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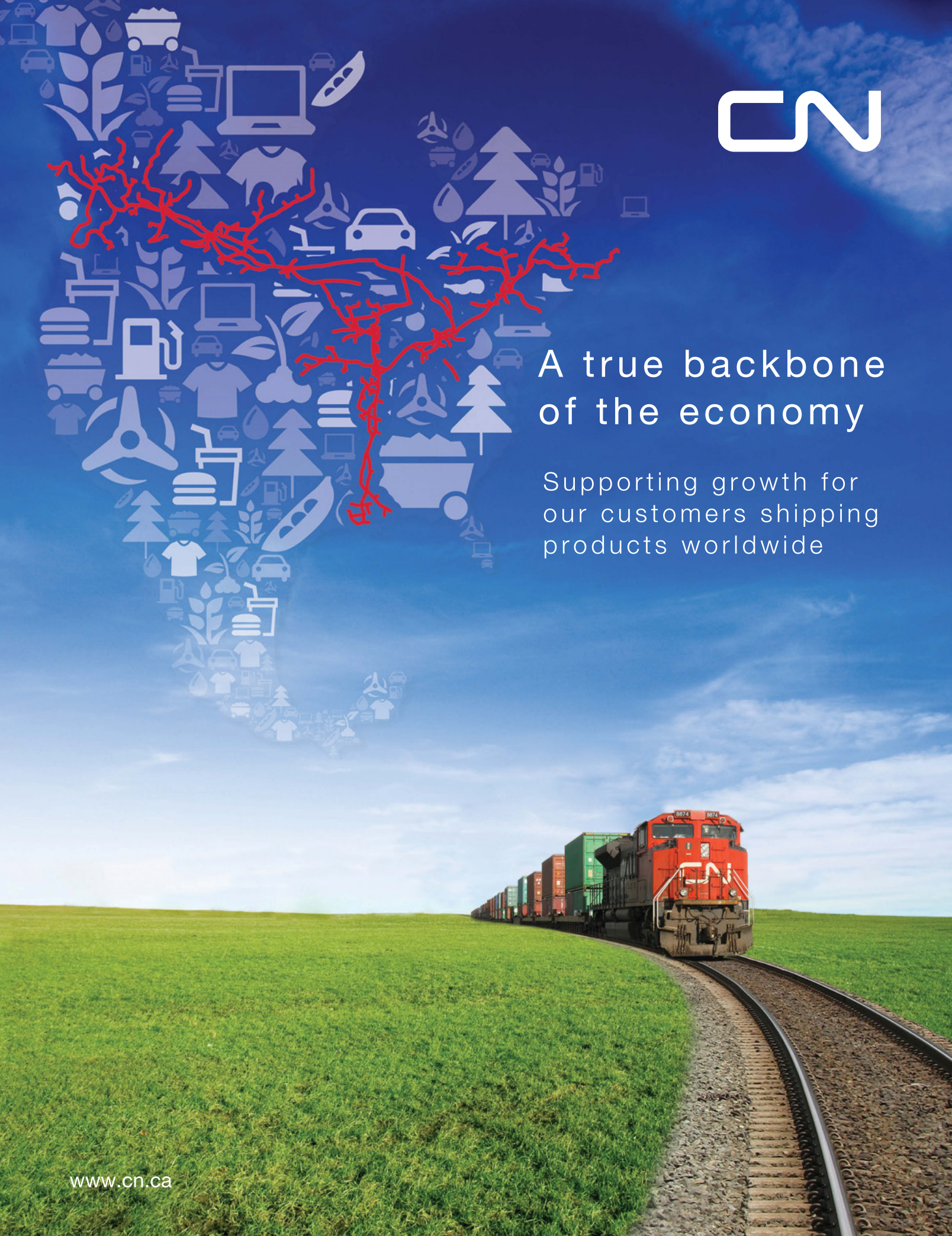
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President's Message | Le message du président

The safety record of various modes used in the transportation of crude oil and other energy products has received extensive media attention over the past year. Recently, the Fraser Institute issued what is largely a rehash of a June 2012 report produced by the Manhattan Institute, except that it adds some additional misleading Canadian statistics.

The Manhattan Institute's fundamentally flawed report suggested that pipelines were "substantially safer" than railways for transporting crude oil. It overestimated comparable dangerous goods incidents, tracked only select spill data and included commodities in its rail incident count that cannot be shipped by pipeline.

The Fraser Institute corrected some of these mistakes in its 2013 report, but added Canadian numbers that present no even-handed comparison between the two modes, as well as truck safety performance statistics that further confuse the debate.

The objective of these reports seems to be to create a false debate about the relative merits of rail versus pipeline for transporting crude oil. These so-called studies do nothing to help the public discussion at a time when we should be identifying opportunities to enhance our performance for moving these essential commodities.

Rail and pipelines have historically been safe modes of transportation, and they will continue to be safe in the future. Our focus should be on identifying opportunities to work collaboratively to enhance our performance for moving commodities like crude oil.

The August 2013 Canadian Senate report, "Moving Energy Safely," which studied the safe transport of hydrocarbons by pipelines, tankers and railcars, summed it up best: "Our economy relies on the free flow of goods. As a major

Au cours de la dernière année, les médias se sont beaucoup intéressés au bilan de sécurité des divers modes de transport du pétrole brut et d'autres produits énergétiques. L'Institut Fraser a publié récemment un document qui reprend une bonne partie d'un rapport produit en juin 2012 par le Manhattan Institute, auquel il a ajouté quelques statistiques canadiennes trompeuses.

Le rapport fondamentalement erroné du Manhattan Institute prétendait que les pipelines sont « beaucoup plus sécuritaires » que les chemins de fer pour le transport du pétrole brut. Il surévaluait les incidents comparables mettant en cause des matières dangereuses, ne prenait en compte que des données sélectionnées sur les déversements, et incluait des produits qui ne peuvent pas être acheminés par pipeline.

L'Institut Fraser a corrigé certaines erreurs dans son rapport de 2013, mais il a ajouté des données canadiennes qui ne permettent pas une juste comparaison entre les deux modes de transport, ainsi que des statistiques sur la sécurité du camionnage qui ne font qu'ajouter de la confusion dans le débat.

Ces rapports semblent avoir pour but de susciter un faux débat sur les avantages relatifs du rail comparativement aux pipelines pour le transport du pétrole brut. Ces prétendues études ne contribuent en rien à la discussion, alors que nous devrions plutôt rechercher des possibilités d'améliorer notre performance en ce qui concerne l'acheminement de ces matières essentielles.

Le rail et les pipelines se sont avérés des modes de transport sécuritaires et ils le demeureront. Nous devrions plutôt chercher des moyens de travailler en collaboration afin d'améliorer l'acheminement des matières comme le pétrole brut.

En août 2013, le Sénat a publié un rapport intitulé *Transporter l'énergie en toute sécurité: une étude sur la sécurité du transport des hydrocarbures par pipelines, navires pétroliers et wagons-citernes au Canada*, qui résume bien la situation : « Notre économie repose sur la libre circulation des marchandises. En qualité de gros

Our focus should be on identifying opportunities to work collaboratively to enhance our performance for moving commodities like crude oil.

producer and consumer of energy, Canada exports and imports large amounts of oil and natural gas, and moves these products throughout the country in order to ensure that Canadians have reliable access to energy."

The fundamental challenge continues to be in our ability, as a country, to move our natural resources to markets efficiently without adverse effects to our communities and the environment.

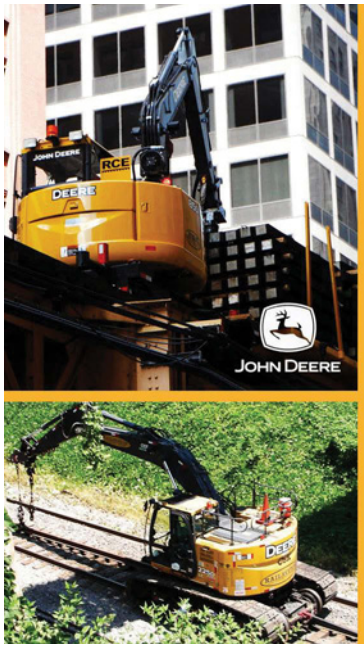
Whether moved by pipeline or by rail, truck or barge, all transporters have an obligation to move hazardous commodities safely and responsibly. However, no activity is without risk, and spills or accidents do occur. The real question is, how can we work together to improve our safety record even further, toward a goal of zero accidents?

Nous devrions plutôt chercher des moyens de travailler en collaboration afin d'améliorer l'acheminement des matières comme le pétrole brut.

producteur et de gros consommateur d'énergie, le Canada exporte et importe d'importantes quantités de pétrole et de gaz naturel, et transporte ces produits à travers tout le pays afin de garantir aux Canadiens un accès fiable à l'énergie. »

Le défi fondamental réside donc dans notre capacité, en tant que pays, à acheminer de manière efficiente nos ressources naturelles vers les marchés sans effets néfastes pour nos collectivités et l'environnement.

Qu'il s'agisse de pipelines ou de wagons-citernes, de camions ou de navires, tous les transporteurs ont l'obligation d'acheminer les marchandises dangereuses de manière sécuritaire et responsable. Cependant, toute activité comporte des risques, et des déversements ou des accidents peuvent se produire. La véritable question est donc la suivante : comment pouvons-nous travailler tous ensemble en vue d'améliorer encore notre fiche de sécurité et d'atteindre un objectif de zéro accident?



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All Aboard in 2014

Rail sector committed to continued safety improvements in the year ahead

Rail safety will be in the spotlight through much of 2014 and Canada's railways are anticipating that the extra attention on Parliament Hill will lead to sector-wide safety improvements.

In what will be a busy transition to the new year, the House of Commons transport committee will study the transportation of dangerous goods and Safety Management Systems (SMS) – a safety management framework that is integrated with regulatory oversight – at the request of Transport Minister Lisa Raitt. In addition, the Commons public accounts committee will examine Auditor General Michael Ferguson's criticisms of Transport Canada's (TC) rail safety oversight.

The Transportation Safety Board's (TSB) final report on the tragic Lac-Mégantic, QC derailment is also expected, and the U.S. Department of Transportation and TC will bring in new safety standards for rail tank cars.

In a speech to the Chartered Institute of Logistics and Transportation in North America (CILTNA), Raitt said that in deciding on additional transportation safety measures, the government has to acknowledge the fact that 99.998 per cent of dangerous goods movements by rail arrive at their destination without a release caused by an accident.

"CN and CP are at the top of the game in rail safety," Raitt said.

Raitt told the transport institute that the carriers should use the opportunity to explain to the committee the measures they have taken to ensure safe transportation of dangerous goods, which are important for many Canadian industries.

"Whenever dangerous goods are being moved – we want to make sure it is done safely," she said.

The rail sector's safety record has been trending in the right direction. In 2012, accidents involving dangerous goods dropped by 19 per cent from the five-year average of 147, according to TSB safety data for federally-regulated railways. Of the 118 DG accidents in 2012, 91 per cent occurred off the main track, the federal agency said.

Safety Management Systems (SMS) are of particular interest for the Commons transport committee. Transport Canada required railways to institute these frameworks in 2001 to make rail companies primarily responsible for creating a corporate culture of operating safely.

The SMS framework requires railway employees and representatives to move beyond minimum regulatory compliance to a corporate safety culture which proactively identifies and mitigates risks from all sources, whether or not they are covered by acts, rules, or regulations. Under the SMS regulations, railways are required to submit their updated SMS framework to TC annually for review and audit.

In late November, Auditor General Michael Ferguson released his fall report that criticized the department for its lack of SMS oversight.

The audit examined whether TC had adequately overseen the management of rail safety risks by federal railways, with a focus on the department's regulatory framework, oversight activities, human resources and quality assurance.

Following the report's release, Raitt said her department would launch an accelerated program to implement Ferguson's recommendations on SMS.

"While Canada has one of the safest railway systems in the world – from 2007 to 2012, train accidents in Canada have gone down by 10 per cent and train derailments are down by 41 per cent, from the five-year average – the department always looks for

Tout le monde à bord en 2014

Le secteur ferroviaire maintient son engagement envers l'amélioration continue de la sécurité dans l'année à venir

La sécurité ferroviaire sera sous les projecteurs pendant une bonne partie de l'année 2014, et les chemins de fer au Canada s'attendent à ce que l'attention particulière qui sera accordée sur la Colline du Parlement mènera à des améliorations de la sécurité dans l'ensemble du secteur.

