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Cantwell, Murray, Baldwin, and Feinstein Introduce Oil Train Safety Legislation

Bill would set new standards for crude volatility, take unsafe tank cars off the tracks, and increase fines for violations

WASHINGTON, D.C. – Today, U.S. Senators Maria Cantwell (D-WA), Patty Murray (D-WA), Tammy Baldwin (D-WI), and Dianne Feinstein (D-CA) introduced legislation that would set strong new safety standards for trains hauling volatile crude oil, to better protect American communities along the tracks.

The Crude-By-Rail Safety Act of 2015 requires the Pipeline and Hazardous Materials Safety Administration (PHMSA) to draft new regulations to mitigate the volatility of gases in crude oil shipped via tank car and immediately halt the use of older-model tank cars that have been shown to be at high risk for puncturing and catching fire in derailments.

“Every new derailment increases the urgency with which we need to act,” said Senator Cantwell, ranking member on the Senate Energy and Natural Resources Committee. **“Communities in Washington state and across the nation see hundreds of these oil tank cars pass through each week. This legislation will help reduce the risk of explosion in accidents, take unsafe tank cars off the tracks, and ensure first responders have the equipment they need. We can’t afford to wait for ten accidents per year, as estimated by the Department of Transportation.”**

“Families and communities in Washington state and across the country should be able to feel safe knowing that every precaution is being taken to protect them from oil train disasters,” Senator Murray said. **“This legislation will help make sure the most dangerous tank cars are kept off the tracks and is a**

strong step forward in reducing the risks of oil train accidents and making sure our communities have the resources they need to be prepared for emergencies if they happen.”

“As more and more volatile crude oil moves through Wisconsin and through our country via rail it is critical that appropriate safety measures are in place to reduce the risk of deadly accidents,” Senator Baldwin said. **“I’m proud to join Senators Cantwell, Feinstein and Murray in introducing legislation that takes immediate action to phase out the most dangerous tank cars carrying crude oil through our communities and I am hopeful our colleagues in the Senate will join us to prevent future oil train tragedies from occurring as we work to increase safety and efficiency along America’s railways.”**

“As more crude oil is moved by train, we’re seeing a surge in derailments and explosions. Until we deploy safer tank cars and stronger safety rules, countless communities across the country face the risk of a devastating accident,” Senator Feinstein said. **“That’s why I’m supporting Senator Cantwell’s bill, which will save lives and property and ensure that railcar investments now underway will lead to significant safety improvements. We can’t wait for the next deadly accident to take the necessary steps to improve rail safety.”**

The legislation would:

- Require PHMSA standards for volatility of gases in crude oil hauled by rail.
- Immediately ban the use of tank cars shown to be unsafe for shipping crude oil. Those models include DOT-111s and unjacketed CPC-1232s.
- Require new tank car design standards that include 9/16th inch shells, thermal protection, pressure relief valves and electronically-controlled pneumatic (ECP) brakes.
- Increase fines on railroads that violate hazardous materials laws and establish new fines for railroads and energy companies that don’t comply with safety laws.
- Authorize funding for first responder training, equipment and emergency preparedness. Also would authorize funding for increased rail inspections and energy product testing.

- Require comprehensive oil spill response plans for trains carrying oil, petroleum and other hazardous products.
- Mandate railroads establish a confidential “close-call” reporting system for employees to anonymously report problems.
- Require railroads to disclose crude-by-rail movements to State Emergency Response Commissions and Local Emergency Planning Committees along hazmat rail routes.

The legislation follows four fiery derailments involving oil trains since the start of February. No injuries were reported, but a July 2013 derailment in downtown Lac-Mégantic, Quebec, resulted in 47 deaths. The U.S. Department of Transportation estimates an average of 10 derailments annually over the next 20 years as crude-by-rail shipments grow, costing \$4 billion.

Five years ago, railroads hauled almost no crude oil. Now, more than 1.1 million barrels per day – with more expected – move by rail, largely originating in the Midwest. But safety regulations have not kept pace, and thousands of tank cars now in use to haul hazardous materials were not designed to carry the more flammable crude that comes from regions such as the Bakken shale.

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