



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

SEP 18 2017

Mr. Michael J. Rush
Association of American Railroads
425 Third Street, SW
Suite 1000
Washington, DC 20024

Dear Mr. Rush:

This letter responds to your December 16, 2016, petition for rulemaking (P-1691) requesting changes to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to Toxic by Inhalation (TIH)/Poisonous by Inhalation (PIH) materials transported by rail. Specifically, you have petitioned the Pipeline and Hazardous Materials Safety Administration (PHMSA) to make final the "interim" tank car specifications for the rail transportation of TIH/PIH materials that were issued as part of the HM-246 final rule.

In accordance with § 106.105, PHMSA has assessed your petition and determined that your request merits consideration in a future rulemaking. All correspondence pertaining to this petition will be transferred to the petition docket (Docket No. PHMSA-2016-0164). You may comment on the petition in accordance with the procedures specified in Part 106, Subpart B.

I have sent a similar response to each of your cosigners. If you have any questions, please contact Mr. Steven Andrews in the Standards and Rulemaking Division at (202) 366-8553.

Sincerely,

Shane Kelley
Acting Director,
Standards and Rulemaking Division
Office of Hazardous Materials Standards