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Congress of the United States
House of Representatives
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COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE
WATER RESOURCES AND ENVIRONMENT
(VICE RANKING MEMBER)
HIGHWAYS AND TRANSIT

COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY
RESEARCH AND TECHNOLOGY

June 27, 2024

The Honorable Sam Graves
Chairman, Committee on
Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Troy Nehls
Chairman, Subcommittee on Railroads,
Pipelines and Hazardous Materials
1104 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Graves and Chairman Nehls:

We write today to again request a Transportation & Infrastructure Committee hearing on rail safety.¹

On February 3, 2023 a Norfolk Southern train carrying hazardous materials, among other freight, derailed 38 railcars in East Palestine, Ohio. Three tank cars carrying flammable and combustible hazardous materials were mechanically breached during the derailment. A fire ignited during the derailment and grew to involve lading released from these three mechanically breached tank cars, additional derailed tank cars carrying both hazardous and non-hazardous materials, and freight cars.² First responders implemented a one-mile evacuation zone surrounding the derailment site that affected nearly 2,000 residents.³ While there were no fatalities, the citizens of East Palestine have endured physical, mental, emotional and financial impacts from this derailment.

This week, the National Transportation Safety Board (NTSB) held a hearing to share the findings, probable cause, and policy recommendations from their year and a half long investigation into the derailment. This investigation confirmed that the probable cause of the derailment was a defective wheel bearing that overheated. NTSB also provided detailed policy recommendations on how to address rail safety and close regulation gaps.⁴

¹ Representative Emilia Sykes wrote a letter on February 16, 2023 to request a hearing on the Norfolk Southern derailment that occurred in East Palestine, Ohio. Ranking Member Rick Larsen supported a rail safety hearing at the March 8 Railroads, Pipelines, and Hazardous Materials Subcommittee hearing and repeated the request for a rail safety hearing at the May 11 Railroads, Pipelines, and Hazardous Materials Subcommittee hearing. Representative Emilia Sykes has continued to request a hearing on the derailment at subsequent Committee hearings.

² National Transportation Safety Board, East Palestine Board Meeting Summary with Amendments (2024). Retrieved June 26, 2024

³ National Transportation Safety Board, East Palestine Board Meeting Summary with Amendments (2024). Retrieved June 26, 2024

⁴ National Transportation Safety Board, East Palestine Board Meeting Summary with Amendments (2024). Retrieved June 26, 2024

In light of these developments, we again request the Committee hold a hearing on rail safety to determine how to best protect our communities from derailment disasters. Previously, the Committee stated they would wait to hold a hearing until after the NTSB's investigation had concluded. Now that the investigation is complete, the Committee must act on policy that will improve rail safety, ensure hazardous materials are transported safely, and hold Norfolk Southern accountable for the trauma they have inflicted on the residents of East Palestine.

We also urge that Alan Shaw, President and CEO of Norfolk Southern, be called before the full Transportation and Infrastructure Committee to answer questions regarding the derailment in East Palestine and Norfolk Southern's participation in the NTSB investigation. NTSB Board Chair Jennifer Homendy's Closing Remarks at yesterday's NTSB hearing reveal a startling pattern of manipulation and destruction of investigation evidence, dishonesty towards investigators, and disregard for basic investigatory ethics that raise serious questions about the motivations behind Norfolk Southern's actions during and after the derailment.⁵ It is imperative that the Committee have the opportunity to question Mr. Shaw on the company's actions.

The House Committee on Transportation and Infrastructure must meet its responsibility to conduct critical oversight of the rail industry by holding a hearing on rail safety immediately.

Sincerely,



Emilia Strong Sykes
Member of Congress



Nikema Williams
Member of Congress

⁵ YouTube. (2024, June 25). NTSB board meeting: Norfolk Southern train derailment with subsequent Hazmat release & fires. YouTube. https://www.youtube.com/watch?v=Itra5ny_nQ8