

Federal Railroad Administration Office of Safety Headquarters Assigned Accident Investigation Report HQ-2010-09

Burlington Northern Santa Fe (BNSF) Santa Fe, TX February 18, 2010

Note that 49 U.S.C. §20903 provides that no part of an accident or incident report made by the Secretary of Transportation/Federal Railroad Administration under 49 U.S.C. §20902 may be used in a civil action for damages resulting from a matter mentioned in the report.

DEPARTMENT FEDERAL RAILF	OF TRA ROAD A	ANSPORT DMINIST	TATIC TRATI	ON ON	FRA FA	ACTU/	AL RA	ILR	ROAD A	.CC	CIDENT RI	EPORT		Ι	FRA Fil	e # <u>H</u>	Q-201	0-9		
1.Name of Railroad Operating Train #1 BNSE Rwy Co. (BNSE)									. Alphabeti	c Co	ode		1b. Railroad Accident/Incident No.							
2.Name of Railroad Operating Train #2 N/A									2a. Alphabetic Code N/A					2b. Railroad Accident/Incident No.						
3.Name of Railroad	Operating	g Train #3						3a.	Alphabeti	c Co	ode		3b. I	3b. Railroad Accident/Incident No.						
N/A										N//	4			N/A						
4.Name of Railroad I BNSF Rwy Co. [B]	NSF]	ble for Trac	ck Man	ntenan	ce:			4a.	. Alphabeti	c Co BN	ISF		4b. I	b. Railroad Accident/Incident No. 0210-105						
5. U.S. DOT_AAR C	Grade Cro	ossing Iden	tificatio	on Nui	nber			6. 1 Mo	Date of According Date of Acco	cide	nt/Incident Day 18 Yea	ur 2010	7.1	ime of Ac 05:30	cident/I :00	nciden	t AM		РМ	
8. Type of Accident/Indicent 1. Derailment 4. Side collision									7. Hwy-rail crossing 10. Explosion-detonation 13. Other								Code			
(single entry in code box) 2. Head on collision 5. Raking collision								8.	RR grade	cros	ssing 11. F	ire/violen	t rupti	pture (describe in narrative) 01						
9. Cars Carrying		5. Kear end collision 6. Broken Train 10. HAZMAT Cars 1					ollision Cars Rel	9. easin	. Obstructio	12. Other impac			cts	.s 13. Divisic					01	
HAZMAT	49 Damaged/Derailed 15					HA	ZMAT		2		Evacuated	l	80			Gulf				
14. Nearest City/Tow	'n					15. Mi	lepost		16. State Abbr Code		Code	17. County								
	S	Santa Fe				(to	nearest to	<i>enth)</i> 18.1			N/A	TX			GAL	GALVESTON				
18. Temperature (F)		19. Visit	oility	(sing	gle entry)	Code	20. W	Veath	eather (single er		ntry) Cod			21. Type of Tr		ack		(Code	
(specify if minus) 35) ; F	1. 2.	Dawn Day	3.D 4.I)usk Dark	1	1	. Cle	Clear 3. Rain Cloudy 4 Fog		5.Sleet			1. Main 3. 2. Yard 4.		. Siding Industry			1	
22. Track Name/Nu	mber					23. FR	A Track		Code	24.	. Annual Track	Density		25. Tim	e Table	Directi	on	(Code	
		Sr	ngle Ma	ain Tr	ack	Cla	ss (1-9, X	(gross tons in millions) 2'				1 27.6	1	1. North 3. East 2. South 4. West				2		
							OPER	AT	ING TRA	AIN	#1				2. 5000	4. 11	Cat			
26. Type of Equipme	ent 1	. Freight tra	ain	4. W	ork train 7.	. Yard/sw	itching	А	. Spec. Mo	WE	quip. Code	27. Was I	Equip	ment C	Code	28. Tra	ain Nun	nber/	Symbol	
Consist (single entry) 2. Passenger train 5. Single car 8. Light loco(s).										Atten	ded?	2 11-	1	N	TDI C	AT1	17			
