Dear Mr. Solari:

Thank you for your July 26, 2016, letter expressing your safety concerns related to the Florida East Coast Railway’s (FECR) pending request for approval with the Federal Railroad Administration (FRA) to transport liquefied natural gas (LNG) and the possible risks of moving LNG through the communities adjacent to the rail lines. I have been asked to respond on Administrator Feinberg’s behalf.

I share your concerns for safety, and assure you safety is FRA’s top priority. As background, the transportation of hazardous materials by rail is a long-standing practice and is one of the safest ways to move dangerous products. Nonetheless, the unique challenges of moving LNG by rail require us to do everything we can to ensure the safety of railroad employees and communities along proposed routes. At this time, FRA has not approved FECR’s request to transport LNG. Rather, FRA is working with FECR to develop strategies that will mitigate safety concerns by taking appropriate technical, procedural, and response actions to reduce the risk of incidents or causes that could lead to LNG releases from a train.

Under Federal hazardous materials regulations (49 CFR parts 171-180), the transportation of LNG in tank cars is not authorized. Under section 174.63, however, a railroad may transport LNG in portable tanks with FRA’s approval. Accordingly, railroads interested in transporting LNG in portable tanks must file an application to do so under 49 CFR 174.63. To ensure the safety of railroad employees and the public, the criteria and review process are rigorous for such applications.

Please be assured that FRA is also committed to working with communities along rail corridors to assist them in preparing for emergencies. We continually provide resources and quality training for first responders. This spring, the Pipeline and Hazardous Materials Safety Administration and FRA launched the Transportation Rail Incident Preparedness and Response program, which focuses on hazardous materials response and is available for free to emergency responders across the country. In addition, first responders can receive hands-on training at FRA’s Transportation Technology Center in Pueblo, Colorado. In its application material, FECR committed to training emergency responders along the proposed
routes. Training would include information on LNG’s properties, LNG behavior upon release, potential hazards, and effective response protocols.

Please call or write again if you have any further concerns on this or any other topic. You may also contact Mr. Trevor Dean, FRA’s Advisor for Governmental Affairs, at (202) 493-0239 or Trevor.Dean@dot.gov.

Sincerely,

[Signature]

Patrick Warren
Deputy Associate Administrator for Railroad Safety
July 26, 2016

Sarah E. Feinberg, Administrator
Federal Railroad Administration
West Building
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Florida East Coast Railway’s Application to Transport Liquefied Natural Gas

Dear Administrator Feinberg:

Indian River County (“County”) has significant concerns regarding Florida East Coast Railway (“FECR”) and its pending application with the Federal Railroad Administration (“FRA”) to transport liquefied natural gas (LNG) along the east coast of the State of Florida. Not only is LNG a volatile hazardous material, but it does not appear to be adequately regulated by the FRA or any other federal or state entity. Currently, Alaska Railroad Corp., is the only railroad company authorized to transport LNG by rail in the United States, and it does not travel through any densely populated areas. In contrast to the Alaska Railroad Corp., the FECR corridor passes through downtown areas where there are commercial businesses, residential homes and schools. In the event there is a LNG spill or train derailment along the FECR corridor, it would devastate the referenced abutting residential and commercial areas within the zone of impact. These concerns are amplified by the prospect that the FECR rail corridor may become a Class VI track which will allow FECR’s freight trains to operate at a maximum speed of 70 mph. As it currently stands, the County simply does not have the resources nor the training to provide an adequate response to a LNG spill or train derailment event within its community.

Moreover, if such an event were to occur, it would cripple the County’s ability to provide routine emergency services to the rest of the community as well as overburden the local hospitals. Both of the hospitals within Indian River County, Indian River Medical Center and Sebastian River Medical Center, are located on the east side of the FECR corridor. This is highly problematic considering the majority of the population within Indian River County reside on the west side of the FECR corridor.
Based on the foregoing, the County respectfully requests that the FRA deny FECR’s application to transport LNG along its corridor. The benefits simply do not outweigh the risks to the abutting residential communities, commercial businesses, hospitals, and schools.

Sincerely,

Bob Solari  
Chairman

cc:  
Jim Boxold, Secretary, FDOT  
William Craig Fugate, Administrator, FEMA  
Bryan Koon, Director, FDEM