



Committee on Transportation and Infrastructure

U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515

Peter A. DeFazio
Ranking Member

March 6, 2015

Christopher P. Bertram, Staff Director

Katherine W. Dedrick, Democratic Staff Director

The Honorable Anthony Foxx
Secretary
United States Department of Transportation
1200 New Jersey Ave, S.E.
Washington, DC 20590

The Honorable Shaun Donovan
Director
Office of Management and Budget
725 17th Street, N.W.
Washington, DC 20503

Dear Secretary Foxx and Director Donovan:

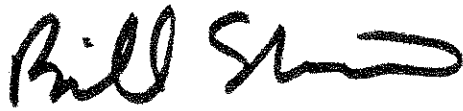
As you both well know, safety across all modes of transportation is a top priority for the Committee. The recent oil train incident in West Virginia reiterated the importance of completing the Department of Transportation's (DOT) rulemaking process on enhancing the safety of trains and rail cars used to transport certain materials. The American people's trust in a safe transportation system relies on it.

On March 9, 2011, the Pipeline and Hazardous Materials Safety Administration (PHMSA) was petitioned to establish new standards for DOT Specification 111 (DOT-111) tank cars used to transport certain materials, including crude oil and ethanol. DOT did not issue an advanced notice of proposed rulemaking until September 6, 2013, and did not promulgate its notice of proposed rulemaking (NPRM) until July 23, 2014.

Once finally published, the NPRM included a number of operational requirements. We are concerned that the complex issues and effects of those requirements could lead to further delays and end up postponing implementation of a final rule. Drafting and analyzing these new requirements obviously took time away from completing the rulemaking. Chairmen Shuster and Thune and Ranking Member DeFazio have all written letters expressing concerns about the NPRM and the need to finalize the rule in a sufficient time to adequately address growing safety concerns.

It has been nearly four years since the 2011 petition was filed, and as the recent accident in West Virginia reminds us, a new standard must be established to ensure the safety of the communities through which these products move – while appropriately scoping the rule and providing all stakeholders, including rail car suppliers and manufacturers, with definitive timelines for tank car phase-out and retrofits. We appreciate your prompt attention to this important matter. If you have any questions please contact Mike Friedberg with the Subcommittee on Railroads, Pipelines, and Hazardous Materials at (202) 225-9446 or Jennifer Homendy with the Democratic staff at (202) 225-4472.

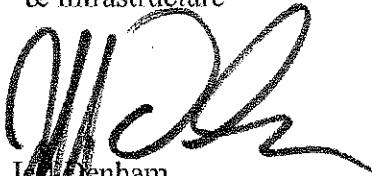
Sincerely,



Bill Shuster
Chairman
Committee on Transportation
& Infrastructure



Peter A. DeFazio
Ranking
Committee on Transportation
& Infrastructure



Jennifer Denham
Chairman
Subcommittee on Railroads, Pipelines,
and Hazardous Materials



Michael Capuano
Ranking Member
Subcommittee on Railroads, Pipelines,
and Hazardous Materials