

February 3, 2017

The Honorable Elaine Chao
Secretary, U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: U.S. Department of Transportation HM-215N Final Rule

Dear Secretary Chao:

Congratulations on your appointment and confirmation. We also write today to request your earliest possible approval of the release and publication of the Pipeline and Hazardous Materials Safety Administration (PHMSA) HM-215N Final Rule that was posted to the Office of the Federal Register's website prior to President Trump's inauguration, but was put on hold pursuant to Chief of Staff Priebus's January 20 Memorandum for the Heads of Executive Departments and Agencies.

This rule is intended to harmonize the U.S. hazardous materials regulations (HMR) with international dangerous goods regulations and is strongly supported by all of the signatories to this letter. Its promulgation will not create any new risks in transport. In fact, it will ensure the U.S. hazardous materials regulations maintain alignment with international standards, thus assuring safety and avoiding disruptions to supply chains.

Avoidance of such disruption is critically important to all of the undersigned manufacturers, retailers, wholesalers, exporters, importers, carriers, and industries. Our endorsement of the regulation also is consistent in our long-standing endorsement of harmonizing the U.S. HMR with international standards. Harmonization avoids confusion among shippers, carriers, and others in the logistics chain, maximizes safety, and reduces costs for U.S. businesses.

We thank you in advance for your prompt attention to this issue. If you have any questions regarding our position on the Final Rule, please contact George Kerchner, Executive Director of PRBA – The Rechargeable Battery Association, at 202.719.4109 or gkerchner@wileyrein.com.

Sincerely,

Airlines for America
Apple
Atlas Air
Batteries Plus Bulbs
Cargo Airline Association
Council on Safe Transportation of Hazardous
Articles
Dangerous Goods Advisory Council
Dell
Express Association of America
Fedco Batteries
Information Technology Industry Council

International Air Transport Association
Motor & Equipment Manufacturers Association
National Electrical Manufacturers Association
NEC Energy Solutions
Outdoor Power Equipment Institute
Panasonic Corporation of North America
Power Tool Institute
PRBA – The Rechargeable Battery Association
Retail Industry Leaders Association
Sporting Arms and Ammunition Manufacturers' Institute
Security Industry Association