

U.S. Freight Railroads Hesitate to Join Safety Program After Ohio Derailment

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More than two years after the 2023 East Palestine, Ohio, derailment, major U.S. freight railroads have yet to fully adopt the federal Confidential Close Call Reporting System (C³RS), a program designed to prevent accidents and improve rail safety. The derailment, which released hazardous chemicals and forced widespread evacuations, brought

national attention to the risks of transporting dangerous goods by rail and highlighted the need for proactive safety measures.

C³RS allows railroad employees to confidentially report near-misses and unsafe practices without fear of disciplinary action. The program, overseen by NASA in cooperation with the Federal Railroad Administration, has parallels in aviation, where similar reporting systems have reduced accidents and fostered a culture of safety. Amtrak and several regional and passenger rail lines have implemented C³RS.

Despite these examples, none of the six major Class I freight railroads have joined the system. BNSF and Norfolk Southern have conducted limited pilot programs, but broader adoption has stalled amid resistance. Executives argue that the program may allow repeat safety violations to go unpunished and that the process adds administrative burdens without guaranteed benefits. A federal working group formed to address concerns later disbanded, leaving the program's expansion uncertain.

Advocates say the refusal to join C³RS reflects a punitive safety culture within major rail companies and leaves the public at continued risk, especially given frequent shipments of hazardous materials through communities. They argue that confidential reporting could prevent future disasters by identifying risks before they escalate into major incidents. With millions of tons of hazardous materials moving through U.S. communities each year, advocates stress that the stakes are high, and proactive measures are essential to protect workers and the public.

The East Palestine derailment remains a key case study in the consequences of lapses in rail safety. Investigations revealed that minor issues preceding the accident were not effectively addressed, and critics

say a reporting system like C³RS could have alerted supervisors to the risks sooner. While regulatory agencies have tightened some oversight and implemented new safety protocols, voluntary participation in C³RS could significantly enhance preventative measures by encouraging transparency and accountability within the workforce.

Opponents of mandatory participation argue that the program could create legal and operational complications, potentially penalizing companies for anonymous reports that may not be verified. They caution that C³RS might be misused, leading to disputes or challenges that slow decision-making in day-to-day operations. However, proponents counter that these risks are outweighed by the potential to prevent injuries, fatalities, and environmental damage.

The debate over C³RS highlights a wider tension in U.S. rail operations: balancing operational efficiency and accountability with safety innovation. As the industry continues to handle increasing volumes of hazardous materials, the decisions made by Class I railroads regarding participation in confidential reporting programs could determine whether future accidents are avoided or repeated. The discussion remains ongoing, with rail employees, regulators, and communities awaiting stronger commitments to safety culture and transparency.