

March 4, 2014

The Hon. Cynthia Quarterman
Administrator, Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
East Building, 2nd Floor
1200 New Jersey Ave., SE
Washington, DC 20590

Ms. Quarterman,

As the Pipeline and Hazardous Materials Safety Administration (PHMSA) continues to study the qualities and characteristics of Bakken crude oil, it is important that regulators and industry work together to deliver the findings in a timely manner. With this in mind, I write to request increased collaboration between PHMSA and industry stakeholders to advance this effort, including the sharing of testing methodology, data, and findings.

In order to reach consensus on the characteristics of Bakken crude, it is necessary that a well informed and impartial study be completed and shared so that policy makers can move forward with decisions based on sound research and data. It is only after the characteristics have been studied, and the results made available, that we can truly address with certainty issues like tanker car standards, alternative routing, and speed reductions. While some of these issues have been addressed by the recent Memorandum of Understanding between the Department of Transportation and the American Association of Railroads, it is only after the chemical studies are complete that we can begin to make long term regulatory decisions based on the facts.

Recent reports regarding the volatility of Bakken crude –in particular the February 23, 2014 *Wall Street Journal* article entitled “Bakken Shale Oil Carries High Combustion Risk” – increase the urgency with which the PHMSA study must be completed. Only when this task is completed, can important regulatory actions be taken. Articles and reports like the one in the *Journal*, only cause further frustration among the public and lawmakers with the inability of the Administration and the producers and shippers to sit down and move this process forward.

To this end, I request that PHMSA share with the American Petroleum Institute, and relevant producers, the information regarding its testing methodology, sample size, and sample locations in order to provide the necessary information for these parties to pull and test their own samples. In addition, I request that PHMSA share its findings as expeditiously as possible in order to keep this process moving towards a fact based resolution.

I recognize that different stakeholders may, in the end, have different interpretations of the data that may prompt public policy responses. However, I believe that at a minimum, information regarding the chemical composition and characteristics of Bakken crude can be agreed to by both the regulators and industry stakeholders. Thank you for your consideration of this request.

Sincerely,



Heidi Heitkamp
United States Senator

Cc: Jack Girard, President and CEO, American Petroleum Institute