

Congress of the United States
Washington, DC 20515

April 21, 2015

Mr. Shaun Donovan
Director
Office of Management and Budget
725 17th Street NW
Washington, D.C. 20503

Dear Director Donovan:

We are writing to request that during your review of the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) proposed rule, the Enhanced Tank Car Standards and Operation Controls for High-Hazard Flammable Trains, you accept the National Transportation Safety Board's (NTSB's) recommendations regarding the schedule for replacing or retrofitting legacy DOT Specification 111-A100W1 (DOT-111) and Casualty Prevention Circular-1232 (CPC-1232) tank cars to meet the rule's new performance standards. We also ask that your office complete its final review expeditiously.

As you are well aware, the volume of hazardous materials transported by rail has increased significantly due to the increased production of heavy crude in the Canadian oil sands and the recent expansion of shale oil production in North Dakota, Montana, and Texas. While domestic energy growth benefits our economy and national security, it continues to pose challenges for our transportation infrastructure. Railroads remain one of the safest, most efficient ways to transport these hazardous liquids; however, too many accidents, some with fatal consequences, have occurred.

As you may know, New Jersey's freight railroads serve an essential transportation role to the local and national economy. In 2009 alone, over 37 million tons of rail freight moved through the Garden State. That same year, New Jersey ranked fifteenth nationally in the number of carloads originated and twelfth nationally in number of carloads terminated. In fact, a significant amount of New Jersey's approximately 2,400 miles of rail freight lines run through some of the state's most densely populated areas, including neighborhoods and business districts. With this large amount of freight traveling through highly populated areas, it is clear that New Jersey residents are vulnerable to railway incidents.

Each accident involving DOT-111 and CPC-1232 tank cars continue to prove the designs inadequate for transporting hazardous liquids. The July 6, 2013 train derailment in Lac-Mégantic, Quebec, that resulted in a crude oil fire that killed forty-seven people involved 72 DOT-111 tank cars containing crude. More recently, the February 16, 2015 derailment of a CSX train in Mount Carbon, West Virginia, involved 28 CPC-1232 tank cars and resulted in an explosion and a 300 person evacuation.

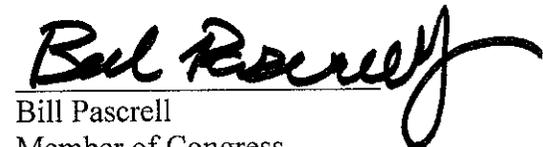
We are pleased to see that the PHMSA, in coordination with the Federal Railroad Administration, issued its proposed rule that includes several provisions we feel will help make the transport of crude and other hazardous materials by rail safer. In particular, we strongly urge you to accept NTSB's recommendation that the rule ask PHMSA to require an aggressive schedule for existing tank cars that are used to transport flammable liquids to meet the new standards. We also urge that the final rule be promulgated as quickly as possible, so that the phase out schedule might begin sooner and the public be better protected.

We feel strongly about mandating a robust retrofit schedule because federal regulations simply have not kept pace with this fast growing industry. We have witnessed too many accidents to allow this to continue. The people of New Jersey, and all Americans, deserve the peace-of-mind that our transportation systems are safe, and that the federal government has the lives of the American people in its best interest.

Thank you for your consideration of this matter.

Sincerely,


Albio Sires
Member of Congress


Bill Pascrell
Member of Congress