



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: March 8, 2013

In reply refer to: R-13-5 through -8 (New)
R-06-10 and R-12-17
(Reiteration)
R-10-1 and -2 (Reclassification)

The Honorable Joseph C. Szabo
Administrator
Federal Railroad Administration
Washington, DC 20590

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As a result of this investigation, the NTSB issued a total of 12 new recommendations, reiterated 4 recommendations, and superseded and classified 2 recommendations. Other entities issued recommendations include: 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, the Brotherhood of Locomotive Engineers and Trainmen, and the United Transportation Union. The NTSB reiterated Safety Recommendations R-06-10 and R-12-17, superseded and classified Safety Recommendations R-10-1 and R-10-2, and issued four new recommendations to the Federal Railroad Administration (FRA):

R-13-5

Identify, and require railroads to use in locomotive cabs, technology-based solutions that detect the presence of signal-emitting portable electronic devices and that inform the railroad management about the detected devices in real time.

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-13-06

Incorporate the use of handheld signal detection devices to aid in the enforcement of Title 49 *Code of Federal Regulations* Part 220 Subpart C.

R-13-7

Require railroads to implement initial and recurrent crew resource management training for train crews.

R-13-8

Conduct an audit of the Canadian National Railway's North Division program of operational tests and inspections to evaluate their effectiveness for promoting knowledge and compliance with rules regarding the execution of track authorities and the appropriate use of portable electronic devices.

The NTSB also reiterated Safety Recommendations R-06-10 and R-12-17 previously issued to the FRA:

R-06-10

Prohibit the use of after-arrival track warrants for train movements in dark (non-signaled) territory not equipped with a positive train control system.

R-12-17

Establish an ongoing program to monitor, evaluate, report on, and continuously improve fatigue management systems implemented by operating railroads to identify, mitigate, and continuously reduce fatigue-related risks for personnel performing safety-critical tasks, with particular emphasis on biomathematical models of fatigue.

The NTSB also superseded and classified Safety Recommendations R-10-1 and R-10-2 to the FRA:

R-10-1

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 operating 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.

This safety recommendation is now classified “Open—Unacceptable Response.”

R-10-2

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.

This safety recommendation is now classified “Open—Unacceptable Response.”

These safety recommendations are derived from the NTSB’s investigation and are consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations.

The NTSB is vitally interested in these recommendations because they are 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 them. When replying, please refer to the safety recommendations by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

By: [Original Signed]
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Chairman