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News

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Federal Railroad Administration’s Final Accident Report on Norfolk Southern Derailment in East Palestine Reaches Similar Conclusions as NTSB, and Supports USDOT’s Continued Calls for Safety Improvements and Need for Congress to Act

FRA conducted its investigation as part of immediate and comprehensive USDOT response that began within hours of 2023 derailment

WASHINGTON, D.C. – The U.S. Department of Transportation’s Federal Railroad Administration (FRA) today published its accident investigation report on the Norfolk Southern Railway train derailment that occurred in East Palestine, Ohio, on February 3, 2023. FRA conducted the investigation under its independent statutory authority with U.S. Department of Transportation (USDOT) safety personnel, who were on the ground within hours of the derailment, working to identify the cause of the accident and examining compliance with rail safety regulations.

FRA found that the derailment was caused by a roller bearing that failed due to overheating, consistent with the investigation findings of the National Transportation Safety Board (NTSB), an independent federal agency. Norfolk Southern’s procedures and the inadequate staffing for communicating information from the Hot Box Detectors (HBDs), a type of wayside detector installed along the railroad right of way that monitors the condition of freight and passenger rolling stock, to the train crew may have contributed to the accident.

FRA does not currently regulate the location, installation, operation, or maintenance of wayside detectors, unless a detector interfaces with a railroad’s signaling system. However, this is a topic where FRA will aggressively use its existing authorities but encourages Congress to also act in any future rail safety legislation.

- FRA inspected thousands of wayside detectors on 28 different railroads last year alone as part of a high-hazard route assessment, and the agency assessed Class I dispatching centers to evaluate how railroads report, evaluate, and take actions following wayside detector alarms.

- On multiple occasions, FRA has urged railroads using wayside detectors to evaluate their inspection processes and prioritize proper training for personnel working with them. This includes a Safety Advisory in [March 2023](#) and two additional advisories in [June 2023](#) and [July 2024](#).
- FRA also continues to conduct safety culture assessments of all Class I freight railroads. FRA completed its assessment of Norfolk Southern last year, which evaluated the railroad's procedures related to wayside detector maintenance, inspections, and alerts, and made recommendations to address issues and improve safety.
- Importantly, FRA has tasked its Railroad Safety Advisory Committee with reviewing current industry practices relating to wayside detectors, determining current best practices, and developing recommendations and proposals to update existing or develop new regulations and guidance.

As a result of FRA's investigation, the agency initiated 12 enforcement cases with 117 counts against the railroad and other entities. These potential violations were found across technical disciplines examined by FRA inspections, such as operating practices, which ensure internal railroad rules are communicated to workers and followed, as well as motive power equipment, which includes the mechanical elements such as locomotives and freight cars. FRA examined all available evidence to ensure compliance with federal regulations. While the enforcement process governed by statute allows parties the opportunity to respond to potential violations, the initiation of these cases is an important step and one of several ways USDOT is taking actions to ensure accountability and improve railroad safety.

"Our department's work began within hours after the derailment in East Palestine — supporting first responders and investigating the incident alongside the NTSB's independent review — and today, we are clear-eyed about its cause and what must be done to prevent similar incidents in the future," said **U.S. Transportation Secretary Pete Buttigieg**. "We are taking action on the NTSB's recommendations, but we also now need Congress to do its part to enhance rail safety and hold the railroads accountable by passing much-needed legislation."

"Norfolk Southern's train derailment in East Palestine was a wake-up call to the country and should be to the freight rail industry that the status quo is unacceptable when it comes to rail safety. We must all be more vigilant and advance new measures that will keep people working on, living near, and traveling along railroads out of harms way," said **FRA Administrator Amit Bose**. "FRA has issued new rules and drawn attention to safety concerns, conducted safety audits, and secured the participation of major Class I railroads and their union workers, including Norfolk Southern — the first Class I freight railroad to currently participate in the agency's Confidential Close Call Reporting System — among other actions, and we will not stop in pursuit of our top priority: safety."

FRA's investigation also looked closely at the hazardous materials being transported in the train to ensure compliance with all required documentation, package marking, labeling, and emergency response information requirements as well as the use of a general-purpose DOT-111 specification tank car to transport butyl acrylate, a flammable liquid. The DOT-111 tank cars were breached in the derailment. FRA found that such use contributed to the severity of the accident because they were not equipped with a jacket, tank head puncture resistance system, or thermal protection system. In addition, FRA's final report notes the recommendation that Norfolk Southern and its contractors made to execute a vent and

burn procedure. FRA neither made, directed, nor participated in the decision to conduct a vent and burn operation, and the agency has no role or authority in such a decision.

USDOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) and FRA responded to the February 2023 accident site within hours, and both, under the direction of USDOT Secretary Buttigieg, continue to take [actions to increase rail safety and protect communities from harm](#).

FRA's full accident investigation report can be found [here](#).

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