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# Standing Committee on Transport, Infrastructure and Communities

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Chair: Mr. Vance Badawey





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• (1840)

[English]

**The Chair (Mr. Vance Badawey (Niagara Centre, Lib.)):** It's a pleasure to call this meeting to order.

Welcome to all of you to meeting number 24 of the House of Commons Standing Committee on Transport, Infrastructure and Communities.

Today's meeting is taking place in a hybrid format, pursuant to the House order of January 25, 2021.

The proceedings will be made available via the House of Commons website. So you are all aware, the webcast will always show the person speaking, rather than the entirety of the committee.

To ensure an orderly meeting, I would like to outline a few points to follow. Members and witnesses, you may speak in the official language of your choice. Interpretation services are available for this meeting. You have the choice, at the bottom of your screen, of floor, English or French.

For members participating in person, proceed as you usually would when the committee is meeting as a whole in the committee room in person. Keep in mind the directives from the Board of Internal Economy regarding masking and health protocols.

Before speaking, please wait until I recognize you by name. If you are on the video conference, please click on the microphone icon to unmute your mike. For those in the room, your microphone will be controlled as normal by the proceedings and verification officer.

I remind you that all comments by members and witnesses should be addressed through the chair. When you are not speaking, your mike should be on mute. With regard to a speaking list, as always, the committee clerk and I will do the best we can to maintain the order of speaking for all members, whether they are participating virtually or in person.

Members, pursuant to Standing Order 108(2) and the motion adopted by the committee on March 9, 2021, the committee will now commence its study of the follow-up audit on rail safety.

I would now like to welcome as well as introduce our witnesses for this evening.

For the first hour we're going to have, from the Office of the Auditor General, Karen Hogan, the Auditor General of Canada; Dawn Campbell, principal; and Isabelle Marsolais, director.

In the second hour we're going to have, from the Canadian National Railway Company, Tom Brown, assistant vice-president of safety; from the Canadian Pacific Railway, Kyle Mulligan, chief engineer; and from the Railway Association of Canada, Marc Brazeau, president and chief executive officer.

I'm going to start off the first hour with the Office of the Auditor General.

You have five minutes each, and/or if one is speaking on behalf of all, you have five minutes. Then we can proceed to the questions.

Ms. Hogan, you have the floor for the first five minutes.

**Ms. Karen Hogan (Auditor General of Canada, Office of the Auditor General):** Mr. Chair, thank you for this opportunity to discuss the results of our recent follow-up audit of Transport Canada's oversight of rail safety. Joining me today are Dawn Campbell, the principal responsible for the audit, and Isabelle Marsolais, who was part of the audit team.

In this audit we examined whether Transport Canada implemented selected recommendations from our 2013 audit on the oversight of rail safety. Overall, we found that eight years later, the department had yet to fully address our recommendations and that, in fact, there was still much to do to improve the oversight of rail safety in Canada.

Rail accidents can have serious consequences, including devastating loss of life and environmental damage. To mitigate safety threats, Transport Canada undertakes oversight activities that include inspections, audits of safety management systems and data analysis.

We want to focus today on two fundamental gaps in the department's oversight activities that require immediate attention.

Our first concern is that Transport Canada was not assessing the effectiveness of railway companies' safety management systems. These systems are formal frameworks to proactively integrate safety into day-to-day railway operations. In-depth systematic assessments of these systems are called audits. They are meant to verify whether the systems meet the regulatory requirements and integrate safety into daily railway operations.

Over the past 14 years, several reports have recommended that Transport Canada undertake such assessments. I am referring here to three reports from this very committee, a number of other reports from experts in the field and my office's 2013 audit.

We found that, although the scope of Transport Canada's audits of safety management systems had included assessing regulatory compliance, the department had not considered whether the systems were effective in improving safety in daily operations. Unless the department makes these assessments and follows up in a timely way, it cannot know whether these systems are having an impact on rail safety.

• (1845)

[Translation]

Our second concern is that Transport Canada was unable to show whether its oversight activities have improved rail safety overall. The department has made important improvements to the way it plans and prioritizes its activities and follows up on railway companies' plans and actions to address deficiencies. However, it did not measure the overall effectiveness of its rail safety oversight activities. When people and time are dedicated to overseeing rail safety, I believe it is reasonable to expect that the department measure if the time and effort invested are making a difference and to adjust its oversight approach as needed.

We encourage Transport Canada to consider what other programs and jurisdictions are doing on this front, both in Canada and in other countries. The Canada Energy Regulator, for example, has established indicators that measure components of effectiveness. In the United Kingdom, the Office of Rail and Road has developed tools to assess railway companies' ability to manage health and safety risks. The resulting information is used to make year-over-year progress comparisons. Furthermore, in the United States, the Office of Transit Safety and Oversight has committed to monitoring the effectiveness of state safety agencies.

The department agreed with all six of the recommendations we made. I can't underscore enough the importance of taking action on these long-standing issues.

Mr. Chair, this concludes my opening remarks. We would be pleased to answer the committee's questions.

Thank you.

[English]

**The Chair:** Thank you, Ms. Hogan.

I'll now pass the floor to Ms. Campbell.

Ms. Campbell, you have five minutes.

**Ms. Karen Hogan:** Excuse me, Mr. Chair. I was the only one with opening remarks. We're ready for questions.

**The Chair:** You're ready for questions. Good stuff. Thank you, Ms. Hogan.

We are now going to move on to our list of speakers. We have first, for the Conservatives, Ms. Kusie for six minutes.

Ms. Kusie, you have the floor.

[Translation]

**Mrs. Stephanie Kusie (Calgary Midnapore, CPC):** Thank you very much, Mr. Chair.

I'd like to thank the witnesses for being with us today.

[English]

Auditor General, it is an honour to have you here today.

I'm going to start with your statement from the report which I want to read into the record:

We found that Transport Canada had yet to fully address our recommendations from 2013. While the Department has made important improvements to the way it plans and prioritizes its activities and follows up on rail companies' plans and actions to address deficiencies, it is unable to show whether these actions have contributed to improved rail safety overall. When you devote people and time to addressing issues, you should be able to measure if that investment is making a difference.

As you mentioned in your opening comments:

Rail safety accidents can have serious consequences, causing devastating loss of life and environmental damage. I am very concerned that while Transport Canada has taken some actions to address our recommendations, 8 years after our last audit, there is still much left to do to improve the oversight of rail safety in Canada.

Auditor General, it took four years to build the railroad. Why, in eight years, has this government not been able to implement the recommendations from the 2013 report, if you had to give one broad answer, please?

• (1850)

**Ms. Karen Hogan:** I think it's important to note that the department has made some progress. We saw an increase in activities, an increase in the number of inspections, better follow-up on corrective measures taken by railway companies and more audits on the safety management systems. However, those have just stopped short of really measuring the outcome and the effectiveness of all of this increased activity.

I think it's a bit of an unknown area to try to measure effectiveness. We're starting to see the sector head that way. We're seeing, as I mentioned in my opening statement, other countries taking that step, but that's really the fundamentally important step, I think, in order to identify whether or not you've taken the right actions, whether you need to modify those actions and whether you're following up on the right compliance measures.

It really is more than just measuring output. It's really about measuring outcomes, and they just haven't gone that far yet. It really is time to do so. Eight years is a very long time after they made a commitment to do that.

**Mrs. Stephanie Kusie:** Thank you, Auditor General. I am encouraged to hear you say that it is time to measure effectiveness. I struggle to think of, frankly, any other entity, be it corporate, governmental, non-governmental or otherwise, that does not measure its success by effectiveness.

From your findings, Auditor General, are you concerned for the safety of Canadians based upon the actions that have not been taken by Transport Canada?

**Ms. Karen Hogan:** I think it's important to note that any mode of transportation has inherent risks, and that is absolutely true when it comes to rail safety. We saw even in another follow-up audit that was done by the commissioner of the environment and sustainable development, the follow-up on the transportation of dangerous goods, the consequences of potential railway accidents and the devastation that they can have on human life and on the environment.

I am concerned that more concrete steps haven't been taken to make sure that the right actions are happening around rail safety. Every mode of transportation has its inherent issues, so I guess, overall, I would highlight that, yes, I am concerned. Until we can demonstrate that the activities that Transport Canada is doing in coordination with railway companies and other important parties are actually having a difference, we should be concerned.

