



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

Administrator

1200 New Jersey Avenue, SE  
Washington, DC 20590

**APR 21 2015**

Mr. Howard Shelanski  
Administrator, Office of Information and Regulatory Affairs  
Office of Management and Budget  
725 17th Street NW  
Washington, DC 20503

Dear Administrator Shelanski:

On April 17, 2015, the Federal Railroad Administration (FRA) issued an Emergency Order (EO 30 or Order) requiring trains transporting large amounts of flammable liquids through certain highly populated areas adhere to a maximum authorized operating speed of 40 miles per hour (mph). This EO (and FRA Notice requesting Office of Management and Budget (OMB) Emergency Clearance Processing for the associated information collection) will be published in the Federal Register.

EO 30 is the Department's direct and proactive response to a recent series of train accidents involving the transportation of flammable liquids, including petroleum crude oil and ethanol.<sup>1</sup> EO 30 describes the circumstances surrounding the three most recent rail accidents involving the transportation of flammable liquids, including the most recent accident that occurred on March 5, 2015. In that accident, a train transporting crude oil derailed near Galena, Illinois, resulting in a fire. The train was traveling approximately 23 miles per hour (mph) when 21 cars derailed and several cars experienced thermal tears and others released product through the bottom outlet valves and top fittings.

EO 30 explains that, with the rising demand for rail transportation of flammable liquids throughout the United States, particularly petroleum crude oil and ethanol, the risk of rail incidents has increased commensurate with the increase in the volume of the material shipped. FRA emergency orders are an extraordinary enforcement tool that FRA uses sparingly, and, as noted above, EO 30 itself describes the most recent accidents and circumstances leading the agency to issue the Order. Recognizing that railroads may implement alternative safety mitigation measures to that mandated by EO 30, the collection of information the Order includes relates to FRA's allowance for petitions for special approval to take actions not in accordance with the Order.

As provided under 5 CFR § 1320.13, *Emergency Processing*, FRA is requesting emergency

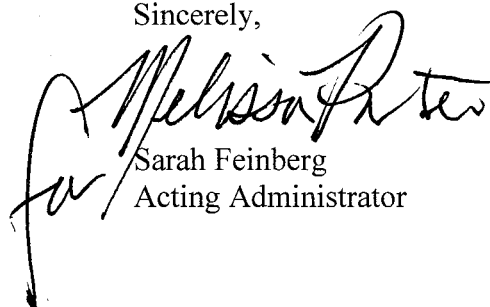
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<sup>1</sup> Both petroleum crude oil and ethanol are Class 3 flammable liquids, the transportation of which is regulated by the U.S. Department of Transportation.

processing for this new collection of information as specified in the Paperwork Reduction Act of 1995 and its implementing regulations. FRA cannot reasonably comply with normal clearance procedures because the use of normal clearance procedures is reasonably likely to disrupt the collection of information. The EO takes effect immediately upon issuance, although the railroads have until April 24, 2015, to complete implementation. FRA cannot wait the normal 90- to 180-day period for routine OMB review and approval. Under the EO, railroads must immediately initiate steps to implement the Order. FRA is, therefore, requesting OMB approval of this collection of information as soon as possible.

Upon OMB approval of its emergency clearance request, FRA will follow the normal clearance procedures for the information collection associated with the EO.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Feinberg". The signature is written in a cursive style with a large initial "S" and "F".

Sarah Feinberg  
Acting Administrator