

Pipeline and Hazardous Materials Safety Administration: Rail Regulatory Update

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FAST Act

The *Fixing America's Surface Transportation Act of 2015* (FAST Act) includes provisions for the safe transportation of crude oil by rail:

- Rulemakings
- Studies
- Reports to Congress
- Other mandates and programmatic changes for the Office of Hazmat Safety



Crude-by-Rail Provisions in the FAST Act

- Real-Time Emergency Response Information (§ 7302)
- Phase-out of All Tank Cars Used to Transport Class 3 Flammable Liquids (§ 7304)
- Thermal Blankets (§ 7305)
- Top Fittings Protections (§ 7306)
- Rulemaking on Oil Spill Response Plans (§ 7307)



Crude-by-Rail Provisions in the FAST Act Cont'd

- Modification Reporting (§ 7308)
- Report on Crude Oil Characteristics Research Study (§ 7309)
- Hazardous Materials by Rail Liability Study (§ 7310)
- Study and Testing of Electronically Controlled Pneumatic Brakes (§ 7311)



HM-263: FAST Act Requirements for Real-Time Train Consist Information by Rail

- ANPRM published on January 19, 2017
 - Comment period closed April 19, 2017
- Purpose:
 - Solicits comments on requirements in § 7302 of the FAST Act to issue regulations to require a Class I railroad transporting hazmat to generate accurate, real-time, and electronic train consist information and to require fusion centers to provide the electronic train consist information to State and local first responders, emergency response officials, and law enforcement personnel.
- Updates:
 - PHMSA is reviewing comments.
 - PHMSA intends to conduct additional analysis on emerging technologies and alternative actions.



HM-251C: FAST Act Requirements for Flammable Liquids and Rail Tank Cars

- Final rule published on August 15, 2016
 - Effective date August 15, 2016
- Purpose:
 - Codifies certain mandates and requirements of the FAST Act (§§ 7304, 7305, and 7306).
- Summary:
 - Revises phase-out schedule for all DOT Specification 111 tank cars used to transport unrefined petroleum products (e.g., petroleum crude oil), ethanol, and other Class 3 flammable liquids.
 - Requires that each tank car built to meet the DOT Specification 117 and each non-jacketed tank car retrofitted to meet the DOT Specification 117R be equipped with a thermal protection blanket that is at least 1/2-inch thick & meets existing thermal protection standards.
 - FAST Act mandates minimum top fittings protection requirements for tank cars retrofitted to meet the DOT Specification 117R.



HM-251B: Oil Spill Planning and Info Sharing for HHFTs

- NPRM published on July 29, 2016
 - Comment period closed September 27, 2016
- Purpose:
 - Revises the Hazardous Materials Regulations to expand the applicability of comprehensive oil spill response plans (COSRPs) to high-hazard flammable trains (HHFTs) based on thresholds of crude oil, per § 7302 of the FAST Act.
- Updates:
 - PHMSA is currently drafting the Final Rule and Regulatory Impact Analysis with assistance from the Federal Railroad Administration and estimates the rulemaking will be published in Fiscal Year 2018.
 - The Department has submitted quarterly updates and will continue to communicate to Congress every 90 days as required by the FAST Act until a Final Rule is promulgated.



HM-251D: Volatility of Unrefined Petroleum Products and Class 3 Materials

- ANPRM published on January 18, 2017
 - Comment period extension closed May 19, 2017
- Purpose:
 - Addresses volatility of unrefined petroleum products and potentially all Class 3 flammable liquids transported by means other than pipeline.
 - Discusses a petition for rulemaking submitted by the Attorney General of the State of New York that requested a national vapor pressure limit.
 - Solicits stakeholder comments to address the merits of this rulemaking, as well as any knowledge gaps in volatility as a complement to the study by Sandia National Laboratories.
- Updates:
 - Pursuant to § 7309, PHMSA plans to assess the results of the Sandia study before making a determination on the need to propose new regulations.



Questions?