29. Speed (recorded	5 sneed if	. Commute	r train	6. Cu	t of cars 9. Method(s)	. Maint./i	nspect.ca	r ente	r code(s)	tha	$\frac{1}{t annly}$	1.	res	2. NO 31a. Rem	1 otely Co	ntrolle	ed Loco	moti	ve?	
R - Recorded a. ATCS g. Automatic block m.Special instructions $0 = Not a remotely controlled$																				
E - Estimated 49 MPH R b. Auto train control h. Curren								nt of t	raffic	n. (Other than main	1 track		1 = Remo	ote contr	ol port	able			
30. Trailing Tons (gross tonnage, d Cab i Track y								able/t /arrai	rain orders nt control	о. р.	Other (Specify	in narrat	ive)	2 = Remo 3 = Remo	ote contr ote contr	ol towo rol	er			
excluding power units) e. Traffic k. Direct								traffi	ic control	_	Code(s)			transmi	tter - mo	ore thar	1 one			
		7674		f	. Interlocking	g	l.Yard lin	nits			g N/A N/A	A N/A	N/A	remote	control t	ransmi	tter		0	
32. Principal Car/Uni	t	a. Initial	and Nu	mber	b. Positio	on in Trai	n c. l	Load	ed(yes/no)	3	If railroad er enter the nu	nployee(s mber that) teste were	d for drug positive in	/alcohol n	use,	Icohol	ТГ	Trugs	
(derailed, struck, a	etc)	FTL	X3117	31	2	26			yes		the appropr	iate box.		1			0		0	
(2) Causing (if med	chanica	l	0			0		1	N/A		34. Was this co	onsist tran	sporti	ng passen	gers? (Y	/N)		1	N	
35. Locomotive Uni	ts	a. Head		Mid 7	Frain	R	ear End		36. Car	s			Lo	aded		Empty		-		
		End	b. Ma	nual	c. Remote	d. Manu	al c. Rei	mote	(1) (1)	· •		a. Fr	eight	b. Pass.	c. Freig	ght d.	Pass.	e. C	aboose	
(1) Total in Train	n	2		0	0	0	0		(1) Iotal	in E	Equipment Con	sist	50	0	39		0		0	
(2) Total Deraile	d	0		0	0	0	0		(2) Total	Dei	railed		20	0	4		0		0	
57. Equipment Dama	age	\$832 001 00) 3	38. Tra	ick, Signal, V	Way,	\$206.000	.00	39. Prima	ary (Cause			40. Cont	ributing	Cause				
		Numbe	r of Cr	& Stri	embers	ge	,		Code			T399 Leng	th of '	Code Cime on D	uty		1	√A		
41. Engineer/	42. Fir	emen		43. Co	onductors	44. Brakemen			45. Engineer/Operator				46. Conductor							
Operators 1		0			1		0		Hrs ₉ Mi ₂₅					Hı	s g	9	Mi	25		
Casualties to:	47. Railı	road Emplo	oyees 4	8. Train Passengers 49. Other				50. EOT Device?					51. Was	EOT De	vice P	roperly	Arm	ied?		
Fatal		0		0			0		1. Yes 2. No 1			1. Yes 2. No 1				1				
Nonfatal		0			0		0		52. Caboose Occupied by Crew? 1. Yes 2. No							1	N/A			
						C	PERAT	ΓIN	G TRAIN	J #2	2									
53. Type of Equipme	ent 1.	Freight tra	in	4. Wo	ork train 7.	Yard/sw	itching	A.	Spec. Mov	WΕ	quip. Code	54. Was I	Equip	ment C	ode	55. Tra	in Nur	ber/S	Symbol	
Consist (single en	<i>try</i>) 2. 3.	Passenger Commuter	train r train	5. Sir 6. Cu	igie car 8. t of cars 9	Light loo Maint./ii	co(s).	r	N/A Attended					? 2. No N/A N/A						
56. Speed (recorded	speed, if	available)	Code	58	. Method(s)	of Operat	ion (ente	r code(s)	tha	t apply)			58a. Rem	otely Co	ntrolle	ed Loco	moti	ve?	
R - Recorded	0	MDU	N/A	a. h	ATCS	control	g. Autom h. Curren	natic l nt of t	block raffic	m.\$	Special instruct	ions 1 track		0 = Not a remotely controlled						
E - Estimated	U	MPH	1 1/ / 1	1 Ŭ			2.3.1.01				saler and man	. auen		1 - Reff	one conti	or por				