**Mrs. Stephanie Kusie:** Thank you, Auditor General, for being so bold as to say that you are concerned that, after eight years, these recommendations have not been fully implemented for the safety of Canadians.

Auditor General, if you had to pick one—and I know that there were many, such as collection of data, measurement of effectiveness—what is your biggest concern coming out of this report, please?

**Ms. Karen Hogan:** I think my biggest concern is that Transport Canada increased a lot of its activities, which is great in and of itself if you want to measure outputs. My biggest concern is not being able to demonstrate to Parliament and to Canadians that all of that increased activity is actually making a difference.

Even something as easy as perhaps tracking compliance rates and comparing them year over year would be better than not measuring any type of effectiveness. I think going that last step is fundamentally important. It starts with even measuring the effectiveness of the safety management system audits themselves. Not all of the activities of transport but even just that basic, fundamental day-to-day culture of security that a railway company should have and measuring whether those systems are effective would be a great place to start.

• (1855)

**Mrs. Stephanie Kusie:** This will be my last question, as I believe I'm running out of time.

I believe that, based upon the report, the fundamental piece that is missing as a result of Transport Canada's shortcomings in implementing the recommendations is data collection. Do you believe that the department has the capacity to get the data, to do proper data collection?

**Ms. Karen Hogan:** During our audit, we actually saw that they collected additional data from railway companies about compli-

ance. Where they fell short was in actually then using that data to inform some of their risk-based planning. In fact, when they completed more audits of safety management systems, we didn't see them using the results of those audits to inform future inspections. Those audits might have identified weaknesses and could have informed another risk-based approach to inspections.

We saw that they are gathering better data now, but it's about how you use it. I think that every organization needs to think about a program and think about having a data strategy. You need to know what data you need, why you need it, how you want to gather it, how you store it, how you retrieve it and how you use it to inform decisions. That is really the best step: knowing what data you have and how it informs a smart and comprehensive decision going forward.

**The Chair:** Thank you, Ms. Hogan.

Thank you, Ms. Kusie.

[*Translation*]

**Mrs. Stephanie Kusie:** Thank you, Ms. Hogan.

[*English*]

**The Chair:** We're now going to move on to our next line of questions.

On behalf of the Liberals, Ms. Jaczek, you have the floor for six minutes.

**Ms. Helena Jaczek (Markham—Stouffville, Lib.):** Thank you, Chair.

Thank you, Ms. Hogan, for your presentation.

While we understand that the focus of the audit at this point was very much on looking at the activities that were going on and whether they were, in fact, in accordance with the recommendations made in the 2013 audit, I think what most Canadians are interested in and certainly what I'm interested in is the issue of rail safety in Canada. Is rail safety, in fact, improving? I believe you stated in your report that there has been, and this is a direct quote, "some improvement in the rate of accidents relative to rail traffic volume."

Also, we know that in 2018, the Railway Safety Act review concluded that the "safety of the rail system has improved in the last 5 to 10 years". It also stated:

Due to a sustained focus on inspections, compliance and enforcement, as well as technological improvements and investments in rail infrastructure, main train track derailments caused by equipment or track failures have been on the decrease.

It also noted that over the last five years, the number of fatalities resulting from railway operations decreased by 27% and the number of accidents—although I'm not quite sure what the definition of “accident” is—decreased by 12%.

You've made a statement to Ms. Kusie in terms of your impression of safety, but surely some of these statistics are valid and seem to show a decrease in fatalities and accidents.

**Ms. Karen Hogan:** I do believe that looking at the statistics is just one part of assessing the safety of railways. You do have to consider, as you mentioned, the number of accidents, the types of accidents and how they relate to rail traffic. That's one indicator. Then you also have to look at other measures that contribute to rail safety. Part of that is the safety management systems that are inherent in a railway company. Those safety management systems are supposed to mainstream and make security a day-to-day thing, an enhanced culture of security, you could say, within a railway company. All of that will contribute to improving the safety of railways.

I don't think we'll ever be in a place where we'll say that it will guarantee there will never be accidents, but we trust the government is doing all it can in order to put the appropriate measures in place to improve safety.

I would argue that you never want an accident where there is a loss of life. That should be the ultimate goal. It isn't just about looking at traffic and statistics, but about ensuring there's this whole sense of culture and attitude towards railway safety in general.

• (1900)

**Ms. Helena Jaczek:** I appreciate that, Ms. Hogan. However, there are some fundamental safety measures that surely can be agreed upon by all.

I come from a health background. For instance, if you look at medication errors, some are inconsequential and some could result in a critical incident. I'm more used to an analysis of safety based on risk and what the finding might have been through an inspection or a retrospective review of a situation that could lead to serious damage.

Could you tell us what exactly are the data? What are those indicators of safety that you think should be looked at thoroughly by Transport Canada, and therefore by the railways themselves? Could you elaborate on that a bit?

**Ms. Karen Hogan:** Absolutely.

I'll start that off, and maybe I'll ask Ms. Campbell if she would like to join in. She did some consultations with other countries throughout our audit.

As I mentioned in my opening statement, it is a trend in the industry to start measuring effectiveness, and not just to measure actions, and make sure there is corrective behaviour. That whole trend about making sure you're doing the right thing at the right time, and making sure you're enforcing the right compliance measures and measuring the right compliance measures I think is exactly to your point. You have to identify the key safety measures that should be looked at, and then you have to look at them. Right now, Transport Canada isn't measuring that effectiveness and hasn't identified those measures.

I'll turn to Ms. Campbell to see if she would like to add to this in a more concrete way.

**The Chair:** Ms. Campbell.

**Ms. Dawn Campbell (Principal, Office of the Auditor General):** Thank you, Mr. Chair.

As the Auditor General indicated, assessing the effectiveness of safety management systems is an important measure. In addition, I would like to refer to paragraph 5.37 of our report, where we recommended that Transport Canada “should determine the extent to which its inspections and audits have improved the railway companies' compliance with regulations that mitigate key safety risks.”

Taking those two measures together and comparing how they correlate against accident rates, fatality rates, and seeing if there is a good correlation would be important. Those would be key measures.

For example, if the compliance rates are improving but the accident rates are not, then that would be an indicator that the department needs to go back and take a look at whether it is focusing on the right areas or what exactly the nature of the concern is there.

In respect to other jurisdictions, there are certainly examples of good practices, both within Canada and internationally. For example, the Canada Energy Regulator, which we included in our transport of dangerous goods report last fall, has established indicators that measure components of effectiveness. The Canada Energy Regulator has 60 indicators with specific targets, some of which are being used as performance measures for safety and environment oversight.

**The Chair:** Thank you, Ms. Campbell and Ms. Hogan. Thank you, Ms. Jaczek.

We're now going to move on to the Bloc Québécois and Mr. Barsalou-Duval.

Mr. Barsalou-Duval, you have the floor for six minutes.

[*Translation*]

**Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ):** Thank you, Mr. Chair.

Madam Auditor General, thank you for being with us today.

I'm an accountant by training. During their studies, accounting students are often told that the position of auditor general is the pinnacle of an accountant's career. So I offer you my congratulations on your important responsibilities.

You did a follow-up audit eight years after the last rail safety audit. Do you think the department's efforts have been sufficient to achieve an acceptable level of rail safety?

**Ms. Karen Hogan:** Thank you for your question.

In our audit, we found that the department had made significant progress. It increased the number of inspections, ensured that its oversight approach is risk-based and increased the number of audits on the safety management systems. So the department has made a good investment of its time and resources to respond to our recommendations and fill in the gaps identified in 2013.

A final major effort is needed now to measure the impact of all these activities on railway safety. It takes a long time to get there, but it's time well spent.

• (1905)

**Mr. Xavier Barsalou-Duval:** When you answered a question earlier, you made comparisons between what's being done in Canada and what's being done elsewhere in the world. Overall, does Canada rank better or worse than most G7 countries when it comes to railway safety?

**Ms. Karen Hogan:** Perhaps Ms. Campbell or Ms. Marsolais can answer your question. I haven't compared the statistics, so I can't give you a fact-based answer.

Would one of my colleagues like to answer the question?

[English]

**The Chair:** Ms. Campbell or Ms. Marsolais.

[Translation]

**Ms. Karen Hogan:** If you'd like, we could make these comparisons for you. That said, these comparisons would be based on statistics taken out of context and might not allow for proper analysis.

