NATIONAL TRANSPORTATION SAFETY BOARD
Investigative Hearing

Norfolk Southern Railway general merchandise freight train 32N derailment with subsequent hazardous material release and fires, in East Palestine, Ohio, on February 3, 2023

GROUP	A
EXHIBIT	
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Agency / Organization

Association of American Railroads

Title

Statement for the Record – Ken Dorsey

STATEMENT OF KEN DORSEY

EXECUTIVE DIRECTOR OF TANK CAR SAFETY

BEFORE THE NATIONAL TRANSPORTATION SAFETY BOARD

INVESTIGATIVE HEARING ON FEB. 3 NORFOLK SOUTHERN RAILWAY TRAIN DERAILMENT IN EAST PALESTINE, OH.

JUNE 23, 2023

Association of American Railroads

425 Third Street SW

Washington, DC 20024

202-639-2100

Introduction

Thank you for the opportunity to appear on behalf the Association of American Railroads. As Mike Rush stated earlier today, one of AAR's functions is to issue standards governing rolling stock. The earliest industry freight car standards were, in fact, tank car standards, dating back 120 years to an AAR predecessor organization.

Tank car safety is a shared responsibility between railroads, rail customers and federal safety regulators. These specialty cars are used to transport hazardous materials that are used in everything from manufacturing to water purification. While railroads are responsible for the safe shipment of these goods, customers who own more than 99.9% of the 400,000 active tank car fleet also play a vital role in the safe transport of these goods.

Although tank car standards originated with the railroad industry, eventually tank car standards were also regulated by the Interstate Commerce Commission and then by the Department of Transportation. However, AAR's role in setting tank car standards did not cease with the adoption of federal regulations. AAR continues to set voluntary tank car safety standards that go over and above (and often precede by many years) federal requirements, with many of AAR's standards incorporated by reference in the federal regulations.

AAR helped lead the charge for DOT regulations requiring new, tougher tank car standards for hazmat materials including flammable liquids like crude oil. Long before the federal phase out was approved, the industry proactively required thicker shells and improved top fittings among other enhancements to improve performance, through the industry's interchange standards. As the phase out nears completion, crude oil and ethanol are no longer moved in DOT-111 cars.

Many of the tank car features that have enhanced the safety of flammable liquid transportation have long been in place for flammable gases, such as vinyl chloride.

AAR's tank car standards are developed by AAR's Tank Car Committee, which includes representation not only from the railroad industry, but also the tank car industry. Government representatives, while not formally on the Tank Car Committee, also actively participate in Committee deliberations, including representatives from the Pipeline and Hazardous Materials Administration, the Federal Railroad Administration, and the Department of Transportation's Canadian equivalent, Transport Canada, as well as the NTSB and its Canadian counterpart, the Transportation Safety Board of Canada.

In addition to developing standards for the design of tank cars, AAR audits and certifies facilities that manufacture and repair tank cars. AAR's audit program is separate from any inspections performed by federal safety regulators. AAR audits and certifies facilities both for compliance with technical standards and to confirm compliance with AAR-required quality assurance programs for manufacturing processes.

I would be remiss if I didn't mention AAR's partnership with the Railway Supply Institute in the RSI-AAR Railroad Tank Car Safety Research and Test Project. RSI represents the tank car industry. Through the Project, RSI and AAR have engaged in important tank car research for many years, using the Project's unparalleled database of 50 years of tank car

accident data. One important area of study has been evaluating the effect of various tank car features on the probability of a release should an accident occur. This program has yielded significant safety improvements that are reflected in modifications to existing tank cars, construction of new tanks cars with improved designs, and quantitative decision-making tools such as risk analyses and cost benefit analysis. Research by the Safety Project has led to now-common tank car safety features, including head shields, shelf-couplers, and thermal protection on tank cars carrying hazardous materials.

I look forward to contributing to the panel's discussion today. Thank you.