

Response to Written Questions Submitted by Honorable Dan Sullivan to Michelle Schultz

*Question.* Alaska is one of about 5 states where all freight rail service is provided by regional and shortline railroads, also known as Class 2 and Class 3 railroads. Many of these small railroads are in rural areas and were created from lines that would have been abandoned by the large Class 1 railroads, although in Alaska our railroad was previously owned by the federal government.

Regional and shortline railroads face the same types of challenges as other small businesses, because they are small businesses. Could you please give me your perspective on these small railroads and how you see the role of the STB in helping to preserve rail service in rural areas by these small railroads?

Response. For certain areas across the country, short line and regional railroads are the only way shippers can access the national freight rail network. Shortline railroads serve a vital role to the U.S. freight rail network. As the economic regulator of the rail industry, the Surface Transportation Board has discretion to tailor its regulatory activities to meet the nation's changing transportation needs. This discretion would include taking into account the integral role that shortline railroads play in the national freight network.

Response to Written Questions Submitted by Honorable Dean Heller to Michelle Schultz

*Question 1.* As you both know, the Department of Energy has an application before the Surface Transportation Board for a certificate of public convenience and necessity to build the Caliente railroad to Yucca Mountain. Given Congress' repeated refusal to fund the Yucca Mountain project, I do not believe the Surface Transportation Board should act on this application knowing that the project is not funded and that it is not going to be funded.

Ms. Schultz, during questioning, you would only commit to a "fair and impartial" review of the Department of Energy's application, so I will ask you once again: Do you or do you not believe the Surface Transportation Board should act on this application regardless of whether Yucca Mountain has been funded?

Response. Although I do not want to prejudge a pending STB proceeding, I would not expect the Board would rule upon an application that was filed approximately ten years ago and which neither of the interested parties, including the Department of Energy has sought further action upon.

*Question 2.* Ms. Schultz, if confirmed, will you commit to continuing the Surface Transportation Board's practice of not getting out in front of other agencies when it is not the lead agency?

Response. I believe the current policy of the STB as you described it is appropriate.

*Question 3.* Under the Nuclear Waste Policy Act, the federal government is looking at shipping 9,495 rail casks in 2,800 trains and 2,650 trucks hauling one cask each to Yucca Mountain over 50 years. These shipments would use 22,000 miles of railways and 7,000 miles of highways and cross over 44 states. Under previous questioning from me at this Committee, Federal Railroad Administrator Ronald Batory and Pipeline and Hazardous Materials Safety Administrator Howard Elliott confirmed that a transportation accident with an ensuing radiological release was possible.

Ms. Schultz, given the significant number of proposed shipments, the sheer distance to be traveled, and the 50-year duration of these shipments, do you agree with Mr. Batory and Mr. Elliott that there is a real risk of at least one transportation accident with an ensuing radiological release occurring?

Response. Based upon the information as it has been presented here, I would have no reason to disagree with the opinions of the safety experts.

