

Subject: CN Rail Accidents**Date:** Tue, 6 Dec 2005 18:12:32 +0000 (GMT)**From:** Elizabeth James <cagebc@yahoo.com>**To:** Mayor and Council - DNV <council@dnv.org>**CC:** Mayor & Council <infocentre@city.richmond.bc.ca>, Mayor and Council <clerks@corp.delta.bc.ca>, Mayor and Council <council@district.west-van.bc.ca>, Mayor Mussatto and Council <council@cnv.org>, Mayor Sutherland & Council <isutherland@squamish.ca>, Mayor & Council <servicecentre@city.pg.bc.ca>, "James Ridge, CAO" <james_ridge@dnv.org>, FONVCA <fonvca@fonvca.org>

6 December 2005

Dear Mayor Walton, Members of Council:

Another day, another CN Rail derailment. How many is that this year? 24 or so? About 12 of which have occurred during the past three months. This time, it appears that the last four cars of a 39-car train have derailed into the Fraser River at Richmond, so there has to be more to be done than merely shortening the length of the trains.

These derailments must be stopped before someone is seriously injured or killed as a result of this company's *laissez faire* attitude to its operations. Yes, *laissez faire* because the company officials who appeared before council to extol the company's safety procedures, gave no indication that they have any appreciation whatsoever as to the seriousness of the problem.

For the benefit of new councillors, a September 12th motion of Council is copied below:

CN Rail – Storage and Transport of Hazardous Materials <?xml:namespace prefix = v ns = "urn:schemas-microsoft-com:vml" />
File 01.0510.50/000.000 Tracking Number 2005-00768

Moved by Councillor CRIST, Seconded by Mayor HARRIS and CARRIED

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WHEREAS on August 6th 2005, several cars of a 140+ CN freight were derailed into the Cheakamus River near Squamish, BC - a river that feeds into the Squamish River and, eventually, into Howe Sound;

AND WHEREAS although the majority of the cars were traveling empty, those that derailed were carrying liquid sodium hydroxide - a substance that is toxic to fish, birds and to humans;

AND WHEREAS although hundreds of fish have already died, the total effect of this 50,000-litre spill upon the environment - including local well-water supplies - and upon outdoor sports and tourism activities will not be known for some time;

AND WHEREAS local residents have complained about lack of communication from CN Rail, lengthy delays in notification generally and about "having to phone around ourselves to see what was going on";

AND WHEREAS CN Rail freight trains travel through the District and all North Shore communities,

THEREFORE BE IT RESOLVED THAT the Mayor and Council of the District of North Vancouver request the Vice President of Operations from CN Rail as well as a representative from the Federal Transportation Safety Board to appear before Council at the earliest possible opportunity, to address Council's specific concerns with respect to its operations - with particular reference to the extent and effectiveness of safety measures it has in place to protect residents and the environment resulting from CN storage and transport of hazardous materials;

BE IT FURTHER RESOLVED THAT staff send a copy of the approved motion to all North Shore Communities, the Councils of all affected communities along CN routes in British Columbia, the BC Provincial Ministers of Environment and Transportation and the Federal Transportation Safety Board.

Approximately one month later, Bill Danks, CN Risk Management Officer and Kirk Carroll, General Manager of CN Operations appeared before a regular meeting of Council. To say the least, the recitation of CN's "safety procedures" was less than comforting.

Hiding behind the excuse that "this is before the courts so we can't answer that," the pat and/or evasive answers provided to questions of Council did nothing to allay concerns of a community which remained sceptical that any improvement would result. The 4-5 derailments which have occurred since that date have shown that the scepticism was more than justified.

From media reports on the recent closed-door meeting between Minister Falcon and [I believe] the Vice-President of CN Operations,

little was accomplished other than a repetition of CN 'assurances' that all is well and under control. Dare one guess that the Minister said something like, "Hey, we're already in deep doo-doo over selling off BC Rail, I need you to clean up this derailment thing."

My very real concern, is that it is only a matter of time before human injury or death will result if CN operations are not brought up to acceptable safety standards. To be blunt, I do not care how the U.S. and Canadian derailment records compare to the records of other companies and jurisdictions. One accident is too many - especially if it causes injury, death or environmental damage.

Accordingly, it would be appreciated if Council of the District of North Vancouver would, once again, demonstrate leadership by forwarding an immediate letter to UBCM, asking that all BC communities unite to demand immediate action on the CN Rail file by the federal and provincial Ministers of Transportation, as follows:

- THAT BC Transportation Minister, Kevin Falcon immediately release all details of the "sales agreement" which was reached between the provincial government and CN Rail - particularly with respect to operational standards and liability;
- THAT the Canada Transportation Safety Board commence an immediate enquiry into CN Rail operations, and commission an end-to-end inspection of all tracks west of Edmonton where the first major spill occurred in August of this year; and further,
- THAT as an interim measure, CN Rail be required to immediately reduce train speed in British Columbia and train length to a maximum of 70-80 cars on all routes, pending receipt of enquiry and inspection findings, as well as additional reports and recommendations re track maintenance, personnel training, certification and deployment, together with optimal standards for length, loading and speed on all sections of the track; and further,
- THAT, if at all possible, a safety inspector - from either the Transportation Safety Board or WCB - accompany all scheduled trips in British Columbia until modifications can be made throughout CN operations.

In closing, I have no faith whatsoever that, in the absence of a strong and unified approach by BC municipalities, either Minister Falcon or the Federal Board will do much to apply the strict regulations required to improve the derailment record of this company, which seems to think it can do as it pleases and risk life and limb in its pursuit of shareholder profits.

Thank you for considering this request. I look forward to learning what action Council is prepared to initiate.

Sincerely,

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