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THE SENATE  
STATE OF NEW YORK



**TERRY GIPSON**  
**SENATOR, 41<sup>ST</sup> DISTRICT**

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May 15, 2014

Honorable Charles E. Schumer  
United States Senator  
322 Hart Senate Office Building  
Washington D.C. 20510

Honorable Kirsten Gillibrand  
United States Senator  
478 Russell Senate Office Building  
Washington, D.C. 20510

Honorable Chris Gibson  
Member of Congress  
1708 Longworth House Office Building  
Washington, D.C. 20515

Honorable Sean Patrick Maloney  
Member of Congress  
1529 Longworth House Office Building  
Washington, D.C. 20515

Dear Federal Representatives:

I'm writing to you today to respectfully ask that you take immediate, concrete and substantial action to protect our communities, our environment and our economy from the very real and ongoing risks of crude oil transportation on railways, specifically along the Hudson River."

On January 28, 2014, Governor Andrew Cuomo signed an Executive Order recognizing that crude oil transportation in New York State presents an ongoing major risk to New York communities and the environment. This is specifically true for the shared communities along the Hudson River that we are privileged to represent.

The recent increased occurrences of train derailments involving DOT-111 railcars carrying crude oil in New York State and other parts of the nation should provide adequate reason for a strong response from the Federal Government.

Despite a handful of recent derailments involving railcars carrying crude oil in New York, we have been lucky compared to other recent examples in other states. We cannot risk an incident along the Hudson River such as the derailment and explosion of a train carrying crude oil in downtown Lynchburg, Virginia on April 30th, which spilled oil into the James River. Even more recently, on May 9th, a train carrying crude oil outside of Denver, Colorado was involved in an accident in which six cars derailed spilling approximately 6,500 gallons of crude oil.

As I'm sure you are aware, these railcars transporting crude oil travel just feet from the shore of the Hudson River. A major derailment and oil spill would have a devastating impact on our local watershed, public health and tourism industry in the Hudson Valley. Our livelihood is dependent upon a healthy and protected Hudson River.

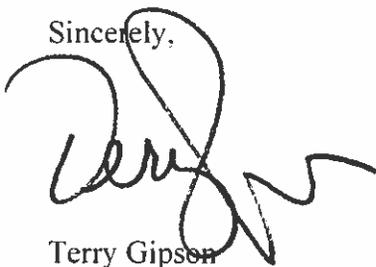
We cannot continue to gamble with our constituents' drinking water, which is our most valuable natural resource. Communities along the Hudson River such as the Village of Rhinebeck, the City of Poughkeepsie and the Town of Poughkeepsie rely on the Hudson River for drinking water. Also, New York City is dependent upon the Hudson River as its backup source of drinking water.

I ask that you take the following steps to address this risk:

- Immediately ban, with an emergency order, the use of DOT-111s in transporting crude oil of any kind, in favor of safer 112 and 114 railcars, designed to carry flammable gases, and
- Immediately issue new rules implementing the baseline National Transportation Safety Board safety recommendations for crude oil transport by rail, and
- Immediately initiate an open, public process for developing new rules and regulations for train safety, spill response, rail operations and oversight, and public notification of risk for all energy-by-rail transportation.

Thank you in advance for your careful consideration of this serious matter. I look forward to your response and continued leadership.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Gipson', written over the word 'Sincerely,'.

Terry Gipson  
New York State Senator, 41<sup>st</sup> Senate District