

National Transportation Safety Board

Office of the Chairwoman

Washington, DC 20594



May 20, 2026

The Honorable Sam Graves
US House of Representatives
1135 Longworth House Office Bldg.
Washington, DC 20515

The Honorable Rick Larsen
US House of Representatives
2163 Rayburn House Office Bldg.
Washington, DC 20515

Dear Chairman Graves and Ranking Member Larsen,

As the Committee considers yet another historic, bipartisan piece of legislation, the *BUILD America 250 Act*, I write to commend you for keeping safety a key priority as you move this reauthorization package through Congress. The National Transportation Safety Board (NTSB) looks forward to working together to ensure all titles of the bill address our longstanding safety recommendations, the importance of which I outlined in my previous letter dated April 8, 2026.

Further, as part of this surface transportation reauthorization package, it is clear that the Committee will engage in discussion on previously-introduced rail safety legislation. Let me take this opportunity to reiterate what I stated in that previous letter: high profile events in recent years, like the derailment and subsequent hazardous materials release in East Palestine, Ohio, have dramatically underlined Americans' vulnerability to systemic railway failures and more must be done to enhance the safety of hazardous materials transportation, improve accident prevention and detection measures, and ensure rail worker safety.

The safety of rail operations in the United States remains an open challenge; from 2023 to present day, the NTSB has launched to the scene of 53 rail accidents and incidents that resulted in 17 fatalities and 10 injuries; 27 of those investigations are worker-related. In fact, the NTSB has increased its number of rail investigations each year and by 33% in 2025 over that of 2024. Despite assertions that 2025 is the safest year yet, according to the Federal Railroad Administration, the number of employee fatalities and the derailment rate per million train miles have remained flat, showing little improvement. In fact, 2025 saw a total number of 9,836 rail accidents and incidents, of which there were 969 fatalities and 6,291 injuries – the NTSB believes that the only acceptable number is zero. Long-standing NTSB recommendations, if implemented, would increase the safety, resilience, and reliability of our railways, and of the supply chains that depend on them.

We applaud the efforts of President Trump, Vice President Vance, and others to champion strong bipartisan legislation to address critical rail safety issues from the devastation that occurred in East Palestine, Ohio, on February 3, 2023, and other NTSB investigations. Our East Palestine investigation resulted in the issuance of safety recommendations that remain open to federal regulators and industry over three years later, which are included as an attachment to this letter. Congress's discussion aligns with many of our recommendations, including those on high-hazard flammable train length and consist, DOT-111 tank car regulations, wayside defect detectors, and other urgent concerns.

The people living in the community of East Palestine, Ohio, and all Americans, deserve no less than a comprehensive approach that addresses these critical rail safety issues in the legislation being considered tomorrow by the Committee. I thank you for your consideration, and please know that I and the NTSB stand ready to assist you in any way possible to improve safety for the American people.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Homendy". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Jennifer Homendy

Chairwoman

**Open NTSB Safety Recommendations to Federal Regulators and Industry
Resulting from the Investigation into the East Palestine Railway Derailment and
Hazardous Materials Release**

- **I-24-01 - TO THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION:** Require that placards be able to survive fires and accidents and remain legible during such emergencies long enough to fulfill their functions as described in the Emergency Response Guidebook.
- **R-24-01 - TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION:** Require the Federal Railroad Administration to issue regulations for inward-facing recorders that include image and audio recordings as recommended by the National Transportation Safety Board in R-24-10 and R-24-11. If necessary, obtain legislative authority to act on this recommendation. (Superseded Safety Recommendation R-19-7; R-24-01 has still not received a response)
- **R-24-02 - TO THE FEDERAL RAILROAD ADMINISTRATION:** Research the effectiveness of current bearing defect detection systems, identify minimum standards to protect railroad personnel and the public, and make public the results of this research.
- **R-24-03 - TO THE FEDERAL RAILROAD ADMINISTRATION:** Use the results of the research described in R-24-2 to develop and establish minimum requirements for bearing defect detection systems, including criteria for bearing alert and alarm thresholds and maximum distances between wayside detectors.
- **R-24-04 - TO THE FEDERAL RAILROAD ADMINISTRATION:** Establish requirements for the installation, inspection, and maintenance of wayside bearing defect detectors to protect the reliability of these devices and improve the safety of railroad operations.
- **R-24-05 - TO THE FEDERAL RAILROAD ADMINISTRATION:** Use the results of the research described in R-24-2 to develop and establish rules governing railroads' operational responses to bearing alerts and alarms.
- **R-24-06 - TO THE FEDERAL RAILROAD ADMINISTRATION:** Monitor the progress of the Association of American Railroads' (AAR) action on R-24-20 and use your regulatory authority to ensure that the AAR addresses weaknesses in its tank car service equipment approval process.
- **R-24-07 - TO THE FEDERAL RAILROAD ADMINISTRATION:** Distribute the public versions of your 2007 vent and burn reports to emergency responder associations, including the International Association of Fire Chiefs, the International Association of Fire Fighters, and the National Volunteer Fire Council.
- **R-24-08 - TO THE FEDERAL RAILROAD ADMINISTRATION:** Update and re publish your 2007 vent and burn reports to include clear instructions to consult the shipper when considering a vent and burn, more comprehensive guidance on what products are candidates for a vent and burn along with what chemical and other hazards may result, and an updated process flow chart incorporating lessons from the East Palestine vent and

burn; the re published reports should identify the questions an incident commander should ask when considering a vent and burn, distinguish the meaning of the answers, and identify the resources necessary to make an informed decision.

