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IDAHO PUBLIC UTILITIES COMMISSION

Jeff Youtz
Director

MEMORANDUM

RUL-R-08-01

TO: Germane Subcommittees for Administrative Rules Review of the Senate and House of Representatives State Affairs Committees

FROM: Research and Legislation Staff, Nugent (MN)

DATE: August 21, 2008

SUBJECT: Proposed Rules of the Public Utilities Commission Relating to Railroad Safety and Accident Reporting - IDAPA 31.71.03 (Docket #31-7103-0801)

The Public Utilities Commission is proposing to update its railroad safety and accident reporting rules by adopting the 2008 version of certain federal regulations. By doing this, the Commission is proposing to :

1. Add thirty new substances to the list of hazardous substances contained in 49 CFR Part 172;
2. Require hazardous material shippers to provide emergency response telephone numbers on the new material shipping documents;
3. Add new entries to the hazardous material listing and new rail car placarding requirements;
4. Develop alternative emergency response actions for various concentrations of ethanol and alcohol in gasoline mixtures;
5. Require railroads to compile annual data on certain shipments of explosives, "toxic by inhalation," and radioactive materials. Rail carriers are to use the data and analyze safety and security risks along rail routes and assess alternative routing options. Railroads also must inspect placarded hazardous material rail cars for signs of tampering or suspicious activities.

It appears the proposed rules have been promulgated within the statutory authority granted to the Public Utilities Commission.

cc: Public Utilities Commission
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