

Congress of the United States
Washington, DC 20515

February 27, 2015

Mr. Timothy Butters
Acting Administrator
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation

Ms. Sarah Feinberg
Acting Administrator
Federal Railroad Administration
U.S. Department of Transportation

Dear Acting Administrators Butters & Feinberg:

We write to express our strong concern that despite increased train car derailments and an overall delay in the issuance of oil-train safety regulations, the Department of Transportation (DOT) may be considering a revision that could delay the deadline for companies to comply with important safety guidelines, including upgrading CPC-1232 tank cars to new standards. Considering the frequency by which derailments are occurring, we believe that other measures like stabilizing crude and track maintenance before transport must be considered to improve the safety of our communities, and that any weakening of the proposed rule would be ill-advised.

The urgent need for heightened safety standards was underscored last week when 28 tank cars of a crude oil train derailed in West Virginia, causing 20 to catch on fire. The residents of two nearby towns were evacuated, and fires were still blazing 24 hours after the incident. Reports indicate that the cars were supposedly a safer and stronger CPC-1232 model, traveling well below the track's speed limit at 33 miles per hour in a 50 mph zone. This is the third incident this month, after a train carrying ethanol derailed and caught fire in Iowa and another carrying crude derailed and caught fire in Ontario. These are in addition to recent derailments in Northern California's Feather River Canyon, Plumas County, and Antelope region where three train cars derailed earlier this year while en route from Stockton to Roseville.

The need for safer train cars has long been documented and is overdue. DOT began working on updated rules in April of 2012 and from 2006 to April of 2014, a total of 281 tank cars derailed in the U.S. and Canada, claiming 48 lives and releasing almost 5 million gallons of crude and ethanol. Serious crude-carrying train incidents are occurring once every seven weeks on average, and a DOT report predicts that trains hauling crude oil or ethanol will derail an average of 10

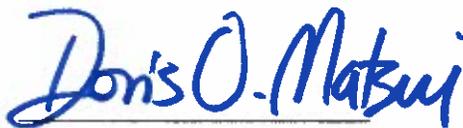
times a year over the next two decades, causing billions of dollars in damage and possibly costing hundreds of lives.

Given this alarming news, it brings us great concern that Pipeline and Hazardous Materials Safety Administration (PHMSA) did not meet its January 15th deadline to release a final rule on crude by rail regulations. We understand that more than 3,000 comments to the rule were analyzed and we commend the DOT for its work with industry thus far on information sharing, slower speeds, and reinforced railcars, but the multi-pronged solutions for this important safety issue must be implemented as quickly as possible.

We also believe that DOT should issue a rulemaking that requires stripping out the most volatile elements from Bakken crude before it is loaded onto rail cars. This operation may be able to lower the vapor pressure of crude oil, making it less volatile and therefore safer to transport by pipeline or rail tank car. Additionally, we believe that track maintenance and improvements must be a priority. We need safer rail lines that are built for the 21st century including more advanced technology in maintaining railroad tracks and trains, so that faulty axles and tracks do not lead to further derailments. If more dangerous and volatile crude is to be transported through cities and towns and along sensitive waterways and wildlife habitat, the rail and shipping industries must do more.

We applaud DOT's commitment to immediate and long-term solutions to prevent derailments involving crude oil, but we urge you to maintain the timeline set out in the July draft rule, which gives companies two years to retrofit cars, and to include provisions or draft further regulations requiring the stabilization of crude along with better track maintenance technology. We thank the National Transportation Safety Board for its thorough investigation of these incidents, and hope that DOT will prioritize the well-being of the estimated 16 million Americans who live close by oil-by-rail shipping lines throughout the United States. Our communities should not have to live with the fear that it is only a matter of time. Thank you for your commitment to the health and safety of our communities and for your efforts to release a strong and robust safety rule as soon as possible.

Sincerely,



DORIS O. MATSUI
Member of Congress



JOHN GARAMENDI
Member of Congress



BARBARA LEE
Member of Congress



MIKE THOMPSON
Member of Congress



JARED HUFFMAN
Member of Congress



ERIC SWALWELL
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