DEPARTMENT FEDERAL RAILF	OF TRA ROAD AI	NSPORT OMINIST	TATIO RATI	ON ION	FRA FA	CTUAL	RAILR	OAD AC	CIDENT REP	ORT	F	RA File	# <u>HQ-201</u>	<u>0-9</u>
57. Trailing Tons (gross tonnage, excluding power units)					Auto train Cab Traffic	stop i. T j.T k. j	`ime table/ti rack warran Direct traffi	rain orders (t control l c control	 Positive train control Other (Specify in r Code(s) 	2 = Remo 3 = Remo transmit				
		N/A		f.	f. Interlocking 1. Yard limi			N/A N/A N/A N/A N/A			remote c	N/A		
59. Principal Car/Un	it	a. Initial	and N	umber	b. Positi	on in Train	c. Load	ed(yes/no)	ted for dru					
(1) First involved			0)	1	J/A	enter the numb	e positive i	n	Alcohol	Drugs	
(derailed, struck,	etc)	,							the appropriate box.		N/A			N/A
cause reported	l)		0		()		N/A	61. Was this cons	ist transport	ing passen	N/A		
62. Locomotive Uni	its	a. Head End	b. Ma	Mid T anual	rain c. Remote	Rea d. Manual	c. Remote	63. Cars		a. Freight	b. Pass.	c. Freig	tht d. Pass.	e. Caboos
(1) Total in Trai	n	0		0	0	0	0	(1) Total in	n Equipment Consist	0	0	0	0	0
(2) Total Deraile	ed	0		0	0	0	0	(2) Total D	Derailed	0	0	0	0	0
64. Equipment Dam This Consist	age	65. Track, Signal, Way, 66. Primary Cause 67. Contributing Cause Code Code					Cause	N/A						
		Numbe	r of Ci	rew Me	mbers	lage				Length of	Time on D	uty		IV/A
68. Engineer/	69. Fire	emen		70. Co	nductors	71. Brak	emen	72. Engin	eer/Operator		73. Con	ductor		
Operators 0		0			0		0		Hrs 0 M	i 0		Hrs	s 0	Mi 0
Casualties to:	74. Railro	oad Emplo	oyees	75. Trai	in Passenger	s 76. Othe	er	77. EOT I	Device? Yes 2 No 1	N/A	78. Was	Armed?		
Fatal		0			0		0	79. Caboo	ose Occupied by Crev	v?		1071		
Nonfatal		0			0		0		1. Yes	2. No				N/A
						OI	PERATIN	IG TRAIN	1#3					
80. Type of Equipme Consist <i>(single en</i>	80. Type of Equipment 1. Freight train 4. Work train 7. Yard/switching Consist (single entry) 2. Passenger train 5. Single car 8. Light loco(s). 3. Commuter train 6. Out of care 0. Maint increased care						ning A. s). ect.car	N/A N/A N/A N/A N/A						
83. Speed (recorded speed, if available) Code 85. Method(s) of Operation (ent							eetted	r code(s) th	nat apply)		85a. Remo	otely Con	trolled Loco	motive?
R - Recorded a. ATCS g. Automatic						Automatic b	olock n	n.Special instructions . Other than main tra	s ick	0 = Not a	remotely	controlled		
E - Estimated	E - Estimated N/A MPH 0 b. Auto train control h. Current of						ime table/ti	arnic	o. Positive train contr	ol	1 = Remo 2 = Remo	te contro	l tower	
84. Trailing Tons (gross tonnage, d. Cab j.Track v						rack warran	t control 1	b. Other (Specify in)	uarrative)	3 = Remo	ote contro	ol .		
excluding powe	e. Traffic k. Direct traffic control Code(s) transmitter - more than one remote control transmitter							N/A						
96 Dringing Con/Un	:.	o Initial	and N		h Dociti	on in Troin	a Lood	odi ()			1.6 1			1011
(1) First involved	11	a. muai	and in	uniber	D. POSIU		C. LOad	ed(yes/no)	(no) 87. If railroad employee(s) tested for drug/alcohol use, enter the number that were positive in <u>Alcohol</u>					Drugs
(derailed, struck,	etc)		0			0		N/A	the appropriate	e box.			N/A	N/A
(2) Causing (if me cause reported	chanical 1)	!	0			0	1	N/A	88. Was this cons	ist transport	ing passen	gers? (Y	/N)	N/A
89. Locomotive Uni	its	a. Head		Mid T	rain	Rea	End	90. Cars	I	La	aded	E	Empty	
(1) Total in Trai	n	End	b. Ma	anual	c. Remote	d. Manual	c. Remote	(1) Total ir	Fauinment Consist	a. Freight	b. Pass.	c. Freig	ht d. Pass.	e. Caboose
(2) Total Deraile	-d	0		0	0	0	0	(2) Total I)erailed	0	0	0	0	0
91 Equipment Dam	age	0		07 Tra	ck Signal V	Vav	0	03 Primar	v Causa Coda	0	94 Cont	ributing (79116 0	
This Consist	8-	\$0.00		& St	ructure Dam	lage	\$0.00	<i>75.</i> 1 mia		N/A	Code	nouting (N/A
	I	Numbe	r of Ċı	rew Me	mbers			Length of Time on Duty						
95. Engineer/ Operators 0	95. Engineer/ 96. Firemen Operators 0 0				onductors 0	98. Brak	emen 0	99. Engin	eer/Operator Hrs 0 M	100. Conductor Hrs 0 Mi			Mi 0	
Casualties to:	101. Rail	road Emp	loyees	102.	Train	103. Oth	ner	104. EOT			105. Was	s EOT De	evice Proper	ly
Fatal		0			0		0	1. Yes 2. No 106 Cabasea Occupied by Craw?						N/A
Nonfatal		0			0		0	100. Cabo	1. Yes	2. No				N/A
		Highw	ay Us	er Invo	olved				Rail	Equipmen	t Involved	d		
107.	Frailar -	7 D.		04	Motority	ala	Code	111. Equij	oment	(6 Light	Loco(a)	(Code
A. Auto D. Pick-U B. Truck E. Van	p Truck (Bus School I Motorcy 	J Bus J vcle M	. Other K. Pede M. Othe	Motor Vehi strian	cie	N/A	5.1rain (standing) 0.Light Loco(s) (moving) 1.Train(units pulling) 4.Car(s) (moving) 7.Light(s) (standing) 7.Light(s) (standing) 2.Train(units pushing) 5.Car(s) (standing) 8. Other (moving) N/A						
108. Vehicle Speed			109.		geographi	cal)	Code	112. Position of Car Unit in						
(est. MPH at in	npact)	IN/A	1.Nor	th 2.So	outh 3.East	4.West	N/A				0			

