

## **Federal Railroad Administration's Action Plan For Hazardous Materials Safety**

The Federal Railroad Administration (FRA) and the Pipeline Hazardous Material Safety Administration (PHMSA) have taken a number of steps to ensure the highest standards of safety for shipment of hazardous material on rail, including the Emergency Order and Safety Advisory issued to railroads today. These actions build on FRA's rigorous safety program. All freight railroads are required to develop and implement risk assessments and security plans in order to transport any hazardous material, including a plan to prevent unauthorized access in rail yards, facilities and trains carrying hazardous materials. All railroads that carry hazardous materials are also required to develop and follow a security protocol while en route, which can range from hiring security personnel to coordinating with local law enforcement. Some of the actions FRA and PHMSA have already taken and plan to take moving forward are listed below.

### **December 2012**

FRA has taken several steps to address increases in rail traffic in the Bakken Oil Region, the point of origin for most crude oil by rail shipments in the U.S. Under our Bakken Rail Accident Mitigation Project (RAMP), FRA is conducting additional hazardous materials safety inspections in the area as well as facilitating hazardous materials safety training seminars with shippers, consignees, contractors, and sub-contractors. In addition, FRA is working with stakeholders, participating agencies, local officials and rail carriers on highway-rail grade crossing safety and trespass prevention, which includes increased law enforcement patrols at grade crossings and expanded educational outreach to motor carriers (including several public service announcements and indoor print advertisements at major truck stops in the area)."

### **July 18, 2013**

FRA announced a two-day public meeting on August 27<sup>th</sup> and 28<sup>th</sup> in Washington, D.C. to receive public input on improving the safe transport of hazardous materials by rail, including a discussion on enhanced design specifications for the "DOT 111" tank cars commonly used to transport petroleum crude oil and ethanol. The meeting was jointly held by the Federal Railroad Administration (FRA) and the Pipeline Hazardous Materials Administration (PHMSA). For more details, click [here](#).

### **July 29, 2013**

In a letter to the American Petroleum Institute, DOT informed the industry that the FRA will utilize PHMSA's test sampling program to ensure that crude oil is being properly tested and classified for shipment in HMR authorized tank cars. View the letter [here](#).

### **August 2, 2013**

In the wake of the *Lac-Mégantic* rail accident, the FRA issued Emergency Order No. 28 requiring the railroads to properly secure rolling equipment. The Order provides directives about unattended trains, train securement, the use of locks and the reverser on a locomotive, communication between train dispatchers and train crews, recording information, daily job briefings and notification to railroad employees. The Order comes with the full force of regulatory law and violators will be subject to enforcement actions. Read the Emergency Order [here](#).

### **August 2, 2013**

The FRA and PHMSA jointly issued a Safety Advisory to railroad owners and commodity shippers detailing recommended actions the industry are expected to take in order to better ensure the safe transport of hazardous materials. These recommendations include guidance on train crews, operating, testing and classification procedures, system-wide evaluations of security and safety plans, as well as risk mitigation. Read the Safety Advisory [here](#).

### **August 29, 2013**

The Railroad Safety Advisory Committee (RSAC) met in emergency session to consider additional safety measures that may be required following the issuance of Safety Advisory 2013-06. The RSAC committee is the technical and policy stakeholder body that discusses and makes recommendations to the FRA on pending and future regulatory issues. The RSAC includes representatives from all rail industry perspectives. View meeting announcement [here](#).

Following the emergency meeting, the RSAC constituted three working groups to examine possible regulatory issues in greater detail. The working groups will cover the following substantive areas: hazardous materials; appropriate crew sizes; and train securement. Each working group is expected to produce a formal recommendation for consideration and a vote by the full RSAC on or before April 2014.

Finally, following the emergency meeting, the Department of Transportation announced that FRA and PHMSA had launched a joint inspection operation (“Bakken Blitz”) in North Dakota’s Bakken oil region to verify that crude oil is being properly classified in accordance with federal regulations. This includes activities such as unannounced spot inspections, data collection and sampling at strategic terminal and transloading locations that service crude oil.

### **Fall, 2013**

FRA Administrator Joseph C. Szabo sent a letter to railroad industry organization asking they detail actions they’ve taken in response to the Safety Advisory issued August 2. A Web page was created for the public to see these letters and the responses from the industry. View the Web page [here](#).