

Guest Column: East Palestine Derailment Reveals a Lot of What Is Wrong With Our Politics

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The derailment of a Norfolk Southern train carrying hazardous material in East Palestine, Ohio, is a social and environmental disaster that can potentially ruin lives (although, thankfully, none were lost). Yet, the political response has been just as disastrous for our discourse.

Far too many have seemed primarily interested in point-scoring. Now, the rush to judgment threatens to impose harmful legislation.

Take Transportation Secretary Pete Buttigieg. As the scale of the disaster became clear, and Republicans made a big deal over his seeming non-response, he rolled out a series of talking points that had little to do with the accident and more with advancing long-standing grievances.

Among these was the idea that rail deregulation had fed corporate greed and led to that great evil, lobbying. Buttigieg accused rail companies of opposing “common-sense safety regulations.”

However, the regulations the secretary is referring to, which were about mandating advanced braking systems, went through the appropriate procedure and were found not to be justified. A review mandated by

Congress in the FAST Act found that the “expected costs of requiring (advanced) brakes would be significantly higher than the expected benefits of the requirement.”

While cost-benefit analysis is not perfect, when a cost-to-benefit ratio comes out at around 3 to 1, as it did in this case, there is no justification for a rule. The rule was accordingly dropped.

To add frosting on this cake of disingenuity, the chair of the National Transportation Safety Board, Jennifer Hommendy, one of the few people to come out of this affair with an enhanced reputation, called the idea that the rule in question would have prevented the accident emphatically “FALSE.” It would not have applied to this train, even if it was still in place.

On the right, leaving aside the cavalcade of former president Donald Trump distributing bottled water at the scene even as national, state and local officials were insisting water was safe to drink, two Republican senators found themselves repeating labor union talking points. In a letter to Buttigieg, Republican senators Marco Rubio of Florida and J.D. Vance of Ohio focused on “precision scheduled railroading” (PSR) and its supposed deleterious effects on rail safety.

PSR has become a widely used term without anyone knowing what it means. At its simplest, PSR is a means of running trains with more cars according to a more defined timetable, resulting in quicker transportation and reduced costs for shippers and consumers. It is a result of railroads investing in better operations management. Nor has its adoption by many railroads led to any decrease in safety. Derailments and other accidents have fallen in recent years (an increase in fatalities is purely down to more trespassers on rail tracks).

What about this accident? Could it be laid at the feet of PSR and a drive for “efficiency” over safety? No. Norfolk Southern has bucked the trend toward PSR and has gone in a different direction. There is no credible way to blame this accident on PSR.

Labor unions, meanwhile, said that the accident shows that their calls for a minimum of two personnel per train should be heeded. This train, in fact, had three staff on board — two crew and one trainee. They did everything required of them, and Hommendy has gone on record as saying that they did nothing wrong.

So, even with two crew members, this accident happened. Repeated studies by the Department of Transportation have shown no evidence that two-person crews are safer than one-person crews.

This rush to judgment on all sides has coalesced into a hasty piece of bipartisan legislation sponsored by Vance and Ohio Democratic senator Sherrod Brown. The “Railway Safety Act of 2023” lumps many reforms together that may or may not have helped in East Palestine’s case, including mandating two-person crews. It will raise costs and increase times for rail shipments, which will probably cause a lot of shippers to switch to trucks instead — and we know that trucking hazardous materials is far more dangerous than sending them by rail.

The NTSB initial report zeroes in on an overheated bearing as the likely cause of the accident and promises further investigation of the design of the tanks that carried the hazardous materials that had to be burned off

and whether or not that was an appropriate response.

These areas need to be studied by serious investigators and experts. Far from their caricature, rail companies will be waiting on every finding. Running an unsafe railroad is bad for business. In the meantime, we should do better to ignore the posturing of opportunists.

ABOUT THE WRITER

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