

March 25th, 2015

On Wednesday, Senators Cantwell, Murray, Baldwin, and Feinstein introduced new legislation calling for further regulation on transport of crude oil by rail. The Crude-By-Rail Safety Act of 2015 calls for the Pipeline and Hazardous Materials Safety Administration (PHMSA) to create new standards for the volatility of crude oil within the tank cars. The Act would also immediately ban the use of all DOT-111s and unjacketed CPC-1232s in the transport of crude oil.

Ensuring the safety of communities that have trains carrying flammable and combustible materials through them on a daily basis is of the utmost importance. The first step in ensuring the safety of hazardous materials transportation by rail, however, is ensuring that trains stay on the tracks, and rail cars remain upright. Phasing out legacy DOT-111 rail cars in order to reduce potential consequences from unintended hazmat releases is important. That said, there is simply no substitute for keeping cars on the track.

We applaud the Senators' desire to draw attention to this critically important issue of improving the safety of shipping crude-by-rail, but we believe this legislation, as written, is terribly ill-informed and misguided. Politicians have already spent too much time focusing on tangential issues and not enough time focused on the larger issue of preventing a derailment in the first place, which bears no relationship to the product or commodity being transported.

New and innovative technologies, which would dramatically increase track and rail safety, are commercially available. Deployment of advanced technologies would help predict and prevent an accident from occurring in the first place. The deployment of these technologies, along with significant oversight of rail infrastructure must be an integral component of any realistic solution. In order to address the root cause of derailments, all stakeholders must work together in order to arrive at an all-of-above safety solution for rail transport of hazardous materials.

The Alliance for Innovation and Infrastructure (Aii), supports these solutions in maintaining track safety and developing effective regulations to properly mitigate any future accidents.



Brigham A. McCown  
Chairman, Alliance for Innovation and Infrastructure