Dans ce début d'année occupé, le Comité des transports de la Chambre des communes se penchera sur le transport des marchandises dangereuses et les systèmes de gestion de la sécurité (SGS) – un cadre de gestion de la sécurité intégré à un mécanisme de surveillance réglementaire – à la demande de la ministre des Transports, Lisa Raitt. En outre, le Comité des comptes publics de la Chambre des communes examinera les critiques du vérificateur général, Michael Ferguson, concernant la surveillance de la sécurité ferroviaire par Transports Canada.

Le rapport final du Bureau de la sécurité des transports (BST) sur le déraillement tragique de Lac-Mégantic, au Québec, est aussi attendu, et le Département des transports (DOT) des États-Unis et Transports Canada établiront de nouvelles normes en matière de sécurité des wagons-citernes.

Dans une allocution à l'intention de l'Institut agréé de la logistique et des transports Amérique du Nord (CILTNA), Mme Raitt a indiqué qu'en décidant d'ajouter des mesures de sécurité supplémentaires dans les transports, le gouvernement doit reconnaître le fait que 99,998 % de tous les chargements de marchandises dangereuses transportées par rail se rendent à destination sans déversement causé par un accident.

« Le CN et le CP sont les deux chefs de file en matière de sécurité ferroviaire », déclare Mme Raitt.

Mme Raitt a dit aux membres de l'Institut que les transporteurs devraient saisir l'occasion d'expliquer au comité les mesures qu'ils ont prises pour assurer

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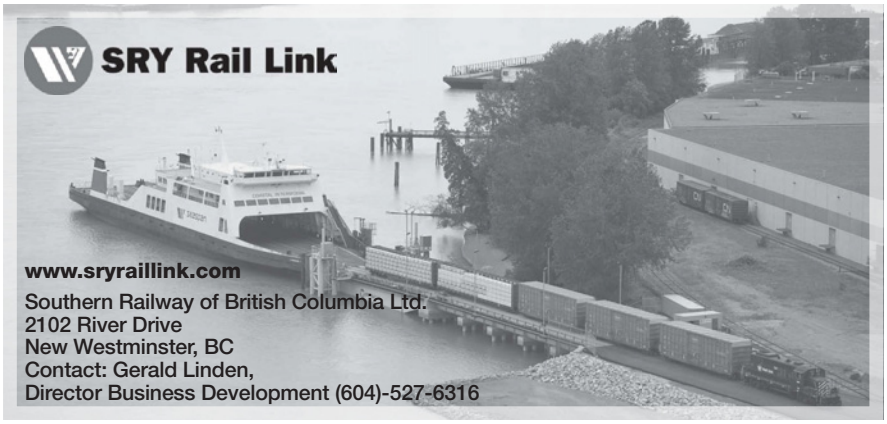

ways to make the railway system safer for all Canadians," Raitt said.

Ferguson said in his report that although Transport Canada recognized the need for carrier-developed SMS, "the shift is still ongoing, much work remains to be done, and the transition is taking too long.

"Despite the fact that federal railways were required 12 years ago to implement safety management systems for managing their safety risks and complying with safety requirements, Transport Canada has yet to establish an audit approach that provides a minimum level

le transport des marchandises dangereuses en toute sécurité, qui est important pour de nombreuses entreprises canadiennes.

« Lorsque des matières dangereuses sont transportées, nous voulons que ce soit fait de façon sécuritaire », dit-elle.

La fiche de sécurité du secteur ferroviaire indique qu'on avance dans la bonne direction. En 2012, le nombre d'accidents mettant en cause des marchandises dangereuses a diminué de 19 % par rapport à la moyenne quinquennale de 147, selon les données sur la sécurité du BST pour les chemins de fer sous réglementation fédérale. Des 118 accidents qui mettaient en cause des matières dangereuses en 2012, 91 % sont survenus hors d'une voie principale, selon l'organisme fédéral.

Les systèmes de gestion de la sécurité présentent un intérêt particulier pour le Comité des transports de la Chambre des communes. Transports Canada avait demandé aux entreprises ferroviaires de mettre en place ces cadres en 2001 pour qu'elles soient les principaux responsables de l'instauration d'une culture d'entreprise axée sur une exploitation sécuritaire.

Le cadre général des SGS oblige le personnel et les représentants des chemins de fer à ne pas se contenter de respecter les exigences réglementaires minimales et à adhérer à une

"Railways in Canada have always shared information about dangerous goods with communities and we support the formalization of information sharing with municipal partners and first responders across Canada," says Michael Bourque, president and CEO of the Railway Association of Canada (RAC).

of assurance that federal railways have done so," Ferguson observed.

However, the continuous improvement of safety performance since SMS frameworks were implemented suggests the SMS regulatory approach is working.

The TSB removed railway SMS implementation from its 2012 Watchlist after it deemed advances in rail safety management were sufficient.

Transportation Safety Board member and SMS transportation expert, Kathy Fox, has said, "Traditional approaches to safety management – based primarily on compliance with regulations, reactive responses following accidents and incidents, and a 'blame and punish' philosophy – have been recognized as being insufficient to reduce accident rates.

"SMS was designed around evolving concepts about risk management and safety culture, including the research into High Reliability Organizations, which are believed to offer great potential for more effective safety management."

The industry has dealt with a range of misleading myths about SMS, including that they were brought in to de-regulate the railways or allow them to self-regulate. The railways have denied this criticism, reiterating that SMS framworks exist in parallel with the robust regulatory regime.

The industry has also stood up against the myth that SMS were set up to allow TC to get out of inspection and regulation enforcement.

Under SMS regulations, railways are required to submit up-to-date SMS documentation to TC annually. In the 2012-13 fiscal year, the department carried out about 30,000 inspections.

Raitt said the government is awaiting the arrival of the TSB's final report on the Lac-Mégantic derailment before it decides on any amendments to the Railway Safety Act – the regulatory framework dealing with rail safety and other industry issues. However, the government has already shown it is ready to act on the TSB's earlier recommendations to tighten existing safety regulations, such as the additional protection for unattended freight trains.

Just before the AG report was released, Raitt announced a Protective Direction requiring railways to provide municipalities with information on the dangerous goods passing through their jurisdiction.

Railways must provide yearly aggregate data, presented by quarter, on the nature and volume of dangerous goods the company transports by rail through each community.

"Railways in Canada have always shared information about dangerous goods with

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culture d'entreprise axée sur la sécurité, laquelle permet de repérer et de réduire les risques, quelles que soient leur source et la loi ou la réglementation qui les régissent. En vertu des règles des SGS, les chemins de fer sont tenus de soumettre annuellement le cadre général révisé de leurs SGS à Transports Canada à des fins de vérification.

En novembre dernier, le vérificateur général, Michael Ferguson, publiait son rapport de l'automne dans lequel il critiquait le ministère pour son manque de surveillance des SGS.

L'audit visait à déterminer si Transports Canada avait surveillé de façon appropriée la gestion des risques, par les compagnies de chemin de fer sous réglementation fédérale, en matière de sécurité ferroviaire. Il porte notamment sur le cadre réglementaire, les activités de surveillance, les ressources humaines et l'assurance de la qualité du Ministère.

Après la présentation du rapport, Mme Raitt a déclaré que son ministère allait procéder au lancement d'un programme accéléré visant à mettre en oeuvre les recommandations relatives au SGS.

« Bien que le Canada dispose d'un des réseaux ferroviaires les plus sécuritaires au monde (au Canada, entre 2007 et 2012, il y a eu 10 % de moins d'accidents de train et 41 % de moins de déraillements par rapport à la moyenne quinquennale), le Ministère est continuellement à la recherche de moyens d'améliorer la sécurité de ce réseau pour tous les Canadiens », déclare Mme Raitt.

Dans son rapport, M. Ferguson souligne que même si Transports Canada avait reconnu la nécessité que les transporteurs conçoivent leur SGS, « cette transition est toujours en cours. Il reste beaucoup à faire et les travaux à cet égard se font trop lentement. »

« Même si cela fait 12 ans que les compagnies de chemin de fer de compétence fédérale doivent mettre en oeuvre des systèmes de gestion de la sécurité pour gérer leurs risques liés à la sécurité et respecter les exigences en matière de sécurité, Transports Canada n'a pas encore établi d'approche de vérification permettant d'obtenir une assurance minimale que les compagnies de chemin de fer de compétence fédérale ont respecté cette exigence et géré leurs risques », a observé M. Ferguson.

Cependant, l'amélioration continue de la performance en matière de sécurité depuis que le cadre des SGS a été mis en oeuvre indique que l'approche en matière de conformité aux règlements fonctionne bien.

« Les chemins de fer canadiens ont toujours transmis des informations sur les marchandises dangereuses aux diverses collectivités; nous sommes donc d'accord avec la décision d'officialiser le partage d'informations avec nos partenaires municipaux et les premiers intervenants partout au pays », a déclaré Michael Bourque, président-directeur général de l'Association des chemins de fer

"While Canada has one of the safest railway systems in the world – from 2007 to 2012, train accidents in Canada have gone down by 10 per cent and train derailments are down by 41 per cent, from the five-year average – the department always looks for ways to make the railway system safer for all Canadians," Raitt said.

communities and we support the formalization of information sharing with municipal partners and first responders across Canada," says Michael Bourque, president and CEO of the Railway Association of Canada (RAC).

The RAC provides training to community first responders, both locally and through national training programs.

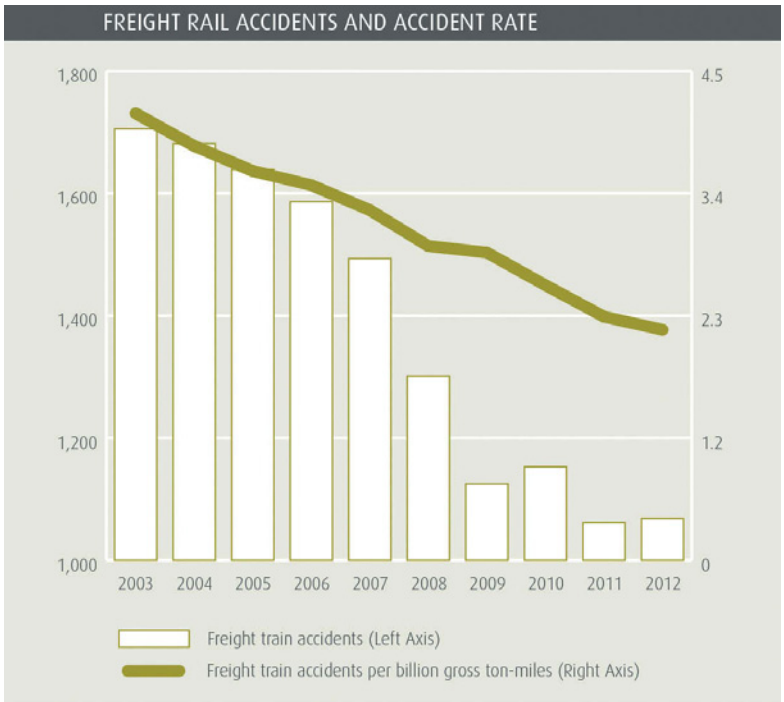
The Commons transport committee will take its time to hear all sides in the debate over the safe transportation of dangerous goods before it reports to government on what actions are required, says committee chairman Larry Miller.

"The minister asked us to do a thorough job and we will hear plenty of witnesses," says Miller.

An interim report on the committee's findings likely won't be presented until the spring at the earliest.

The committee has held preliminary sessions with TC safety officials and will be focused on finding ways to further improve safe transportation of dangerous goods and whether SMS could play a further role in achieving that goal, Miller says.

With 99.998 per cent of dangerous goods shipments arriving without a release caused by an accident, the challenge is how to lower the 0.002 per cent figure, pointed out Gerard McDonald, assistant deputy transport minister for safety and security. McDonald said improvement is a matter of properly classifying dangerous goods by their level of threat, ensuring they are properly transported and that sufficient emergency response is available in the rare event of an accident.



"2013 was the busiest year in the history of the RAC Dangerous Goods Team. That is attributable to many shipper industries and railways requiring our services to ensure they are in compliance to TDG regulations. Our DG team has also spent lots of time (even personal time) conducting TransCAER presentations in communities where railways operate."

