



THE SECRETARY OF TRANSPORTATION  
WASHINGTON, DC 20590

May 12, 2014

The Honorable Bill Haslam  
Governor of Tennessee  
Nashville, TN 37243

Dear Governor Haslam:

As our Nation steadily increases domestic energy production and reaches toward our goal of energy independence, we all share a growing responsibility to ensure the safe transport of energy products.

As you know, during the last year the United States has experienced several serious rail accidents involving the transport of crude oil from the Bakken region of the Williston Basin. These accidents have endangered communities, impacted the environment, and caused significant evacuations and property damage. Since then, I have heard from many State and local leaders urging the U.S. Department of Transportation to move quickly to reduce the risks and prevent future accidents.

I share the sense of urgency. In recent months, we have taken some unprecedented actions to improve the safe transportation of hazardous materials by rail. This comprehensive approach includes immediate and long-term steps such as launching "Operation Classification" in the Bakken region to verify that crude oil is being properly classified; issuing safety advisories, alerts, and emergency orders; conducting additional inspections; moving forward with a comprehensive rulemaking to enhance tank-car standards; and reaching an agreement with railroad companies on a series of immediate actions they have agreed to take such as reducing speeds, increasing inspections, using sophisticated routing protocols, using enhanced braking technology, and investing in first-responder training.

The top priority of the U.S. Department of Transportation is safety and, last week, we took two additional and important actions to improve safety that I want to make sure you are aware of:

First, I issued an Emergency Order requiring all railroads operating trains carrying more than 1 million gallons of Bakken crude oil, or approximately 35 tank cars, to begin notifying the State Emergency Response Commissions (SERCs) about the expected weekly train movements through their State. The notification must include the estimated volume of Bakken crude oil being transported, the frequency of expected train traffic, and the route through which Bakken crude oil will be transported. The Emergency Order also requires each railroad to provide the SERCs with the contact information for at least one individual responsible for responding to emergency responders about the railroads' Bakken crude oil shipments. The railroads have been given 30 days to implement this new practice.

Second, the Federal Railroad Administration and Pipeline and Hazardous Materials Safety Administration issued a Safety Advisory strongly urging those shipping or transporting Bakken crude oil by rail to use tank-car designs with the highest level of integrity available in their fleets.

Despite all these recent actions, I recognize that we still have much work ahead of us. We will continue to collect and analyze all available data related to the nature and characteristics of crude oil sourced from the Williston Basin. We also have asked industry to share their testing data with our safety experts, and we remain hopeful that they will do so. The reality is that not enough is known about the characteristics and volatility of this product, and industry's cooperation is critical to our ability to ensure this product is being transported as safely as possible.

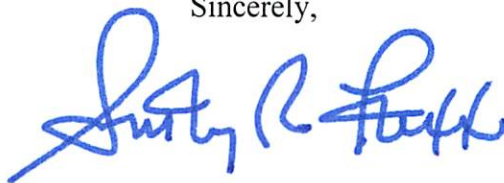
Achieving higher levels of safety is a shared responsibility. While we at the U.S. Department of Transportation will continue to look at every option available to us to ensure people's safety, I urge your executive team, as well as your SERC, to continually engage with the railroads to ensure that State and local emergency responders have the information they need about the movement of Bakken crude. I ask that you share this information with the appropriate emergency responders in your affected communities, bearing in mind that this is sensitive information with security implications and that we must respect homeland security regulations regarding the widespread publication of this information.

I also welcome any information and proposals being developed by your States to improve rail safety and ensure the safe transport of crude oil. We all know that there is no single action that will resolve this issue, so we must continue to focus our comprehensive approach on prevention, mitigation, emergency response, and stakeholder outreach.

I hope you find this information helpful. I thank you for your continued leadership on this issue and look forward to working with you in ensuring the safe rail transport of crude oil.

Please do not hesitate to be in touch with me if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anthony R. Foxx". The signature is fluid and cursive, with a large initial "A" and "F".

Anthony R. Foxx