



SPONSOR: Rep. Longhurst & Sen. Poore & Sen. McBride
Reps. Barbieri, Baumbach, Jaques, J. Johnson, Kowalko,
Mulrooney, Osienski, M. Smith, Walker; Sen. Townsend

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 27

EXPRESSING CONCERNS AND MAKING RECOMMENDATIONS AND REQUESTS TO PBF ENERGY AND NORFOLK SOUTHERN CORPORATION REGARDING INCREASED "CRUDE BY RAIL" SHIPMENTS TO THE DELAWARE CITY REFINERY.

1 WHEREAS, PBF Energy ("PBF") is one of the largest independent petroleum refiners and suppliers of unbranded
2 transportation fuels, heating oil, petrochemical feedstocks, lubricants and other petroleum products in the United States, and
3 currently owns and operates the Delaware City Refinery ("Refinery"); and

4 WHEREAS, Norfolk Southern Corporation ("Norfolk Southern") is the largest rail freight carrier in Delaware,
5 operates 158 miles of rail in Delaware, and has made significant infrastructure investments in Delaware, including
6 improvements at the Porter and Old Porter roads in Bear; and

7 WHEREAS, in June 2010, PBF purchased the Refinery and immediately undertook efforts to restart the facility,
8 leading to the rehiring and continued employment of several Delaware residents; and

9 WHEREAS, in June 2011, initial operations at the Refinery commenced and the facility is now fully operational;
10 and

11 WHEREAS, PBF has announced that it is committed to further expanding "crude by rail" shipments to the
12 Refinery, and as a result PBF has spent and will continue to spend millions of dollars in capital improvements on the
13 Refinery and its rail capabilities, including the development of "crude by rail" terminals; and

14 WHEREAS, PBF has announced that by the end of 2013 it hopes to have shipping and receiving capacity of
15 150,000 barrels per day of rail-delivered crude at the Refinery; and

16 WHEREAS, PBF has announced that it has entered into agreements for an additional 2,000 coiled and insulated
17 rail cars capable of handling heavy crude oil and 500 general purpose cars, which will be delivered in 2013, 2014 and
18 through the first quarter of 2015, and will bring PBF's total number of owned or leased coiled and insulated cars to 3,600;
19 and

20 WHEREAS, PBF has partnered with Norfolk Southern for the "crude by rail" shipments to the Refinery; and

21

22 WHEREAS, the increased “crude by rail” shipments to the Refinery have created concerns among the surrounding
23 communities regarding the health, safety, noise, traffic and pollution caused by those rail shipments;

24 NOW, THEREFORE:

25 BE IT RESOLVED by the House of Representatives of the 147th General Assembly of the State of Delaware, the
26 Senate concurring therein, that PBF and Norfolk Southern are hereby requested to provide monthly reports to the General
27 Assembly detailing the crossing start times and end times of all PBF inbound and outbound trains at the following
28 crossings: Garasches Lane, Terminal Lane (Rt. 9), Wilmington Rd (Rt. 9), Delaware St. (Rt. 273), Young St., Washington
29 St., Bear Corbitt Rd. (Rt. 7), Church Rd., Old Porter Rd., Red Lion Rd (Rt. 71), School House Road, Hamburg Corner
30 River Rd., Rt. 40, Rt. 72, Old Baltimore Pike, and Rt. 4.

31 BE IT FURTHER RESOLVED that PBF and Norfolk Southern are encouraged to increase their communication in
32 an effort to become more efficient in the “crude by rail” shipments so as to avoid significant and unnecessary delays which
33 ultimately result in PBF bound trains sitting idle on tracks near the surrounding communities.

34 BE IT FURTHER RESOLVED that PBF and Norfolk Southern are encouraged to work with the state and federal
35 governments to develop more quiet zones along the rail lines currently used for deliveries to the Refinery.

36 BE IT FURTHER RESOLVED that PBF and Norfolk Southern are encouraged to (1) identify and propose
37 additional infrastructure improvements to the rail lines and crossings that will improve efficiency and the safety of the
38 nearby communities that are affected by the increase in lengthy train traffic; and (2) work in conjunction with DelDot and
39 provide the required funding to maintain safe rail lines and crossings in conformance with federal and DelDot guidelines
40 and standards.

SYNOPSIS

This concurrent resolution expresses concerns over the health, safety, noise, traffic and pollution caused by Norfolk Southern’s “crude by rail” shipments to the PBF Refinery in Delaware City. The resolution requests that PBF and Norfolk Southern (1) provide monthly reports detailing the crossing times of all PBF inbound and outbound trains at several Delaware crossings; (2) increase their communication in an effort to become more efficient in the “crude by rail” shipments so as to avoid delays; (3) work with the state and federal governments to develop more quiet zones; (4) identify and propose additional infrastructure improvements to the rail lines to help improve efficiency and safety; and (5) work in conjunction with DelDot and provide the required funding to maintain safe rail lines and crossings in conformance with federal and DelDot guidelines and standards.