**Mr. Xavier Barsalou-Duval:** That might be an idea for a future report.

**Ms. Karen Hogan:** Duly noted. Thank you.

**Mr. Xavier Barsalou-Duval:** You noted, and rightfully so, that Transport Canada had been unable to show whether its oversight activities had contributed to improved rail safety. So we do tests, but we ultimately don't know whether they are effective and whether they're useful. Did I understand you correctly? Why is it important to follow up on these tests to ensure that they're effective?

**Ms. Karen Hogan:** Your summary is correct. We found two gaps in the oversight. First, Transport Canada didn't assess the effectiveness of the safety management systems. Second, it didn't assess whether all of its additional oversight activities had improved overall safety.

Why is this important? It's a matter of common sense. When you spend time and human resources on something, you want to know if that investment is working. We also want to know whether we're inspecting and checking the right things, verifying compliance with the appropriate requirements or whether we should adjust the approach.

Self-assessment is therefore always very important, but the effectiveness of all monitoring activities must first be assessed before determining if corrective action is required.

**Mr. Xavier Barsalou-Duval:** What I understand is that the government doesn't know whether it's wrong or whether it's checking the right things, because it doesn't know if its work is effective.

I have another question for you. Since there's been an increase in rail traffic, but there hasn't been as great an increase in the number of accidents, someone suggested earlier that there might have been an improvement in safety. I put myself in the shoes of people who lives near a railroad. They're told on the one hand that there is more traffic, but fewer accidents proportionally, and on the other, that there are still statistically more accidents. It seems to me that what they're interested in is the number of accidents because, unless I'm mistaken, the number of kilometres of track doesn't increase significantly over time.

Could you elaborate on that?

**Ms. Karen Hogan:** When looking at the statistics on the number of accidents, it's important to consider where each accident occurred. In some cases, accidents don't happen on public rails. So I would recommend not just looking at one piece of data, because you have to understand the whole context around it.

Furthermore, our country is very large, and the safety issues and implications differ from one region to the next. It's also important to take into account the climate and where accidents occur. There are places in the country where accidents are more likely to occur.

• (1910)

[English]

**The Chair:** Thank you, Ms. Hogan, and thank you, Mr. Barsalou-Duval.

We're now going to move on to the NDP.

Mr. Bachrach, you have the floor for six minutes.

**Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP):** Thank you very much, Mr. Chair.

Thank you to Ms. Hogan and her team for being with us today.

Rail safety is an issue of great concern for communities in north-west B.C. Many of our communities have the railroad going through them. We've seen a marked increase in both rail traffic in general and in the transport of dangerous goods.

I read your report with great interest. Ms. Hogan, I wanted to start with a quote from the environment commissioner, whose office I understand is a part of the Office of the Auditor General. Back in October, the environment commissioner told reporters, "the window for a recurrence of a Lac-Mégantic-type disaster is still open."

Is that an assertion that you agree with and if so, why?

**Ms. Karen Hogan:** Yes, you are correct.

The commissioner of the environment and sustainable development is an assistant auditor general within my office. I regularly engage with the commissioner as he selects audits and tables them.

The audit you refer to was the follow-up audit on the transportation of dangerous goods which the interim commissioner of the environment and sustainable development tabled back in November 2020.

We did talk through some of his messages at that time. I absolutely agree with him. All modes of transportation are inherently dangerous, including transportation on railways. When you transport dangerous goods, there is even more of an inherent risk there.

That's why it's really important that Transport Canada and the federal government do everything in their power to ensure that they have taken the right measures to improve rail safety. Rail safety requires many partners to be involved as well, such as the railway companies, the municipalities where the tracks are and the federal government with its oversight responsibility. All of that should really be measured for its effectiveness, and not just happening; we should be doing it for a reason.

**Mr. Taylor Bachrach:** Thank you, Ms. Hogan.

We've talked a little bit already at this meeting about safety management systems. Obviously, one of the key findings of your report is the deficiency of Transport Canada's approach to safety management systems. You've called the safety management systems—quote—"a big loophole".

I wonder if you could expand on that. For whom are safety management systems or is the treatment of safety management systems a loophole, and how do we close that loophole and ensure that they're actually living up to the expectations of not only the Government of Canada but also the Canadian public?

**Ms. Karen Hogan:** I'm not sure I know that quote, but I'll answer a question about safety management systems and the importance that I think they play.

As I mentioned earlier, a safety management system really is a way of mainstreaming day-to-day safety within a railway company. It's a framework that lists goals and targets, but it's a framework for safety thinking.

It really is about thinking about safety in every action that's taken within a railway company, but it also has a preventative component, in that it needs to identify issues before accidents happen. It's thus very important that a safety management system be effective at enhancing the overall culture of safety, but also at taking a preventative approach to what it's meant to do.

The audits that Transport Canada does on the safety management system should be looking at whether or not they are effective within each railway company at improving safety. This is a really important aspect of the overall safety culture.

• (1915)

**Mr. Taylor Bachrach:** Ms. Hogan, to my understanding, when safety management systems were brought in, in 2001, they were meant as an additional layer of oversight, in addition to the inspection-based activities of Transport Canada.

I am wondering whether, since safety management systems have come into use, the number or the rate of random inspections has increased or decreased.

**Ms. Karen Hogan:** I think it's important to start by differentiating between the safety management system and an inspection. An inspection looks at the equipment, the tracks, the equipment, the crossings, and whether they're operating as intended or are defective or need to be repaired. The safety management system, as I said, is about the culture, that big framework within an organization.

We recommended in 2013 that a more risk-based approach was needed for inspections. What we found in our follow-up audit was that they were absolutely doing more inspections and that they were now doing risk-based inspections. In fact, they were doing risk-based inspections, random inspections as well as reactive inspections.

All of that is great. It feeds into the safety management culture that you should have in an organization. But then the audits, when they identify weaknesses, should also feed into determining where an inspection should go.

We definitely saw an increase in inspections, but there is still an opportunity to make sure that those inspections, when they are risk-based, are targeting the right companies and the right risks.

**Mr. Taylor Bachrach:** Okay.

Can I fit in one more question, Mr. Chair?

**The Chair:** Not really. You have about 10 seconds left. I'm sorry, Taylor.

Thank you, Mr. Bachrach, and thank you, Ms. Hogan.

We're now going to move on to our second round.

Starting us off for the Conservatives, for five minutes, is Mr. Kram.

**Mr. Michael Kram (Regina—Wascana, CPC):** Thank you very much, Mr. Chair.

Thank you to the witnesses from the Auditor General's office for joining us today and for all of their recent work on the report on rail safety.

I'd like to quote from paragraph 5.4 of the report. It reads:

Rail traffic has been increasing. Freight tonnage increased to more than 328 million tonnes in 2018, up from 312 million tonnes in 2017. In terms of goods transported, fuel oils and crude petroleum recorded a significant increase by weight from 2017 to 2018 of more than 45%. This surge in train traffic means more wear and tear on tracks, which can pose additional safety risks.



Could the witnesses please expand on paragraph 5.4 about what particular safety risks one can anticipate with a 45% increase in the movement of oil by rail?

**Ms. Karen Hogan:** I might ask Dawn to join in on the answer. I'm not sure I'm an expert on the movement of oil across rail. However, what I can at least offer you, before we let Dawn take the answer, is that the more wear and tear you have on rail, the more they might need to be replaced. That's just the common-sense answer.

You can think about that even in terms of where the rail is moving, right? Railway tracks react to extreme changes in temperature or long times when it's really cold. All of those play into the wear and tear and the safety and need to be monitored and watched.

With that, I'll ask Dawn to expand more specifically on that paragraph, if she has more insight.

**The Chair:** Thank you, Ms. Hogan.

Ms. Campbell.

**Ms. Dawn Campbell:** Thank you, Mr. Chair.

I think the Auditor General has covered that well. It's essentially that there's greater wear on the tracks and that it would necessitate upgrade or repair, etc. There should be some consequent assessment of increased risk for those areas where there's a higher traffic volume.

**The Chair:** Thank you, Ms. Campbell.

Mr. Kram.

**Mr. Michael Kram:** The next section of the report, section 5.5, reads, "Safety risks are greater as more land is developed close to railway operations and as rail tracks expand into urban areas with road and pedestrian traffic."