Andy Ash
Director, RAC Dangerous Goods Team

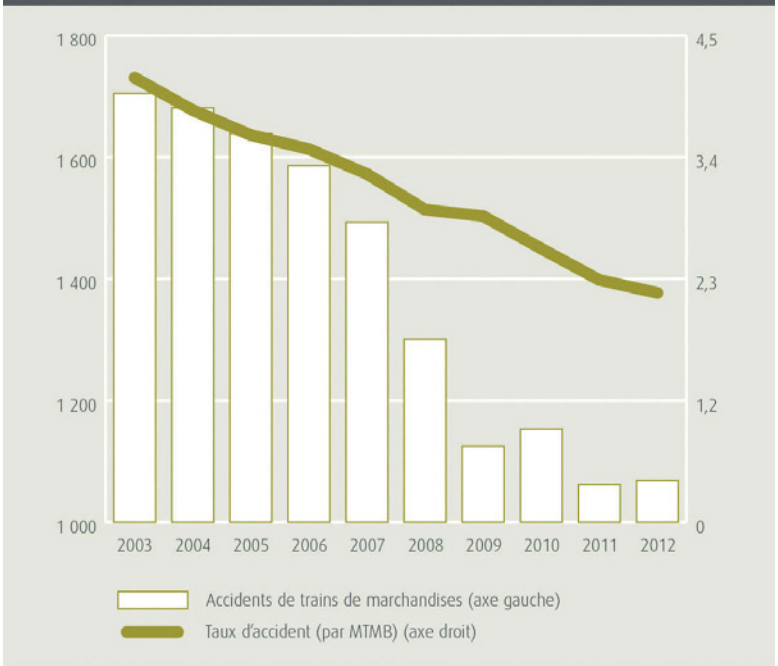
Le BST a retranché de sa liste de surveillance de 2012 la mise en oeuvre des SGS des chemins de fer, après avoir déterminé que les progrès réalisés dans la gestion de la sécurité ferroviaire étaient suffisants.

Mme Kathy Fox, membre du Bureau de la sécurité des transports et experte en SGS pour les modes de transport, a déclaré : « Les approches traditionnelles à l'égard de la gestion de la sécurité – fondées principalement sur la conformité aux règlements, sur les réponses correctives à la suite d'accidents et sur le principe axé sur « le blâme et la punition » – s'étaient révélées insuffisantes pour diminuer les taux d'accidents.

« Les SGS ont été conçus en fonction de concepts évolutifs sur la gestion des risques et la culture de sécurité, y compris la recherche touchant les organisations très fiables, lesquelles, estime-t-on, possèdent un potentiel très élevé pour ce qui est d'améliorer l'efficacité de la gestion de la sécurité. »

« Bien que le Canada dispose d'un des réseaux ferroviaires les plus sécuritaires au monde (au Canada, entre 2007 et 2012, il y a eu 10 per cent de moins d'accidents de train et 41 per cent de moins de déraillements par rapport à la moyenne quinquennale), le Ministère est continuellement à la recherche de moyens d'améliorer la sécurité de ce réseau pour tous les Canadiens, déclare Mme Raitt.

NOMBRE ET TAUX DES ACCIDENTS DE TRAINS DE MARCHANDISES



"2013 a été l'année la plus occupée de l'histoire de l'équipe des marchandises dangereuses de l'ACFC. En effet, de nombreux expéditeurs et chemins de fer ont fait appel à nos services pour s'assurer qu'ils respectent le Règlement sur le transport des marchandises dangereuses. Les membres de notre équipe MD ont aussi consacré beaucoup de temps, même de leur propre temps, à faire des présentations sur le programme TransCAER® dans les collectivités où les chemins de fer exercent leurs activités."

Andy Ash
Directeur, équipe des marchandises dangereuses de l'ACFC

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Transport Canada focuses on inspecting areas where volume and traffic levels pose the greatest risk.

The disclosure of dangerous goods information to communities was welcomed by the Federation of Canadian Municipalities (FCM) as further support for its emergency planners and first responders who deal with accidents. FCM president, Claude Dauphin, said the decision "sends a clear message that the government fully agrees that local governments need to know basic information about dangerous goods being transported through their communities."

The Protective Direction will remain in effect for three years, to allow TC sufficient time to develop appropriate permanent regulations.

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Le secteur a du dissiper divers mythes trompeurs à propos des SGS, notamment qu'ils avaient été mis en place afin de déréglementer les chemins de fer ou de permettre à ces derniers de s'autoréglementer. Les chemins de fer ont démenti cette critique en rappelant que le cadre des SGS se veut un complément du solide régime réglementaire.

Le secteur s'est opposé au mythe disant que le SGS avait été mis en place pour permettre à Transports Canada de ne plus se charger des inspections de sécurité et de l'application de ses règlements.

En vertu des règles des SGS, les chemins de fer sont tenus de remettre chaque année une documentation à jour sur leur SGS à Transports Canada. Au cours de l'exercice financier 2012-13, le ministère a effectué environ 30 000 inspections.

Mme Raitt a dit que le gouvernement attend le dépôt du rapport final du BST sur le déraillement de Lac-Mégantic avant de décider d'apporter des modifications à la *Loi sur la sécurité ferroviaire* – le cadre réglementaire de la sécurité ferroviaire et autres enjeux du secteur. Cependant, le gouvernement a déjà montré qu'il est prêt à donner suite aux recommandations antérieures du BST pour renforcer les règles de sécurité en vigueur, notamment une protection supplémentaire pour les trains laissés sans surveillance.

Juste avant que le rapport du vérificateur général ait été rendu public, Mme Raitt a annoncé un ordre préventif qui exige que les chemins de fer fournissent aux municipalités de l'information sur les marchandises dangereuses qui traversent leur territoire.

Les chemins de fer doivent fournir l'information annuelle globale, présentée par trimestre, sur la nature et le volume des marchandises dangereuses qu'ils transportent et qui traversent chaque municipalité.

« Les chemins de fer canadiens ont toujours transmis des informations sur les marchandises dangereuses aux diverses collectivités; nous sommes donc d'accord avec la décision d'officialiser le partage d'informations avec nos partenaires municipaux et les premiers intervenants partout au pays », a déclaré Michael Bourque,

président-directeur général de l'Association des chemins de fer du Canada (ACFC).

L'ACFC offre de la formation aux premiers intervenants des collectivités, tant à l'échelle locale que par l'intermédiaire de programmes nationaux de formation.

« Le Comité des transports de la Chambre des communes prendra le temps d'entendre toutes les parties qui participent au débat sur le transport sécuritaire des marchandises dangereuses avant de présenter son rapport au gouvernement sur les mesures requises », indique le président du comité, Larry Miller.

« La ministre nous a demandé d'effectuer un travail rigoureux et nous allons entendre beaucoup de témoins », ajoute M. Miller.

Un rapport intérimaire des résultats du comité ne sera vraisemblablement pas présenté dans le meilleur des cas avant le printemps.

Le comité a tenu des séances préliminaires avec les responsables de la sécurité de Transports Canada et ils se concentreront à trouver des moyens d'améliorer encore plus la sécurité du transport des marchandises dangereuses et de voir si le SGS pourrait jouer un rôle plus important pour atteindre cet objectif, selon M. Miller.

Avec un pourcentage de 99,998 % des chargements de marchandises dangereuses transportées par rail qui se rendent à destination sans un déversement causé par un accident, le défi consiste à réduire ce pourcentage de 0,002 %, souligne Gerard McDonald, sous-ministre adjoint des Transports – Sécurité et sûreté. M. McDonald indique que pour améliorer la sécurité, il importe de classer adéquatement les marchandises dangereuses selon leur niveau de risque, en s'assurant qu'ils sont transportés de manière adéquate et qu'il y a des dispositions suffisantes en matière d'intervention d'urgence dans les cas exceptionnels où un accident devait se produire.

Transports Canada concentre ses inspections dans les secteurs où les niveaux de volume et de trafic représentent les plus grands risques.

La divulgation de l'information sur les marchandises dangereuses aux collectivités a été accueillie favorablement par la Fédération canadienne des municipalités (FCM) de même qu'un soutien accru pour les responsables de la planification d'urgence et des premiers intervenants qui interviennent en cas d'accidents. À propos de la décision, Claude Dauphin, président de la FCM, a dit : « Elle signifie clairement que le gouvernement du Canada est entièrement d'accord pour dire que les administrations locales doivent disposer de l'information de base concernant les marchandises dangereuses qui sont transportées dans leurs collectivités. »

L'ordre préventif restera en vigueur durant trois ans afin que Transports Canada dispose du temps nécessaire pour élaborer les dispositions réglementaires définitives.

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Without Borders

Canadian, U.S. railways push government to require better tank cars

More than two-thirds of the 92,000 tank cars used to haul flammable liquids across the United States and Canada would have to be phased out of service or extensively upgraded under a proposal from the Association of American Railroads (AAR).

The Association, which includes CN and CP, has urged the U.S. Department of Transportation to impose stringent new tank car protection standards that "would substantially decrease the likelihood of a release if a tank car is involved in an accident."

"We believe it's time for a thorough review of the U.S. tank car fleet that moves flammable liquids, particularly considering the recent increase in crude oil traffic," said Edward Hamberger, AAR president and chief executive officer, in a statement. "Our goal is to ensure that what we move, and how we move it, is done as safely as possible."

The organization made its recommendation to the U.S. Pipeline and Hazardous Materials Safety Administration (PHMSA) that is examining tank car standards in light of last summer's tragic derailment in Lac-Mégantic, QC.

The petition received full support from the Canadian rail sector. Michael Bourque, president and CEO of the Railway Association of Canada (RAC), says the AAR proposal "is a positive step for North America's rail industry and these changes would improve safety."

"We in the railway industry are committed to safety and this is an excellent opportunity to be even safer," added Andy Ash, the RAC's director of dangerous goods. "These practical recommendations are fully in line with our dedication to continuous improvement."

Tank cars are primarily supplied by leasing companies rather than owned by the railways and a hefty backlog of orders for the new, higher-standard cars exists among all the North American freight car builders.

The AAR estimates that 78,000 of the 92,000 tank cars currently moving flammable liquids will require retrofit or phase out to meet the new standards. Another 14,000 newer tank cars that meet current safety standards will also require some modifications, it said.

Canada and the United States follow the same railway safety standards so freight cars can be freely interchanged, Gerard McDonald, assistant deputy transport minister for safety and security, told the House of Commons transport committee. The U.S. Department of Transportation has already ordered any new cars be built with additional protective features including outer steel jackets and thermal jackets. Canada would follow any changes in American safety regulations when it publishes new tank car standards in 2014. Tank cars no longer suitable for hauling flammable liquids could still have other transport uses.

Sans frontières

Les chemins de fer du Canada et des États-Unis pressent les gouvernements d'exiger de meilleurs wagons-citernes

Plus des deux tiers des 92 000 wagons-citernes utilisés pour le transport des liquides inflammables au Canada et aux États-Unis devraient être affectés au transport d'autres produits ou faire l'objet d'une importante remise en état, selon une proposition de l'AAR (*Association of American Railroads*).

L'AAR, dont le CN et le CP font partie, a enjoint le *Department of Transportation* des États-Unis d'imposer des normes de protection strictes concernant les wagons-citernes neufs, afin de « diminuer de façon significative les risques de fuite lorsque des wagons-citernes sont impliqués dans un accident ».

« Nous estimons qu'il est temps de procéder à un examen approfondi du parc de wagons-citernes acheminant des liquides inflammables aux États-Unis, compte tenu de l'augmentation récente des volumes de pétrole brut transportés, a indiqué dans un communiqué Edward Hamberger, président-directeur général de l'AAR. Notre objectif est de transporter de la façon la plus sécuritaire qui soit les produits qui nous sont confiés ».

L'organisme a présenté cette recommandation à la *U.S. Pipeline and Hazardous Materials Safety Administration* (PHMSA), qui étudie présentement les normes relatives aux wagons-citernes, à la suite du tragique déraillement survenu l'été dernier à Lac-Mégantic, au Québec.

Cette recommandation a été appuyée par le secteur ferroviaire canadien. Michael Bourque, président-directeur général de l'Association des chemins de fer du Canada (ACFC), a déclaré que la proposition de l'AAR « est un pas dans la bonne direction pour le secteur ferroviaire nord-américain et que ces changements contribueraient à améliorer la sécurité ».

