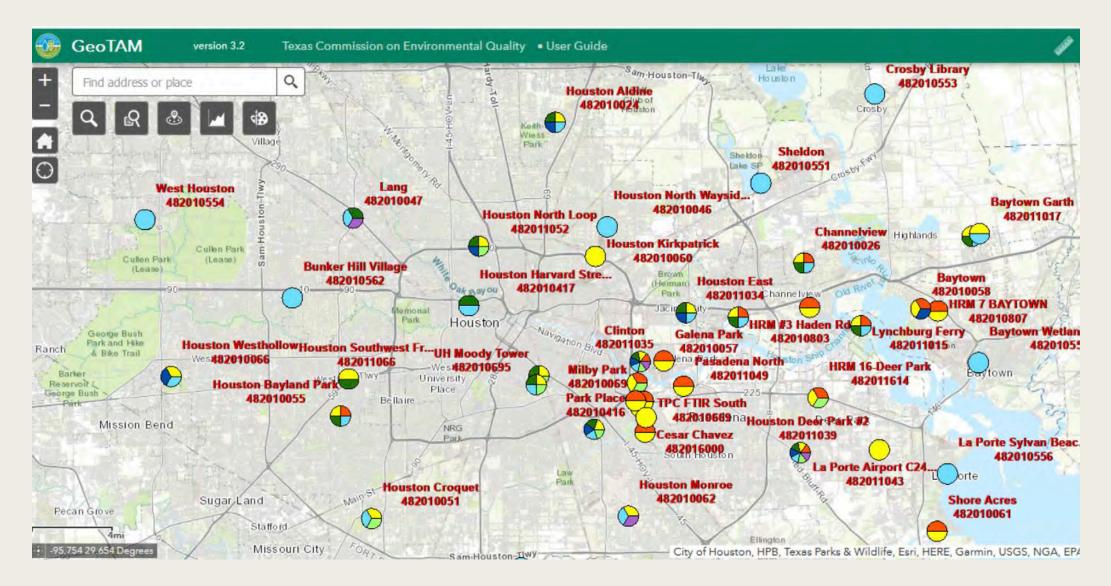
#### Please tell us about the problem

Instructions: Before filling out the form, please read the accompanying information that explains

- Who you should contact for different types of pollution problems, and
- What happens when you contact the TCEQ.

| Date observed:  |                |          |   |
|---|----------------|----------|---|
| Approximate time observed:  | Select v AM/PM | Select ~ |   |
| Address or location where the problem<br>is occurring:            |                |          | 3 |
| Nearest city or town:   |                |          |   |
| County where the problem is occurring:                            | Select         |          | ~ |
| Who or what you believe is the source of the problem:             |                |          |   |
| A brief description of the problem:<br>(1,000 characters or less) |                |          |   |
|   |                |          |   |

## Air Monitors in Houston



https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=ab6f85198bda483a997a6956a8486539

#### **REPORTING CONCERNS**

| COMMUNITY ISSUE   | NUMBER TO CALL   |
|---|--|
| Trash, weeds, illegal dumping on the <u>railroad's</u> property.  | Call the railroad who owns the problem property.<br>Union Pacific: 1-888-UPRRCOP (877-7267)  |
| <ul> <li>Trash, weeds, illegal dumping on the <u>City of</u></li> <li><u>Houston's property.</u></li> <li>Municipal Code: Section 38-7</li> </ul>                         | Call 311 or email <u>311@houstontx.gov</u>   |
| Overgrown vegetation causing safety concerns.   | TxDOT's Rail Hotline at (512) 416-2376   |
| Drainage problems causing safety concerns   | TxDOT's Rail Hotline at (512) 416-2376   |
| <ul> <li>Drainage problems covered by the City Ordinance dealing with a drains, culverts, waterways, ditches, OR sewers.</li> <li>Municipal Code: Section 38-7</li> </ul> | Call 311 or email <u>311@houstontx.gov</u>   |
| Air quality concerns  | Call 311 & report your concerns.<br><u>311@houstontx.gov</u><br>Report Emission events to the Texas Commission on Environmental Quality 888-777-3186<br><u>https://www.tceq.texas.gov/assets/public/compliance/monops/complaints/complaints.html</u> |
| Blocked Crossings   | <b>Union Pacific Blocked Crossing:</b> Report any issues (such as blocked crossings) to Union Pacific's Response Management Communications Center (RMCC). The RMCC number is 1-888-877-7267  |
| Union Pacific Concerns  | Richard A. Zientek, Director - Public Affairs, Union Pacific Railroad<br>24125 Old Aldine Westfield Road, Spring, Texas 77373<br>(P) 281-350-7178 (F) 402-997-2011 (C) 713-228-7045<br>(E) <u>richardzientek@up.com</u>                              |