Now I didn't see this anywhere in the report, but I was wondering if the Auditor General could comment on the safety risks to urban residents from moving oil by rail versus moving oil by pipeline.

• (1920)

**Ms. Karen Hogan:** I think I would refer you to the report of the interim commissioner of the environment and sustainable development on the transportation of dangerous goods.

In that report, he looked at the transportation of dangerous goods through many modes, including through pipeline. All modes have inherent risks. The findings in that report were very similar to the findings in ours, in that Transport Canada had taken some corrective action but had not gone far enough in addressing all of the findings.

In fact, I believe the main finding, or one of the most serious findings in the commissioner's report, was about a standard about flammable goods that had not yet been finalized. When you put his report together with the follow-up on rail safety report, it really underscores the importance of Transport Canada taking action and not waiting for a very long time to address our concerns.

**Mr. Michael Kram:** In 2013, there was a major rail disaster in Lac-Mégantic, Quebec, in which railcars full of oil derailed and blew up, and 47 people lost their lives.

When it comes to the movement of oil in Canada over the past 10 years, is the Auditor General's office aware of any similar disasters, with similar loss of life, from moving oil by pipelines?

**Ms. Karen Hogan:** I'm going to look to my colleagues to nod yes or no for me, but personally, I'm not aware of any accidents, and I can see from my colleagues that they aren't either.

**The Chair:** Mr. Kram, do you have a quick question?

**Mr. Michael Kram:** My next question would take quite a bit more than the five seconds I have left.

Thank you very much to the witnesses and to the chair. I'll leave it at that.

**The Chair:** Thank you, Mr. Kram. Thank you, Ms. Hogan.

We're now going to move on to the Liberals for five minutes.

Ms. Martinez Ferrada, you have the floor.

[*Translation*]

**Ms. Soraya Martinez Ferrada (Hochelaga, Lib.):** Thank you, Mr. Chair.

Thank you for being with us this evening, Ms. Hogan.

Earlier, Ms. Campbell gave us examples of other countries' systems for evaluating safety measures and how they're evaluated. I'd be curious to know what countries you think Canada could learn from in terms of taking steps to evaluate the system that's already in place and its provisions.

Could you give us some examples of these countries?

**Ms. Karen Hogan:** I'll ask Ms. Campbell to expand on my answer if I don't go far enough or if my answer is incorrect.

During our audit, we talked to the United Kingdom about the system they had in place. As we mentioned in our opening remarks, the Canada Energy Regulator is starting to look at effectiveness components. We're seeing that in the United States, as well. This is the direction the industry is going in. This discussion about how to measure effectiveness needs to begin.

Ms. Campbell or Ms. Marsolais, would you like to add anything?

**Ms. Dawn Campbell:** I would add that the Canada Energy Regulator has introduced measures to address the components of effectiveness, as has the United Kingdom, as the Auditor General mentioned.

There are also examples in civil aviation, including a Transport Canada program. Perhaps best practices could be identified and lessons learned from them that we could use to measure rail safety effectiveness.

**Ms. Soraya Martinez Ferrada:** Thank you.

Would you agree that it seems difficult to find a metric that, over time, will measure the overall effectiveness of the system, beyond the volume of traffic and the products transported?

You mentioned a couple of measures earlier. I'd like to hear you talk about them. What measures do you think should be considered to measure the effectiveness of the provisions taken?

• (1925)

**Ms. Karen Hogan:** I think that's a great question that you should also ask Transport Canada. They're the transportation experts. They should try to find a way to properly measure the system's effectiveness.

I certainly agree with you that it's probably not a single metric that would measure the overall effectiveness of safety oversight activities. We mentioned earlier that we could look at compliance rates for certain acts or regulations and compare them to the number of accidents. We could then see if the compliance rate is increasing while the number of accidents is decreasing. We could see if there is a direct link between the number of accidents and the increase in the compliance rate.

This is really an area that all companies are interested in, as well as all departments and governments. They're all trying to measure its effectiveness. Just because it's difficult doesn't mean that we shouldn't do it. We must measure the results of our interventions.

**Ms. Soraya Martinez Ferrada:** I'd like to know if I understand the purpose of the report you tabled.

In your 2017 report, you mentioned that all of the recommendations made in the 2013 report had been followed, the vast majority at least. Now, it's a question of whether the measures put in place are working.

Am I getting this right?

**Ms. Karen Hogan:** The vast majority of recommendations have begun to be implemented.

I would say that a few of them have been well implemented, such as increasing the number of inspections and subsequent follow-up. There would still be gaps in terms of how to use the data collected to inform future decisions. There is also a gap in measuring the effectiveness of railway companies' safety management systems.

The proposed new recommendation is to measure the effectiveness of all its activities. Of course, progress has been made, but there is still some way to go to address our recommendations. The important step would be to measure overall effectiveness.

**Ms. Soraya Martinez Ferrada:** Even if everything is never perfect, have the measures that have been put in place helped transportation safety?

**Ms. Karen Hogan:** That's where Transport Canada doesn't measure its effectiveness, so it's impossible for us to answer that question.

[*English*]

**The Chair:** Thank you, Ms. Hogan, and thank you, Ms. Martinez Ferrada.

We're now going to move on to the Bloc for two and a half minutes.

Mr. Barsalou-Duval, you have the floor.

[*Translation*]

**Mr. Xavier Barsalou-Duval:** Thank you, Mr. Chair.

Exhibit 5.5 on page 19 of your report contains a table that explains that the Office of the Auditor General has been asking Transport Canada to evaluate the effectiveness of railway companies' safety management systems for 14 years.

What was the response to each of these reports in 2001, 2007, 2008, 2013, 2014, 2015, 2016 and 2018?

It seems like it comes up all the time.

Were you promised each time that this was going to be done? Why is it that after 14 years, this isn't happening?

**Ms. Karen Hogan:** I'd like to make a clarification. Exhibit 5.5, which is on page 19 of the French version of the report, doesn't include all of our office's recommendations, but the recommendations of several groups.

Your committee has made recommendations, and my office conducted an audit in 2013. This shows that Transport Canada made a commitment to measure the effectiveness of railway companies' safety management systems a long time ago, but hasn't yet done so. It also shows that it's important to take action to address known deficiencies.

This isn't the first time we've seen this in an audit, but I must admit that some situations are more discouraging than others. With respect to rail safety, I'm discouraged that Transport Canada hasn't acted on our recommendations from eight years ago.

In addition, the department was also committed to measuring the effectiveness of railway companies' safety management systems as a result of your committee's recommendations.

• (1930)

**Mr. Xavier Barsalou-Duval:** Thank you.

People often say that it's difficult to obtain information from the government, which is said to be too opaque at times, particularly when it comes to access-to-information requests.

In preparing this report, did you have any difficulty obtaining information from the department?

**Ms. Karen Hogan:** No, we haven't had any access-to-information issues. We received all the information we had requested and needed to meet the objective of our audit.

**Mr. Xavier Barsalou-Duval:** Thank you.

[English]

**The Chair:** Thank you, Mr. Barsalou-Duval. Thank you, Ms. Hogan.

We're now going to move on to the NDP.

Mr. Bachrach, you have the floor for two and a half minutes.

**Mr. Taylor Bachrach:** Thank you, Mr. Chair.

Ms. Hogan, one of the findings in your report was that Transport Canada's risk assessments were not consistent across Canada's different regions. This is an aspect that's of particular interest to folks in northwest B.C. As I mentioned at the outset, this is an area that has seen a marked increase in rail traffic. We have more trains. We have longer trains. We have quite an increase in the transport of dangerous goods, as well as a number of terminal projects that, if approved, are going to dramatically increase the volumes of dangerous goods through communities in northwest B.C.

There are community groups that are pushing the minister to initiate a specific regional risk assessment. I'm wondering whether you feel that, given those factors, given the increase in the transport of dangerous goods and the increase in rail traffic, that would be an effective way to assess and ensure the safety of communities in our region.

**Ms. Karen Hogan:** I think a risk assessment is one of those data points that any organization should use to inform where it takes its activities, and so having risk assessments done regionally makes a lot of sense. However, you need to have some standard procedures on how to do a risk assessment. Everyone needs to at least follow the same guiding principles so that you can then sit back and look at the results of all your risk assessments and know that you're comparing apples to apples.

