

Fiscal Estimate Narratives

DMA 3/7/2018

LRB Number	17-5177/1	Introduction Number	AB-0930	Estimate Type	Original
Description preparation and response required by railroad corporations in the event of discharge of transported materials and making an appropriation					

Assumptions Used in Arriving at Fiscal Estimate

This bill establishes the emergency preparedness required of railroad corporations transporting hazardous materials in the state and the response required by railroad corporations if a discharge of hazardous materials occurs. Specifically, this bill requires the Department of Military Affairs (DMA), Division of Emergency Management (WEM) to receive submissions from railroad corporations of operating routes where hazardous materials are transported. The bill requires WEM to review emergency preparedness plans submitted by railroad corporations and to work with the Office of the Commissioner of Railroads (OCR) to provide emergency preparedness training. The bill also requires WEM to compile data about incidents and to report findings to the legislature. The bill requires WEM to submit to the legislature no later than January 15, 2019, a report on the emergency preparedness response framework within the state relating to incidents involving hazardous materials transported by rail. The report must include an assessment of training needs and must establish benchmarks for assessing training needs in the future. The bill also requires WEM to submit to the legislature no later than November 1, 2019, an update to the initial report that evaluates the effectiveness of training conducted and identifies funding sources and future funding needs. The bill requires specific tasks to be completed by OCR and the Department of Transportation as it relates to the rail transportation of hazardous materials.

Wisconsin has eleven freight rail companies operating within the state which transport materials through 63 counties. This bill requires WEM to review emergency preparedness plans submitted by railroad corporations that transport hazardous materials. It is unclear whether this bill requires additional plans for switch yards, depots and other railcar storage areas. To complete the review of preparedness plans, WEM would need 1.0 FTE Emergency Government Specialist Planning position to receive and review these plans. This position would also work with railroad corporations to identify measures to prevent environmental pollution. Additionally, this position would assist with preparation of the report to the legislature related to response preparedness, as required by the bill. The fiscal impact of this position would be between \$78,500 and \$95,400.

This bill also requires WEM to provide training and drills, in conjunction with OCR, to railroad companies. This would require 1.0 FTE Training Officer to develop and provide emergency preparedness training, assuming that this requires developing a curriculum, scheduling training, contracting with trainers and tech colleges, and overseeing a training program focused on the transportation by rail of hazardous materials. An additional 1.0 FTE Exercise Officer is needed to conduct drills necessary to ensure railroad corporation preparedness to prevent environmental pollution. The fiscal impact of adding 2.0 Training and Exercise Officers would be between \$147,000 and \$160,200.

Due to the requirements within the bill for WEM staff to be able to provide environmental pollution expertise for inspections, drills, and measures, a knowledge base not currently a part of the WEM portfolio, a 1.0 Environmental Specialist position is needed. The fiscal impact of adding 1.0 Environmental Specialist would be \$62,600 and \$95,400.

This bill requires WEM to ensure that a post-incident review and analysis is performed in a timely manner. The bills specifies that this should be completed under an agreement with an entity that is independent of the state, local units of government involved in the incident, railroad corporations and pipeline companies. To contract for post-incident analytical reviews, we anticipate \$25,000 per incident and estimate one incident per year.

Additional requirements in the bill to compile a list of emergency managers of counties, cities and fire chiefs of fire departments having jurisdiction along the routes and the non-statutory requirements can be absorbed if the positions identified above are authorized.

The total fiscal impact of this bill is estimated at \$288,100 to \$376,000.

Long-Range Fiscal Implications