



**Submission from Canadian National Railway to the House of Commons
Standing Committee on Transport, Infrastructure and Communities**

**A STUDY OF TRAVEL DELAYS AND THE TREATMENT OF AIR AND RAIL
PASSENGERS**

January 2023

Executive Summary

Last holiday season, as Canadians were travelling to see their families, severe weather conditions impacted sections of the CN railway infrastructure, including in Ontario.

Bad weather forced the Ontario Provincial Police to close multiple county roads and highways , including parts of the 401 after an almost 100 vehicle collision, as well as the 402 following a more than 50 vehicle collision. According to Hydro-One, by December 26th, 430,000 customers had lost access to electricity and needed to have their power restored.

In the context of these extreme conditions, a CN train derailed on December 24th at approximately 11AM ET near Grafton, Ontario, causing the rail section in the area to be unpassable for 59 hours. One of the cars involved in the derailment contained dangerous materials. While no dangerous materials were released, the situation required intense precautions. CN teams worked tirelessly to resolve the disruption and were mindful throughout their efforts of the timing of this derailment and ensuing service disruption.

Providing Canadians with a safe and reliable railway infrastructure is a responsibility we at CN will never compromise on.. Crews were deployed from various locations in Ontario and Québec to safely clear the railway and had to work in very difficult conditions. Access to the derailment site, including access of specialized equipment needed to remove the wreckage, was complicated by the extreme weather conditions. Difficulties were further compounded by road closures, limited road access, the derailed locomotive and cars being located on both East and West ends of a narrow bridge over a creek with steep embankments on both sides of the trackage, high winds, limited visibility, etc.

In addition, the derailment posed a particularly complicated engineering and logistical problem. The derailed cars were entangled with the locomotive and cars of the train sitting on a parallel track, making it extremely challenging to clear the tracks without causing further disruptions, including the risk that multiple additional cars and the locomotive would tip over in the process of separating the debris.

As always, CN stayed in contact with VIA Rail, its passenger-carrying partner throughout the event in order to make sure VIA could plan Canadians getting home to their families safely once work was completed. Partial service was finally restored on December 27th, enabling VIA Rail trains to start circulating. Full service was restored on December 28th.

Introduction

CN acknowledges the desire expressed by some of the members of the House of Commons Standing Committee on Transportation to hear from us on our management of the railway disruption which occurred between December 24th and 27th after a severe winter storm. We believe it is important to share with the Honourable Members some context and facts about what occurred. We hope the below information can enable members of the committee to have a fuller understanding of the facts.

CN maintains a rail network of approximately 20,000 route-miles spanning Canada and mid-America which is essential to the economy, the customers, and the communities it serves. With an uncompromising commitment to safety, we take pride in the work done by our more than 22 600 railroaders.

As we continually strive to achieve operational excellence, extreme weather conditions will inevitably provide challenges at times. This was the case with the violent winter storm that passed through the province of Ontario for multiple days during the holiday season. This storm caused highway closures and hundreds of thousands of homes to lose power. It is in this environment that a derailment occurred and caused a service disruption on our mainline between Toronto and Montréal.

In the spirit of collaboration and transparency, we would like to provide the Honourable Members of this committee an overview of the challenges we dealt with and the efforts our railroaders deployed to restore service as promptly as possible under extraordinary circumstances. This was done with safety as our core focus: that of the stranded passengers and that of members of our crew who worked tirelessly for days battling the elements.

Context: the relationship between CN and VIA Rail

VIA Rail, the national passenger rail service of Canada, was created in 1977 when CN (then also a Crown Corporation) spun off its passenger service into a separate Crown Corporation. The two government-owned entities co-existed until CN was privatized in 1995 pursuant to the CN Commercialization Act. After the privatization of CN, the parties continued to interact by way of trackage rights granted by CN to VIA Rail for its passenger services.

Today, VIA Rail continues to provide inter-city passenger rail services to its customers, mainly on tracks that belong to CN. In fact, more than 95% of such passenger rail service is provided by VIA Rail on CN's network, with the remaining portion taking place either on VIA Rail's own tracks or other freight and commuter railroads' properties.

Because of the dual nature of the railway network, meaning that both passenger and freight trains operate on the same network, CN and Via Rail are in close and constant contact in order to coordinate operations. Coordination for these interactions between the two train operators is handled by CN's Rail Traffic Control (RTC) Centre which dispatches rail traffic on CN's network, as well as VIA Rail's Operating Control Centre (OCC).

Step by step walkthrough of the events between December 23rd to 27th 2022

VIA services were greatly impacted between December 23rd and December 27th. The service disruptions had two distinct causes:

1. A severe winter storm on the evening of December 23rd that impacted portions of the Kingston Sub
2. A CN derailment that occurred at Grafton (mile 256.1) on the Kingston Sub at 1100 on December 24th that rendered the Kingston sub impassible at that location for 59 hours.

VIA and CN were in continuous communication during the entire duration of the service disruption. We were also in contact with Transport Canada, as well as with local Mayor, County Manager, MP and MPP.

December 23rd – Severe Winter Storm.

In the afternoon and evening of December 23rd through to the early hours of December 24th, a severe winter storm caused power outages and road closures in Eastern Ontario. The operational impact to the railway infrastructure on the Kingston Sub included power outages affecting all public crossings at grade equipped with automatic warning devices on a 46 mile stretch between Caron (mile 19.4) and Regis (mile 65.4) and again on a 38 mile stretch between Brighton (mile 240.8) and Newtonville (mile 278.3).

As a result, all trains passing though these areas had to stop and manually protect traffic by activating warning devices at the public crossings at grade. Also, many of the switches encountered at Cobourg and Grafton had to be hand operated prior to passing them.

December 24th - CN Derailment of Trains Q 12291 22 and M 30511 22.

On December 24, 2022, train Q 12291 22 was travelling east on the Kingston Subdivision. As 122 moved through the location, the lead locomotive on 305 with six intermodal cars and nineteen intermodal containers from 122 derailed including a container tank containing dangerous products. The root cause of this incident is still under investigation.

This event rendered the Kingston Sub impassable at this location from approximately 1100 on December 24th to 2200 on December 26th. The line outage at this location forced VIA to cancel service between Toronto-Ottawa and Toronto-Montreal.

December 24th to December 27th – clearing work

Crews were deployed from various locations in Ontario and Québec to safely clear the railway and had to work in very difficult conditions. Access to the derailment site, including access of specialized equipment needed to remove the wreckage, was complicated by extreme weather conditions, road closures, limited road access, the derailed locomotive and cars being located on both East and West ends of a narrow bridge over a creek with steep embankments on both sides of the trackage, high winds, limited visibility, etc.

The equipment clearing efforts commenced the morning of December 25th when the first of the specialized equipment and crews were finally able to reach the site. These clearing efforts continued until mid-morning December 26th.

Portions of the track rebuild effort were able to be commenced all the while the last of the equipment clearing was continuing. However a significant amount of track and signal work only commenced mid-morning on December 26th after the specialized machines were clear and derailed locomotive and railcars were moved clear of the location.

The track rebuild efforts continued around the clock, focusing on the North Main track which was returned to service at about 2200 on December 26th. After the North Main was back in service, the South Main track rebuild efforts continued around the clock until the South Main was ultimately returned to service at about 2100 on December 27th.

With the backlog of traffic caused by the line outage, it was agreed that VIA would resume partial service on December 27th, by operating 14 trains and repositioning equipment.

VIA resumed full-service on the Kingston Sub on December 28th, operating 26 trains.

Going forward

We understand how frustrating it can be to have holiday family gatherings compromised or shortened. Our railroaders battled extreme weather to ensure that the time Canadians spent apart from their families was kept to a minimum. This was done all while ensuring the safety of our crews and their ability to return to their own families for the holidays.

We think it's important to acknowledge the hard work done by our railroaders when faced with such an exceptional situation. We also want to acknowledge the support provided by the local communities.

As a company and as individuals, we can always strive to learn and be better. Every experience offers an opportunity to learn and improve. Our railroaders worked tirelessly, without compromising safety and with a view to restoring passenger and freight traffic as fast as possible. We also communicated regularly and with as much detail as available. There is no doubt that our ability to reliably predict the time it would take to reopen the tracks was largely dependent on external factors we had limited to no control over, which caused us to reassess our best view of the desired outcome, which we communicated to VIA.

As part of our responsibility towards Canadians, CN will continue to collaborate with this committee, governments and stakeholders in order to ensure that safety and good practice is maintained on Canada's coast to coast railway network.