

Washington, DC -- At a railroad safety hearing of the Railroads, Pipelines, and Hazardous Material Subcommittee of the Transportation and Infrastructure Committee this afternoon, U.S. Representative Michael A. Arcuri (D-Utica) shed light on the potentially dangerous impact of placing high-voltage power lines like those proposed by New York Regional Interconnect (NYRI) along railroad rights-of-way.

“I know all too well how critical it is to make sure that our freight and passenger railroads are compliant with safety requirements,” said Arcuri. “On March 12, 28 cars of a CSX freight train derailed in Oneida, NY- creating havoc and halting transportation. A month later the Federal Railroad Administration announced that it found 78 track defects. In this alarming climate, a private company is seeking to build a 190-mile high voltage direct current transmission line which would potentially run right along these very same railroad rights-of-way. Railroads are valuable to our commerce and our communities – but they must be safe and reliable”

The Railroads, Pipelines, and Hazardous Materials Subcommittee held a hearing today on H.R. 2095, the Federal Railroad Safety Improvement Act of 2007 which would reauthorize rail safety programs and improve the Federal Railroad Administration. The last time the Federal Railroad Administration was reauthorized was in 1994 and it was allowed to expire in 1998.

In 2006, there were a total of 13,046 accidents and incidents involving railroads nationwide. There were 18 train derailments in Western New York between January 2005 and September 2006. According to the Federal Railroad Administration, the two leading causes of all train accidents are human factors, such as fatigue, and track defects.

“The Department of Energy recently announced a proposal for a “National Interest Electric Transmission Corridor” designation opening up the possibility of having major power line projects forced upon local communities,” said Arcuri. “As a result, many communities across the country will now have to worry about the safety and security concerns of siting these power lines along the very railroads that are currently in violation of safety standards. This is an issue that should concern people across the country.”

One of the witnesses was the Honorable Joseph Boardman, Administrator of the Federal Railroad Administration, who is a native of Rome, NY.

In March, Arcuri successfully amended the Rail & Public Transportation Security Act (H.R. 1401) to require the Departments of Homeland Security and Transportation to evaluate the safety and security of placing high voltage direct current electric transmission power lines, like those proposed by NYRI, along active railroad rights-of-way.

Arcuri's opening statement is attached below:

**U.S. Representative Michael A. Arcuri (NY-24)  
Subcommittee on Railroads, Pipelines, and Hazardous Materials HEARING:  
"Rail Safety Legislation"  
Opening Remarks**

May 8, 2007

Thank you, Madame Chair.

Before I begin, I would like to express my gratitude to Chairwoman Brown for providing me an opportunity to join the Subcommittee today to hear from the panelists about rail safety. I would also like to lend my support for the Federal Railroad Safety Improvement Act. This bill will help improve the state of our Nation's railroads and help minimize the number of future accidents, collisions and derailments.

After nearly 14 years, reauthorization of the federal rail safety program will make significant improvements to the FRA and will help ensure that safety on our railroads, as well as those riding and those living around them, becomes the top priority for the agency.

This bill will, among other things, ensure tougher requirements are placed on railroads to decrease fatigue among train crews and increases civil and criminal penalties for railroad companies that fail to comply with safety standards. The bill also provides funding for new track inspection equipment and increases the number of federal rail safety inspectors on-hand that will identify problems and help minimize accidents.

Recently, on March 12, 28 cars of a CSX freight train derailed in Oneida, NY, which borders my district, and was a mere two miles away from Sherrill, NY, a city in Oneida County, which I represent. Several of those cars contained chemicals such as ferric chloride, which posed a grave health risk and required many people to be evacuated. Thankfully, no injuries or fatalities were a consequence of this disaster. However, the safety and comfort of people close to the accident was deeply affected by the incident. Additionally, the derailment caused the New York State Thruway, the main East and West thoroughfare in New York, to be shut down for several hours.

My colleague from New York, Mr. Higgins, knows all too well how critical it is to make sure that our freight and passenger railroads are compliant with safety requirements. The numerous derailments in his Western New York district over the last two years, and now the incident in Oneida, is very alarming and raises many red flags about the state of New York's rail infrastructure.

While this concern continues to trouble the people of New York, a private company is seeking to build a 190-mile high voltage direct current transmission line from the Town of Marcy in Oneida County, NY, located in my district, to the Town of New Windsor in Orange County, NY.

The company estimates that more than 90% of the proposed primary and alternate routes will follow existing rights-of-way – both along railroad tracks and natural gas lines. The transmission line would consist of 135-foot tall towers, and be operated with a rated power flow of 1200 mega watts. A portion of the proposed route follows the New York Susquehanna & Western Railway right-of-way, which would run through some of the more heavily populated cities and towns in Upstate New York. This is a situation where the safety implications and risks are unknown – imagine if a derailment occurred and a train car struck these high tension lines.

The well-being of my constituents and the safety of New York's railways is a top priority for me as a member of the Transportation Committee. I have already called on the Departments of

Homeland Security and Transportation to conduct an assessment of the safety and security vulnerabilities of placing high voltage direct current electric transmission lines along active railroad rights-of-way.

However, I want my colleagues to know this is not only a concern for New York State.

The Department of Energy recently announced a proposal for two "National Interest Electric Transmission Corridor" designations affecting 11 states and the District of Columbia. Parts of New York, Virginia, and Pennsylvania in particular are faced with the possibility of having major power line projects forced upon them due to this new federal designation.

As a result, many communities across the country will now have to worry about the safety and security concerns of siting these power lines along the very railroads that currently are in violation of safety standards. It is an issue that should be of concern to all.

I look forward to working with the Chair and my colleagues to continue to shed light on this troubling development and to ensure this critical legislation is quickly considered before the Full Committee.

Thank you and I yield back the balance of my time.

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