## DERAILMENTS

April 15, 2021



Photo credit from: https://www.khou.com/article/news/local/southeast-houston-derailment/285-2a8f8b8a-504a-432f-8c5a-93f021fffa12

## TRAIN DERAILMENT BLOCKING ROADS IN EAST END



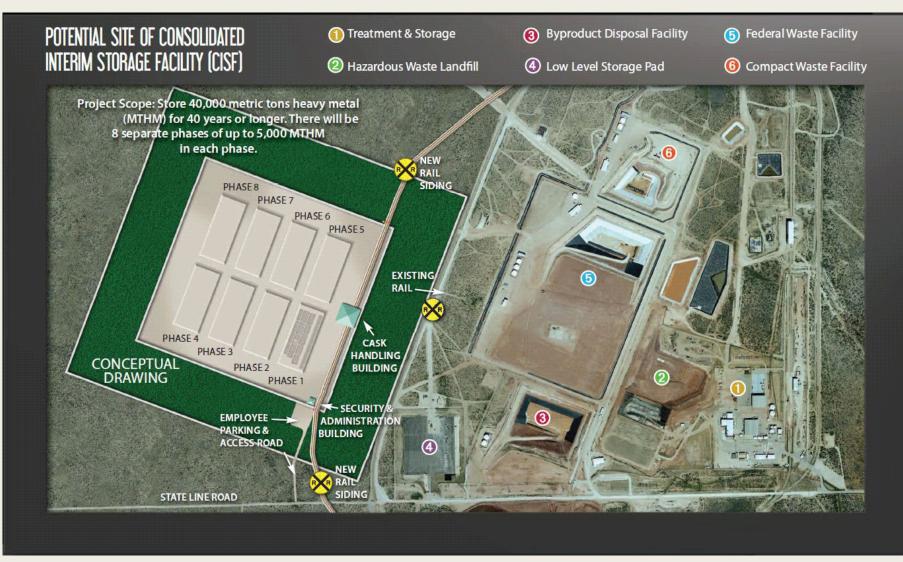
A DERAILED TRAIN IS CURRENTLY BLOCKING ROADS NEAR THE Intersection of San Antonio St & E Erath St in 77012.

PLEASE USE CAUTION WHEN Navigating through the area.

> "PUBLIC SAFETY IS AND ALWAYS WILL BE OUR #1 PRIORITY!" Precinct 6 Dispatch: 713-274-3400

# NUCLEAR WASTE TRANSPORT

### Proposed Nuclear Waste Storage in Andrews County, TX



Nuclear Regulatory Commission is currently reviewing applications for a Consolidated Interim Storage Facility in Andrews County, Texas and plan to complete the *safety, security, and environmental reviews by summer of 2021*.

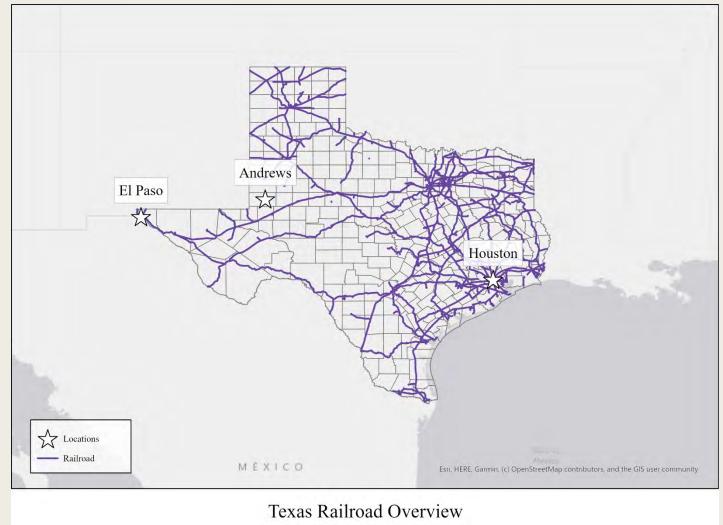
### Proposed Nuclear Waste Storage in Andrews County, TX

