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NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

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Forwarded to:

Honorable Louis O. Giuffrida
Director
Federal Emergency Management Agency
500 C Street, S.W.
Washington, D.C. 20472

SAFETY RECOMMENDATION(S)

R-85-55 and 56

While large-scale hazardous materials accidents occur in railroad yards infrequently, experience shows that they can result in extensive property damage, injuries, and disruption to communities nearby. Therefore, while the probability of major hazardous materials accidents occurring in railroad yards is low, the risk to the public health and safety in any given incident is high. Unlike other operators of fixed-site facilities, however, railroad yard operators are not required by regulation to prepare emergency plans. For example, under the provisions of 10 CFR 50 and other Nuclear Regulatory Commission directives, nuclear powerplants must develop and rehearse emergency plans. Owners or operators of hazardous waste facilities are subject to the emergency planning requirements of 40 CFR 264 which extend to the facility being responsible for familiarizing local emergency response groups with the facility's layout, the properties of the hazardous materials handled at the facility, and appropriate response procedures. Airport operators certified by the Federal Aviation Administration are required, by 14 CFR 139, to develop emergency plans for various accidents, including a hazardous materials release. Interstate natural gas compressor station operators are required by 49 CFR 192 to develop an emergency plan and provide it to community emergency responders, as well as to familiarize them with the plan.

Since the threat of a large-scale accident exists in railroad yards and since there are no requirements for emergency planning for these facilities, the National Transportation Safety Board surveyed the current status of emergency preparedness at eight railroad yards throughout the United States. Following this survey, the Board conducted a 2-day public hearing to solicit additional views on several related topics. The Board of Inquiry heard from 23 witnesses who represented the railroad industry; involved communities; local emergency response organizations; and local, State, and Federal governments. They testified about means for minimizing the potential for catastrophic releases of hazardous materials in yards and discussed the preparedness of communities and railroad yard operators for handling such emergencies.

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The Safety Board concluded from the testimony given that railroad yards are not recognized as fixed-site, high-risk threats to the public health and safety by those responsible for promoting hazardous materials planning, for preparing response materials, and for conducting the response. In none of the areas studied during this special investigation could the Safety Board find any wide distribution of materials addressing emergency response or providing planning guidance which depicted the railroad yard as an entity deserving of special attention for this purpose. The Safety Board concurs in the testimony at the hearing by the FEMA representative that "...the situation would be worthy of increased attention and activity by this agency..." and believes that the point is applicable to other agencies as well. The Safety Board also concurs in the statements made by the FEMA official that an emergency plan, based upon a solid and realistic assessment of risk, is an essential starting point to providing at least a minimal degree of coordination during a community emergency. An important aspect of such an assessment is the correlation of the level of preparedness with the density and the type of the population which potentially would be exposed to the harmful effects of hazardous materials releases from railroad yards.

The Safety Board is encouraged by the activities made known to it since the public hearing. Several cities have acted to improve their preparedness for handling releases of hazardous materials from railroad yards and two additional major railroads have established policies requiring community-linked emergency planning and response procedures for each of their railroad yards. Apart from these efforts, FEMA completed on May 16, 1984, a review of its own and other Federal agencies' activities concerning hazardous materials emergency preparedness. FEMA's 1984 review contained an analysis of two previous efforts, one in 1979 and the other in 1981, to define FEMA's role relative to hazardous materials emergencies. Both previous efforts generated recommendations for adopting policies and programs within that agency; however, action was never taken to implement the recommendations.

The recommendations of the 1984 review, which have been approved by FEMA's Director, are:

Create within FEMA a hazardous materials program office.

Develop and conduct in 1984 a national conference on hazardous materials emergency management. (This was postponed reportedly due to a lack of funds and conducted in April 1985.)

Create and chair an interagency committee to coordinate Federal hazardous materials activities.

Negotiate memoranda of understanding with other Federal agencies to ensure accomplishment of the coordination aspects of Executive Order 12148.

Develop and present a new course on Preparing Emergency Management Personnel to Deal with Hazardous Materials Accidents.

Much more needs to be done to enhance the capability of emergency response groups to perform the various duties either assigned to or expected of them during a railroad yard hazardous materials release. The Safety Board finds that FEMA and DOT have not established the formal, ongoing, and forward-looking relationship that is necessary to improving the guidelines now available for railroad yard hazardous materials emergency planning. The Safety Board believes that a relationship must be formed among all agencies which have technical and regulatory responsibilities for the safe movement of hazardous materials through railroad yards -- both in normal and emergency periods. The Safety Board often has stated, as part of its accident investigations and safety studies of hazardous materials incidents, that various agencies and organizations must cooperate fully to reduce the threat of future occurrences. The same is true regarding the urban railroad yard which generally has not received appropriate attention from planners within the highest levels of the Federal government and industry associated with the railroad yards.

Therefore, the National Transportation Safety Board recommends that the Federal Emergency Management Agency:

Develop emergency planning and response guidelines for use by communities and operators of railroad yards that handle bulk shipments of hazardous materials and by communities adjacent to railroad yards, and incorporate these guidelines into pertinent FEMA-sponsored training programs and manuals. (Class II, Priority Action) (R-85-55)

Expedite the implementation of the recommendations pertaining to management initiatives and to hazardous materials training contained in the report on the agency's 1984 review of these topics. (Class II, Priority Action) (R-85-56)

BURNETT, Chairman, GOLDMAN, Vice Chairman, and BURSLEY, Member, concurred in this recommendation.


By: Jim Burnett
Chairman