« Dans l'industrie ferroviaire, nous avons la sécurité à coeur; il s'agit là d'une excellente occasion de renforcer la sécurité, a souligné Andy Ash, directeur des marchandises dangereuses de l'ACFC. Ces recommandations concrètes sont conformes à notre engagement à l'égard de l'amélioration continue. »

Les wagons-citernes appartiennent en majorité à des entreprises de location, et non aux chemins de fer, et les constructeurs nord-américains de wagons-citernes respectant les nouvelles normes plus strictes peinent actuellement à répondre à la demande.

L'AAR estime qu'on devra remettre en état ou éliminer graduellement 78 000 des 92 000 wagons-citernes actuellement en service, afin de se conformer aux nouvelles normes. Et 14 000 autres wagons-citernes de construction récente répondant aux normes actuelles devront faire l'objet de certaines modifications, a-t-il ajouté.

Le Canada et les États-Unis appliquent les mêmes normes en matière de sécurité ferroviaire, de sorte que les wagons peuvent être échangés sans problème entre les deux pays, a déclaré Gerard

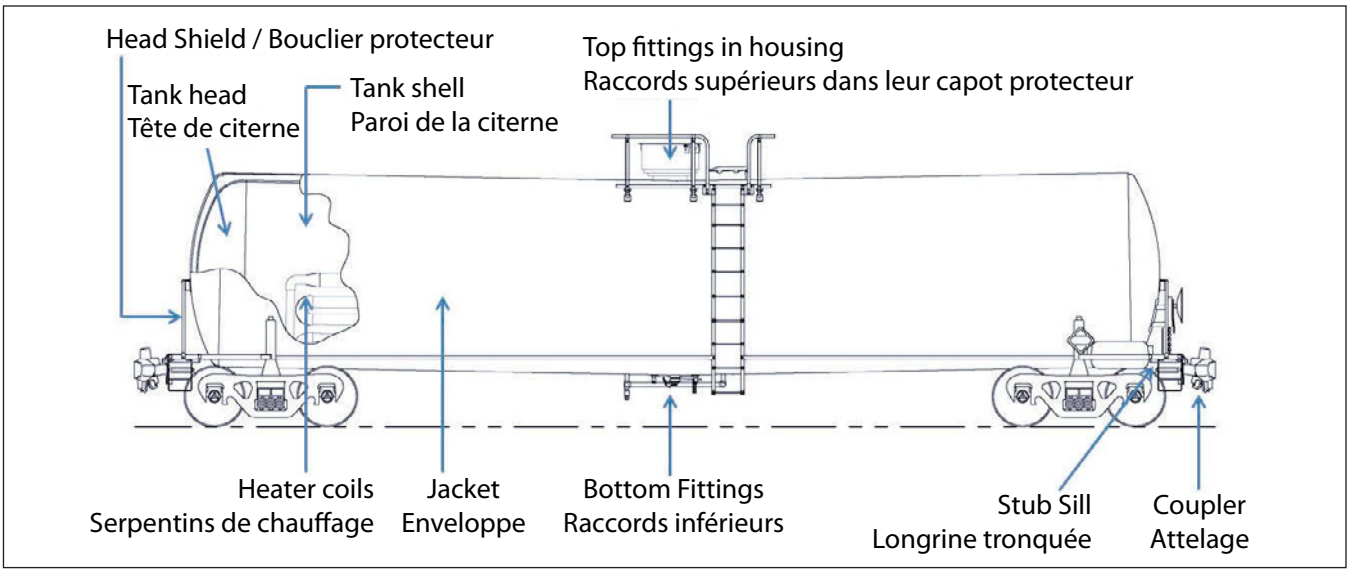

Figure 1 shows a typical jacketed DOT-111 tank car.

Figure 1
Jacketed DOT-111 Tank Car Components

Note: This diagram is illustrative but not accurate in every detail.

This document is provided by the Railway Supply Institute (RSI) and Association of American Railroads (AAR) Railroad Tank Car Safety Research and Test Project. It was prepared as a reference document for use by the Tank Car Safety Project and the AAR Tank Car Committee. Any use of this document by other than those parties requires prior approval by the Tank Car Safety Project.

La figure 1 montre une wagon-citerne de type DOT-111.

Figure 1
Composantes d'un wagon-citerne de type DOT-111 avec une enveloppe.

Remarque: Cette illustration n'est pas précise.

Ce document est parrainé par le Railway Supply Institute (RSI) and Association of American Railroads (AAR) Railroad Tank Car Safety Research and Test Project. Il a été préparé pour servir de document de référence au Tank Car Safety Project et au AAR Tank Car Committee. Toute utilisation de ce document par d'autres parties nécessite l'approbation préalable du Tank Car Safety Project.

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continued from page 26

"Freight railroads understand the rail supply marketplace is seeing an increased demand for tank cars needed to move more flammable liquids, such as crude and ethanol," Hamberger said. "We believe our suggested approach to improving tank car safety allows railroads to continue to serve their customers, while taking rail tank car safety to the next level." The AAR noted that about that 99.998 per cent of all hazardous materials moving by rail reach their destination without release caused by an accident.

In total, there are about 335,000 tank cars of all types in operation in North America of which 228,000 are DOT-111 tank cars, the kind the ruptured and exploded in Lac-Mégantic.

The AAR says 30 per cent of tank cars used to move crude oil today were built to the latest industry approved specifications for tank cars used for hauling flammable liquids.

The AAR's Tank Car Committee plays a key role in setting the standards for manufacturing and operating the cars under the regulatory supervision of the U.S. and Canadian transport departments. The committee is comprised of the AAR, RAC, rail car owners, manufacturers and rail hazmat customers, with active participation from the U.S. Department of Transportation, Transport Canada and the National Transportation Safety Board (NTSB).

The committee recommends that shippers and tank car manufacturers be consulted "to determine the precise parameters of a phase-out program and identify retrofits that should be required."

suite de la page 27

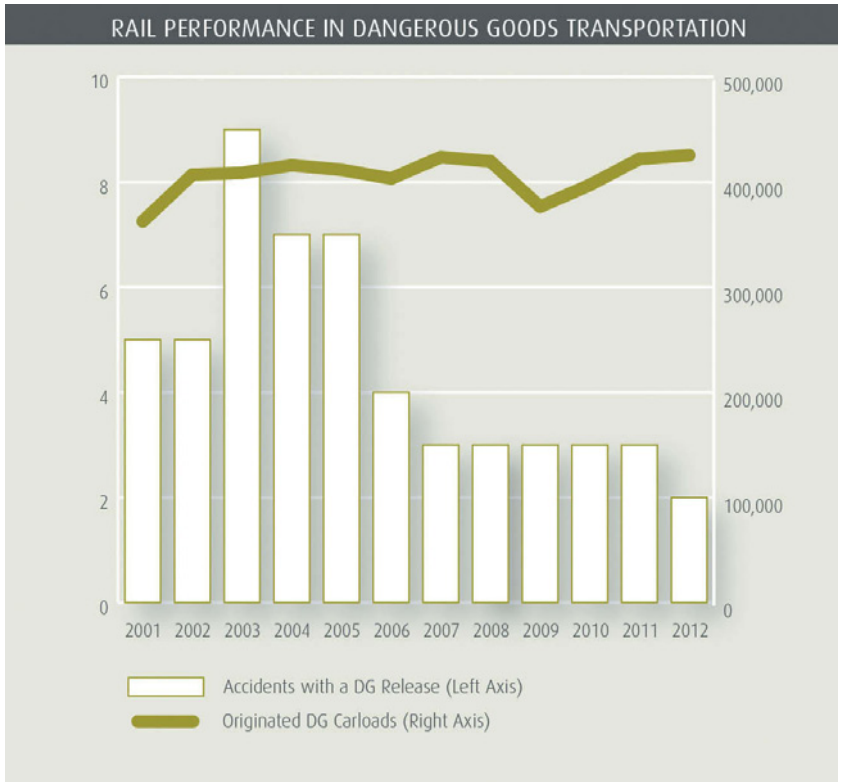
McDonald, sous-ministre adjoint des Transports – Sécurité et sûreté, devant le Comité des transports de la Chambre des communes. Le *Department of Transportation* des États-Unis a déjà ordonné que les futurs wagons soient dotés d'éléments de protection supplémentaires, notamment d'une enveloppe en acier et d'une protection thermique. Le Canada adoptera les modifications apportées à la réglementation américaine lorsqu'il mettra en vigueur de nouvelles normes sur les wagons-citernes en 2014. Les wagons-citernes qui ne peuvent plus recevoir de liquides inflammables pourraient servir à transporter d'autres produits.

« Il est clair pour les chemins de fer que les entreprises de fourniture de wagons s'attendent à une demande accrue en ce qui a trait aux wagons-citernes utilisés pour acheminer des liquides inflammables tels que le pétrole brut ou l'éthanol, a ajouté M. Hamberger. L'approche que nous préconisons pour améliorer la sécurité des wagons-citernes permettrait aux chemins de fer de continuer à servir leurs clients tout en faisant progresser la sécurité de ces wagons ». L'AAR a constaté que 99,998 % des matières dangereuses acheminées par rail arrivent à destination sans fuite causée par un accident.

Quelque 335 000 wagons-citernes de tous types sont utilisés en Amérique du Nord, et de ce nombre, 228 000 sont des wagons-citernes de type DOT-111 comme ceux qui ont été perforés et qui ont explosé à Lac-Mégantic.

In 2008, the Tank Car Committee initiated a task force to develop standards for tank cars transporting ethanol. Its mandate was expanded to include all group I and II hazardous materials, which includes some crude oil. In its latest set of recommendations, the AAR suggested that the Pipeline and Hazardous Materials Safety Administration (PHMSA) consider these improvements for tank cars moving dangerous goods:

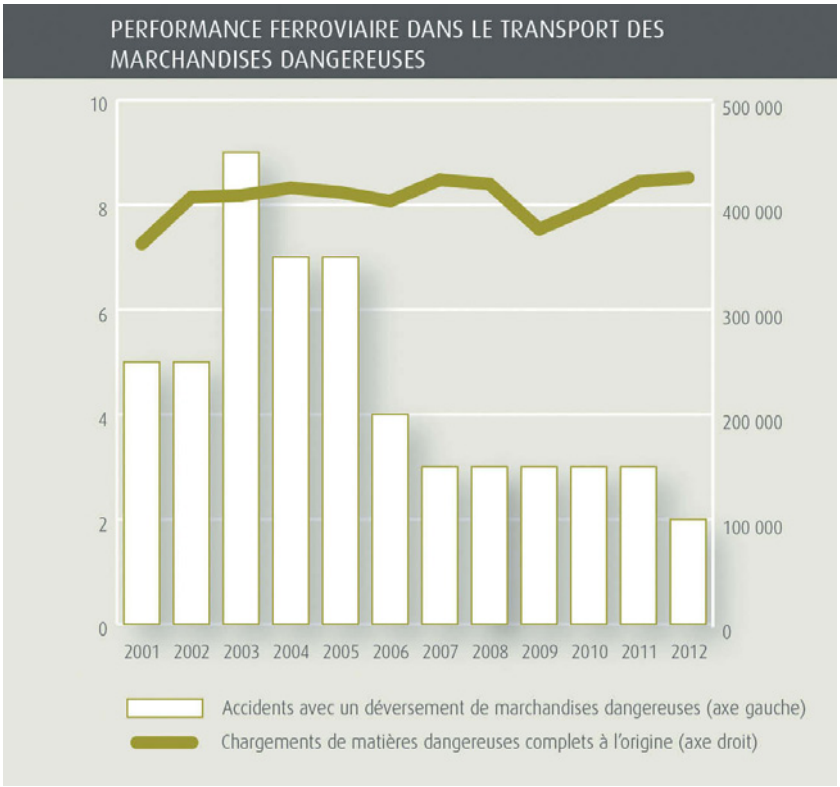
- increase federal tank car design standards for new cars to include an outer steel jacket around the tank car and thermal protection, full-height head shields and high-flow capacity pressure relief valves;
- additional safety upgrades to those tank cars built since October 2011, when the rail industry instituted its latest design standards that today exceed federal requirements, including installation of high-flow-capacity relief valves and design modifications to prevent bottom outlets from opening in the case of an accident;
- the phase out older-model tank cars used to move flammable liquids that are not retrofitted to meet new federal requirements, and
- eliminate the current option for rail shippers to classify a flammable liquid with a flash point between 100 and 140 degrees Fahrenheit as a combustible liquid.



