

December 17, 2020

Mr. Ian Jefferies  
President and Chief Executive Officer  
Association of American Railroads

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. We determine the probable cause of the accidents and issue safety recommendations aimed at preventing future accidents. In addition, we carry out special studies concerning transportation safety and coordinate the resources of the federal government and other organizations to provide assistance to victims and their family members affected by major transportation disasters.

The attached letter from the NTSB Chairman provides information about the NTSB's December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendation may be found in the attached report, which can also be accessed at <http://www.nts.gov>. For more information about NTSB and our recommendation process, please see the attached one-page summary.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendation by number (for example, R-20-27). We encourage you to submit your response to [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov). If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

All communications regarding safety recommendations will be stored by the NTSB and viewable by the public. Please do not send privileged or confidential communications in response to this recommendation. Responses marked as confidential or privileged (or similar designations) will be considered nonresponsive. If you have concerns about this protocol, please contact us at [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov).



Executive Secretariat  
Office of the Managing Director  
National Transportation Safety Board  
490 L'Enfant Plaza SW  
Washington, DC 20594  
Email: [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov)



Office of the Chairman

## National Transportation Safety Board

Washington, DC 20594

December 17, 2020

Mr. Ian Jefferies  
President and Chief Executive Officer  
Association of American Railroads  
425 3rd St., SW  
Washington, DC 20024

Dear Mr. Jefferies:

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. We determine the probable cause of the accidents and issue safety recommendations aimed at preventing future accidents. In addition, we carry out special studies concerning transportation safety and coordinate the resources of the federal government and other organizations to assist victims and their family members affected by major transportation disasters.

We are providing the following information to urge the Association of American Railroads to act on the safety recommendation in this letter because we believe your organization can help reduce the risk of future accidents. For more information about the NTSB and our recommendation process, please see the attached one-page summary.

This letter also includes information about our December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- The placement of DOT-111 tank cars in high hazard flammable trains to minimize the risk of derailment and tank car breach.
- The use of buffer cars for the protection of train crews from hazardous materials releases.

Accordingly, the NTSB makes the following safety recommendation to the Association of American Railroads, the American Short Line and Regional Railroad Association, and the Renewable Fuels Association. Additional information regarding this recommendation can be found in the report.

- Develop and adopt guidelines and recommended practices for the systematic placement of the most vulnerable tank cars in high hazard flammable trains, such as unmodified US Department of Transportation-111 tank cars, in positions of trains where they are least likely to derail or to sustain mechanical damage from the effects of trailing tonnage or collision in an accident. (R-20-27)

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement this recommendation. When replying, please refer to the safety recommendation by number (Safety Recommendation R-20-27). We encourage you to submit your response to [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov). If your reply, including attachments, exceeds 20 megabytes, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

All communications regarding safety recommendations are stored by the NTSB and viewable by the public. Please do not send privileged or confidential communications in response to this recommendation. Responses marked as confidential or privileged (or similar designations) will be considered nonresponsive. In the likely event that your company uses auto-generated and/or preformatted confidentiality statements on letterhead or outgoing e-mails, please include a statement in your letter indicating that the information can be publicly released. If you have concerns about this protocol, please contact us at [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov).

Sincerely,

[Original Signed]

Robert L. Sumwalt, III  
Chairman

December 17, 2020

Mr. Chuck Baker  
President  
American Short Line and Regional Railroad Association

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. We determine the probable cause of the accidents and issue safety recommendations aimed at preventing future accidents. In addition, we carry out special studies concerning transportation safety and coordinate the resources of the federal government and other organizations to provide assistance to victims and their family members affected by major transportation disasters.

The attached letter from the NTSB Chairman provides information about the NTSB's December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendation may be found in the attached report, which can also be accessed at <http://www.nts.gov>. For more information about NTSB and our recommendation process, please see the attached one-page summary.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendation by number (for example, R-20-27). We encourage you to submit your response to [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov). If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

All communications regarding safety recommendations will be stored by the NTSB and viewable by the public. Please do not send privileged or confidential communications in response to this recommendation. Responses marked as confidential or privileged (or similar designations) will be considered nonresponsive. If you have concerns about this protocol, please contact us at [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov).



Executive Secretariat  
Office of the Managing Director  
National Transportation Safety Board  
490 L'Enfant Plaza SW  
Washington, DC 20594  
Email: [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov)



Office of the Chairman

# National Transportation Safety Board

Washington, DC 20594

December 17, 2020

Mr. Chuck Baker  
President  
American Short Line and Regional Railroad Association  
50 F St., NW  
Suite 500  
Washington, DC 20001

Dear Mr. Baker:

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. We determine the probable cause of the accidents and issue safety recommendations aimed at preventing future accidents. In addition, we carry out special studies concerning transportation safety and coordinate the resources of the federal government and other organizations to assist victims and their family members affected by major transportation disasters.

We are providing the following information to urge the American Short Line and Regional Railroad Association to act on the safety recommendation in this letter because we believe your organization can help reduce the risk of future accidents. For more information about the NTSB and our recommendation process, please see the attached one-page summary.