A risk assessment should be tailored, I believe, to the region it's in, to consider the uniqueness. As I mentioned earlier, the vastness of Canada shows that there are different geographies, different temperatures, and all of that will have an impact on rail safety, whether there are larger stretches of tracks that run through communities versus in areas that are less populated.

All those kinds of things should be factored into your risk assessment. That's why it's really important that Transport Canada knew that they had some weaknesses here and hadn't addressed them. They do need to address them because a big part of their inspection is focused on risk-based assessment, so you need a well-functioning risk assessment tool to inform those decisions.

**Mr. Taylor Bachrach:** Mr. Chair, I have one more quick question.

**The Chair:** Yes, squeeze in a quick one.

**Mr. Taylor Bachrach:** Like my colleague, Mr. Barsalou-Duval, I was struck by your comment that over 14 years and multiple reports recommending that Transport Canada conduct assessments of effectiveness, you still haven't seen the progress that you want to see on that front.

I know one individual said it was like Groundhog Day. We keep having these reports that call for the assessment of effectiveness. Transport Canada agrees with the reports, and then years go by and they haven't addressed the recommendations.

What leads you to believe that this time will be any different?

**Ms. Karen Hogan:** That's an excellent question.

I'm not the only party who told Transport Canada it needed to measure effectiveness. This committee has done it. The Transportation Safety Board has done it. The Treasury Board directives expect every organization to measure its effectiveness. I would even draw an analogy to some of the reports that I just tabled related to the government's response to COVID-19. The importance of acting on known issues, I think, has just been highlighted. We see it in rail safety, and we saw it in pandemic preparedness. I really do hope that the entire government recognizes the importance to take action on measures, and rail safety is a crucial area where it should.

I encourage the committee to hold Transport Canada to account in addition to our audit work. If you call them as a witness and you make recommendations, follow up on those recommendations. The more pressure that we can all put on them to take action around safety, I believe is the best thing that we can do for Canadians.

• (1935)

**The Chair:** Thank you, Ms. Hogan. Thank you, Mr. Bachrach.

We're now going to move on to our next line of questions.

On behalf of the Conservatives for five minutes, Mr. Shipley, you have the floor.

**Mr. Doug Shipley (Barrie—Springwater—Oro-Medonte, CPC):** Thank you, Mr. Chair.

Thank you to the witnesses for being here tonight.

Attorney General, in your report you mentioned that Transport Canada collected more information from railway companies but that the information was often late, incomplete and varying in quality. Why is it important for rail safety that this information be reported on time and be of high quality?

**Ms. Karen Hogan:** Your question is about data quality. I think that I could generalize it and apply it to any program, but we'll apply it to rail safety here.

Not only do you need to gather the right data and in a timely way, but you need to be able use it to inform good decision-making. Therefore, it's really important that Transport Canada clearly communicate to the railway companies the data that they need and in the timeline in which they need it so that they have a comprehensive, well-informed system that then will take a risk-based approach to knowing where they use their limited resources to focus in on inspections and safety management system audits. It's a fundamental question about how good-quality data allows you to make better-informed decisions.

**Mr. Doug Shipley:** Thank you.

You also mentioned that Transport Canada didn't receive necessary information to plan inspections for high-risk areas, according to your report. Why is it important for Transport Canada to tailor inspections to the high-risk areas?

**Ms. Karen Hogan:** Again, that goes to, I think, the use of limited resources. There aren't unlimited inspectors, and there isn't unlimited time, so you want to make sure that you're targeting a part of your inspection population to higher-risk areas. That is why you want to make sure that in a risk-based approach, you look at the higher-risk areas. Then you do random inspections. You don't always want the same people to know you're coming to see them, so you do need to have random inspections. You also add to that reactive inspections based on findings from, perhaps, safety management system audits or complaints.

When you put those three types of inspections together, that allows you to have a real, comprehensive view of what's going on in the industry. However, it fundamentally starts with good risk assessments that allow you to target your limited resources to the bigger, most important areas.

**Mr. Doug Shipley:** Also in your audit you mention that Transport Canada doesn't set time frames for companies to correct safety deficiencies. If that is the case, how does Transport Canada ensure that railways comply and eventually correct these safety deficiencies?

**Ms. Karen Hogan:** I might ask Dawn to add on to that, but what I would say is that not all safety concerns are the same.

You do need to make sure that you have a standard in place in order to ensure that you're following up on a regular basis, but you have to have that standard consider the severity or the complexity of the deficiency that you found to make sure that corrective measures can be taken. It's not just about one standard. It's about having standards based on certain severities and complexities and making sure that you follow up in a timely way. Otherwise, we'll all be sitting here again in a few years saying that we're still not measuring effectiveness. You do really need to have a deadline for inspectors to follow up.

I'm seeing from Dawn that it looks like I gave a good answer, so we're good.

**Mr. Doug Shipley:** Thank you for that.

Definitely we don't want to be sitting here spinning our wheels over and over and discussing this again down the road.

Would you say there were any significant numbers of safety deficiencies still outlying?

**Ms. Karen Hogan:** For specific safety deficiencies, I'm not sure. When we looked at the file sampling we did, we saw that there was good follow-up in, I believe, over 90% of the cases where people were following up. There were still some corrective measures that hadn't been taken, but that's an improvement from what we saw in our 2013 audit. I don't think I could list off safety concerns at this time.

● (1940)

**The Chair:** You have time for a quick question, Mr. Shipley.

**Mr. Doug Shipley:** I have nothing quick, so thank you, Chair.

**The Chair:** Thank you, Mr. Shipley, and thank you, Ms. Hogan.

We're now going to move on to our next set of questions.

We have Mr. El-Khoury from the Liberals for five minutes.

[*Translation*]

**Mr. Fayçal El-Khoury (Laval—Les Îles, Lib.):** Thank you, Mr. Chair.

Welcome to our guests.

I would like Ms. Hogan to be able to take a break, since she has talked at length, so I will direct my first question to Ms. Campbell or Ms. Marsolais.

Since the Lac-Mégantic accident, has Transport Canada increased the number of inspectors checking to make sure that safety requirements are being met? If so, what are the consequences?

**Ms. Dawn Campbell:** Mr. Chair—

[*English*]

**The Chair:** Go ahead, Ms. Campbell.

**Ms. Dawn Campbell:** Okay.

[*Translation*]

Thank you very much.

Since the number of inspectors was not within the scope of our report, we cannot answer that question.

**Mr. Fayçal El-Khoury:** After the tragedy in Lac-Mégantic, Transport Canada has required thicker steel on cars carrying flammable liquids. Can you comment on that? How do these requirements contribute to safety?

**Ms. Karen Hogan:** I will answer that question.

This question is more related to the audit of the Commissioner of the Environment and Sustainable Development who looked at the transportation of dangerous goods.

As I mentioned earlier, accidents can happen regardless of the mode of transportation. When dangerous goods are transported, it is even more important to have stringent requirements and criteria to ensure safety.

I have no more information on this, but perhaps Ms. Marsolais or Ms. Campbell do. In the audit, we looked at the oversight of safety, not the transportation of dangerous goods.

**Mr. Fayçal El-Khoury:** Do you have anything to add, Ms. Marsolais or Ms. Campbell?

**Ms. Karen Hogan:** I don't think so.

**Mr. Fayçal El-Khoury:** Okay.

What do you think of the new regulations passed by Transport Canada requiring the installation of video recorders in locomotives? Do you think this requirement will improve safety? If so, how will it do so?

**Ms. Karen Hogan:** I must admit that I was not aware of this requirement.

You can have systems and policies and provide training. It is fine to have good safety systems, but there is always a human factor in everything. Sometimes human error is the cause of accidents. If the videos can tell us more about why the accident happened, that's a good thing. I am not aware of why video cameras have been installed in the locomotives.

Unfortunately, I don't have a more precise answer to give you. I can only give you my impressions.

**Mr. Fayçal El-Khoury:** I am not having much luck with you this evening, since you are not able to give me the answers I am looking for.

**Ms. Karen Hogan:** I apologize for that.

**Mr. Fayçal El-Khoury:** That's okay.

Could you share your comments with the committee on the measures taken by Transport Canada to implement speed restrictions for trains carrying dangerous goods?

**Ms. Karen Hogan:** Mr. El-Khoury, I don't think I'll make you like me any better by saying that we really did not study the transportation of dangerous goods. However, we do appreciate any measure that increases safety. If slowing down trains is one of them, we will support it.

