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United States Senate

WASHINGTON, DC 20510-2309

September 30, 2014

Anthony Foxx
Secretary
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Dear Secretary Foxx:

I write in strong support of your proposal to increase the safety of trains carrying crude oil, especially Bakken crude. The explosions in Lac-Mégantic, Quebec, and Casselton, North Dakota have highlighted the danger of these trains, and my constituents are deeply concerned about what the consequences of a similar disaster in my state would be. Every day, these trains pass through Moorhead, Saint Cloud, Rochester, and large portions of the Twin Cities metro area. My state sees all the risk, while getting none of the economic reward. These trains need to be held to the highest safety standards possible to prevent a disastrous derailment.

I strongly support requiring crude oil to be shipped in new, more puncture resistant tank cars. As you perform your cost benefit analysis of the various car standards, I hope you will consider the safety of my constituents and all Americans similar affected as the single most important factor, especially given the financial health of the railroads and oil companies involved in this shipping. They can afford to purchase cars that meet the highest safety standards; Minnesota can't afford the risk of a tragic derailment. I'm also glad that all of the new tank cars being considered as part of this proposal will have increased thermal protection and pressure release systems to help prevent explosions.

At the same time, even these new tank cars won't fully guarantee safety in the case of a derailment, which is why I also support the proposed routing requirements for high-hazard flammable trains (HHFT). Whenever at all feasible, these HHFTs should not be allowed to travel through population centers. Right now, that occurs far too frequently. For the limited cases when that is the only option, I support restricting the speeds of trains while passing through population centers. However, I'm concerned that, if too many HHFTs are allowed to travel through these population centers, even at slow speeds, it will result in increased congestion for other commodities and passenger rail. We're already seeing these delays in Minnesota. That further underscores the need to limit the travel of HHFTs through these areas.

Finally, I urge you to remove ethanol from this proposal and deal with it separately. These new rules are being proposed because of the dramatic increase of crude oil on the rails. They should focus on that issue. Ethanol and crude oil, especially Bakken crude, have several important differences. Ethanol is a finished, consistent product, whereas crude oil varies greatly from train to train, and even from car to car within a train. Because of its finished nature, ethanol is less volatile than Bakken crude. Ethanol absolutely needs to be shipped in the safest manner possible. Ethanol

and Bakken crude oil are very different substances, and each should have their own safety standards that are tailored to their characteristics.

Thank you for your efforts to ensure the safety of these trains. These regulations are a good start, but I also think more needs to be done. These regulations don't address rail integrity issues, which are central to preventing derailments, nor do they address disaster response. I've heard from many communities along these shipping routes that are deeply concerned about the level of preparedness in the case of an explosive derailment or oil spill. I look forward to working with you to address those issues as well.

Sincerely,

Al Franken
U.S. Senator