DEPARTMENT OF TRANSPORTATION FRA FACTUAL RAILROAD ACCIDENT REPORT FRA File # HQ-2010-9 FEDERAL RAILROAD ADMINISTRATION FRA FACTUAL RAILROAD ACCIDENT REPORT FRA File # HQ-2010-9														
110. Position	110. Position Code 113. Circumstance												Code	
1.Stalled o 4. Trapped	1. Stalled on Crossing 2.Stopped on Crossing 3.Moving Over Crossing N/A 1. Rail Equipment Struck Highway User 4. Trapped N/A 2. Rail Equipment Struck by Highway User												N/A	
114a. Was the	e highway user	and/or ra	ail equi	ipment	involved		Code	114b. Wa	is there a haza	rdous materials 1	release		Code	
in the impact transporting hazardous materials? 1 Highway User 2 Rail Equipment 3 Both 4 Neither N/A 1. Highway User 2. Rail Equipment 3. Both 4. Neither											N/A			
1. righway User 2. Kan Equipment 5. BOIN 4. Nettner														
N/A														
115. Type 1.Gates 4.Wig Wags 7.Crossbucks 10.Flagged by crew 116. Signaled Crossing Code 117. Whistle Ban												Code		
Crossing 2.Cantilever FLS 5.Hwy. traffic signals 8.Stop signs 11.Other (spec. in narr.) (See instructions for codes) 1. Yes														
Code(s)	N/A	N/A	N	J/A	N/A	N/A	N/A	N/A	3. Unknown					
118. Location of Warning Code 119. Crossing Warning Code 120. Crossing Illuminated by Street											by Street	Code		
1. Both Sides with F								gnals		Lights or	Special Lig	hts		
2. Side of Vehicle Approach 1.										1. Ye	s			
3. Opposite Side of Vehicle Approach N/A 3							2. NO 2. NO 3. Unknown				N/A			
121.	Code	123.	Driver Drov	ve Behind o	nd or in Front of Code 124. Driver						Code			
Age	1. Male				and Struck o	r was Struc	k by Second	Train	1. Drov	e around or thru	the Gate	4. Stopped on Crossing		
0	0 2. Female 1. Yes 2. No 3. Unknown 2. Stopped and then Proceeded 5. Other (specify in programmer and the proceeded 5. Other (specify in proceeded 5. Other (specify									5. Other (specify in narrative)				
			10/11					IN/F	5. Did i	lot stop			IN/A	
125. Driver Pa Highway V	ssed ehicle	Coc	$ e ^{12}$	26. Viev	w of Track C	bscured by	(primary ob	struction)	Vagatation	7 Other	(spacify in	narrativa)	Code	
1. Yes 2. No	3. Unknown	N/	A	2. S	tanding Raili	road Equipr	nent 4. Topo	graphy 6.	Vegetation Highway Vehi	icle 8. Not obst	tructed	un runve)	N/A	
Convoltion	tor		17:11	ad	Inimad	127. Driv	ver		Cod	le 128. Was	Driver in th	he Vehicle?	Code	
Casualties to: Killed Injured 1.						1. Kille	d 2.Injured 3.	Uninjured	N/2	A 1.	1. Yes 2. No			
129. Highway-Rail Crossing Users 0 0 ¹						130. Hig (est.	hway Vehicle dollar damag	Property Da	mage 0	age 0 131. Total Number of Highway-Rail Crossir (include driver) 0				
132. Locomot	ive Auxiliary L	ights?					Code	133. Locoi	notive Auxilia	ry Lights Operat	tional?		Code	
1. Yes 2. No							N/A 1. Yes 2. No				N/A			
134. Locomot	ive Headlight I	lluminat	ed?				Code	135. Locoi	notive Audibl	e Warning Sound	ded?		Code	
1. Y	es	2.	No				N/A	1.	Yes	2. No			N/A	

136. DRAW A SKETCH OF ACCIDENT AREA INCLUDING ALL TRACKS, SIGNALS, SWITCHES, STRUCTURES, OBJECTS, ETC., INVOLVED.

137. SYNOPSIS OF THE ACCIDENT

A southbound BNSF freight train derailed in Santa Fe, Texas on February 18,2010 at 05:30 a.m. The derailment occurred within the downtown Santa Fe, Texas area on the Galveston Subdivision at mile post 18.1.

A total of twenty-four (24)cars derailed. Hazardous materials were involved and evacuations were ordered. The total damage to the cars and the track was reported to be \$1,038,001.00 (\$832,001.00 to equipment,\$206,000.00 to track & signal).

At the time of accident it was dawn and clear. The temperature was 35 degrees F.

The cause of the derailment was FRA cause code (T399) other frog, switch, and track appliance defects due to wheel batter located at the heel of the switch.

138. NARRATIVE

CIRCUMSTANCES PRIOR TO THE ACCIDENT:

The crew of the soouthward BNSF Freight Train M-TPLGAT1-17A included a locomotive engineer and a conductor; both reported to duty at 08:05 p.m. on February 17, 2010 at the BNSF Temple Rail Yard in Temple, Texas. This was the home terminal for both crew members. The engineer and conductor both received more than the required statutory off duty rest period prior to reporting for duty.

The assigned train consisted of two locomotives and 89 freight cars. BNSF Freight Train M-TPLAGAT1-17A was 5,498 feet long and weighed 7,674 tons. The train was scheduled to travel from Landes, Texas en route to BNSF Galveston Rail Yard in Galveston, Texas with no cars to be added or removed while en route. The train received a 1,500 mile train air brake test at Temple Yard at 06:10 a.m. on February 17, 2010 by a qualified mechanical inspectors. There were no exceptions taken. The train consisted of and required a 2-way End of Train Device (EOTD) Webtec Air Powered (BNQ 45302 ETD).

As the southbound train approached the site of the accident the locomotive engineer was seated at the controls on the west side of the leading locomotive. The conductor was seated on the east side of the leading locomotive.

The track chart shows the entire track to be on a descending grade (24.50-28.99% grade) at the time of the derailment. The track / point of derailment (POD) is on tangent track.

The geographic and railroad timetable direction of the train was south. Timtable directions will be used throughout this report.

As indicated by BNSF Railway, Gulf Division Timetable No.6, the method of operation at milepost 18.1 of the Galveston Subdivision was Automatic Block Signal System (ABS) and Track Warrant Control (TWC).

THE ACCIDENT:

BNSF Train M-TPLGAT1-17A was operating at a speed 49 mph at the time the accident occurred. The speed was recorded by the event recorder on the lead locomotive - BNSF 5270. BNSF Railway Gulf Division Timetable #6, Galveston Subdivision, issued on April 2, 2008 page # 7, 1(A), lists this section of the Galveston Subdivision to be a maximum track speed of 55 mph for freight trains.

The engineer was operating the train in throttle position T4 when the train went into emergency brake application. Once stopped, the conductor began to walk and inspect the train discovering that 16 cars from the second locomotive, a total of 24 cars were derailed. While inspecting the derailment the conductor discovered two hazerdous materials cars releasing a quanitity of product. The conductor notified the engineer about the condition of the train and at that time the engineer notified the Galveston Subdivision Dispatcher concerning the undesired emergency event and the status and condition of the train.

Local law enforcement and fire department assisted in the precautionary evacuation of 10 residences with approximately 80 people involved. Utilizing the Santa Fe Junior High as the temporary gathering point the residence were allowed back into their homes at 05:30 p.m. At 06:50 p.m. Highway 6 was re-opened for vehicular traffic following a temporary closure.

ANALYSIS:

The train was equipped with a speed indicator and an event recorder as required. The relevant event recorder data was downloaded by the BNSF Road Foreman of Engines at the accident site and analyzed by the BNSF Superintendent of Operating Practices. The train crew was administered a Post Accident Toxicology Test.

FRA uses an overall effectiveness rate of 77.5 as the baseline for fatigue analysis, which is equivalent to blood alchol content (BAC) of 0.05. At or above this baseline, we do not consider fatigue as probable for any employee. Software sleep settings vary according to information obtained by each employee. If an employee does not provide sleep information, FRA uses default software settings.

FRA obtained fatigue related information including a 10-day work history for the two employees involved in this accident including the locomotive engineer and the conductor assigned to BNSF Train M-TPLGAT1-17A.

Investigating the cause of the derailment, the POD was located at the left hand heel of Switch # 5346N. A compromise rail-end joint (115/119) mismatch caused the rail to batter and wheels to pound on switch components. This caused complete failure of the heel block assembly. Both joint bars and the heel block were discovered broken. The heel block bolts were either broken or threads stripped out. The joint bars and rail were taken to BNSF's Technical Research and Development (TR&D) Facility in Topeka, Kansas for further inspection and analysis.

BNSF Geometry Car # 085 tested the Galveston Subdivision on December 11, 2009. One defect was detected within the derailment area.

On February 17, 2010 the BNSF Track Supervisor inspected the Galveston Subdivision. At MP 18.1 he noted defect number 213.121.05 - "less than two bolts per rail at each joint for conventional jointed rail class 2 through 5 track". Using the remedial action aspect he applied a 10 mph temporary speed restriction. Repairs were made that night and the speed restriction was removed.

CONCLUSION:

The locomotive engineer was in compliance with all applicable railroad operating and train handling requirements which was confirmed by the relevent event recorder data. Toxicology tests for both crew members had negative test results.

FRA concluded that fatigue was probable for the conductor (C1) and the engineer (E1) assigned to the M-TPLGAT1-17A.

Information for these two employees follows:

DEPARTMENT OF TRANSPORTATION FEDERAL RAILROAD ADMINISTRATION FRA FACTUAL RAILROAD ACCIDENT REPORT

1. Conductor (C1) assigned to the M-TPLGAT1-17A Sleep Setting - 77.5 Overall Effectiveness = 70.88 Chronic Sleep Dept = 7.98 Hours of Continuous Wakefulness = 23.48 Time of Day = 05:28 BAC Equivalent = >.05 Conclusion: Fatigue was probable for this employee however it was not a causual factor.

2. Engineer (E1) assigned to the M-TPLGAT1-17A
Sleep Setting - 77.5
Overall Effectiveness = 67.41
Chronic Sleep Debt = 8.64
Hours of Continuous Wakefulness = 21.97
Time of Day = 05:28
BAC Equivalent = >.05
Conclusion: Fatigue was probable for this employee however it was no a casual factor.

FRA concluded fatigue was not a contributing factor in this accident.

December 11, 2009 BNSF Geometry car survey noted exception at or near the POD. The track measurements / geometry noted during the survey were found to be in compliance with FRA Track Safety Standards. FRA concluded that due to the catastrophic nature of the derailment that all track measurements / geometry defects were not a contributing factor.

January 15, 2010 Herzog Services Inc. conducted a rail test on the Galveston Subdivision. No rail defects were detected in or around the derailment site.

Based on the conditions found at the POD the cause of this derailment was due to other frog, switch, and track appliance defects (FRA T399), due to the wheel batter located at the heel of switch.