

Attorney General Raoul Opposes Application To Transport Cryogenic Ethane In Rail Tank Cars

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CHICAGO - Attorney General Kwame Raoul, as part of a coalition of 14 attorneys general, opposed Gas Innovations LNG Refrigerants Inc.'s request for a special permit to ship cryogenic liquefied ethane in rail tank cars from a facility in Marcus Hook, Pennsylvania to undisclosed locations in the United States, Canada, and Mexico.

Ethane is a colorless, odorless, and highly flammable hydrocarbon gas that is commonly used in the petrochemical industry. Shipping cryogenic ethane presents significant safety challenges, as any release of cargo is likely to lead to the formation of extremely cold and highly flammable ground-hugging vapor clouds that present unique safety risks to nearby communities and emergency first responders. Regulations do not currently authorize the transportation of ethane in rail tank cars, and Gas Innovations' application includes no data or scientific analysis suggesting that it can be transported safely in this manner.

"Illinois is one of our nation's major rail hubs. Transporting hazardous liquid ethane by rail could pose a serious safety risk to our residents," Raoul said. "I urge the federal government to protect Illinoisans and the environment by rejecting permit requests for the transport of liquid ethane by rail."

In a [comment letter](#), Raoul and the coalition assert that Gas Innovations' application to the Pipeline and Hazardous Materials Safety Administration (PHMSA) should be denied because it would risk the safety of communities along rail lines nationwide. The application fails to clearly identify what, if any, operational controls – measures like speed limits and braking requirements that are designed to decrease the risk of derailment – would apply to shipments under the special permit. Even more troubling, it does not identify the destinations for its liquefied ethane cargos. Instead, the application vaguely suggests that shipments will be delivered to "petrochemical, or LNG liquefaction facilities," in Mexico, Canada and along the Gulf Coast of the United States.

The attorneys general argue that without a more specific description of the destinations for these shipments, PHMSA will be unable to determine whether the permit is in the public interest. This vagueness is of particular concern, as it may impair PHMSA's ability to determine whether the special permit would place an inequitable burden on communities already dealing with environmental justice concerns. In fact, there is a high likelihood that the petrochemical and liquefied natural gas (LNG) liquefaction facilities alluded to in the application are located near overburdened communities, particularly along the U.S. Gulf Coast.

The attorneys general also urge PHMSA to reject the application's argument that rail shipment of ethane is as safe as the shipment of LNG by rail. PHMSA approved regulations authorizing the shipment of LNG by rail in 2020, an action that Raoul along with many of the attorneys general joining this letter [opposed](#), and which has been discredited by subsequent studies of the National Academies of Sciences. In 2021, PHMSA itself [proposed](#) suspending the regulations authorizing the shipment of LNG by rail. It would make little sense to allow Gas Innovations to claim that its proposed shipments are safe based on that rule.

Joining Attorney General Raoul in submitting comments are the attorneys general of Delaware, the District of Columbia, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.