

# United States Senate

WASHINGTON, DC 20510-0908

February 15, 2023

The Honorable Pete Buttigieg  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
Washington, D.C. 20590

Dear Secretary Buttigieg:

We write to convey our alarm over the Norfolk Southern Railway freight train derailment that occurred in Ohio earlier this month. In particular, we request information from the U.S. Department of Transportation regarding its oversight of the United States' freight train system and, more generally, how it balances building a safe, resilient rail industry across our country in relation to building a hyper-efficient one with minimal direct human input.

As you are aware, on the evening of February 3, 2023, a large Norfolk Southern freight train derailed near East Palestine, Ohio, leading to the proliferation of vinyl chloride, a classified human carcinogen, and other chemicals into the surrounding air and water. While railroad crews drained and burned chemicals to prevent a major explosion, concerns have grown in the weeks since of significant damage to the health of the surrounding environment and communities in the region.

The massive Norfolk Southern train involved in the accident reportedly consisted of three locomotives, nine empties, and 141 loaded cars, 20 of which were carrying hazardous materials. The National Transportation Safety Board (NTSB) reports that of the approximately 50 cars that derailed, five carried vinyl chloride. The freight train had a three-member crew overseeing the entirety of its 150 cars: a locomotive engineer, a conductor, and a conductor trainee. While the NTSB continues its official investigation, it appears that a mechanical failure in one of the rail cars may have played a critical role; security footage of the train approximately 20 miles west of East Palestine showed sparks or fire underneath at least one of the cars before the derailment.

Current and former rail workers, industry observers, and reform advocates have pointed to precision-scheduled railroading (PSR), by which rail companies such as Norfolk Southern increase efficiency and drive down costs by moving more freight with fewer workers, as a potential contributor to the accident. We have voiced concerns with PSR, as well as with this administration's prioritizing of efficiency over resilience in its national infrastructure and transportation systems.

By that token, it is not unreasonable to ask whether a crew of two rail workers, plus one trainee, is able to effectively monitor 150 cars. While officials at the department's Federal Railroad Administration have said that data are inconclusive when it comes to the effects of PSR

on rail safety, derailments have reportedly increased in recent years, as has the rate of total accidents or safety-related incidents per track mile. The trade-off for Class I rail companies, of course, has been reduced labor costs, having shed nearly one-third of their workforce.

To better understand the department's position on the above matters, we request answers to the following questions, in writing, within 30 days:

1. The Department of Transportation has offered criticism of precision-scheduled railroading in recent years. In the time since, what steps has the department taken to preempt or protect against some of the "reduced performance and resilience" that have reportedly resulted from the practice?
2. What effects has the widespread adoption of precision-scheduled railroading, which result in freight trains miles-long moving, on average, at faster speeds, had on the working quality of our nation's steel rail?
3. What effects has the widespread adoption of precision-scheduled railroading had on the rate of axle bearings overheating (frequently referred to as a "hot box"), both in the frequency of their occurrence and the capacity of rail inspectors to catch them?
4. The Norfolk Southern freight train that derailed was reportedly not classified as a "high-hazard flammable train," despite carrying highly hazardous, flammable material. From the department's perspective, has the widespread adoption of precision-scheduled railroading precipitated any need to alter this definition?

Thank you for your attention to this matter. We look forward to your prompt response and to working to prevent similar accidents from happening again in the United States.

Sincerely,



Marco Rubio  
U.S. Senator



J.D. Vance  
U.S. Senator