- Possible opportunity to comment Summer 2021 on additional nuclear waste storage analyses that will completed
- Concerns:
  - Abbott opposes the project because "greater radiological risk than Texas is prepared to allow."
  - Environmentalists and interest groups have concerns about:
    - Transportation of nuclear waste by rail and barge.
    - Nuclear waste storage overnight in a railyard and potential effects on communities.
    - Exact routes the nuclear waste will travel on to Andrews County.
    - Transportation accidents.

## Map of Rail Lines in the United States



### Map of Rail Lines in Texas



State of Texas and Key Cities

#### Figure 15: ISP's Currently Proposed



## Proposed Ban on High Level Radioactive Waste



Photo credit: https://www.texastribune.org/2021/04/08/nuclear-waste-texasban/

- Bill No. 2692: banning high level radioactive waste from being disposed of or stored in Texas.
- "This bill bans high-level waste altogether," Landgraf said during a committee hearing in March, "and focuses on making low-level waste the safest and best, most competitive and most efficient facility it can be." <u>https://www.texastribune.org/2021/04/08/nuclear-waste-texas-ban/</u>
- Criticism of bill: will give Waste Control Specialists a big break on state fees it pays for its existing disposal facility for lower-risk radioactive waste.

## HIGH SPEED RAIL

## High Speed Rail coming to Houston?



- Texas Central plans to operate a high speed train between Houston and Dallas
- Houston terminal planned at former Northwest Mall
- Additional stop near College Station (Brazos Valley)

- May 2020: Court of Appeals confirmed Texas Central was railroad under Texas law. Issue is now before Texas Supreme Court.
- May 2020: Final environmental impact statement published.
- July 2020: Surface Transportation Board confirmed jurisdiction over the project.
- September 2020: FRA issued record of decision approving the project and the Rule of Particular Applicability, which includes the safety requirements for the operation of a high speed train.
- April 2021: Landowners in six counties sued FRA (US DOT) regarding environmental review process under NEPA.

## Remaining obstacles for high speed rail

- Texas legislature proposed legislation against high speed rail (HB 114, HB 1054, HB 3309, HB 3310, HB 3311, HB 3312, HB 3633)
- Approvals by Texas Commission on Environmental Quality on stormwater discharge permit
- Approvals by Texas General Land Office on proposed route
- Approvals needed by Texas Department of Transportation for crossing state roads
- Securing land for the project (approximately 40% of land acquired, 600 parcels)
- Texas Supreme Court ruling on eminent domain authority expected in 2021
- Other legal challenges by property owners under the National Environmental Policy Act (NEPA)

## **ENVIRONMENTAL NUISANCE REPORTER**

Did you see, hear, smell, or feel: Dust | Odors | Noise | Spills | Other nuisances? Report it to LSLA & TCEQ!



Go to the link & fill out the form in 5 minutes: https://lonestarlegal.blog/ enr/



Start Over 🚍

Environmental Nuisance Reporter

Welcome: This system will provide users with an ability to report local environmental nuisances to supervising regulatory authorities and Lone Star Legal Aid.

- Lone Star Legal Aid's mission is to protect and advance the civil rights of the millions of Texans living in poverty in its 76 county service area by providing free advocacy, legal representation, and community education that ensures equal access to justice.
- Our Environmental Justice Team works with community groups and individuals to address environmental hazards in their neighborhoods.
- This application should take the user around 5-10 minutes to complete





Video tutorial of app:

1425/videos/313107960044487

Start >

# QUESTIONS

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