We did not look at the reasons and impacts of accidents in the transportation of dangerous goods. So it is difficult to have an evidence-based answer.

• (1945)

**Mr. Fayçal El-Khoury:** Thank you, Ms. Hogan.

[*English*]

**The Chair:** Thank you, Ms. Hogan, and thank you, Mr. El-Khoury.

Once again, I'm going to ask for the committee's indulgence. Would the committee mind if I asked a quick question?

**Some hon. members:** Agreed.

**The Chair:** Ms. Hogan, you mentioned risk assessment and risk-based approaches.

In your audit or evaluation, did you look at activities not just within the railway, but beside the railway, activities that might impact residential areas, for example, complaints from residential areas, and consider to some extent the safety of health, environmental impacts, noise and vibration, and so on? Was there any examination of that?

**Ms. Karen Hogan:** I'm going to hand that question over to Dawn to see if those were factors that we would have considered or if they are factors that Transport Canada themselves consider when they do some of their risk assessments. I'll ask Dawn to elaborate on that.

**The Chair:** Ms. Campbell.

**Ms. Dawn Campbell:** Thank you, Mr. Chair.

Yes, the Auditor General is correct. We did not look specifically at the complaints.

What I can add, however, is that as the Auditor General mentioned, there are different kinds of inspections. The reactive inspections would be an opportunity for the department to look into a specific complaint such as you've identified.

**The Chair:** Thank you, Ms. Campbell and Ms. Hogan.

Members, that concludes our first hour.

Ms. Hogan, Ms. Marsolais and Ms. Campbell, thank you for your attendance here today. It was very productive. We're looking forward to that being part of the report that the analysts come back with.

Members, thank you for the great questions, involvement and interventions by all of you.

With that, I will take this opportunity to excuse the three witnesses and take a short suspension to get everybody all set for the second hour.

• (1945)

(Pause)

• (1950)

**The Chair:** For the second hour, we have, from the Canadian National Railway Company, Tom Brown, the assistant vice-president of safety, whom I'll be going to first for five minutes. He is followed by, from the Canadian Pacific Railway, Kyle Mulligan, chief engineer; and from the Railway Association of Canada, Marc Brazeau, president and CEO.

Mr. Brown, you have the floor for five minutes.

**Mr. Taylor Bachrach:** Mr. Chair, before we go to Mr. Brown, could I raise a point of order with you?

**The Chair:** Sure you can.

**Mr. Taylor Bachrach:** I'm a little confused by the way today's meeting is structured. I don't think you'll be surprised by this.

At the outset of the meeting, you mentioned that this meeting was as per a motion of this committee, but I don't recall any motion of this committee that invited the two gentlemen that we have with us as witnesses this hour. I'm sure their testimony is very interesting and I certainly have questions I would like to ask them, but my question is really around process. You mentioned off the top that this meeting was also part of a study on rail safety. I'm a bit confused because, while a study on rail safety is a high priority for me and for the residents of northwest B.C., I wasn't aware that we had yet embarked on a full study.

Perhaps we could deal with these two issues separately and as expeditiously as possible, and then we could move on to hearing from the gentlemen who've made time in their day to be with us.

The first one is that I would like to bring forward a motion which I provided notice of previously.

**The Chair:** Let me deal with two things.

With respect to the witnesses, which witnesses are you referring to?

**Mr. Taylor Bachrach:** I'm referring to Mr. Mulligan and Mr. Brown who are representing the railways. I don't recall a motion of this committee inviting them as witnesses. We passed a motion inviting the minister to speak with us for an hour on the topic of rail safety—an invitation he declined. We invited the Auditor General to appear for an hour on the topic and she graciously appeared today for an hour to answer our questions.

I'm just a little bit confused about how witnesses are invited. Obviously, the gentlemen who are with us today have important information on rail safety, but if we're going to study the topic of rail safety, which I very much want to do, there are others who I believe the committee should hear from, notably rail workers, independent experts and rail communities.

As I mentioned, I put a motion on notice previously regarding a study of rail safety and I would like to bring that forward at this time.

**The Chair:** There are three points, Mr. Bachrach. I'll make it quick, so I don't waste the time of the witnesses or the members.

First off, with respect to the minister, the minister had just attended our committee two meetings ago on the main estimates. There was full opportunity for members of the committee to actually discuss a lot of the issues, not just about the main estimates, but also about these issues that you raise.

The second point with respect to witnesses who come to committee, they are both invited as well as requested. It has been the tradition of the committee that when someone does request to participate as part of a study, we allow that to happen. These two witnesses did request to participate.

Third, with respect to your motion, you have every opportunity to bring your motion up. As has been the tradition of this committee, you'll have that opportunity when your time comes with respect to having the floor.

• (1955)

**Mr. Taylor Bachrach:** Mr. Chair, we weren't notified of a request to appear that came from the two witnesses we're hearing from today. Is it normal practice for the committee to advise members or at least advise the vice-chairs?

**The Chair:** Mr. Bachrach, it's not necessarily. The clerk was notified and with that, the clerk put them on the agenda.

**Mr. Taylor Bachrach:** I'm not sure what to say. It seems like unusual operating procedures for a committee. Perhaps it requires us to revisit the routine motions and at least gain some clarity around how we're going to operate together as a committee. Up until now, the witnesses have appeared at the invitation of the committee and notice has been provided to committee members about witnesses who wish to appear. There have been discussions among the vice-chairs.

Mostly I'm just seeking clarity as to how we're going to operate. I think everyone on the committee would agree that if we're going to study an issue, we should hear from various perspectives. That's very much my desire on this topic.

With that, I'll hand it back to you. When it's my turn, I'll bring my motion forward. Thank you.

**The Chair:** Thank you, Mr. Bachrach. I appreciate that.

Just going to your point, yes, we can revisit the routine motions and give more clarity to that. Again, it's always been tradition and habit, not just with this committee, but any committee I've belonged to, that if somebody requests to participate.... That's happened. It's happened within this session where the clerk has received a request to come as a witness and we have allowed them. As you mentioned, and correctly so, anyone and everyone with the background of whatever we're studying can come and participate. We actually encourage—not discourage—that.

I'll go to the second question.

Mr. Barsalou-Duval, go ahead.

[*Translation*]

**Mr. Xavier Barsalou-Duval:** Thank you, Mr. Chair.

Actually, on the same point of order, I would just like to add, for the record, that I am just as surprised as my colleague Mr. Bachrach. I would also like to express my disappointment that the Minister has refused to appear today.

I do have questions for both witnesses and I look forward to hearing their answers. However, in terms of procedure, I think it is important in the future for all members of the committee to be informed when requests to appear are made. I am not making this a housekeeping motion for the time being. It may be necessary for the operation of the committee, but for now this is a personal request.

[*English*]

**The Chair:** Thank you, Mr. Barsalou-Duval.

Ms. Kusie, do you have a question or a comment?

**Mrs. Stephanie Kusie:** Mr. Chair, I agree with your point that Mr. Bachrach should certainly wait until his time comes to speak to bring about his motion again.

However, I am concerned that the minister is not here today. The motion we passed specifically referred to the minister appearing here. It is the majority of members who asked for this. I don't want this to become a concerning precedent that when the majority of members of our committee pass something, it is not seen through within the committee.

I'm also worried, on a larger scale, that this is following the precedent of the government House leader who decides, even when called, who shows up and who doesn't. I think it's very important that if the majority of this committee pass a motion, the contents of the motion should be followed. I want to stand in solidarity with my NDP colleague there.

It's very clear. When a motion is passed, the majority of the committee members have spoken. What is outlined within the motion should be executed.

• (2000)

**The Chair:** Thank you, Ms. Kusie.

I want to reiterate that although the motion was passed by the majority of the committee, it was also a question asked of the individual we were requesting to come. That individual and their respective team, whether from the private or public sector, would make that decision based on their time availability.

With that, your point is taken.

If I may, I will now move on to the witnesses.

Mr. Brown, from the Canadian National Railway, you have the floor for five minutes.

**Mr. Marc Brazeau (President and Chief Executive Officer, Railway Association of Canada):** Mr. Chair, I will take the opening five minutes, and then my colleagues and I will be pleased to answer any questions.

**The Chair:** That's fine. Go ahead, Mr. Brazeau.

[Translation]

**Mr. Marc Brazeau:** Thank you, Mr. Chair.

Members of the committee, good evening.

