

Congress of the United States
House of Representatives
Washington, DC 20515-3218

February 27, 2014

The Honorable Anthony Foxx
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

Dear Secretary Foxx:

I write to express my growing concern about the current safety regulations for transporting crude oil by rail throughout New York, including my district in the Hudson Valley. In the past year, three freight trains have derailed or caused accidents near the Hudson Valley, including one this week in Ulster County. Fortunately, no crude was spilled in either of these accidents, but we've seen multiple tragic and disastrous derailments in places like Quebec and North Dakota.

Although the voluntary procedures announced last week by the Department of Transportation (DOT) and the Association of American Railroads (AAR) are a step in the right direction, I believe these reforms must be mandatory. All trains with more than 20 carloads should have an advanced braking system and operate at lower speeds including through high threat urban areas. In addition, there must be strong coordination with localities and necessary emergency response training, guidance and support.

As we've discussed before, I also believe the implementation of positive train control (PTC) must be our highest priority – especially along routes that carry oil. I will continue to advance my legislation, the Commuter Rail Passenger Safety Act, to expand the Federal Railroad Administration's Railroad Rehabilitation & Improvement Financing (RRIF) Program and Railroad Safety Technology Grant Program to help fund railroad safety technology such as PTC. In addition to taking steps to create safer routes through rail traffic routing technology and ensuring proper hazardous materials classification, it is absolutely necessary that tank car safety standards are raised for new and existing cars. Only 14,000 of 92,000 DOT-111 tank cars are currently built to the latest industry standard, which means 78,000 tank cars prone to splitting are currently on our rails. DOT must finish the rulemaking process that will impose requirements on freight rail carriers to phase out or retrofit these cars to avoid potential derailments or oil spills.

I hope you will strongly consider moving forward with these recommendations that are also supported by the National Transportation Safety Board (NTSB). We must take action to better align safety standards to reduce the risk associated with crude oil transportation. We don't have time to waste in order to keep my neighbors and the environment safe.

Sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Sean Patrick Maloney
Member of Congress