

**United States Department of Transportation
Pipeline and Hazardous Materials Safety Administration**

Emergency Waiver Order No. 12

EMERGENCY WAIVER ORDER

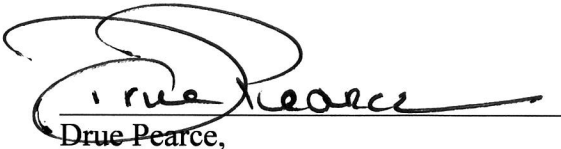
In accordance with the provisions of 49 U.S.C. § 5103(c), the Administrator for the Pipeline and Hazardous Materials Safety Administration (PHMSA), hereby declares that an emergency exists that warrants issuance of a Waiver of 49 CFR § 174.14 for operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area. The Waiver is granted to railroad carriers when conducting operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area.

On March 21, 2019, the President issued an Emergency Declaration for Nebraska Severe Winter Storm, Straight-line Winds, And Flooding (DR-4420). This Waiver Order covers all areas identified in the declaration, as amended. Pursuant to 49 U.S.C. § 5103(c), PHMSA has authority delegated by the Secretary (49 CFR § 1.97(b)(3)) to waive compliance with any part of the HMR provided that the grant of the waiver is: (1) in the public interest; (2) not inconsistent with the safety of transporting hazardous materials; and (3) necessary to facilitate the safe movement of hazardous materials into, from, and within an area of a major disaster or emergency that has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5121 et seq.).

Given the continuing impacts caused by the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster, PHMSA's Administrator has determined that regulatory relief is in the public interest and necessary to ensure the safe transportation in commerce of hazardous materials while railroad carriers conduct operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area. By execution of this Waiver Order, railroad carriers are excepted from the requirements of 49 CFR § 174.14 when conducting operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area.

This Waiver Order is effective immediately and shall remain in effect for 30 days from the date of issuance.

Dated: 22 March 2019



Drue Pearce,
Deputy Administrator
Pipeline and Hazardous
Materials Safety Administration