



# **U.S. Department of Transportation Federal Railroad Administration**

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## **Hazardous Materials Rulemakings**

**Michele Sampson**  
Railroad Safety Specialist, HM Division  
Washington, DC



# Enhancing Rail Safety & Security

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## DOT

Authority to regulate safety and security of hazardous materials transportation

**Hazardous Materials Transportation Law (49 U.S.C. 5101 et.seq.)**

**Federal Railroad Safety Act (49 U.S.C. 20101 et.seq.)**

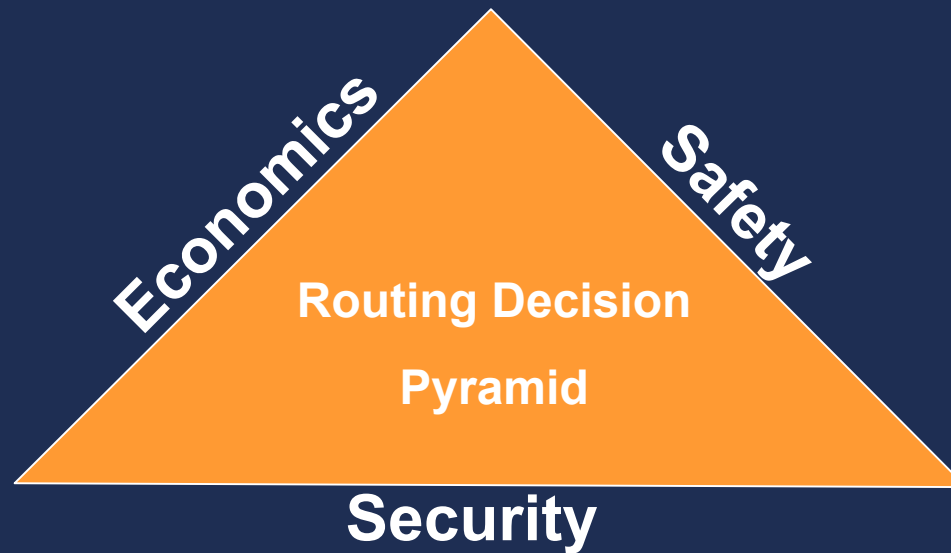
## TSA

Authority to regulate security of hazardous material transportation

**Aviation Transportation Security Act (Pub. L. 107-71, 115 Stat. 597)**



# Routing as a Part of the Transportation Cycle



**Routing decisions are continually made as a part of the transportation cycle for a variety of reasons.**



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**Complementary NPRMs published on December 21, 2006.**

**DOT's Proposal "HM-232E"**

**Applies to**

- More than 2,268 kg (5,000 lbs) in a single carload of a Division 1.1, 1.2 or 1.3 explosive;**
- A bulk quantity of a TIH material (poisonous by inhalation, as defined in 49 CFR 171.8); or**
- A highway-route controlled quantity of a Class 7 (radioactive) material.**



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## Proposal Requirements

- **Compile commodity data**
- **Analyze the safety and security risks for routes identified by commodity data (primary routes)**
- **Identify and analyze one possible alternative route for each primary route**
- **Document route selection and any mitigating measures being implemented**



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## Proposal Requirements

- **Safety & Security plan must include procedures to**
  - Consult with offerors and consignees to minimize time in transit
  - Notify storage-in-transit or consignee facilities of car delivery
  - Notify consignees of any significant delay in transit and anticipated delivery schedule



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## Proposal Requirements

- **Safety & Security plan must also include**
  - Measures to limit unauthorized access during storage or delay in transit
  - Measures to mitigate risk to population centers associated with in-transit storage
  - Measures to be taken in the event of an escalating threat level for materials stored in transit



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**On January 10, 2007 DOT published notice in the Federal Register about two public meetings on the NPRM:**

**9:00 AM on February 1, 2007 in Washington, DC**

**9:00 AM on February 9, 2007 in Dallas, TX**

**The NPRM comment period closed on February 20, 2007; however late filed comments will be considered to the extent possible.**



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## Toxic Inhalation Hazard Tank Car Design

- Industry Efforts
- Research
- Public Meetings
- Rulemaking



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## FRA Memorandum of Cooperation

- **Dow Chemical Company/Union Pacific/Union Tank Car Company “Next Generation Tank Car Design”**
  - Information sharing
  - Cooperative research efforts



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## Volpe National Transportation Systems Center

- **Baseline research effort**
  - Define collision conditions of concern
  - Evaluate current design equipment in these scenarios
- **Approximately \$1.96 million in FY-07**



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## **Public Meetings**

- **May 31 – June 1, 2006 in Washington DC**
- **December 14, 2006 in Washington DC**
- **Next meeting planned for late March 2007**



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## Rulemaking

- **January 16, 2007 FRA Administrator Boardman announced “. . . FRA is considering issuing new, more robust federal design standards for hazardous materials tank cars and hopes to issue a final rule in 2008. “**



# Questions

Bill Schoonover, Staff Director  
202-493-6229

Michele Sampson  
202-493-6475

RRS-12, Mail Stop 25  
1120 Vermont Avenue, N.W.  
Washington, D.C. 20005

