

United States Senate

WASHINGTON, DC 20510

March 23, 2015

Director Shaun Donovan
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Director Donovan:

We write today to urge you to quickly finalize a tough new comprehensive tank car standard for the transportation of large quantities of flammable material by rail. The transportation of crude oil by rail has taken off throughout the United States and currently hundreds of tank cars travel throughout the country transporting highly flammable crude oil each day. In January of 2015, the Department of Transportation submitted a draft final rule to your agency for review; we urge you to ensure that the rule is strong and comprehensive and that it is finalized as quickly as possible. It is imperative that the Office of Management and Budget issue this final rule without further delay. Congress mandated that a rule be finalized by January of 2015 - a deadline that has already been missed. Further delays are simply unacceptable given how dangerous these outdated cars are.

Flaws and weaknesses in existing tank cars including the highly dangerous DOT-111 and unjacketed CP-1232 cars are well documented and result in a greater risk of catastrophic disaster should a derailment occur. These outdated cars, when laden with unstable crude oil, pose a significant risk to communities that they travel through and must be removed, replaced, or retrofitted as quickly as possible. These outdated cars pose an alarming risk to the communities we represent, and continued derailments and subsequent explosions throughout the United States and Canada involving these cars demonstrate that danger clearly and plainly.

While we do not know exactly what was proposed in the final rule submitted by the Department of Transportation to your agency, we have seen recent reports that indicate that industry lobbyists have expressed opposition to both a tougher new tank car standard, as well as new braking requirements for tank cars. In addition, previous reports have indicated that rail and oil industry leaders have been pushing federal regulators to delay the timely phase-out of these dangerous cars. To allow these efforts to weaken the proposed rule in any way is simply unacceptable. These tank cars pose a very immediate and undeniable risk to communities all across the United States and your agency, in consultation with the Department of Transportation, must take swift and decisive action to improve the safety of our nation's rail network immediately.

While many of us have previously written to you on this important issue, we want to be as clear as possible in stating that we are united in our push for strong safety rules for the safe transport of hazardous materials by rail, and we will continue this unified push until our goal is achieved.

We appreciate your attention to this issue; should you need further information or if you have any questions please do not hesitate to contact our offices.

Sincerely,



Charles E. Schumer
United States Senator



Kirsten Gillibrand
United States Senator



Robert P. Casey
United States Senator



Sherrod Brown
United States Senator



Al Franken
United States Senator



Richard J. Durbin
United States Senator



Tammy Baldwin
United States Senator