



Office of the Chairman

# National Transportation Safety Board

Washington, DC 20594

October 29, 2013

The Honorable Cynthia Quarterman  
Administrator  
Pipeline and Hazardous  
Materials Safety Administration  
Washington, DC 20590

Dear Administrator Quarterman:

Thank you for your July 24, 2013, letter to the National Transportation Safety Board (NTSB) regarding Safety Recommendations I-02-1 and -2, and R-04-10, stated below. The NTSB issued Safety Recommendations I-02-1 and -2 on July 16, 2002, to the Department of Transportation as a result of our investigation of the July 14, 2001, accident involving the release of hazardous materials from a railroad tank car and subsequent fire at Riverside, Michigan. We issued Safety Recommendation R-04-10 on December 15, 2004, to the Pipeline and Hazardous Materials Safety Administration (PHMSA) as a result of our investigation of the September 13, 2002, railroad tank car rupture involving hazardous waste near Freeport, Texas.

## I-02-1

Develop, with the assistance of the Environmental Protection Agency [EPA] and Occupational Safety and Health Administration [OSHA], safety requirements that apply to the loading and unloading of railroad tank cars, highway cargo tanks, and other bulk containers that address the inspection and maintenance of cargo transfer equipment, emergency shutdown measures, and personal protection requirements.

## I-02-2

Implement, after the adoption of safety requirements developed in response to Safety Recommendation I-02-1, an oversight program to ensure compliance with these requirements.

We are pleased that, in coordination with OSHA and the EPA, PHMSA published a safety advisory in the *Federal Register* (FR) at 78 FR 41853 on July 12, 2013, that supplements the regulations and provides information for anyone responsible for unloading or transloading hazardous materials from a rail tank car, including employees responsible for overseeing the operation, inspecting and maintaining equipment, establishing emergency shutdown procedures, and developing safe operating procedures. The published guidance constitutes an acceptable

alternate method of addressing Safety Recommendations I-02-1 and -2. Consequently, these recommendations are classified “Closed—Acceptable Alternate Action.”

R-04-10

In cooperation with the Occupational Safety and Health Administration and the Environmental Protection Agency, develop regulations that require safe operating procedures to be established before hazardous materials are heated in a railroad tank car for unloading; at a minimum, the procedures should include the monitoring of internal tank pressure and cargo temperature.

We are pleased that PHMSA’s guidance, described above, requires the use of safe operating procedures (including the active monitoring and recordkeeping of internal tank pressures and material temperatures during the heating process, which is to be monitored with time intervals) when heating rail tank cars to prepare hazardous material for unloading or transloading. The published guidance constitutes an acceptable alternate method of addressing Safety Recommendation R-04-10, which is classified “Closed—Acceptable Alternate Action.”

Thank you for your continued interest in transportation safety.

Sincerely,

cc: Ms. Camille Mittelholtz, Acting Director  
Office of Safety, Energy, and Environment  
Office of Transportation Policy