



Dear Senator Capito,

We, the undersigned organizations, urge you to sponsor the bipartisan Railway Safety Act of 2023. The chemical release resulting from Norfolk Southern's train derailment in East Palestine, OH brought national attention to the necessity of better railway safety procedures to reduce the likelihood of future rail incidents, reduce injury to rail workers and establish better emergency response if disaster strikes.

The March 8, 2023 derailment of a CSX train in the heart of the New River Gorge National Park and Preserve injured three crew members and spilled 10-20,000 gallons of diesel fuel and lubricating oil into the New River, forcing West Virginia American Water to shut off their drinking water intake downstream. This, along with the CSX derailment and explosion in Mount Carbon, WV in 2015, elevates rail safety as a national issue of utmost importance to West Virginians.

The Rail Safety Improvement Act of 2023 would:

- Enhance safety procedures for trains carrying hazardous materials;
- Increase rail car inspections to ensure that all rail cars on trains carrying hazardous materials are inspected by a qualified rail car inspector at regular intervals
- Require well-trained two-person crews aboard every train;
- Increase the maximum fine USDOT can issue for safety violations;
- Expand HAZMAT training grants for local law enforcement and first responders;
- Fund the Federal Railroad Administration for research and development of wayside defect detectors and other rail priorities; and
- Fund the Pipeline and Hazardous Materials Safety Administration to develop stronger tank car safety features.

In consideration for the wellbeing of rail workers, we also urge you to advocate for additional provisions to protect worker safety:

- Proper and universally defined training standards for all rail employees;
- Adequate staffing levels for both operating and non-operating crafts that would ensure adequate time off work and mitigate against fatigue;
- Predictable and defined work and rest periods; and
- Sick leave provisions that would enhance safety and health on and off the job.

Further, we implore adoption of the National Transportation Safety Board's recommendation for mandated implementation of electronically controlled pneumatic (ECP) braking systems across the industry.

These are all much needed measures to protect public health, worker wellbeing, and the safety of our communities near railroads as well as conservation of the streams and natural wonders that we cherish in West Virginia. We urge you to sponsor this Act.

Signed,

Angie Rosser
Executive Director
WV Rivers Coalition

Dr. Elizabeth Underwood
Executive Director
New River Conservancy