My name is Marc Brazeau, and I am the President and CEO of the Railway Association of Canada (RAC). It's a pleasure to meet with you all to discuss the issue of rail safety.

[English]

Here with me this evening are Tom Brown, assistant vice-president, CN; and Dr. Kyle Mulligan, chief engineer for CP. As both are subject matter experts on class 1 freight rail safety, these two gentlemen are well suited to join me in answering any questions you may have after my opening remarks.

[Translation]

Allow me to begin by giving you a brief overview of the Railway Association of Canada. The association represents close to

60 freight and passenger railway companies—railways that transport more than 100 million passengers and more than \$300 billion worth of goods across our country each year. As part of the fifth largest rail network in the world, the association members truly are the backbone of Canada's transportation system.

[English]

Canada's rail sector isn't just safely transporting goods and people from coast to coast; it's powering our economy.

RAC members employ more than 36,000 Canadians in railway operations, technology, safety, security and leadership positions. This highly productive workforce moves close to 70% of all surface goods and half of the nation's exports every year, delivering Canada's products to the country and to the world.

To put this into perspective, Canada's freight railways move more than 900,000 tonnes of goods every day, transporting everything from the cars we drive to the food we eat. To deliver these goods, more than 3,800 locomotives pull more than 5.7 million carloads across the country each and every year.

Safety is our number one priority. The Canadian railway industry has developed a strong safety record, thanks to substantial investments. Since 1999, Canada's railways have invested more than \$33 billion to ensure the safety and efficiency of their networks, and they remain fully committed to fostering a robust safety culture.

This total includes investments in railway-roadway crossings to ensure they meet stringent federal regulations that require crossings to have adequate sightings, proper signals and reflectors, and physical barriers in hundreds of locations from coast to coast to coast.

[Translation]

The RAC's mission is to work with all levels of government and communities across the country to ensure that Canada's rail sector remains globally competitive, sustainable, and most importantly, safe.

At the federal level, our association provides an essential link between federal regulators and RAC members, and works collaboratively with departments and agencies such as Transport Canada, the Canadian Transportation Agency, the Transportation Safety Board of Canada, among others, to help develop new regulations, rules and standards.

The RAC's reputation as a trusted advocate for railways can be attributed to the fact that we collect industry data, undertake research and analysis, and use this information to help develop evidence-based policy positions.

[English]

Since today's meeting is focused on rail safety in Canada, please allow me to share a few key statistics.

Over the past decade, from 2010 to 2019, the freight rail accident rate in Canada has decreased by 20%, and the passenger rail accident rate has decreased by 59%. Since 2010, the dangerous goods accident rate has improved by 31%. Over 99.99% of dangerous goods carloads moved by train reach their destination without a release.

In 2019, railways invested a record \$3.1 billion into Canadian assets, breaking the previous record of \$2.4 billion set in 2018. Over the past decade, Canada's railways have invested \$19.5 billion into their networks to improve safety, resiliency and network fluidity.

In short, we are proud that Canada's rail network is among the safest in the world, and we remain committed to building on this stellar safety record.

● (2005)

[*Translation*]

I would like to highlight the importance of Operation Lifesaver Canada, an initiative dedicated to preventing collisions at railway crossings and railway trespassing incidents in Canada.

Every year, roughly 100 Canadians die or suffer serious injuries as a result of collisions at railway crossings or trespassing on railway property. Operation Lifesaver is a partnership initiative of the RAC and Transport Canada that works to educate Canadians about the hazards associated with tracks and trains through public awareness campaigns, driver training programs, and outreach to schools and community groups.

[*English*]

This year marks Operation Lifesaver's 40th anniversary of saving lives. To this end, they organize and participate in various events, produce and distribute educational material, run driver education programs, hold safety presentations and spread the rail safety message through traditional media and social media networks.

Even with increased train traffic and more vehicles on the road, the number of deaths and the injuries along Canada's railways is dropping. However, we believe our job will not be done until there are no numbers to report.

Another joint program that we are proud of is the proximity initiative, which is a partnership between RAC and the Federation of Canadian Municipalities. As Canada's population grows, new residential and commercial developments are being built in communities across the country.

The FCM and the RAC recognize that it is in Canada's economic interest to develop appropriate relationships between railways and communities, to promote proper planning and communication practices and to offer dispute resolution mechanisms for resolving unanticipated problems.

[*Translation*]

Our shared goal is to provide the public with helpful resources and reference information on rail infrastructure and operations, municipal land planning guidelines, dispute resolution models and government regulations.

We believe that sourcing information easily can improve the dialogue between railways and municipalities and help ensure that both parties continue to attain common goals that benefit each other and the country as a whole.

[*English*]

The RAC safety culture improvement initiative assists Canadian railways by measuring employee perceptions of organizational safety culture through a comprehensive survey and focus group discussion. Once the data is collected and analyzed, a final report is submitted to the railway companies, which enables them to identify opportunities to enhance their safety culture by implementing initiatives that will have a positive impact relative to strengthening their safety culture.

[*Translation*]

In conclusion, I want to assure committee members that the Canadian railway industry's dedication to safety is rooted in our culture. It is unrelenting. We will continue to strive to improve our safety record.

[*English*]

RAC members, including CN and CP who are with us this evening, are committed to operating the safest railways throughout Canada and North America.

My colleagues and I look forward to your questions.

Thank you.

**The Chair:** Thank you, Mr. Brazeau.

We're now going to our first line of questioning.

First up on behalf of the Conservative Party is Mr. Soroka for six minutes.

**Mr. Gerald Soroka (Yellowhead, CPC):** Mr. Chair, I'll be splitting my time with Mr. Shipley and Mr. Shipley is going to go first.

**The Chair:** Mr. Shipley, go ahead.

● (2010)

**Mr. Doug Shipley:** Thank you, Chair.

Thank you, first of all, to my team for allowing me this time, because it's a very important and very heartfelt issue I'd like to bring up today.



It goes back to a young student in my riding named Kevin Morgan. He was a grade eight student at Portage View elementary school in Barrie. Shortly before 9:30 a.m. on Sunday, February 21, he was out walking his family dog, Eva, along the Canadian Pacific Railway near Highway 90 on Baldwick Lane in Springwater Township. This is near my home in an area I'm very familiar with and where I walk my dog as well. Unfortunately, that morning the dog got loose. Kevin reached out and put his own life on the line to save his dog. His dog, Eva, was successful in missing the train, but Kevin was not and passed away that morning. Obviously, it was a tragic incident. Kyle Mulligan is probably familiar with this incident because it's very recent.

I'd like to ask our three witnesses here today: What can we do? This goes on a lot of the time around our area. There are a lot of rail tracks that go through Barrie—Springwater—Oro-Medonte. Kids and adults, but a kid in this particular instance, walk on them all the time.

Is there anything we can do or anything you can do to help? Maybe there could be an advertising program. In Ontario there are many ads on TV about safety regarding hydro dams and flooding, but I don't recall seeing a lot of ads promoting safety for this. It's obviously a shame Kevin passed away. He was due to graduate grade eight in June. Some people are looking for a way to honour this young boy. Perhaps we could do it here on this committee.

What can be done to try to prevent this in the future?

**The Chair:** Thank you, Mr. Shipley.

Mr. Brazeau, I'll go to you.

**Mr. Marc Brazeau:** First of all, that is a very tragic incident and unfortunately we've seen more of those in the last couple of years as a result of trespassing onto property, even at railway crossings. That's why it's important that we continue to work with Transport Canada in delivering the importance of being safe around railways and being safe around railway crossings. Operation Lifesaver is a program that's been around for a number of years.

We've really tried to utilize social media in a much more effective manner than we have in the past to get the message out, especially to young people. We've introduced a number of new videos, again aimed at young teenagers, young people, especially in schools about the importance of being aware of trains.

Trains are very quiet and one can come up and surprise a lot of people. That's why we have to continue as an industry to work with our partners, whether it be Transport Canada or the municipalities, provinces, our railway companies to deliver the important message of being safe around railways and to not trespass.

That's something we are committed to as an industry, and if we can do it in the honour of that young boy who passed away in a very tragic way we want to be able to do that. As I mentioned in my opening remarks, until we have zero incidents to report in terms of fatalities, we're not going to stop the work that we're doing right now.

