



THE SECRETARY OF TRANSPORTATION

WASHINGTON, DC 20590

December 22, 2014

DEC 23 2014

RECEIVED _____
KING COUNTY EXECUTIVE OFFICE
TO: _____
DUE DATE: _____
AUTHOR: _____
SUBJECT: _____
ACTION

RESPONSE FOR EXEC. SIG.

RESPOND FOR EXECUTIVE
REMOVED BY _____

F.Y.I.

The Honorable Dow Constantine
King County Executive
401 Fifth Avenue, Suite 800
Seattle, WA 98104

Dear Executive Constantine:

Thank you for your letter and substantive comments in response to the Pipeline and Hazardous Materials Safety Administration's (PHMSA) Notice of Proposed Rulemaking (NPRM) titled entitled "Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains (HM-251)."

In your letter, you cited communities along the Puget Sound, such as King County, as being particularly vulnerable to the consequences of a derailment. In addition, you provided technical comments to the NPRM and signatures from the Safe Energy Leadership Alliance (SELA) representing communities across the Pacific Northwest. You have also noted that SELA members jointly recommend that PHMSA expeditiously implement more stringent guidelines for the shipment of crude oil by rail. These recommendations include a request to issue an Emergency Order prohibiting the use of DOT 111 tank cars.

The Department appreciates your interest in crude oil transportation safety. The public comment period for PHMSA's proposed rulemaking closed on September 30, 2014, and PHMSA is currently evaluating the comments and data submitted as we develop the Final Rule. Since we are currently engaged in an open rulemaking, we are not able to respond directly to your comments. You may view the publicly available documents filed in the docket at www.regulations.gov and searching for Docket PHMSA-2012-0082.

We take the risks associated with transporting crude oil by rail seriously, and we look forward to working with you and other stakeholders to address these challenges.

I have provided a similar response to each of your cosigners. If I can provide further information or assistance, please feel free to call me.

Sincerely,

Anthony R. Foxx