This letter also includes information about our December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- The placement of DOT-111 tank cars in high hazard flammable trains to minimize the risk of derailment and tank car breach.
- The use of buffer cars for the protection of train crews from hazardous materials releases.

Accordingly, the NTSB makes the following safety recommendation to the Association of American Railroads, the American Short Line and Regional Railroad Association, and the

Renewable Fuels Association. Additional information regarding this recommendation can be found in the report.

- Develop and adopt guidelines and recommended practices for the systematic placement of the most vulnerable tank cars in high hazard flammable trains, such as unmodified US Department of Transportation-111 tank cars, in positions of trains where they are least likely to derail or to sustain mechanical damage from the effects of trailing tonnage or collision in an accident. (R-20-27)

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement this recommendation. When replying, please refer to the safety recommendation by number (Safety Recommendation R-20-27). We encourage you to submit your response to [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov). If your reply, including attachments, exceeds 20 megabytes, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

All communications regarding safety recommendations are stored by the NTSB and viewable by the public. Please do not send privileged or confidential communications in response to this recommendation. Responses marked as confidential or privileged (or similar designations) will be considered nonresponsive. In the likely event that your company uses auto-generated and/or preformatted confidentiality statements on letterhead or outgoing e-mails, please include a statement in your letter indicating that the information can be publicly released. If you have concerns about this protocol, please contact us at [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov).

Sincerely,

[Original Signed]

Robert L. Sumwalt, III  
Chairman

December 17, 2020

Mr. Geoff Cooper  
President and Chief Executive Officer  
Renewable Fuels Association

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. We determine the probable cause of the accidents and issue safety recommendations aimed at preventing future accidents. In addition, we carry out special studies concerning transportation safety and coordinate the resources of the federal government and other organizations to provide assistance to victims and their family members affected by major transportation disasters.

The attached letter from the NTSB Chairman provides information about the NTSB's December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendation may be found in the attached report, which can also be accessed at <http://www.nts.gov>. For more information about NTSB and our recommendation process, please see the attached one-page summary.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendation by number (for example, R-20-27). We encourage you to submit your response to [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov). If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

All communications regarding safety recommendations will be stored by the NTSB and viewable by the public. Please do not send privileged or confidential communications in response to this recommendation. Responses marked as confidential or privileged (or similar designations) will be considered nonresponsive. If you have concerns about this protocol, please contact us at [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov).



Executive Secretariat  
Office of the Managing Director  
National Transportation Safety Board  
490 L'Enfant Plaza SW  
Washington, DC 20594  
Email: [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov)



Office of the Chairman

# National Transportation Safety Board

Washington, DC 20594

December 17, 2020

Mr. Geoff Cooper  
President and Chief Executive Officer  
Renewable Fuels Association  
16024 Manchester Rd.  
Suite 101  
Ellisville, MO 63011

Dear Mr. Cooper:

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. We determine the probable cause of the accidents and issue safety recommendations aimed at preventing future accidents. In addition, we carry out special studies concerning transportation safety and coordinate the resources of the federal government and other organizations to assist victims and their family members affected by major transportation disasters.

We are providing the following information to urge the Renewable Fuels Association to act on the safety recommendation in this letter because we believe your organization can help reduce the risk of future accidents. For more information about the NTSB and our recommendation process, please see the attached one-page summary.

This letter also includes information about our December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- The placement of DOT-111 tank cars in high hazard flammable trains to minimize the risk of derailment and tank car breach.
- The use of buffer cars for the protection of train crews from hazardous materials releases.

Accordingly, the NTSB makes the following safety recommendation to the Association of American Railroads, the American Short Line and Regional Railroad Association, and the Renewable Fuels Association. Additional information regarding this recommendation can be found in the noted sections of the report.

- Develop and adopt guidelines and recommended practices for the systematic placement of the most vulnerable tank cars in high hazard flammable trains, such as unmodified US Department of Transportation-111 tank cars, in positions of trains where they are least likely to derail or to sustain mechanical damage from the effects of trailing tonnage or collision in an accident. (R-20-27)

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement this recommendation. When replying, please refer to the safety recommendation by number (Safety Recommendation R-20-27). We encourage you to submit your response to [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov). If your reply, including attachments, exceeds 20 megabytes, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

All communications regarding safety recommendations are stored by the NTSB and viewable by the public. Please do not send privileged or confidential communications in response to this recommendation. Responses marked as confidential or privileged (or similar designations) will be considered nonresponsive. In the likely event that your company uses auto-generated and/or preformatted confidentiality statements on letterhead or outgoing e-mails, please include a statement in your letter indicating that the information can be publicly released. If you have concerns about this protocol, please contact us at [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov).

Sincerely,

[Original Signed]

Robert L. Sumwalt, III  
Chairman

December 17, 2020

The Honorable Ronald Batory  
Administrator  
Federal Railroad Administration

The attached letter from the NTSB Chairman provides information about the NTSB's December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendation may be found in the attached report, which can also be accessed at <http://www.nts.gov>. For more information about NTSB and our recommendation process, please see the attached one-page summary.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendation by number (for example, R-17-03). We encourage you to submit your response to [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov). If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

All communications regarding safety recommendations will be stored by the NTSB and viewable by the public. Please do not send privileged or confidential communications in response to this recommendation. Responses marked as confidential or privileged (or similar designations) will be considered nonresponsive. If you have concerns about this protocol, please contact us at [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov).



