



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

Safety Advisory Notice for Railroad Emergency Preparedness
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Hazardous Materials Safety

Why PHMSA Wrote this Safety Advisory Notice

In light of the recent train derailment incident in East Palestine, Ohio, its impacts, and the related response efforts, the Pipeline and Hazardous Materials Safety Administration (PHMSA) seeks to underscore to all those engaged in the rail transportation of hazardous materials (hazmat) of their obligation to appropriately plan for emergencies and share information about available emergency response resources. PHMSA also urges all those engaged in the rail transportation of hazmat to take further actions to ensure emergency responders are adequately equipped to respond to rail transportation incidents involving hazmat. This Safety Advisory Notice underscores the applicable basic emergency response requirements, reminds railroads of the Department of Transportation's (DOT) long-standing guidance to create and maintain Hazardous Materials Emergency Response Plans, strongly encourages broader accessibility of the AskRail system, reminds railroads of the availability of grant funding, and encourages them to identify further opportunities for emergency response related training.

PHMSA may take additional action on this issue in the future if investigations reveal that improvements in the emergency response planning process are necessary to reduce the impacts of hazmat transportation accidents.

Disclaimer: This Safety Advisory is considered guidance pursuant to DOT Order 2100.6A (June 7, 2021). Except when referencing laws, regulations, policies, or orders, the information in this Safety Advisory does not have the force and effect of law and is not meant to bind the public in any way. This document does not revise or replace any previously issued guidance.

Background and Recent Incident

On February 3, 2023, a mixed-consist freight train operated by Norfolk Southern Railway—comprised of two head-end locomotives, 149 railcars, and 1 distributed power locomotive—derailed in East Palestine, Ohio, resulting in a fire and a release of hazmat. While the majority of railcars being transported on the mixed-consist freight train did not contain hazmat, there were 19 loaded tank cars transporting hazmat including Division 2.1 flammable gases, Class 3 flammable liquids, Class 8 corrosive liquids, combustible liquids, and environmentally hazardous substances. This derailment and its impact underscore the imperative in PHMSA’s 2015 [Emergency Response Information Requirements Notice](#)¹. Therefore, PHMSA remind all parties who transport hazmat by rail of their obligation to adequately plan for and provide, at a minimum under 49 CFR 172.600(c), emergency response information, including telephonic access to a person knowledgeable of the hazmat being shipped who has comprehensive emergency response and incident mitigation information for that material. This information in particular is necessary and critical for a timely, efficient, and effective response from first responders to a hazmat incident.

¹ See <https://www.phmsa.dot.gov/regulatory-compliance/phmsa-guidance/hazardous-materials-emergency-response-information>.

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AskRail: While the National Transportation Safety Board is still investigating the methods used to share hazmat information with responders, PHMSA is concerned that during the East Palestine derailment and response, some on-scene emergency responders may not have had access to the AskRail² system. Access to information through this tool allows responders to determine real-time train consist information and begin response actions without having to locate the train crew and obtain a paper train consist. Emergency responders' timely access to accurate train consist information is crucial to understanding hazards present in a derailment and other incidents involving a train transporting hazmat. Therefore, PHMSA strongly urges railroads to review access to AskRail along their rights of way where they transport hazmat to ensure adequate coverage and availability; be proactive in publicizing the availability and utility of AskRail; and provide training on the AskRail application to qualified emergency responders.

Grants: To aid the training of the emergency responder community, PHMSA has several grant programs to help fund emergency preparedness and emergency response training at the state, local, and tribal levels—including the Assistance for Local Emergency Response Training grant and the Hazardous Materials Emergency Preparedness grant. Information on PHMSA's grants can be found on PHMSA's website.³ Often, railroads conduct training for local responders along their rights of way, including through their involvement and support of Transcaer™. During that training, railroads sometimes learn that responders do not have access to funding or other resources necessary to prepare for emergencies. As railroads continue engagement in first

² PHMSA's understanding is AskRail is a free application developed by the freight rail industry to provide qualified emergency responders with real-time train consist information for railcars transporting hazardous materials. Additional information about the AskRail emergency response information system is available here: <https://public.railinc.com/products-services/askrail/>

³ See <https://www.phmsa.dot.gov/about-phmsa/working-phmsa/grants>

responder outreach and training, PHMSA would like to receive prompt feedback if railroads identify a lack of training resources to local responders. This can help PHMSA get the requisite resources to first responders.

Hazmat Emergency Response Plans: Proper preparedness to hazmat accidents begins long before any event occurs and, as a best practice, involves planning by railroads followed by communication with communities. The Department of Transportation has, since 1993, urged all railroads to create and maintain Hazardous Materials Emergency Response Plans for the materials that they transport. Proper maintenance and execution of an emergency response plan can help protect life, health, property, and the environment, while streamlining the overall response effort including the involvement of Federal, State, tribal, and local authorities. We encourage railroads to continue implementing practices described in AAR Circular No. OT-55 Section V related to community engagement and emergency planning.⁴ The Department of Transportation has longstanding guidance on how to develop and maintain emergency response plans.⁵ Railroads may also utilize the comprehensive oil spill response plan requirements of 49 CFR Part 130 for the development of emergency response plans. While the requirements are only mandatory for certain shipments of petroleum oil, it can also serve as a baseline for any emergency response plan covering other hazmat, including Class 2 flammable gases and Class 3 flammable liquids. PHMSA reviews and approves Oil Spill Response Plans and has the technical expertise and capability and stand ready to help railroads develop or review plans for all hazmat. Additionally, plans are most effective when they are shared with communities and exercised.

PHMSA urges railroads to:

1. review their emergency response plans;

⁴ See <https://public.railinc.com/sites/default/files/documents/OT-55.pdf>

⁵ See <https://railroads.dot.gov/elibrary/hazardous-materials-emergency-response-plan-guidance-document-railroads>

2. determine whether it is appropriate to expand the plans to cover additional hazmat;
3. share those plans, along with information on the types of hazmat transported through those communities, with community emergency planners for use in their own planning activities; and
4. proactively participate in, and initiate exercises with communities, including emergency managers, to ensure they are prepared.

Future Actions

PHMSA may take additional action on this issue in the future if investigations reveal that improvements in the emergency response planning process are necessary to reduce the impacts of hazmat transportation accidents.

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