



PRESS RELEASE

Attorney General Frosh Leads Coalition of 16 State Attorneys General Opposing Proposal to Permit Transportation of LNG by Rail

Proposal Lacks Adequate Safety Precautions or Consideration of Climate Change Impacts

BALTIMORE, MD (January 13, 2020) - Maryland Attorney General Brian E. Frosh today led a coalition of 16 attorneys general in urging the Trump Administration to withdraw a proposal that would allow for the bulk transport of refrigerated liquid methane, more commonly known as liquefied natural gas (LNG), along existing rail corridors without any added safety measures. The proposal lacks basic safety precautions to mitigate the risk of catastrophic accidents, and fails to adequately evaluate the environmental and climate impacts of expanding domestic and global access to natural gas, a potent source of greenhouse gases—as federal agencies are required to do under the National Environmental Policy Act. Moreover, the proposal was hastily rolled out prior to the completion of critical safety studies that are currently underway.

“The Administration is bending to the will of the fossil fuel industry again, and it puts at risk neighborhoods, towns and cities across our nation,” said Attorney General Frosh. “Here in Maryland, we need only remember the Howard Street Tunnel Fire of 2001 to know that sending hazardous materials along our rail lines can have catastrophic consequences. LNG is dangerous, and the Trump administration has failed to provide for the safety of our people and our environment.”

LNG is an extremely hazardous substance. If not stored under cryogenic conditions, -260°F or lower, it will quickly volatilize into natural gas, a highly flammable, odorless, and potentially explosive substance. Federal Hazardous Materials Regulations currently do not permit LNG to be transported by rail, but an Executive Order signed in April 2019 by President Trump directed the U.S. Department of Transportation to propose a rule that would permit “LNG to be transported in approved rail tank cars” and to finalize that rulemaking by May 2020. In [comments](#) filed in response to a Notice of Proposed Rulemaking issued by the federal Pipeline and Hazardous Materials Safety Administration (PHMSA), the coalition calls on the agency to withdraw its proposal pending the completion of safety studies by PHMSA and the Federal Railways Administration and the subsequent development of a full Environmental Impact Statement that will rigorously consider the public safety and climate change implications of permitting the nationwide transport of LNG by rail.

PHMSA's proposal would allow LNG to be transported through densely populated areas, potentially in unit trains of up to 100 tank cars operated by just a single conductor and on the same rail lines used by high speed passenger trains all without operational controls as to routing, speed, braking, and train crew separation distance.

The National Transportation Safety Board has cautioned that "the risks of catastrophic LNG releases in accidents is too great not to have operational controls in place before large blocks of tank cars and unit trains proliferate."

The National Association of State Fire Marshals has opposed PHMSA's proposal due to the "the lack of evidence and research that allowing such an action . . . is safe either for America's first responders or the public" and the International Association of Fire Fighters (IAFF) has urged PHMSA to "place the safety of the public ahead of any political pressures to reduce the burdens of regulations." According to the IAFF, a U.S. Department of Transportation Emergency Response Guide "suggests any incident involving a LNG tank rupture requires immediate evacuation of at least one-half mile downwind" and "one mile in all directions" if an LNG tank fire is involved. The attorneys general share these concerns and urge PHMSA to withdraw this reckless proposal.

In addition to Maryland, the comment letter was signed by the attorneys general of California, Delaware, Illinois, Massachusetts, Michigan, Minnesota, New York, New Jersey, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and the District of Columbia.