

116TH CONGRESS  
1ST SESSION

# H. R. 4306

To require the Administrator of the Federal Railroad Administration to conduct an evaluation of the safety, security, and environmental risks of transporting liquefied natural gas by rail, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2019

Mr. DEFAZIO (for himself and Mr. MALINOWSKI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To require the Administrator of the Federal Railroad Administration to conduct an evaluation of the safety, security, and environmental risks of transporting liquefied natural gas by rail, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Protecting Commu-  
5        nities from Liquefied Natural Gas Trains Act”.

1 **SEC. 2. TRANSPORTATION OF LIQUEFIED NATURAL GAS BY**  
2 **RAIL.**

3 (a) **EVALUATION.**—Not later than 18 months after  
4 the date of enactment of this Act, the Administrator of  
5 the Federal Railroad Administration, in coordination with  
6 the Administrator of the Pipeline and Hazardous Mate-  
7 rials Safety Administration, shall conduct an evaluation  
8 of the safety, security, and environmental risks of trans-  
9 porting liquefied natural gas by rail.

10 (b) **TESTING.**—In conducting the evaluation under  
11 subsection (a), the Administrator of the Federal Railroad  
12 Administration shall—

13 (1) perform physical testing of rail tank cars,  
14 including, at a minimum, the DOT–113 specifica-  
15 tion, to ensure such rail tank cars are able to with-  
16 stand the effects of an accident or impact and pre-  
17 vent or mitigate the release of liquefied natural gas;

18 (2) analyze multiple release scenarios, including  
19 derailments, front-end collisions, rear-end collisions,  
20 side-impact collisions, grade-crossing collisions,  
21 punctures, and impact of an incendiary device, at a  
22 minimum of 3 speeds of travel with a sufficient  
23 range of speeds to evaluate the safety, security, and  
24 environmental risks posed under real-world oper-  
25 ating conditions; and

1           (3) examine the effects of exposure to climate  
2 conditions across rail networks, including tempera-  
3 ture, humidity, and any other factors that the Ad-  
4 ministrator of the Federal Railroad Administration  
5 determines could influence performance of the inner  
6 or outer walls of rail tank cars.

7           (c) OTHER FACTORS TO CONSIDER.—In conducting  
8 the evaluation under subsection (a), the Administrator of  
9 the Federal Railroad Administration shall evaluate the im-  
10 pact of a discharge of liquefied natural gas from a rail  
11 tank car on public safety and the environment, and con-  
12 sider—

13           (1) the benefits of route restrictions, speed re-  
14 strictions, enhanced brake requirements, personnel  
15 requirements, rail tank car technological require-  
16 ments, and other operating controls;

17           (2) the advisability of consist restrictions, in-  
18 cluding limitations on the arrangement and quantity  
19 of rail cars carrying liquefied natural gas in any  
20 given consist;

21           (3) the identification of potential impact areas,  
22 and the number of homes and structures that would  
23 be endangered by a discharge in rural, suburban,  
24 and urban environments;

1           (4) the impact of discharge on the environment,  
2 including examining environmentally sensitive areas  
3 with rail tracks that move through them;

4           (5) the benefits of advanced notification to the  
5 Department of Transportation, State Emergency  
6 Response Commissions, and Tribal Emergency Re-  
7 sponse Commissions of routes for moving liquefied  
8 natural gas by rail tank car;

9           (6) how first responders respond to a discharge,  
10 including the extent to which specialized equipment  
11 or training would be required and the cost to com-  
12 munities for acquiring any necessary equipment or  
13 training;

14           (7) whether thermal radiation could occur from  
15 a discharge;

16           (8) an evaluation of rail tank cars authorized  
17 by the Secretary of Transportation, a determination  
18 of which rail tank car would provide the best out-  
19 come in the event of a discharge, and a determina-  
20 tion of whether a new standard is necessary to en-  
21 sure the safety of rail transport of liquefied natural  
22 gas; and

23           (9) the risks posed by the transportation of liq-  
24 uefied natural gas by International Standard for Or-

1 organization containers authorized by the Federal  
2 Railroad Administration.

3 (d) REPORT.—Not later than 2 years after the date  
4 of enactment of this Act, the Secretary of Transportation  
5 shall submit to the Committee on Transportation and In-  
6 frastructure of the House of Representatives and the Com-  
7 mittee on Commerce, Science, and Transportation of the  
8 Senate, and make available to the public—

9 (1) a report based on the evaluation and testing  
10 conducted under subsections (a) and (b), which shall  
11 include the results of the evaluation and testing and  
12 recommendations for mitigating or eliminating the  
13 safety, security, environmental, and other risks of an  
14 accident or incident involving the transportation of  
15 liquefied natural gas by rail; and

16 (2) a complete list of all research related to the  
17 transportation of liquefied natural gas by rail con-  
18 ducted by the Federal Railroad Administration, the  
19 Pipeline and Hazardous Materials Safety Adminis-  
20 tration, or any other entity of the Department of  
21 Transportation since 2010 that includes, for each re-  
22 search item—

23 (A) the title of any reports or studies pro-  
24 duced with respect to the research;

1 (B) the agency, entity, or organization per-  
2 forming the research;

3 (C) the names of all authors and co-au-  
4 thors of any report or study produced with re-  
5 spect to the research; and

6 (D) the date any related report was pub-  
7 lished or is expected to publish.

8 (e) DATA REPORTING.—The Administrator of the  
9 Federal Railroad Administration and the Administrator of  
10 the Pipeline and Hazardous Materials Safety Administra-  
11 tion shall collect any relevant data necessary to complete  
12 the evaluation required by subsection (a).

13 (f) GAO REPORT.—After the evaluation required by  
14 subsection (a) has been completed, the Comptroller Gen-  
15 eral of the United States shall conduct an independent  
16 evaluation to ensure the Federal Railroad Administration  
17 and the Pipeline and Hazardous Materials Safety Admin-  
18 istration complied with the requirements of this Act, and  
19 transmit to the Committee on Transportation and Infra-  
20 structure of the House of Representatives and the Com-  
21 mittee on Commerce, Science, and Transportation of the  
22 Senate a report on the findings of such independent eval-  
23 uation.

24 (g) CONGRESSIONAL REVIEW REQUIREMENTS.—

1           (1) REVIEW PERIOD DEFINED.—In this sub-  
2           section, the term “review period” means the period  
3           beginning on the date of enactment of this Act and  
4           ending on the earlier of—

5                   (A) the date that is 1 year after the date  
6                   of completion of the report under subsection (f);  
7                   or

8                   (B) the date that is 4 years after the date  
9                   of enactment of this Act.

10           (2) CONGRESSIONAL AUTHORITY.—The Sec-  
11           retary of Transportation may not issue any regula-  
12           tion authorizing the transportation of liquefied nat-  
13           ural gas by rail or authorize such transportation  
14           through issuance of a special permit or approval be-  
15           fore the conclusion of the review period.

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