



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: March 8, 2013

In reply refer to: R-13-16

Mr. E. Hunter Harrison
President, CEO, and Director
Canadian Pacific Railway Limited
Gulf Canada Square
401 9 Avenue SW
Suite 500
Calgary, Alberta T2P 4Z4
Canada

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 Canadian Pacific Railway Limited 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As a result of this investigation, the NTSB issued a total of 12 new recommendations, reiterated 4 recommendations, and superseded and classified 2 recommendations to the Federal Railroad Administration, Canadian National Railway, Union Pacific Railroad, Kansas City Southern Railway Company, Norfolk Southern Railroad, American Short Line and Regional

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>.

Railroad Association, BNSF Railway, the Brotherhood of Locomotive Engineers and Trainmen, and the United Transportation Union, including 1 recommendation to Canadian Pacific Railway Limited:

R-13-16

Discontinue the use of after-arrival track authorities for train movements in nonsignaled territory not equipped with a positive train control system.

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