



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: March 8, 2013

In reply refer to: R-13-15

Mr. Mike Futhey
President
United Transportation Union (SMART Union)
24950 Country Club Boulevard, Suite 340
North Olmsted, Ohio 44070-5333

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant accidents in other modes of transportation—railroad, highway, marine, and pipeline. The NTSB determines the probable cause of the accidents and issues safety recommendations aimed at preventing future accidents. In addition, the NTSB carries out special studies concerning transportation safety and coordinates the resources of the federal government and other organizations to provide assistance to victims and their family members affected by major transportation disasters. We are providing the following information to urge the United Transportation Union to take action on the safety recommendation being issued in this letter.

On February 12, 2013, the National Transportation Safety Board (NTSB) adopted its report concerning the September 30, 2010, accident, in which two Canadian National Railway freight trains collided near Two Harbors, Minnesota.¹ Additional information about this accident and the resulting recommendations may be found in the investigation report, which can be accessed at our website, <http://www.nts.gov>, under report number NTSB/RAR-13/01.

As a result of this investigation, the NTSB issued a total of 12 new recommendations, reiterated 4 recommendations, and superseded and classified 2 recommendations to the Federal Railroad Administration, Canadian National Railway, Union Pacific Railroad, Canadian Pacific Railway Limited, Kansas City Southern Railway Company, Norfolk Southern Railroad, American Short Line and Regional Railroad Association, BNSF Railway, and the Brotherhood of Locomotive Engineers and Trainmen, including 1 recommendation to the United Transportation Union:

¹ For more information, see *Collision of Two Canadian National Railway Freight Trains near Two Harbors, Minnesota, September 30, 2010*, Railroad Summary Report NTSB/RAR-13/01 (Washington, DC: National Transportation Safety Board, 2013), available online at <http://www.nts.gov>.

R-13-15

Work with the Canadian National Railway and the Brotherhood of Locomotive Engineers and Trainmen, to develop and implement a nonpunitive peer audit program for the Canadian National Railway's North Division, focused on rule compliance and operational safety.

This safety recommendation is derived from the NTSB's investigation and is consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in this recommendation.

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

By: [Original Signed]
Deborah A.P. Hersman
Chairman