

1 “(3) FUND.—The term ‘Fund’ means the Haz-
2 ardous Train Event Emergency Reimbursement
3 Fund established under subsection (c).

4 “(4) HAZARDOUS TRAIN EVENT.—The term
5 ‘hazardous train event’ means a train incident that
6 the Administrator has declared to be a hazardous
7 train event pursuant to subsection (b).

8 “(b) DECLARATION.—

9 “(1) IN GENERAL.—The Administrator, in con-
10 sultation with the Administrator of the Federal
11 Emergency Management Agency and the Adminis-
12 trator of the Environmental Protection Agency, may
13 declare that a hazardous train event has occurred
14 not later than 3 days after the occurrence of a train
15 derailment, train crash, or other incident involving a
16 train carrying hazardous materials, hazardous waste,
17 or other materials that pose a threat to public
18 health, safety, and the environment, as determined
19 by the Administrator.

20 “(2) EFFECT OF DECLARATION.—Upon a dec-
21 laration pursuant to subsection (a), the Adminis-
22 trator shall immediately award at least \$250,000
23 from the Fund to 1 or more eligible entities pursu-
24 ant to subsection (d).

1 “(3) ADDITIONAL FUNDING AWARD.—Not later
2 than 5 days after a declaration pursuant to sub-
3 section (a), the Administrator may award additional
4 amounts to the initially awarded entities for further
5 costs or other eligible entities from the Fund, not to
6 exceed \$3,000,000 per hazardous train event.
7 Amounts awarded pursuant to this paragraph shall
8 be allocated based on additional needs, as deter-
9 mined by the Administrator.

10 “(c) HAZARDOUS TRAIN EVENT EMERGENCY REIM-
11 BURSEMENT FUND.—There is established within the
12 Treasury of the United States a fund, which—

13 “(1) shall be known as the ‘Hazardous Train
14 Event Emergency Reimbursement Fund’; and

15 “(2) shall be administered by the Adminis-
16 trator.

17 “(d) ASSISTANCE FOR ELIGIBLE ENTITIES.—

18 “(1) IN GENERAL.—The Administrator may use
19 amounts from the Fund to reimburse eligible enti-
20 ties, in accordance with subsection (b)—

21 “(A) for the cost of replacing equipment
22 that is damaged, contaminated, or otherwise
23 rendered unusable as a result of the response of
24 the eligible entity to a hazardous train event;

1 “(B) for overtime pay for firefighters, law
2 enforcement officers, or other emergency re-
3 sponders who work at the scene of a hazardous
4 train event;

5 “(C) for operational costs for actions taken
6 to respond to a hazardous train event;

7 “(D) for any other purpose related to a
8 hazardous train event, as determined by the
9 Administrator; and

10 “(E) to retroactively cover a cost described
11 in any of subparagraphs (A) through (D) that
12 is incurred after the date of a hazardous train
13 event or within 30 days of the receipt of
14 amounts under this subsection.

15 “(2) DOCUMENTATION OF COSTS.—

16 “(A) IN GENERAL.—Not later than 120
17 days after the date on which the Administrator
18 declares a hazardous train event for which an
19 eligible entity receives assistance under this
20 subsection, the eligible entity shall submit docu-
21 mentation to the Administrator for each item
22 for which such assistance is used through pro-
23 curement or reimbursement.

24 “(B) REIMBURSEMENT.—If the Adminis-
25 trator determines that an eligible entity has

1 used assistance received under this subsection
2 in violation of this subsection, the eligible entity
3 shall reimburse the Fund for the amount of
4 such assistance. Reimbursements to the Fund
5 shall be made eligible for future hazardous
6 train events.”.

7 (2) CLERICAL AMENDMENT.—The analysis for
8 chapter 209 of title 49, United States Code, is
9 amended by adding at the end the following:

“20904. Hazardous train events.”.

10 (b) ADVANCE WARNING REQUIREMENT.—The Sec-
11 retary of Transportation, in consultation with the Admin-
12 istrator of the Transportation Security Administration,
13 shall issue regulations requiring any railroad that trans-
14 ports hazardous materials by train through any commu-
15 nity in the United States to provide county and local emer-
16 gency response groups in such community, including police
17 departments, fire departments, and emergency response
18 agencies, with—

19 (1) advance warning of such train’s load and
20 timing; and

21 (2) real-time location information on such a
22 train when it enters and exits its service area the ap-
23 plicable service area.

24 (c) HAZARDOUS MATERIALS EMERGENCY REIM-
25 BURSEMENT FEE.—

1 (1) IN GENERAL.—Section 5108(g) of title 49,
2 United States Code, is amended by adding at the
3 end the following:

4 “(4) HAZARDOUS MATERIALS EMERGENCY RE-
5 IMBURSEMENT FEE FOR SHIPPERS AND CARRIERS
6 OF HAZARDOUS MATERIAL.—

7 “(A) SCHEDULE OF FEES.—The Secretary
8 shall prescribe a schedule of annual fees for
9 shippers and carriers of hazardous materials by
10 rail that have total annual collections of not less
11 than \$10,000,000.

12 “(B) DEPOSITS INTO TRUST FUND.—Fees
13 collected pursuant to subparagraph (A) shall be
14 deposited into the Hazardous Train Event
15 Emergency Reimbursement Fund established
16 under section 20904.”.

17 (2) DEPOSITS INTO TRUST FUND.—Amounts
18 collected from shippers and carriers pursuant to sec-
19 tion 5108(g)(4), United States Code, as added by
20 paragraph (1), shall be regularly deposited into the
21 Hazardous Train Event Emergency Reimbursement
22 Fund established under section 20904 of title 49,
23 United States Code, as added by subsection (a).

