



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

January 4, 2016

The Honorable Bill Shuster
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Shuster:

On December 4, 2015, President Obama signed legislation entitled, "Fixing America's Surface Transportation Act" (FAST Act) of 2015 (P.L. 114-94). Section 7307 of this legislation directs the Secretary of Transportation to provide an update to Congress within 30 days of the enactment of the FAST Act and every 90 days thereafter, until a final rule is promulgated, based on the advanced notice of proposed rulemaking that was issued on August 1, 2014, entitled "Hazardous Materials: Oil Spill Response Plans for High-Hazard Flammable Trains (HM-251B)" (79 Fed. Reg. 45079).

The Pipeline and Hazardous Materials Safety Administration (PHMSA) is working expeditiously to publish the Notice of Proposed Rulemaking (NPRM) entitled, "Hazardous Materials: Oil Spill Response Plans and Information Sharing for High-Hazard Flammable Trains." PHMSA expects the NPRM will be published no later than June 2016. Typically, final rules require one year to complete after the close of the NPRM comment period. Based on the expected publication of the NPRM, PHMSA estimates the final rule will be published in June 2017. However, this timeline will be adjusted as we move forward with the rulemaking process.

I have sent a similar response to the Ranking Member of the House Committee on Transportation and Infrastructure, and the Chairman and Ranking Member of the Senate Committee on Commerce, Science, and Transportation.

If I can provide further information or assistance, please feel free to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anthony R. Foxx", is positioned below the word "Sincerely,".

Anthony R. Foxx



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

January 4, 2016

The Honorable Peter A. DeFazio
Ranking Member
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Congressman DeFazio:

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THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

January 4, 2016

The Honorable John Thune
Chairman
Committee on Commerce, Science, and Transportation
United States Senate
Washington, DC 20510

Dear Chairman Thune:

On December 4, 2015, President Obama signed legislation entitled, "Fixing America's Surface Transportation Act" (FAST Act) of 2015 (P.L. 114-94). Section 7307 of this legislation directs the Secretary of Transportation to provide an update to Congress within 30 days of the enactment of the FAST Act and every 90 days thereafter, until a final rule is promulgated, based on the advanced notice of proposed rulemaking that was issued on August 1, 2014, entitled "Hazardous Materials: Oil Spill Response Plans for High-Hazard Flammable Trains (HM-251B)" (79 Fed. Reg. 45079).

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Anthony R. Foxx



W. J. H. H.



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

January 4, 2016

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
Washington, DC 20510

Dear Senator Nelson:

On December 4, 2015, President Obama signed legislation entitled, "Fixing America's Surface Transportation Act" (FAST Act) of 2015 (P.L. 114-94). Section 7307 of this legislation directs the Secretary of Transportation to provide an update to Congress within 30 days of the enactment of the FAST Act and every 90 days thereafter, until a final rule is promulgated, based on the advanced notice of proposed rulemaking that was issued on August 1, 2014, entitled "Hazardous Materials: Oil Spill Response Plans for High-Hazard Flammable Trains (HM-251B)" (79 Fed. Reg. 45079).

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Anthony R. Foxx