



# National Transportation Safety Board

Washington, DC 20594

## Safety Recommendation

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**Date:** August 26, 2014

**In reply refer to:** R-14-31

Mr. Harold J. Wirths  
Commissioner  
New Jersey Department of Labor  
and Workforce Development  
1 John Fitch Plaza  
PO Box 110  
Trenton, NJ 08625-0110

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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 New Jersey Department of Labor and Workforce Development to take action on the safety recommendation being issued in this letter.

On July 29, 2014, the NTSB adopted its report concerning the November 30, 2012, accident, in which a Consolidated Rail Corporation train containing hazardous materials derailed, spilling vinyl chloride into Mantua Creek in Paulsboro, New Jersey.<sup>1</sup> Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, <http://www.nts.gov>, under report number RAR-14/01.

As a result of this investigation, the NTSB reiterated Safety Recommendations R-12-03, R-07-02, and R-07-04 and issued 20 new recommendations, including one to the

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<sup>1</sup> *Conrail Freight Train Derailment with Vinyl Chloride Release, Paulsboro, New Jersey, November 30, 2012, Railroad Accident Report NTSB/RAR-14/01* (Washington, DC: NTSB, 2014).

Consolidated Rail Corporation, one to the US Department of Transportation, three to the Federal Railroad Administration, four to the Pipeline and Hazardous Materials Safety Administration, two to the Association of American Railroads, two to the American Short Line and Regional Railroad Association, one to the International Association of Fire Chiefs, one to the National Volunteer Fire Council, two to the New Jersey State Police Office of Emergency Management, one to the New Jersey Bureau of Fire Department Services, one to the New Jersey Department of Health and the following recommendation to the New Jersey Department of Labor and Workforce Development:

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Develop an emphasis program that incorporates enforcement and outreach activities to ensure New Jersey state and local public sector employee compliance with the *Hazardous Waste Operations and Emergency Response* regulations.

This safety recommendation is derived from the NTSB's investigation and is consistent with the evidence we found and the analysis we performed. Acting 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](mailto:correspondence@ntsb.gov). If it exceeds 10 megabytes, including attachments, please e-mail us at the same address for instructions. Please do not submit both an electronic copy and a hard copy of the same response.

[Original Signed]

By: Christopher A. Hart,  
Acting Chairman