



Legislation Text

File #: Pres 20-174, **Version:** 1

E-470 Hazardous Materials Routing Presentation

Summary and Background Information:

E-470 is presenting the results of its study of designating E-470 as a hazardous materials (HAZMAT) route to Council. Council will have the opportunity to provide feedback for E-470 to take into consideration. Per SB 19-032, E-470 has the legal authority to apply for HAZMAT designation through the Colorado State Patrol (CSP). This action would require a vote by the E-470 board to apply for designation. Council member Hurst currently sits on the E-470 board, and Council may vote to provide him direction.

Generally, a hazardous material is any agent, whether physical, chemical, biological, or radiological, with the potential to cause harm to humans or the environment, either by itself or through interaction with other factors. A full list of all hazardous materials as defined by Colorado Revised Statute 42-20-103(3) is available in Tables 1 and 2 of Title 49 of the Code of Federal Regulations, 172.504. The most common HAZMAT is fuel, which makes up 80% of all HAZMAT shipped, paint, aerosols, dry cleaning supplies, flammable liquids, and more. The most common generators of HAZMAT are supermarkets, dry cleaners, hardware stores, auto shops, hospitals, and oil/gas refineries. Vehicles carrying HAZMAT must travel along designated routes and use the shortest reasonable distance for deliveries and pick-ups. E-470 is not seeking designation as a nuclear route.

As background, In May 2018, E-470 sent a letter to the constituent cities asking them to support E-470 moving forward with conducting a study into the costs and benefits of designating E-470 a HAZMAT route. On January 7, 2019, Council voted to sign a letter to E-470 expressing support for conducting such a study.

E-470 has completed the study into the designation of E-470 as a HAZMAT route. This study shows that the designation would comply with relevant state guidelines and would provide benefits to the cities through which E-470 runs. State Procedural Directive (SPD) 1903.1 sets out guidelines shown below for the designation of a HAZMAT route. The study demonstrates that this designation would meet the minimum requirements per SPD 1903.1.

1. Is route feasible, practicable, and not unreasonably expensive for such transportation?
2. Is route continuous within a jurisdiction and from one jurisdiction to another?
3. Does route provide greater safety to the public than other feasible routes?

Considerations:

- i. AADT, crash and fatality rates
- ii. population within a one-mile swath of each side of the highway
- iii. location of schools, hospitals, sensitive environmental areas, rivers, lakes, etc.
- iv. emergency response capabilities on the route
- v. condition of the route, (i.e., vertical and horizontal alignment, pavement condition, level of

access to the route, etc.

4. Does route unreasonably burden interstate or intrastate commerce?
5. Is route arbitrary or intended to divert hazmat materials from one community to another?
6. Will designation interfere with pickup and delivery of hazardous materials; and
7. Is designation consistent with all applicable state and federal laws and regulations?

In addition to compliance with SPD 1903.1, the study suggests designating E-470 as a HAZMAT route would provide benefits to the communities along E-470. The designation of E-470 as a HAZMAT route would reduce HAZMAT traffic on surface roads and the total distance travelled by HAZMAT vehicles. HAZMAT vehicles must travel along HAZMAT routes, only leaving to take the shortest reasonable distance from a designated HAZMAT route to the delivery or pick-up location. Designating E-470 as a HAZMAT route would allow HAZMAT vehicles to get closer to the delivery or pick-up location before exiting the route for surface streets, reducing wear on surface streets, traffic congestion, and the risk of a HAZMAT incident within the community.

E-470 is meeting with stakeholders in advance of their board meeting on June 11th. They are seeking feedback from the City Council on the study results and request City Council provide voting direction the council member assigned to the E470 board, prior to the June 11, 2020 meeting.

Staff Responsible (Department Head): Troy Smith, Deputy City Manager

Staff Member Presenting: Troy Smith, Deputy City Manager

Outside Presenter: Derek Slack

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation:

Suggested Motion: