

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

ISSUED: June 29, 1978

Forwarded to:

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SAFETY RECOMMENDATION(S)

R-78-28 through -31

On April 6, 1978, the National Transportation Safety Board concluded a 3-day public hearing on railroad derailments and the carriage of hazardous materials. 1/ The hearing was prompted by the increasing number of train derailments nationwide, especially those involving the release of hazardous materials from DOT 112A/114A "jumbo" tank cars. Forty-nine witnesses from the railroad industry, tank car builders and operators, shippers, State and local officials, firefighters, labor representatives, and the public testified at the hearing.

The evidence indicated that tank cars can and should be made safer. The jumbo tank cars were designed and certified by an interlocking group of business interests who manufacture, buy, sell, and use tank cars. Witnesses from the Federal Railroad Administration (FRA), shippers, and tank car companies testified that the design of the jumbo tank cars did not represent a level of safety commensurate with their 200-percent increase in product capacity.

Testimony indicated that the Association of American Railroad's (AAR) Committee on Tank Cars reflects an interlocking group of business interests and that this committee has substantial influence on tank car design and approvals of specifications of DOT 112A/114A and other tank cars. Through this committee, shippers exercised inordinate influence over railroad safety.

Further, evidence indicated that safety analysis methods for insuring that safety risks to the public were not used when the AAR approved tank car designs and modifications. Additionally, the Safety Board heard testimony from tank car builders and shippers that private shops do not

1/ For more information read, "Analysis of Proceedings of the National Transportation Safety Board into Derailments and Hazardous Materials, April 4-6, 1978," (NTSB-SEE-78-2).

have the capacity to install immediately the shelf couplers and head shields on DOT 112A/114A tank cars. However, other testimony indicated that there are more than 86 private shops, in addition to railroad shops, where the safeguards can be installed, and that labor is ready and able to do the work. If head shields and shelf couplers are not installed expeditiously, the risks of catastrophes will continue to be borne by those who live and work near railroads and by emergency response personnel who respond to railroad hazardous materials emergencies.

Additional evidence at the hearing indicated that the AAR could monitor critical car components that exhibited critical failure patterns and, as required, make recommendations to the FRA for needed regulatory initiatives. The Safety Board believes that the time has come for the AAR to assume the leadership role to further railroad safety.

Therefore, the National Transportation Safety Board recommends that the Association of American Railroads:


Restructure the membership and procedures of the AAR Committee on Tank Cars to eliminate conflicts of interest between shippers and the railroad industry in safety decisions. (Class I, Urgent Action) (R-78-28)

Review and adopt all safety analysis methods that will strengthen the safety approval procedures within AAR Committees acting on hazardous materials tank car design and modification questions. (Class I, Urgent Action) (R-78-29)

Implement emergency procedures for approval of facilities and locations for installation of shelf couplers and head shields on DOT 112A/114A tank cars. (Class I, Urgent Action) (R-78-30)

Develop and document a system to notify FRA of critical car components that exhibit critical failures annually and recommend regulatory action as required. (Class II, Priority Action) (R-78-31)

KING, Chairman, McADAMS, HOGUE, and DRIVER, Members, concurred in the above recommendations.


By James B. King
Chairman