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U.S. Department of Transportation Proposes to Require Railroads to Route Hazardous Materials Based on Range of Safety and Security Factors

Railroad companies would be required to perform a safety and security risk analysis to determine the most appropriate route for shipping hazardous materials as part of a new proposal announced today by U.S. Secretary of Transportation Mary E. Peters.

The Secretary said the notice of proposed rulemaking, issued by the Department of Transportation's Federal Railroad Administration (FRA) and Pipeline and Hazardous Materials Safety Administration (PHMSA), would make shipments of certain high-risk hazardous materials, including explosives, radioactive substances and toxic-inhalation risk materials, more safe and secure by adding to and strengthening existing federal regulations.

"These materials are fueling our economy and vital to the prosperity of our nation, which is exactly why we want to establish a clear and stronger baseline for determining the safest, most secure way to move them by rail," Secretary Peters said, noting that the type and quantity of hazardous materials covered by the proposed rule present the greatest potential safety and security risks.

Under the proposed rule, rail carriers would be required to compile annual data clearly identifying route segments and the total number and type of hazardous materials shipments transported over each route and use the information to analyze the safety and security risks present on each route. Railroads would then be required to use this data to select the route that provides the highest possible degree of safety and security.

"We want to leave nothing to chance when it comes to the safety and security of the communities that are close to railroad tracks," Secretary Peters said.

Secretary Peters added that the proposed rule would require shippers to develop consistent plans for safely and securely storing hazardous materials while en route, and ensure that within a specified time period a rail carrier informs the final recipient that it has delivered a hazardous materials rail car.

The Department's proposal was developed in coordination with the Department of Homeland Security's Transportation Security Administration (TSA), which also issued proposed rules designed to address a range of rail hazardous materials transport security issues. The TSA's proposal would, among other things, require rail carriers and certain facilities to report the location and provide information about hazardous materials shipments to TSA upon request.

Public comments on the DOT proposal will be accepted until February 20, 2007. A copy of the notice is available on the DOT web site at <http://www.phmsa.dot.gov/>.

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