The ARR says railways have proven "to be an efficient and safe way to transport hazardous materials such as crude oil and other flammable liquids" and that in the U.S. only, "crude oil shipments have increased on Class I railroads from 4,700 carloads in 2006 to a projected 400,000 shipments in 2013."

Governments don't want to disrupt this important energy transportation system, but railways, their customers and suppliers, and the federal government must take action to avoid another devastating incident, the AAR says.

Canadian Class I railways increased their North American shipments of crude oil from 500 carloads in 2009 to roughly 160,000 in 2013, but railways remain a complimentary option to pipeline for transporting energy products to market. Overall, rail moves less than



L'AAR a précisé que 30 % des wagons transportant du pétrole brut de nos jours ont été construits selon les normes les plus récentes de l'industrie applicables aux wagons-citernes destinés aux liquides inflammables.

Le comité sur les wagons-citernes de l'AAR joue un rôle important dans l'établissement des normes régissant la construction et l'exploitation des wagons, des activités supervisées par les ministères des Transports du Canada et des États-Unis. Le comité est formé de représentants de l'AAR, de l'ACFC, de propriétaires de wagons, de constructeurs et d'expéditeurs de matières dangereuses; de plus, le *Department of Transportation* des É.U., Transports Canada et la NTSB (*National Transportation Safety Board*) participent activement aux travaux du comité.

En 2008, le comité sur les wagons-citernes a confié à une équipe de travail le soin d'élaborer des normes pour les wagons transportant de l'éthanol. Le mandat de cette équipe a été élargi aux matières dangereuses des groupes I et II, lesquels incluent le pétrole brut. Dans sa dernière série de recommandations, l'AAR a suggéré à la PHMSA d'envisager les améliorations ci-dessous relatives aux wagons-citernes transportant des matières dangereuses :

- établir des normes fédérales plus sévères en matière de conception des nouveaux wagons-citernes, afin que ceux-ci soient dotés d'une enveloppe intégrale et d'une protection thermique, de boucliers pleine hauteur aux extrémités et de soupapes de décharge à grand débit;
- exiger des améliorations supplémentaires en matière de sécurité pour les wagons-citernes construits depuis octobre 2011, année où le secteur ferroviaire a établi des normes de conception plus strictes que les exigences fédérales actuelles, notamment la pose de soupapes de décharge à grand débit et des modifications en matière de conception visant à éviter que les organes de vidange par le bas s'ouvrent en cas d'accident;
- éliminer les anciens modèles de wagons-citernes qui sont utilisés pour le transport des liquides inflammables et qui ne peuvent pas être modernisés pour satisfaire aux nouvelles normes fédérales; et
- éliminer la possibilité qu'ont actuellement les expéditeurs ferroviaires de classer comme liquide combustible un liquide inflammable ayant un point d'éclair se situant entre 100 et 140 °F.

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In the wake of Lac-Mégantic derailment, governments and industry have been re-evaluating tank car standards. It might be time to develop a new tank car class to differentiate between the baseline DOT-111 tank car and the new tank car specifications, the AAR said.

In early December, the Railway Supply Institute Committee on Tank Cars (RSICTC) urged the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) to support rulemaking that would enhance the safety of the North American tank car fleet. It supported the PHMSA's formal adoption of the safety standards for newly built tank cars that have been adopted by the Association of American Railroads Tank Car Committee (AARTCC), and proposed the modification of the current tank car fleet in a manner that substantially enhances safety while minimizing the engineering risks associated with certain other modification proposals.

The RSICTC also said it will work with the AARTCC to develop two additional standards: a safety relief valve that would further protect the tank against over-pressurization, and a bottom outlet valve that ensures full containment in the event of a derailment. The RSICTC said these safety relief and bottom outlet valves would be applied to tank cars when they become available.

Le comité recommande que les expéditeurs et les constructeurs de wagons-citernes soient consultés, « de façon que l'on puisse établir les critères précis d'une élimination progressive et déterminer les composants devant faire l'objet d'une mise à niveau ».

L'AAR précise que le transport ferroviaire s'avère « un mode de transport efficace et sûr pour les matières dangereuses telles que le pétrole brut et les autres liquides inflammables » et qu'aux États-Unis uniquement, « les envois de pétrole brut confiés aux chemins de fer de classe 1 sont passés de 4 700 wagons complets en 2006 à un total prévu de 400 000 pour 2013 ».

Les gouvernements ne veulent pas perturber cet important système de transport, mais les chemins de fer et leurs clients, les fournisseurs et le gouvernement fédéral doivent prendre des mesures pour éviter qu'un autre incident dévastateur se reproduise, a déclaré l'AAR.

Les chemins de fer canadiens de classe 1 ont vu passer les envois nord-américains de pétrole brut de 500 wagons complets en 2009 à près de 160 000 en 2013, mais le rail demeure une solution complémentaire au pipeline pour l'acheminement des produits énergétiques vers les marchés. Globalement, le rail achemine moins de 3 % de tout le brut produit en Amérique du Nord.

À la suite du déraillement de Lac-Mégantic, les gouvernements et le secteur ont entrepris de réévaluer les normes relatives aux wagons-citernes. Le temps est peut-être venu, estime l'AAR, de créer une nouvelle classe de wagon-citerne afin de distinguer les wagons actuels de type DOT-111 des wagons construits en vertu des nouvelles prescriptions.

Au début de décembre, le *Railway Supply Institute Committee on Tank Cars* (RSICTC) a enjoint le groupe *Pipeline and Hazardous Materials Safety Administration* (PHMSA) du Department of Transportation des États-Unis d'appuyer les initiatives de réglementation qui augmenteraient la sécurité du parc de wagons-citernes nord-américains. Le RSICTC a endossé l'adoption formelle – de la part de la PHMSA – des normes de sécurité relatives aux wagons-citernes nouvellement construits, qui avaient été adoptées par l'AARTCC (*Association of American Railroads Tank Car Committee*); il a également proposé de modifier le parc actuel de wagons-citernes d'une façon qui accroîtrait considérablement la sécurité tout en minimisant les risques techniques liés à d'autres propositions de modification.

Le RSICTC s'est aussi engagé à travailler avec l'AARTCC à l'élaboration de deux autres normes, l'une concernant une soupape qui protégerait mieux la citerne contre les surpressions, et l'autre, concernant un dispositif de vidange par le bas qui assurait le confinement du produit en cas de déraillement. Le RSICTC a indiqué que ces soupapes et robinets de vidange seraient posés sur les wagons-citernes lorsque ces composants deviendraient disponibles.

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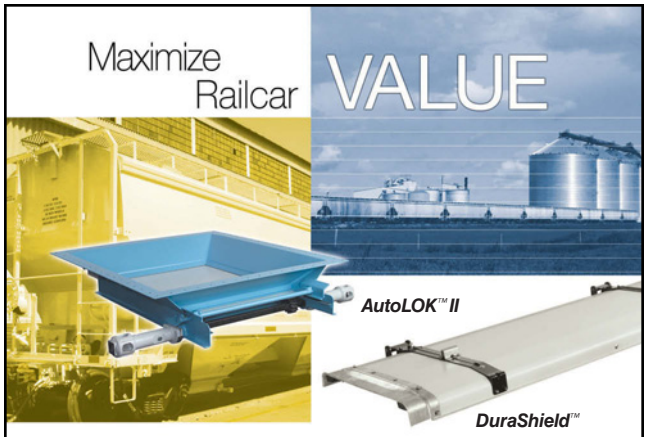

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Moving Dangerous Goods Safely

Industry leaders trumpet ever-improving safety record

As debate swirls around the safest way to transport Canada's energy products, the rail industry is standing firmly behind its safety record and says it is striving for further improvements.

Speaking to The Canadian Chamber of Commerce's International Trade Day in October, CN president and chief executive officer Claude Mongeau said: "Rail safety is understandably under intense scrutiny as a result of the Lac-Mégantic accident."

"But as we engage in a review of what the rail industry can do to further improve safety, we should not lose track of the industry's strong safety record and the significant improvement trends achieved in recent years. The fact is that railways' mainline accident rate per million train miles declined by more than 40 percent between 2001 and 2012 as a result of sizable investments in rail infrastructure, improved safety processes and a continuing focus on employee training and safety awareness."

Last summer's accident in Lac-Mégantic raised questions about rail's capacity to handle increasing shipments of energy products, but Mongeau says railways move hazardous materials with a high level of safety.

"A full 99.997 per cent of rail movements of dangerous goods – many of which are essential to the North American economy and communities

Although shipments have increased, railways are still a complementary option to pipelines for moving crude to markets, including refineries located near tide water for access by ocean tankers.

across the continent – arrive at their destination without a release caused by an accident."

Transporting dangerous commodities like crude or other petroleum products is not new to rail. Although shipments have increased, railways are still a complementary option to pipelines for moving crude to markets, including refineries located near tide water for access by ocean tankers. Canadian Class 1 railways transport an estimated 230,000 barrels per day, representing less than 3 per cent of total North American crude production.

Michael Bourque, head of the Railway Association of Canada (RAC), says rail is equipped to safely handle dangerous goods and the industry has taken proactive steps following the atypical incident at Lac-Mégantic.

"We are working very hard to prevent this from happening again and to reassure Canadians that railways are learning from this accident and taking immediate action on a number of fronts," said Bourque during a speech at The Economic Club of Canada.

Since the accidents, the industry has redoubled its efforts to meet with communities and first responders and inform them about dangerous goods movement in their communities, Bourque said.

"We've been working with the Federation of Canadian Municipalities to resolve issues where urban development is in proximity to railway operations. And, we have been working with government to strengthen the rules and regulations that govern rail safety: from the securing of trains to sharing of information on dangerous goods."

Bourque added that fostering an industry-wide safety culture is important and that starts with going beyond compliance.

Through programs like the Transportation Community Awareness and Emergency Response (TransCAER®) initiative, the rail sector ensures municipal emergency planners and responders are properly trained to work with industry experts and qualified contractors in developing emergency response plans.

Mongeau said regulators can also play a lead role in determining the future course of rail safety. "The rail industry is working closely with all regulators. As we move forward in our review, I believe a fact-based, balanced and consultative approach to any proposed regulatory changes will be vital to make sure we make sustainable progress," he said.

The industry fully supported the Minister of Transport's Protective Direction requiring

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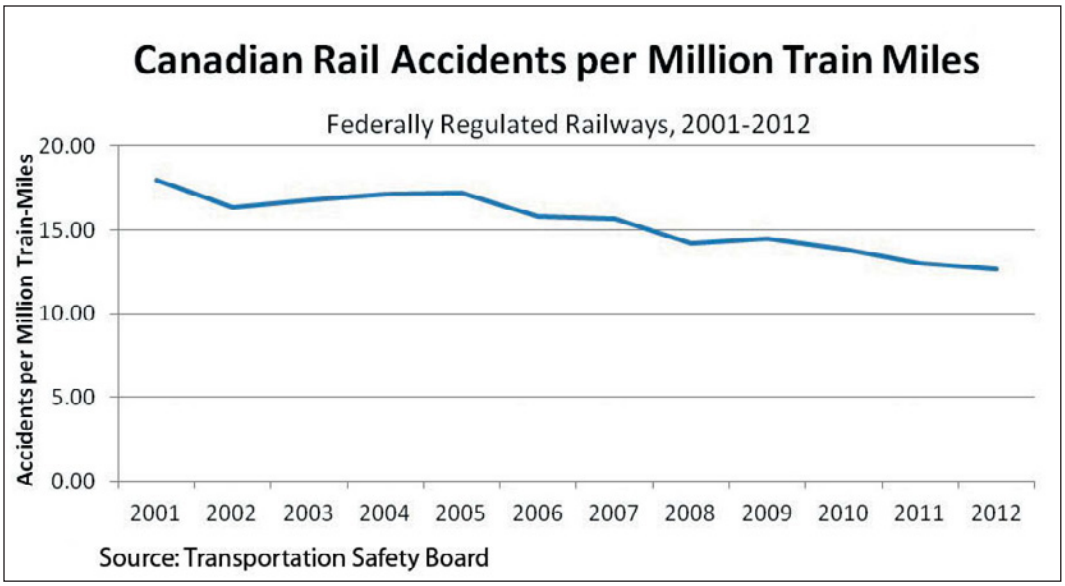

Through programs like the TransCAER® initiative, the rail sector ensures municipal emergency planners and responders are properly trained to work with industry experts and qualified contractors in developing emergency response plans.

railways to inform first responders on the nature and volume of goods travelling through their communities, announced in November.

"Railways have excellent relationships with first responders and we are anxious to help them develop effective and realistic emergency response plans and to be capable of reacting if an incident were to occur," said Bourque, following the Minister's announcement.

In 2012, the RAC Dangerous Goods team conducted more than 75 TRANSCAER® events in Canada involving some 1100 participants, and those numbers doubled in 2013. Other initiatives, such as Operation Lifesaver, further aim to improve safety in communities across Canada.

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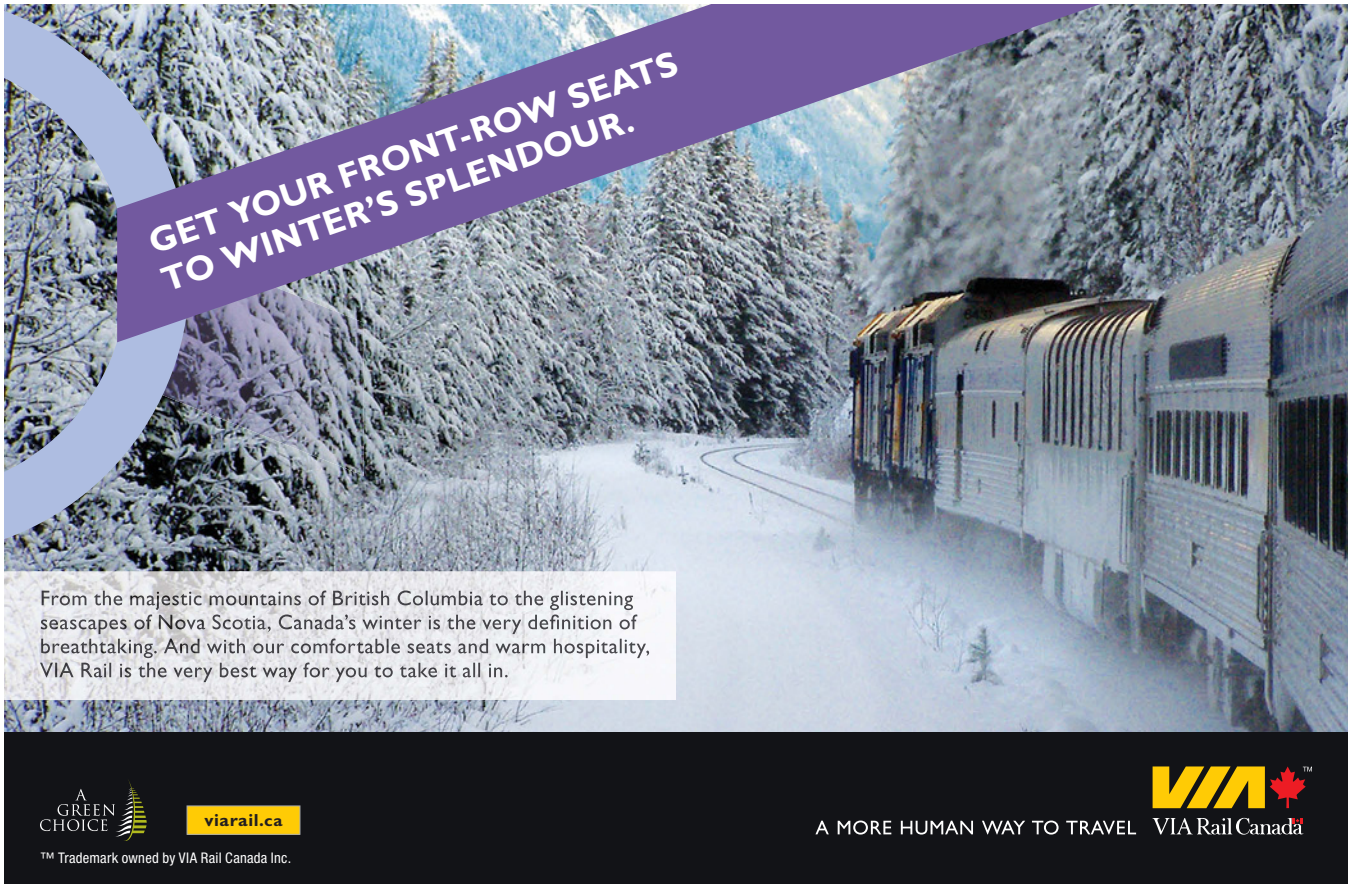

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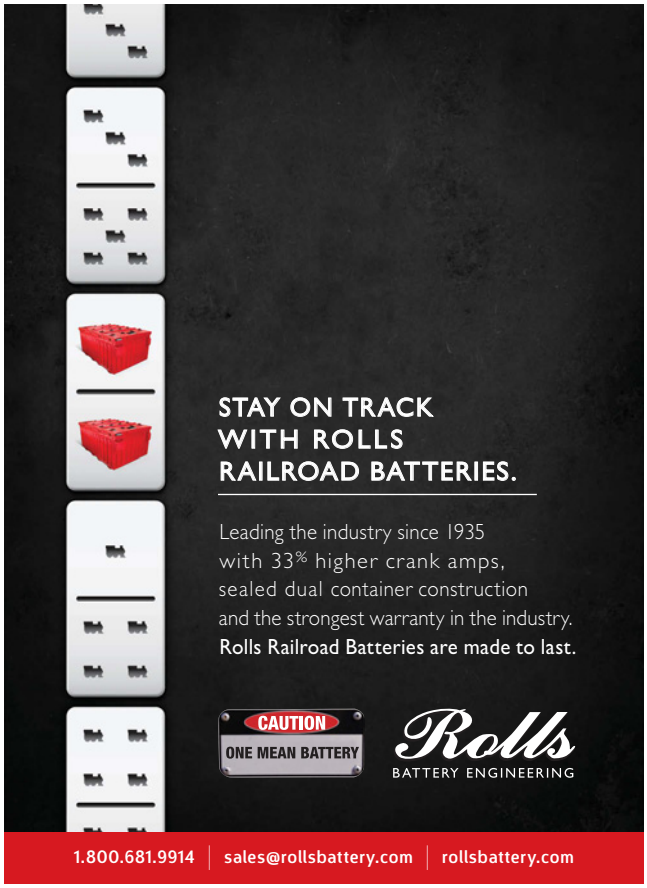

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Outside Looking In

In-cab recorders could improve rail safety, if used properly

CN, CP and VIA Rail are examining the potential of Locomotive Voice and Video Recorders (LVVR) as another tool to improve the safety of their train operations.

The Transportation Safety Board (TSB) has called on Transport Canada to require the installation of the recording equipment in locomotive cabs since it completed its investigation of a VIA Rail crash in Ancaster, Ont. in 2012.

The TSB wants "to better understand why accidents happen and recordings are the key to that understanding," says Chairwoman Wendy Tadros. "The TSB believes a voluntary approach does not go far enough and will not ensure that the vast majority of locomotives in Canada will be equipped with essential recorders."

Most locomotives are equipped with forward-looking video cameras that show what the crew sees, including trespassers, other trains and vehicles disobeying lowered safety barriers at level crossings. The locomotives are also equipped with so-called black boxes that record the crew's communications with train dispatchers and changes in speed and brake applications.

These videos and recordings are only available to TSB investigators. This restricted access, as well as the concept of inward-facing recorders, has generated controversy.

Michael Bourque, president and chief executive officer of the Railway Association of Canada, questions why the railways should be expected to pay at least $25 million for LVVR equipment in their locomotive fleets when they can't use recordings to understand how their employees function on the job.

The technology is available and can survive crashes. But Bourque says even though the railways would pay to install and maintain the recorders, they wouldn't have any control over the systems.

The rail industry has been on record with Transport Canada and the TSB on the benefits of video and audio recording systems as part of company safety management systems (SMS) to prevent accidents. Incorporating in-cab video cameras and voice recorders in locomotives will help to meet the intended shared objective of improved rail safety. The *Canadian Transportation Accident Investigation and Safety Board (CTAISB) Act*, presently limits the use of voice and video recordings to TSB staff in post-event investigations. TSB confirms that, under current legislation, it would be illegal for railway companies to use recordings as part of a safety management system to prevent accidents.

Bien utilisés, les enregistreurs de cabine pourraient améliorer la sécurité ferroviaire

Le CN, le CP et VIA Rail examinent actuellement le potentiel des enregistreurs de voix et d'images vidéo pour locomotives (LVVR), comme outils supplémentaires visant à améliorer la sécurité de l'exploitation ferroviaire.

Le Bureau de la sécurité des transports (BST) a demandé à Transports Canada de rendre obligatoire l'installation d'enregistreurs dans la cabine des locomotives, à la suite de son enquête sur un accident de VIA Rail survenu en 2012 à Ancaster, en Ontario.

Le BST souhaite « mieux comprendre les causes des accidents et pour ce faire, les enregistrements sont essentiels, selon la présidente du BST, Wendy Tadros. Le BST croit qu'une approche volontaire ne suffit pas, car elle ne garantit pas que la grande majorité des locomotives au Canada seront équipées d'enregistreurs. »

La plupart des locomotives sont munies de caméras orientées vers l'avant qui montrent ce que l'équipe voit, y compris les intrus, les autres trains et les véhicules qui passent outre aux barrières de sécurité abaissées aux passages à niveau. Les locomotives sont aussi équipées de « boîtes noires » qui enregistrent les communications entre l'équipe et les contrôleurs de la circulation ferroviaire, ainsi que les variations de vitesse et les freinages.

Seuls les enquêteurs du BST ont accès à ces enregistrements vidéo et audio. Cet accès restreint, de même que le concept des caméras orientées vers l'intérieur, suscite la controverse.

Michael Bourque, président-directeur général de l'Association des chemins de fer du Canada, se demande pourquoi les chemins de fer devraient payer, au bas mot, 25 M$ pour équiper leurs locomotives de LVVR alors qu'ils ne peuvent utiliser les enregistrements pour mieux comprendre la façon dont leurs employés exécutent leurs tâches.

La technologie est disponible et les appareils en question peuvent résister aux collisions. Mais comme le fait remarquer M. Bourque, même si les chemins de fer payaient pour l'installation et l'entretien des enregistreurs, ils n'auraient aucun contrôle sur ceux-ci.

"We're looking for better ways to deal with the human element in an accident," Bourque says. "We want to see if there is a pattern or condition that leads to accidents. We want to put this technology to use to prevent accidents."

"We're looking for better ways to deal with the human element in an accident," Bourque says. "We want to see if there is a pattern or condition that leads to accidents. We want to put this technology to use to prevent accidents."

Jim Feeny, a spokesman for Canadian National (CN), says the company "will work with its running trades union to discuss joint solutions to advance the minister's safety initiative."

The railway developed a pilot project to test LVVRs on some of its trains in the Toronto-Montreal corridor but still faces concerns from the Teamsters Canada Rail Conference about the possible intrusion into the privacy of engineers and conductors.

Canadian Pacific (CP) is watching the issue with interest, says spokesman Ed Greenberg.

"Canadian Pacific continues to make investments in the area of safety, including ongoing research and development in state-of-the-art technology," says Greenberg. "Our railway is supportive of inward-facing camera technology and is actively looking at this area in Canada, provided the technology can be used for compliance monitoring. As well, CP believes more discussions are required between the rail industry and the federal government regarding regulatory changes to encompass the use of this technology."

Marc Laliberté, VIA's former president and CEO, said the railway will have forward-looking cameras installed on all its locomotives next year and is "discussing the feasibility of installing inward-facing video cameras" with its union.

In June, former transport minister Denis Lebel urged the railways to work with their unions to reach agreements establishing the appropriate conditions to implement voice/video recording devices in locomotive cabs. He also released a study by the Advisory Council on Rail Safety's Working Group on LVVRs, which called for their voluntary installation.

Transport Canada has acknowledged the "lack of clarity with respect to the applicability and scope of the *Canadian Transportation Accident Investigation Safety Board Act* (CTAISB Act) is problematic and probably open to legal challenge." Working Group members agreed that the issue needed to be resolved.

Transport Canada is exploring options to clarify the legal framework, however no changes would be made without further consultations, the department added. It might even require an amendment to the TSB Act by Parliament.

Canadian National's proposed test involved equipping LVVRs in 10 to 20 locomotives for a three- to six-month period.

