



U.S. Department of Transportation  
Office of Public Affairs  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
[www.dot.gov/briefingroom](http://www.dot.gov/briefingroom)

## News

---

FRA 22-13

Friday, August 2, 2013

Contact: Kevin F. Thompson

Tel.: 202-493-6024

### **Federal Railroad Administration Issues Emergency Order to Prevent Unintended Hazardous Materials Train Movement**

WASHINGTON – The U.S. Department of Transportation’s Federal Railroad Administration (FRA) today issued an [Emergency Order](#) and [Safety Advisory](#) to help prevent trains operating on mainline tracks or sidings from moving unintentionally. The FRA’s announcement was made in response to the July 6, 2013 derailment in Lac-Mégantic, Quebec, Canada, as it awaits additional data once the investigation into the crash is complete. The actions announced today build on the success of FRA’s rigorous safety program, which has helped reduce train accidents by 43 percent over the last decade, and made 2012 the safest year in American rail history.

The Emergency Order is a mandatory directive to the rail industry, and failure to comply will result in enforcement actions against violating railroads.

“Safety is our top priority,” said U.S. Transportation Secretary Anthony Foxx. “While we wait for the full investigation to conclude, the Department is taking steps today to help prevent a similar incident from occurring in the United States.”

Today’s Emergency Order outlines measures that all railroads must undertake within the next 30 days:

- No train or vehicles transporting specified hazardous materials can be left unattended on a mainline track or side track outside a yard or terminal, unless specifically authorized.
- In order to receive authorization to leave a train unattended, railroads must develop and submit to FRA a process for securing unattended trains transporting hazardous materials, including locking the locomotive or otherwise disabling it, and reporting among employees to ensure the correct number of hand brakes are applied.
- Employees who are responsible for securing trains and vehicles transporting such specified hazardous material must communicate with the train dispatchers the number of hand brakes applied, the tonnage and length of the train or vehicle, the grade and terrain features of the track, any relevant weather conditions, and the type of equipment being secured.

- Train dispatchers must record the information provided. The dispatcher or other qualified railroad employee must verify that the securement meets the railroad's requirements, and they must verify that the securement meets the railroad's requirements.
- Railroads must implement rules ensuring that any employee involved in securing a train participate in daily job briefings prior to the work being performed.
- Railroads must develop procedures to ensure a qualified railroad employee inspects all equipment that an emergency responder has been on, under or between before the train can be left unattended.
- Railroads must provide this EO to all affected employees.

“Today’s action builds upon a comprehensive regulatory framework we have had in place for some time,” said FRA Administrator Joseph C. Szabo. “The safe shipment of all cargo is paramount and protecting the safety of the American public is fundamental to our enforcement strategy and we are encouraged by the industry’s willingness to cooperate with this approach going forward.”

In addition to the Emergency Order, the FRA, together with the Pipelines and Hazardous Materials Safety Administration (PHMSA), issued a Safety Advisory detailing a list of recommendations railroads are expected to follow. U. S. DOT believes that railroad safety is enhanced through the use of multiple crew members, and the Safety Advisory recommends railroads review their crew staffing requirements for transporting hazardous material and ensure that they are adequate. Other recommendations in the Safety Advisory include: conducting system-wide evaluations to identify particular hazards that may make it more difficult to secure a train or pose other safety risks and to develop procedures to mitigate those risks. A copy of the Safety Advisory can be viewed [HERE](#).

“When PHMSA talks about the transportation of hazardous materials, safety is a prerequisite to movement,” said PHMSA Administrator Cynthia Quarterman. “We are taking this action today and we will be looking hard at the current rail operating practices for hazardous materials to ensure the public's safety.”

As FRA continues to evaluate safety procedures following the recent crash, it will convene an emergency meeting of its Railroad Safety Advisory Committee to consider what additional safety measures may be required. FRA plans to develop a website that will allow the public to track industry compliance with the Emergency Order and Safety Advisory issued today. FRA has developed a plan that outlines six major actions that have occurred or will occur to further ensure that our regulatory response to the Canadian rail accident remains transparent.

Under current DOT regulations, all freight railroads are required to develop and implement risk assessments and security plans in order to transport any hazardous material, including a plan to prevent unauthorized access in rail yards, facilities and trains carrying hazardous materials. Railroads that carry hazardous materials are required to develop and follow a security protocol while en route; railroad employees are subject to background checks and must complete training. Training programs and protocols are reviewed and audited by the FRA routinely and generally designed to be progressive so as the level of risk increases so does the level of security required. A description of past, present, and proposed FRA actions on this issue can be found [here](#).