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News

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In Matter of Weeks, USDOT Sees Significant Moves Toward Stronger Rail Safety Standards and Accountability

Strong first steps from rail industry and Congress must be backed up with continued action to ensure safer communities and safer working conditions in the long-term

WASHINGTON, DC – As local, state, and federal environmental agencies continue to address air, water, and soil quality concerns on the ground in East Palestine, Ohio, the U.S. Department of Transportation is marking significant early progress on its efforts to hold the rail industry accountable and to work with Congress on key rail safety reforms that will **improve safety for communities and rail workers in the long-term.**

Last month, Secretary Buttigieg [put Norfolk Southern on notice](#) for needed safety reforms and called for an end to the rail industry’s “vigorous resistance” to increased safety measures, which in the past has included lobbying and litigation to kill commonsense rail safety reforms.

Then, 10 days ago, with the newfound, bipartisan interest in rail safety reform in the aftermath of the Norfolk Southern derailment in East Palestine, Secretary Buttigieg laid out a [three-part drive](#) to spur action in the rail industry and Congress, and to further enhance work already underway at USDOT. As Secretary Buttigieg told KDKA in Pittsburgh: **“This is a moment when we can get more done than would’ve been thought possible before in terms of having the highest standards of accountability and safety for the sake of communities, and of course for workers.”**

Over the past few weeks, this progress includes:

- **Bipartisan legislation:** The Senate proposal, [endorsed by President Biden](#), includes provisions that Secretary Buttigieg called for in the three-part drive, like increasing fines on industry for safety violations, strengthening rules for trains carrying hazardous materials, increasing funding for hazmat training, accelerating the timeline to phase in more robust tank cars, and ensuring a two-person crew minimum on trains.
- **Targeted Track Inspections:** DOT’s Federal Railroad Administration (FRA) [announced targeted track inspections](#), focusing on routes that carry hazardous materials, that will start in East Palestine and expand nationwide.

- **Rail Worker Whistleblower Program:** After Secretary Buttigieg pressed them, all seven Class I freight railroads have [agreed to participate](#) in the Confidential Close Call Reporting System (C3RS) program for rail employees to help prevent safety issues.
- **Meeting with labor leaders:** USDOT leadership gathered leaders from unions representing tens of thousands of rail employees to hear safety concerns, both short- and long-term. USDOT's three-part push includes guaranteeing paid sick leave for rail workers.
- **Safety Advisory for Tank Car Covers:** DOT's Pipelines and Hazardous Materials Safety Administration (PHMSA) acted on initial findings from the independent investigator (NTSB) into the Norfolk Southern derailment and issued a [safety advisory notice](#) for tank car covers.
- **Safety Advisory for Hot Bearing Wayside Detectors:** FRA urged railroads using hot bearing detectors (HBDs) to evaluate their inspection process, prioritize the proper training and qualification of personnel working with HBDs, and improve the safety culture of their organizations.
- **Safety Advisory for Emergency Response Plans:** PHMSA urged all railroad operators to create and maintain emergency response plans for the transport of hazardous materials, strengthen the accessibility of the AskRail system, and inform PHMSA when they identify responders who are not able to access PHMSA's grant-funded training. The full advisory can be found [here](#).

Background:

Investigators from DOT's FRA and PHMSA were on the ground within hours of the Norfolk Southern train derailment in East Palestine, Ohio, on February 3, 2023. The agencies are supporting the investigation being led by the National Transportation Safety Board, an independent agency. For more on the federal response and jurisdiction, see [here](#).

To get the latest information on the investigation, please visit NTSB's [website](#).

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