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Le secteur ferroviaire a déjà informé Transports Canada et le BST des avantages que présentent les enregistreurs vidéo et audio, dans le cadre du système de gestion de la sécurité (SGS) de chaque compagnie de chemin de fer, en matière de prévention des accidents. L'installation de caméras vidéo et d'enregistreurs de voix dans les locomotives favorisera la réalisation de l'objectif commun qui consiste à améliorer la sécurité ferroviaire. Actuellement, en vertu de la *Loi sur le Bureau canadien d'enquête sur les accidents de transport et de la sécurité des transports (BCEATST),* seul le personnel du BST peut utiliser les enregistrements vocaux et vidéo aux fins d'enquête postérieure à un événement. Le BST confirme qu'en vertu de la loi actuelle, il serait illégal pour les compagnies de chemin de fer d'utiliser ces enregistrements dans le cadre d'un SGS visant à prévenir les accidents.

« Nous cherchons de meilleurs moyens pour agir sur les facteurs humains, explique M. Bourque. Nous voulons voir s'il y a des comportements ou des conditions qui mènent aux accidents. Nous souhaitons utiliser cette technologie pour prévenir les accidents. »

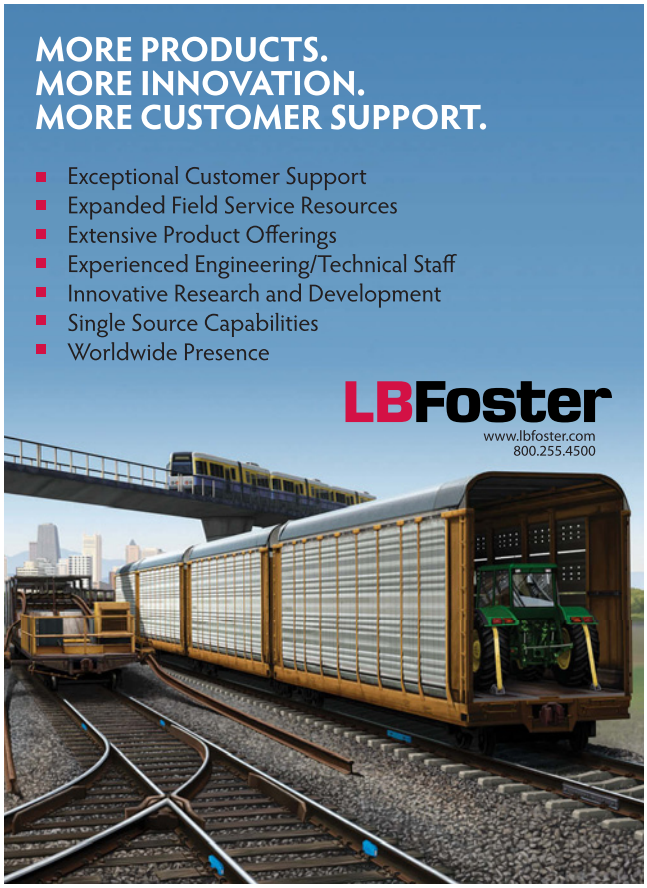
Jim Feeny, porte-parole du Canadien National (CN), précise que la compagnie « travaillera de concert avec le syndicat représentant le personnel itinérant afin d'en arriver à des solutions communes visant à faire progresser l'initiative de la ministre en matière de sécurité ».

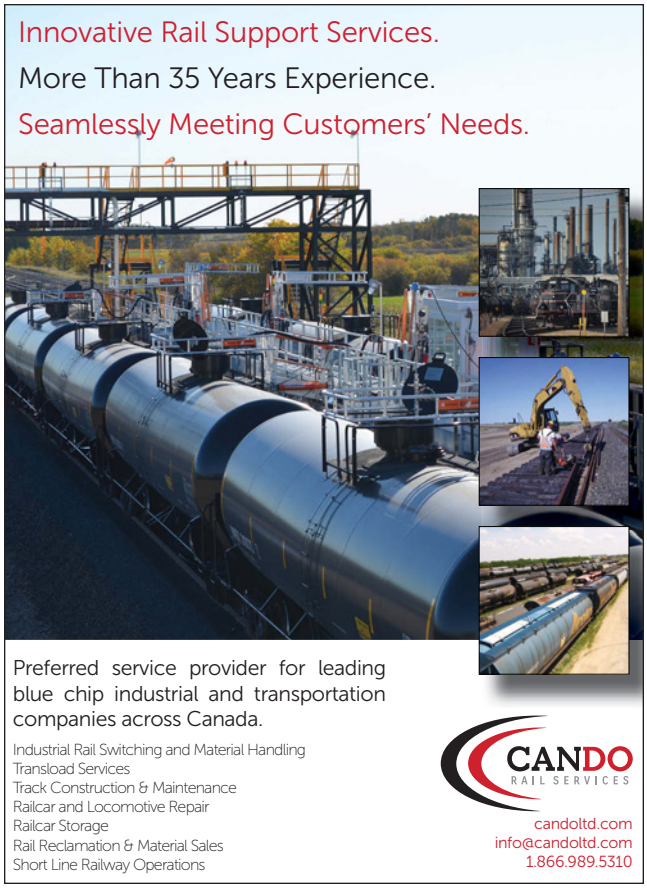
Le chemin de fer a élaboré un projet pilote afin de mettre à l'essai les LVVR dans quelques-uns de ses trains circulant dans le corridor Montréal-Toronto, mais il se heurte aux préoccupations soulevées par la Conférence ferroviaire de Teamsters Canada quant à la possible intrusion dans la vie privée des mécaniciens et des chefs de train.

Le Canadien Pacifique (CP) suit le dossier avec intérêt, affirme son porte-parole Ed Greenberg.

« Le Canadien Pacifique investit sans cesse dans la sécurité, notamment dans la recherche et le développement continus de technologies de pointe, souligne Greenberg. Notre chemin de fer est en faveur des caméras orientées vers l'intérieur, à condition que cette technologie puisse être utilisée à des fins de vérification de la conformité, et examine actuellement la question en ce qui a trait à une utilisation au Canada. De plus, le CP est d'avis que de plus amples discussions sont nécessaires

« Nous cherchons de meilleurs moyens pour agir sur les facteurs humains, explique M. Bourque. Nous voulons voir s'il y a des comportements ou des conditions qui mènent aux accidents. Nous souhaitons utiliser cette technologie pour prévenir les accidents. »





A camera would monitor the engineer and the locomotive control stand while another would capture images of the conductor's area.

A camera would monitor the engineer and the locomotive control stand while another would capture images of the conductor's area.

Random video segments would be reviewed for safety monitoring to look for potential issues including employee alertness, rule compliance and the use of personal mobile devices on the job.

Significant rule or policy violations would be reviewed, but CN says the primary focus would be on "learning, coaching and strengthening the Safety Management System."

The TSB says that in the absence of an automatic train control system that would automatically stop a train in a dangerous situation, "the need to understand cab crew dynamics becomes more acute."

The TSB says adding LVVRs are the next logical step in improving train safety. "Together, this technology will allow better understanding of the events leading to an accident including how the crew communicated, what took place in the cab and whether existing defences are robust enough."

Besides helping in accident investigation, LVVRs offer the railways the ability to act in a non-punitive way to enhance their SMS, the TSB noted. "This is particularly important in an environment that depends on administrative defences alone to ensure safety and where there are no physical fail-safe train control systems," It said.

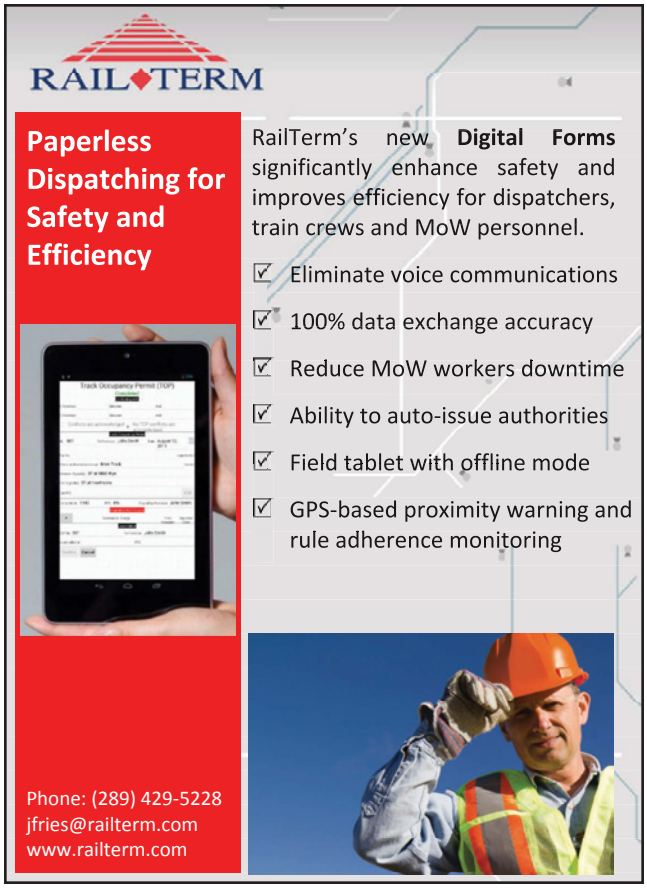
Teamsters Canada Rail Conference president Rex Beatty says there is no legal basis for the installation LVVRs and doing so without union agreement runs contrary to well-established legal precedents. In a letter to CN president and CEO Claude Mongeau, he said his union wants an immediate end to the project because of the threat it poses to its members' privacy.

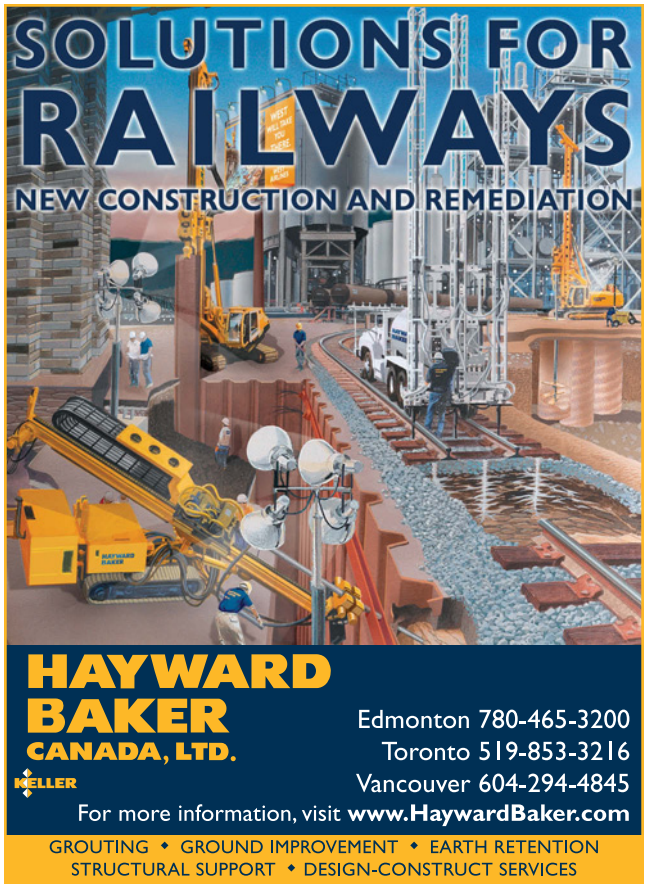
In the letter, Beatty said the LVVR is "unreasonably intrusive and violates our members' privacy rights" and CN "does not have the legal authority to implement such an extraordinarily invasive project."

Beatty also said there is no need for intruding into the locomotive cabs since the CN already has sufficient means for enforcing its safety goals.

The LVVR project goes far beyond the black boxes used in aircraft, which are "subject to stringent statutory protection and, significantly, are not accessible by employers," Beatty noted.

"Only the Transportation Safety Board may have access to cockpit 'black box' recordings under Canadian law. The Company's proposed LVVR flies in the face of this existing balance."





entre le secteur ferroviaire et le gouvernement fédéral quant aux changements à apporter aux règlements en vue de l'utilisation de cette technologie. »

Marc Laliberté, ex-président et chef de la direction de VIA, affirmait que des caméras orientées vers l'avant seront installées dans toutes les locomotives du chemin de fer cette année et que « des discussions sont en cours » avec le syndicat « concernant la possibilité d'installer des caméras orientées vers l'intérieur ».