- **R-24-09 (Open - Initial Response Received) - TO THE FEDERAL RAILROAD ADMINISTRATION:** Make the updated versions of the 2007 vent and burn reports described in R-24-8 available to emergency responder associations, including the International Association of Fire Chiefs, the International Association of Fire Fighters, and the National Volunteer Fire Council.
- **R-24-10- TO THE FEDERAL RAILROAD ADMINISTRATION:** Require the installation, in all controlling locomotive cabs and cab car operating compartments, of crash and fire protected inward- and outward-facing audio and image recorders capable of providing recordings to verify that train crew actions are in accordance with rules and procedures that are essential to safety as well as train conditions. The devices should have a minimum 12-hour continuous recording capability with recordings that are easily accessible for review, with appropriate limitations on public release, for the investigation of accidents or for use by management in carrying out efficiency testing and systemwide performance monitoring programs. If necessary, obtain legislative authority to act on this recommendation. (Supersedes Safety Recommendation R-10-001)
- **R-24-11- TO THE FEDERAL RAILROAD ADMINISTRATION:** Require that railroads regularly review and use in-cab audio and image recordings (with appropriate limitations on public release), in conjunction with other performance data, to verify that train crew actions are in accordance with rules and procedures that are essential to safety. If necessary, obtain legislative authority to act on this recommendation. (Supersedes safety recommendation R-10-002)
- **R-24-12- TO THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION:** Obtain the necessary legislative authority and accelerate the deadline for removing specification DOT 111 tank cars from flammable liquids service.
- **R-24-13- TO THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION:** Establish a tank car replacement schedule whereby non-pressure tank cars in any hazardous materials service must meet or exceed the safety standards of the DOT-117 specification; if necessary, obtain legislative authority to act on this recommendation.
- **R-24-14- TO THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION:** Revise the definition of high hazard flammable train to account for differences in survivability between tank car specifications and to include hazardous materials other than flammable liquids, such as combustible liquids and Division 2.1 flammable gases, that can contribute to cascading hazardous materials releases; if necessary, obtain legislative authority to act on this recommendation.
- **R-24-15- TO THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION:** Distribute the Federal Railroad Administration's most current

guidance on the vent and burn method to emergency response agencies by referencing it in the next edition of the Emergency Response Guidebook.

- R-24-19 - TO THE ASSOCIATION OF AMERICAN RAILROADS: Develop a database of bearing failures and replacements and make it available to railroads, regulators, and investigators to help determine and address failure risk factors.
- R-24-020 - TO THE ASSOCIATION OF AMERICAN RAILROADS: Revise the Manual of Standards and Recommended Practices, M 1002, Specifications for Tank Cars, to establish criteria and procedures for manufacturers of tank car service equipment to demonstrate compatibility of pressure relief devices and other Association of American Railroads-approved service equipment with intended loadings.
- R-24-21 - TO THE ASSOCIATION OF AMERICAN RAILROADS: Revise the definition of key train in Circular OT-55 to designate as a key train any train containing tank cars transporting hazardous materials that do not meet the DOT-117 standard.
- R-24-22 - TO THE NATIONAL VOLUNTEER FIRE COUNCIL: Identify barriers to adequate fire and emergency response training for volunteer firefighters, particularly for situations where hazardous materials are present, and publish actions states, municipalities, and the private sector can take to provide the flexibility necessary for volunteer firefighters to obtain training.
- R-24-023 - TO THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AND THE NATIONAL VOLUNTEER FIRE COUNCIL: Advise your members of the circumstances of the East Palestine derailment and fire, identify fire departments whose personnel are not trained to the NFPA 1010 standard for professional firefighters, recommend that these departments adopt training that meets this standard, and inform them of funded training opportunities available through private, state, and federal programs.
- R-24-024 - TO THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AND THE NATIONAL VOLUNTEER FIRE COUNCIL: Advise your members of the circumstances surrounding the vent and burn at East Palestine, the importance of obtaining information from the shipper when considering a vent and burn, and the availability of federal guidance on when the vent and burn method may be appropriate.
- R-24-025 - TO THE CHLORINE INSTITUTE: Review and revise Pamphlet 171 to ensure that its safety messages about vinyl chloride monomer polymerization in tank cars are accurate and adequately support determining whether a rail accident poses a risk of polymerization.
- R-24-26 - TO THE CHLORINE INSTITUTE: Review and revise your Chlorine Emergency Plan training and verification programs to ensure that Level 3 contractors possess or can obtain enough technical knowledge of vinyl chloride monomer (VCM) to accurately assess and respond to chemical hazards like polymerization during a VCM incident.

- **R-24-27 - TO THE AMERICAN CHEMISTRY COUNCIL AND THE CHLORINE INSTITUTE: Advise your members of the circumstances of the East Palestine derailment and fire and the need for shippers to ensure their expertise is communicated to and shared with the full incident command.**
- **R-24-32 - TO OXY VINYLS, LP: Update the safety data sheet for vinyl chloride monomer (VCM) to accurately reflect the potential risks of VCM and the hazards that increase such risks.**
- **R-24-33 - TO OXY VINYLS, LP: Develop a policy to ensure that expertise on chemicals manufactured and offered for transportation by Oxy Vinyls is communicated to and shared with the full incident command during transportation accidents or incidents.**