Executive Secretariat  
Office of the Managing Director  
National Transportation Safety Board  
490 L'Enfant Plaza SW  
Washington, DC 20594  
Email: [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov)



Office of the Chairman

## National Transportation Safety Board

Washington, DC 20594

December 17, 2020

The Honorable Ronald Batory  
Administrator  
Federal Railroad Administration  
1200 New Jersey Ave., SE  
Washington, DC 20590

Dear Administrator Batory:

This letter provides information about the National Transportation Safety Board's (NTSB) December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- The placement of DOT-111 tank cars in high hazard flammable trains to minimize the risk of derailment and tank car breach.
- The use of buffer cars for the protection of train crews from hazardous materials releases.

Accordingly, the NTSB reiterates the following recommendation to the Federal Railroad Administration:

- Evaluate the risks posed to train crews by hazardous materials transported by rail, determine the adequate separation distance between hazardous materials cars and locomotives and occupied equipment that ensures the protection of train crews during both normal operations and accident conditions, and collaborate with the Pipeline and Hazardous Materials Safety Administration to revise 49 *Code of Federal Regulations* 174.85 to reflect those findings. (R-17-03)

Safety Recommendation R-17-03 is classified "Open—Acceptable Response."

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement this recommendation. When replying, please refer to the safety recommendation by number (Safety Recommendation R-17-03). We encourage you to submit your response to [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov). If your

reply, including attachments, exceeds 20 megabytes, 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.

Sincerely,

[Original Signed]

Robert L. Sumwalt, III  
Chairman

December 17, 2020

The Honorable Howard “Skip” Elliott  
Administrator  
Pipeline and Hazardous Materials Safety Administration

The attached letter from the NTSB Chairman provides information about the NTSB’s December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendation may be found in the attached report, which can also be accessed at <http://www.nts.gov>. For more information about NTSB and our recommendation process, please see the attached one-page summary.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendation by number (for example, R-17-01 and -02). We encourage you to submit your response to [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov). If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

All communications regarding safety recommendations will be stored by the NTSB and viewable by the public. Please do not send privileged or confidential communications in response to this recommendation. Responses marked as confidential or privileged (or similar designations) will be considered nonresponsive. If you have concerns about this protocol, please contact us at [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov).



Executive Secretariat  
Office of the Managing Director  
National Transportation Safety Board  
490 L’Enfant Plaza SW  
Washington, DC 20594  
Email: [ExecutiveSecretariat@nts.gov](mailto:ExecutiveSecretariat@nts.gov)



Office of the Chairman

## National Transportation Safety Board

Washington, DC 20594

December 17, 2020

The Honorable Howard “Skip” Elliott  
Administrator  
Pipeline and Hazardous Materials Safety Administration  
1200 New Jersey Ave., SE  
Washington, DC 20590

Dear Administrator Elliott:

This letter provides information about the National Transportation Safety Board’s (NTSB) December 2, 2020, report *Placement of DOT-111 Tank Cars in High Hazard Flammable Trains and the Use of Buffer Cars for the Protection of Train Crews*, RSR-20/01. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- The placement of DOT-111 tank cars in high hazard flammable trains to minimize the risk of derailment and tank car breach.
- The use of buffer cars for the protection of train crews from hazardous materials releases.

In the same report, we discussed the August 7, 2020, letter from the Pipeline and Hazardous Materials Safety Administration to the NTSB and classified two previously issued safety recommendations to the Pipeline and Hazardous Materials Safety Administration:

- Evaluate the risks posed to train crews by hazardous materials transported by rail, determine the adequate separation distance between hazardous materials cars and locomotives and occupied equipment that ensures the protection of train crews during both normal operations and accident conditions, and collaborate with the Federal Railroad Administration to revise 49 *Code of Federal Regulations* 174.85 to reflect those findings. (R-17-01)

Safety Recommendation R-17-01 is classified “Open—Acceptable Response.”

- Pending completion of the risk evaluation and action in accordance with its findings prescribed in Safety Recommendation R-17-01, withdraw regulatory interpretation 06-0278 that pertains to 49 *Code of Federal Regulations* 174.85 for positioning placarded railcars in a train and require that all trains have a minimum

of five nonplacarded cars between any locomotive or occupied equipment and the nearest placarded car transporting hazardous materials, regardless of train length and consist. (R-17-02)

Safety Recommendation R-17-02 is classified “Open—Unacceptable Response.”

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendations by number (Safety Recommendations R-17-01 and -02). We encourage you to submit your response to [ExecutiveSecretariat@ntsb.gov](mailto:ExecutiveSecretariat@ntsb.gov). If your reply, including attachments, exceeds 20 megabytes, 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.

Sincerely,

[Original Signed]

Robert L. Sumwalt, III  
Chairman