En juin, l'ancien ministre des Transports, Denis Lebel, a demandé instamment aux chemins de fer de travailler avec les syndicats afin de parvenir à des ententes définissant les conditions appropriées pour la mise en œuvre des enregistreurs vocaux et vidéo dans la cabine des locomotives. Il a également rendu publique une étude du Groupe de travail du Conseil consultatif sur la sécurité ferroviaire sur les enregistreurs de conversations et les enregistreurs vidéo à bord des locomotives, recommandant l'installation volontaire de ces appareils par les chemins de fer.

Transports Canada a reconnu que le « manque de clarté quant à l'applicabilité et à la portée de la Loi sur le BCEATST (*Loi sur le Bureau canadien d'enquête sur les accidents de transport et de la sécurité des transports*) était problématique et pourrait donner lieu à une contestation judiciaire. » Le Groupe a convenu qu'il fallait résoudre la question.

Transports Canada examine actuellement diverses options visant à clarifier le cadre législatif, mais aucun changement ne serait apporté sans consultations ultérieures, selon le ministère. Il est même possible que le Parlement doive modifier la Loi sur le BCEATST.

Le CN a proposé un test consistant à exploiter entre 10 et 20 locomotives équipées de LVVR pendant trois à six mois.

Une caméra serait dirigée sur le mécanicien et le pupitre de conduite de la locomotive, et une autre, sur le poste de travail du chef de train. On visionnerait des segments vidéo choisis de façon aléatoire à des fins de contrôle de la sécurité, afin de repérer les problèmes possibles en ce qui concerne notamment la vigilance du personnel, le respect des règles et l'utilisation d'appareils mobiles personnels pendant le service.

Les infractions importantes aux règles ou aux politiques seraient passées en revue, mais comme le précise le CN, l'objectif principal consisterait « à apprendre, à encadrer et à renforcer le système de gestion de la sécurité ».

Le BST affirme qu'en l'absence d'un système de contrôle automatique des trains qui arrêterait automatiquement un train en cas de danger, « le besoin de comprendre la dynamique régnant entre les membres de l'équipe de cabine devient plus marqué ».

Le BST estime que l'ajout de LVVR est la prochaine étape logique pour améliorer la sécurité ferroviaire. « Ensemble, ces technologies permettront de mieux comprendre les éléments ayant mené à cet accident, y compris la manière dont les membres de l'équipe ont communiqué entre eux, ce qui s'est passé dans la cabine et le degré de robustesse des moyens de défense en place. »

En outre, les LVVR offrent la possibilité aux chemins de fer d'agir de manière non punitive, afin d'améliorer leurs SGS, souligne le BST. « Les enregistreurs revêtent une importance particulière dans un environnement tributaire exclusivement de moyens de défense d'ordre administratif pour assurer la sécurité et dans lequel il n'existe pas de moyens de défense physiques pour le contrôle des trains à sécurité intrinsèque », précise le BST.

Rex Beatty, président de la Conférence ferroviaire de Teamsters Canada, affirme qu'il n'y a aucune base juridique pour l'installation des LVVR et que le fait d'aller de l'avant sans le consentement du syndicat est contraire aux précédents juridiques bien établis. Dans une lettre au président-directeur général du CN, Claude Mongeau, M. Beatty demande au nom de son syndicat que l'on mette fin au projet sur-le-champ en raison de la menace qu'il pose pour la vie privée de ses membres.

Dans cette lettre, M. Beatty affirme que les LVVR sont « indûment intrusifs et violent le droit à la vie privée de ses membres » et que le CN « n'a pas l'autorisation légale de mettre en œuvre un projet si extraordinairement intrusif ».

M. Beatty précise également que cette intrusion dans la cabine des locomotives n'est pas nécessaire puisque le CN dispose déjà de moyens coercitifs suffisants pour atteindre ses objectifs de sécurité.

Le projet des LVVR va bien plus loin que les boîtes noires utilisées en aviation, qui sont « régies par des dispositions législatives strictes en matière de protection, et qui plus est, ne sont pas accessibles aux employeurs », fait remarquer M. Beatty.

« En vertu de la législation canadienne, seul le Bureau de sécurité des transports peut accéder aux enregistrements de la 'boîte noire'. La proposition de la Compagnie relativement aux LVVR va à l'encontre des lois actuelles. »

Une caméra serait dirigée sur le mécanicien et le pupitre de conduite de la locomotive, et une autre, sur le poste de travail du chef de train.

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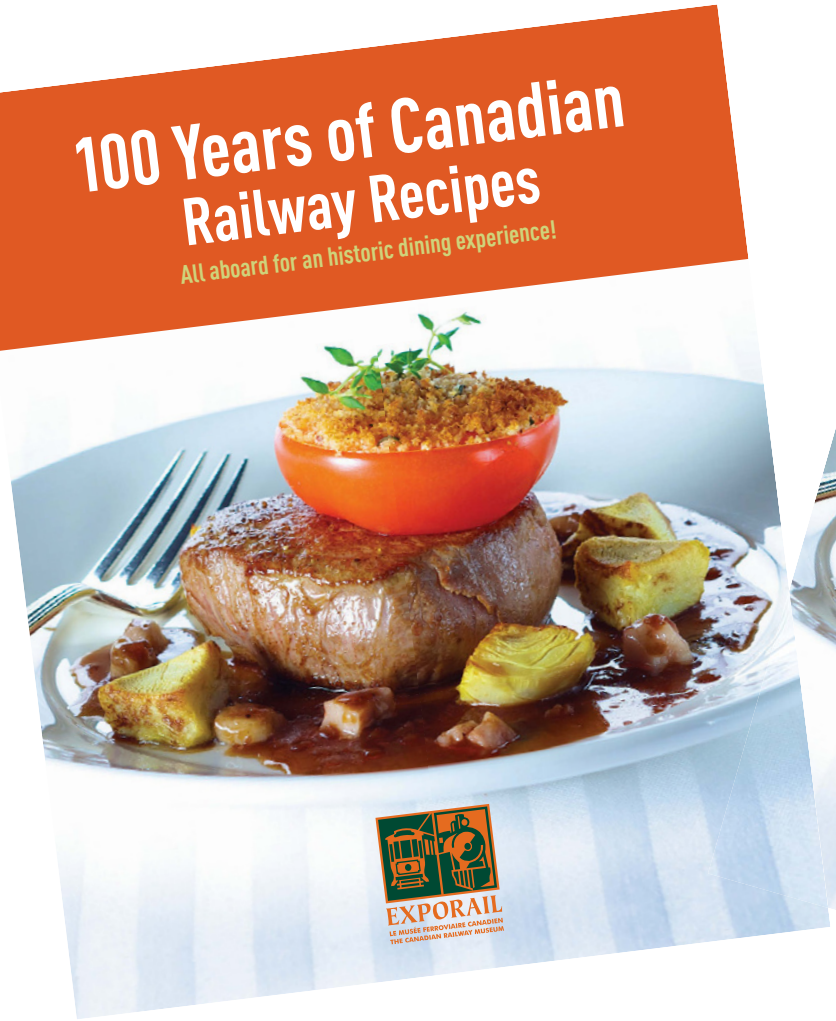

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This project was made possible by our main financial partner, the ministère de la Culture et des Communications du Québec. Many other partners contributed to the success of this project, particularly Martin Gemme, chef and sommelier at VIA Rail Canada, who introduced the more recent culinary heritage and, of course, the CN and Canadian Pacific, who continually support Exporail's activities.

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Ce projet n'aurait pu être mené à terme sans le principal partenaire financier au fonctionnement d'Exporail, le ministère de la Culture et des Communications du Québec. Plusieurs partenaires ont également largement contribué au succès de cette réalisation : notamment, Martin Gemme, chef et sommelier à VIA Rail Canada, qui nous a permis de refléter le patrimoine culinaire des dernières années. Puis, le CN et le Canadien Pacifique, qui soutiennent continuellement les activités d'Exporail.

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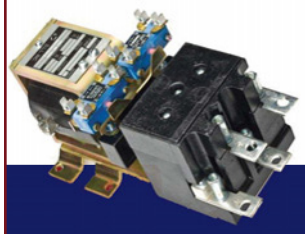

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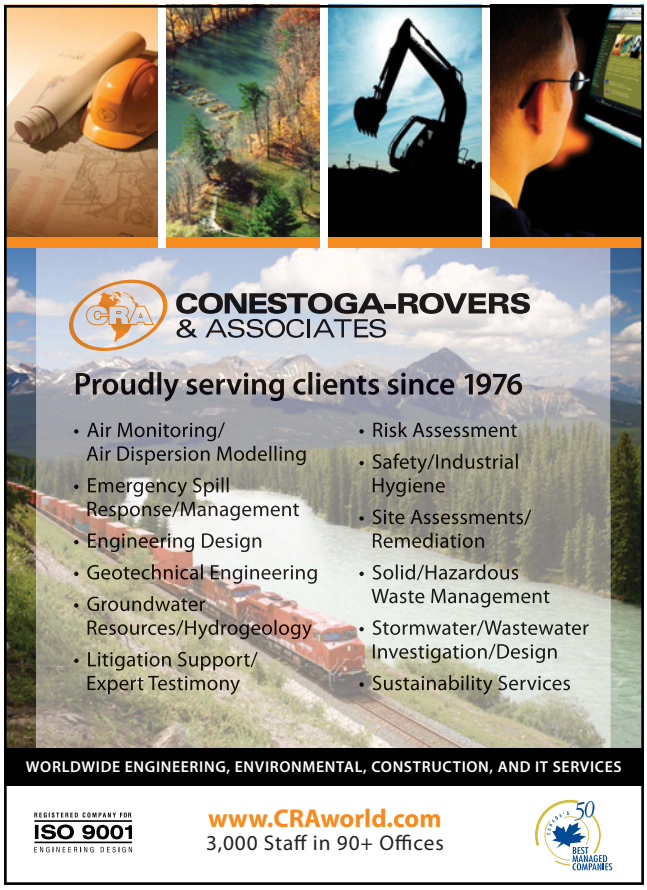

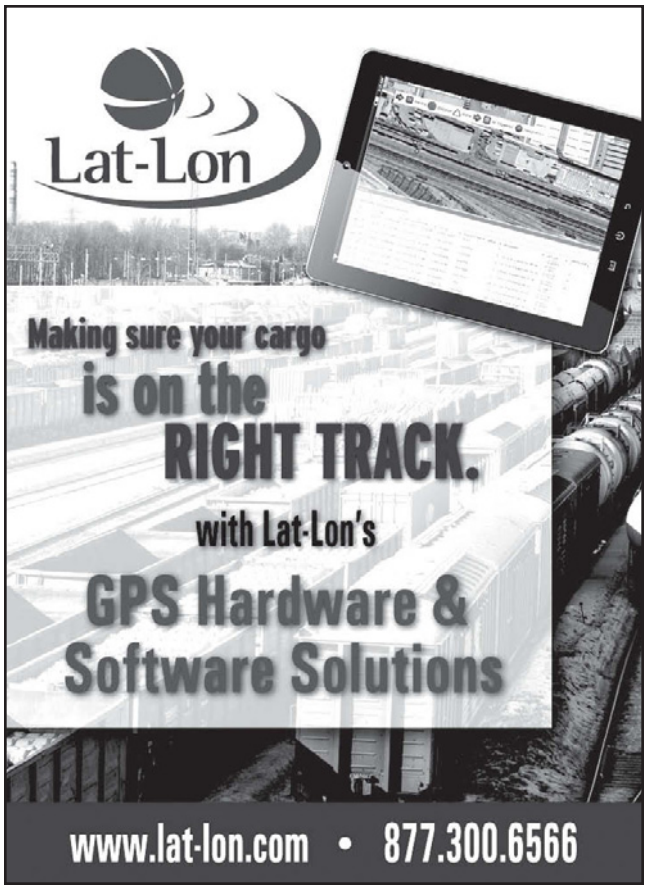

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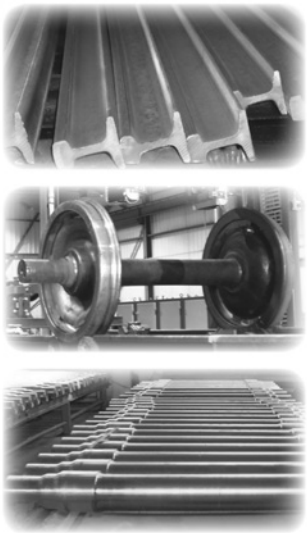

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