



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

October 6, 2016

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 September 30, 2016, based on a finding that American Railcar Industries, Inc. (ARI) and ACF Industries, LLC (ACF) manufactured certain Department of Transportation (DOT) specification 111 tank cars using welding practices not in conformance with Federal regulations or applicable industry standards, FRA issued a Railworthiness Directive (Directive) under 49 CFR § 180.509(b)(4) to all owners of DOT-111 tank cars.¹ As explained in detail in the Directive, the Directive applies to DOT-111 tank cars built by ARI and ACF between 2009 and 2015 to the ARI and ACF 300 stub sill design and equipped with a two piece cast sump and bottom outlet valve skid. FRA's investigation found cars built to this design may be in an unsafe operating condition and could result in the release of hazardous materials. The Directive requires owners of DOT-111 tank cars to: (1) identify tank cars in their fleet covered by the Directive; and (2) ensure appropriate inspection and testing of each tank car's sump and bottom outlet valve side groove attachment welds to ensure no flaw exists which could result in the loss of tank integrity.

As provided under 5 CFR § 1320.13, *Emergency Processing*, FRA is requesting emergency processing for this new collection of information as specified in the Paperwork Reduction Act of 1995 and its implementing regulations. FRA cannot wait the normal 90 days for public comment because FRA must receive tank car owners' initial reports under the Directive within 30 days of the Directive's issuance, by October 30, 2016, and subsequent status updates every 90 days thereafter.

¹ FRA published notice of the Directive in the Federal Register on October 3, 2016 (81 FR 68100) and the Directive is available on FRA's Website at http://www.fra.dot.gov/eLib/details/L18383#p1_z5_gD.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Warren", with a long horizontal flourish extending to the right.

Patrick Warren
Acting Executive Director