



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

Hazardous Materials Rulemakings

Michele Sampson
Railroad Safety Specialist, HM Division
Washington, DC



Enhancing Rail Safety & Security

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.)

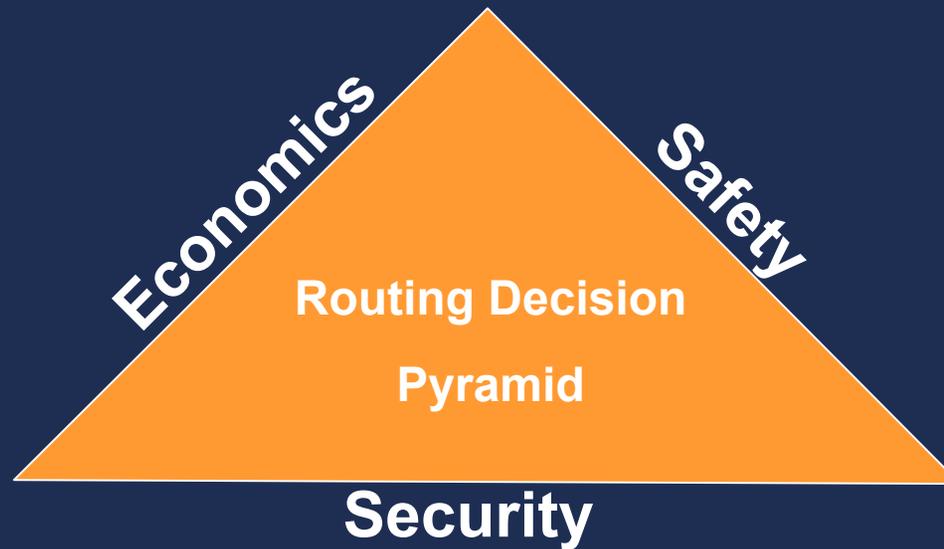
TSA

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.



Enhancing Rail Safety & Security

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.**



Enhancing Rail Safety & Security

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**



Enhancing Rail Safety & Security

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



Enhancing Rail Safety & Security

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



Enhancing Rail Safety & Security

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.



Enhancing Rail Safety & Security

Toxic Inhalation Hazard Tank Car Design

- Industry Efforts
- Research
- Public Meetings
- Rulemaking



Enhancing Rail Safety & Security

FRA Memorandum of Cooperation

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



Enhancing Rail Safety & Security

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**



Enhancing Rail Safety & Security

Public Meetings

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



Enhancing Rail Safety & Security

Rulemaking

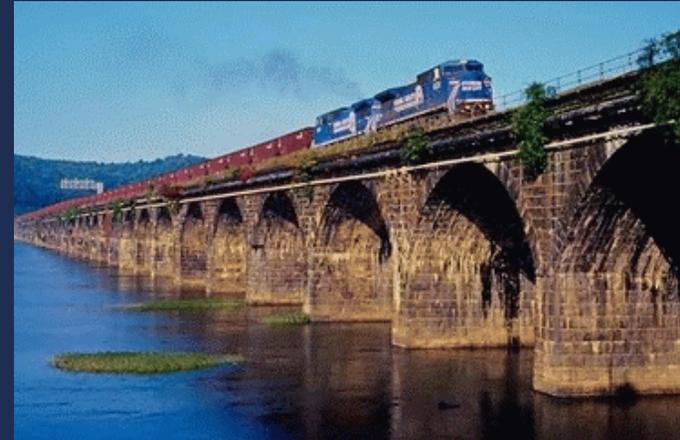
- **January 16, 2007 FRA Administrator Boardman announced “. . . FRA is considering issuing new, more robust federal design standards for hazardous materials tank cars and hopes to issue a final rule in 2008. “**



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