

# E-470 Hazardous Material Route Designation

City Council Study Session - January 22, 2019

City Staff Representative:

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- Strong Regional Relationships and Partnerships

 Safe, Active, and Engaged Community





### Purpose

- Direction of City Council at the October 23<sup>rd</sup> and December 11<sup>th</sup> Study Sessions regarding the potential designation of E-470 as a Hazardous Material ("HazMat") Route was to provide additional information.
- Staff is looking for direction as to whether or not the City Council wishes to support the HazMat designation of E-470.
- The E-470 Public Highway Authority ("the Authority") has reached out to its member jurisdictions to start the designation process.

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- On December 11, 2018, City staff brought forth further information regarding:
  - Nearby current HazMat routes,
  - o Potential sections of highway designation,
  - Process to designate a route,
  - Positions of other local governmental jurisdictions,
  - o Brighton Fire Rescue District's position,
  - Comprehensive Plan's designations for the areas around E-470, and
  - Presented a list of pros and cons for designation.



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#### Criteria to Consider

- Colorado Revised Statutes Title 42, 'Vehicles and Traffic', Article 20, 'Transportation of Hazardous and Nuclear Materials', outlines the procedures for the route designation for hazardous materials.
- The Authority itself is not currently eligible to directly petition the Patrol for designation.
- The Authority's member jurisdictions are empowered to petition the Patrol for those portions of the highway that lie within their respective jurisdictions.
- Colorado Senate Bill 19-032 would allow the Authority to petition.

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# Summary of Findings / Staff Analysis

- Definition and types of hazardous materials
- Regulations surrounding transportation
- Permit process for transportation
- Enforcement of transportation
- Routing of hazardous materials
- Sample petition and study
- Reversal of routes
- CDOT's position and ability to move forward without approval

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## **Staff Recommendation**

- As noted in earlier reports and meetings, the city already has two vehicle transportation routes (US-85 and I-76) and two railroads that more than adequately serve our community and the northeast region.
- One may argue that perhaps Brighton already has a disproportionate amount as compared to other neighboring cities.
- Further, after additional research as directed by Council, there is no indication that the
  designation of a route on E-470 will reduce the amount of HazMat traffic on existing routes and it
  is highly unlikely that we would be able to petition for the removal of an existing route.
- There is a potential that future employers that the city desires to attract to the area, may not be desirous of sites that fall along a HazMat route.
- For these reasons, City staff does not support the designation of E-470 as a HazMat route.

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# **Next Steps**

- A formal vote would need to occur for the City to issue a letter of support or opposition.
- If Council provides direction that they are generally in support or opposed to the designation, City staff will schedule the item for an upcoming City Council meeting, provide a draft Resolution, and provide a draft letter in support or in opposition of designation.
- Council may also make a determination to not voice its support or opposition at this time in order to wait and hear further about the proposed legislation at an upcoming Study Session.