**Mr. Doug Shipley:** Thank you very much for that. Yes, maybe we can talk down the road about his name. If something can be done, it would be great.

You mentioned that \$33 billion has been put into safety. Perhaps a little more of that could be put into something that keeps children safe, especially, in the hope it doesn't happen again and that his death isn't in vain.

Thank you to the rest of the committee. I'll hand it back to Mr. Soroka.

**The Chair:** Thank you, Mr. Shipley.

Mr. Soroka, the floor is yours.

**Mr. Gerald Soroka:** Thank you, Mr. Chair, and thanks to our witnesses.

My question will be for Mr. Brown and Mr. Mulligan.

As I read through the recommendation, I couldn't help but wonder about the lack of direction this government has provided to you. I also question whether the safety inspections and audits being carried out are effective measures, since in 2019 there were a higher than usual number of accidents.

What improvements are you making in order to have a safer railway system? What do you feel are areas in which we need more support or direction from this government?

**Dr. Kyle Mulligan (Chief Engineer, Canadian Pacific Railway):** I think I can start with that, Tom.

It's an excellent question, and thank you for it.

In terms of safety improvements and the direction from the government, here at CP specifically and at CN we are moving towards more machine-based, data-driven inspection technologies, more performance-based technologies. We really, truly work hand in hand with Transport Canada.

More recently we have developed cold wheel technology to better assess the operation of air brakes and have integrated machine vision inspection systems, which are high-speed cameras, with the remote safety inspector desks, who have all eyes on our trains.

What this has done is it has moved us away from a traditional visual, static inspection in which the train is not moving. We're moving our inspections to a dynamic, in motion, performance-based inspection. This is resulting in far more equipment being picked out and sent to maintenance shops, and as I mentioned before, it's resulting in many more eyes on the equipment, using the technology.

• (2015)

**Mr. Gerald Soroka:** I'll also put that question to Mr. Brown.

**Mr. Tom Brown (Assistant Vice-President of Safety, Canadian National Railway Company):** Thank you, Mr. Soroka.

Basically, what Kyle was saying is that we are investing the majority of our money in technology. Some of the technologies we have are mature technologies. They're ones that you may not know are out there, but they're wayside inspection systems that have been around for a long time. They measure wheel heat to prevent any derailed cars.

We have slide detectors, for example, most common in the mountain territories, that will notify a crew if we have an avalanche of snow or if stone is starting to slide down a cliff. We have what's known as a dragging equipment detector. This tells you if there's something dragging from the undercarriage.

Where we're moving further in technology though is at CN we have built an autonomous track inspection program. You'll see them on trains. They're a small boxcar on the back of a train that highlights safety on them. What's in them is computer equipment that takes multiple measurements of the rail and uses a lot of track geometry and algorithms and feeds back a report directly to our wayside personnel.

The benefit of this is we can develop algorithms that can use predictive analytics when we're trying to schedule our maintenance. If you have these railcars moving across our system 24-7, 365 days a year, just think of the increased frequency of track inspections.

The second one which we're dealing with right now and have invested in is automated inspection portals. There are actually seven at CN, five within Canada—four right here where I am in Winnipeg. These are ultra-high definition panoramic cameras with high-density LED lights that capture a full 360° view of a train as it's going through the portal at track speed, regardless of weather. Even in the blizzard conditions we've been dealing with in the last couple of days in Winnipeg, they provide crystal-clear images. It checks the entire train, including the undercarriage.

Based on a set of algorithms that we have designed, it communicates to our mechanical team if there's an issue with any of our railcars. We'll be using this technology to reduce the likelihood of a railcar derailment.

Think about where we strategically place these types of portals. We have trains arriving that are coming up from the U.S. out of North Dakota or Minnesota and trains that are passing from coast to coast across Canada, moving up towards Toronto and the Atlantic provinces via our northern Ontario district. They're all checked. Every single railcar that moves through here is verified.

**Mr. Gerald Soroka:** Mr. Brown, I think you've covered quite a bit—

**The Chair:** Thank you, Mr. Brown, and thank you, Mr. Soroka.

I did give you some leeway there. It was a good question and a great answer, so thank you very much.

We're now going to the Liberals.

Mr. Sidhu, you have the floor for six minutes.

**Mr. Maninder Sidhu (Brampton East, Lib.):** Thank you, Mr. Chair, and thank you to our witnesses for being with us this evening.

Mr. Brazeau, you mentioned a few good points in terms of what your association is doing in terms of railway investments, the \$33 billion. You have quite a big association. It includes five of the largest railways, and I think you said the industry employs close to 36,000 Canadians.

Mr. Brazeau, you mentioned the dangerous goods accident rate has declined by close to 30%. Can you or any of the other witnesses here comment on measures taken by Transport Canada to implement speed restrictions for trains carrying dangerous goods? I imagine this may be helping with the decline.

Does anyone want to chime in there?

• (2020)

**The Chair:** Mr. Brazeau.

Mr. Mulligan, do you want to go?

**Dr. Kyle Mulligan:** Yes, I can start that off.

I actually worked heavily with Transport Canada, hand in hand, when their ministerial orders were issued slowing down the speed of key trains. What I can tell you is that dramatic improvements in terms of the updated rule have come out, moving us in a direction to enhance the safety of those trains, and it is taking effect.

As a specific example of what was done, we've committed to increasing rail grinding in these high-risk key train routes. This actually conditions the surface of the rail in a way that the autonomous or rail flaw detection vehicles that Tom described can pick up to 200% more defects in the rail. The learning that came out of that is we saw that if that surface isn't polished, let's say, for argument's sake, it does inhibit our ability to detect and remove rail, so as part of the conditions with Transport Canada, we've improved that.

In addition to the grinding, we've also doubled the amount of inspections we do with our rail flaw detection vehicles in those routes during specific winter months. What that's going to do is help find those defects and replace that rail so that it doesn't have an issue.

Finally, we've provisioned for enhancing broken rail technology in these areas. There are two types of areas you can use to classify routes that trains take. One is a signal territory, which is almost like there are traffic lights on the rail. The other one is a non-signal territory or a dark territory. Those areas don't benefit from broken rail detection technology like the signalled areas do. The new rule provisions for the class 1s to be able to add that technology to those areas to help enhance speed for productivity also enhance safety by deploying more technology in those areas.

**The Chair:** Thank you, Mr. Mulligan.

Mr. Sidhu.

**Mr. Maninder Sidhu:** Thank you for that detailed answer, Mr. Mulligan.

Can one of our witnesses comment on the new regulations Transport Canada passed requiring video recorders to be installed in locomotives? What are your thoughts on the improvement of safety? How can it be done?

**Mr. Marc Brazeau:** I'll jump in first.

The railways have advocated for the use of LVVR in the locomotives. We see the on-board voice video recordings as a proactive safety management system. It will help the railway companies improve their training and their ability to respond to situations. We have worked very closely with Transport Canada on its implementation.

I'll refer to my colleagues, Kyle or Tom, to add to that.

**Dr. Kyle Mulligan:** I'll just add very quickly, Tom.

As a qualified locomotive engineer myself, having operated trains for the last four years at CP, I can definitely see the value in terms of the inward-facing and outward-facing cameras. Part of our railway technology group, which I lead, does derailments and incident investigations, so having that video information is critical, not only to solving the issue but preventing it altogether. This plays hand in hand with the technology we've added in terms of data analytics, where we're actually auditing the event recorders on board for operators' actions. If you tie that to the video, it becomes very powerful in terms of ensuring compliance.

**Mr. Tom Brown:** I would agree with Kyle. The benefits here will be a lot of educational gain. We focus a lot on infrastructure spending and technology, but this LVVR, locomotive voice and video recording, helps us address and correct some of the behavioural issues that we might have in the cab or some errors and provide some educational guidance to our operating crews.

**Mr. Maninder Sidhu:** Thank you for that answer. I know that rail safety is definitely of utmost importance to our government. It's good to hear that some of the measures that are put into force, whether it's slowing down the dangerous goods trains or requiring video recorders to be installed in locomotives, are helping.

Mr. Chair, how much time do I have left?

**The Chair:** You have about 30 seconds.

**Mr. Maninder Sidhu:** Really quickly, Mr. Brazeau, you mentioned Operation Lifesaver Canada to help prevent death at railway crossings. Is there something that really stands out to you in terms of messaging that we should be able to convey to our constituents?

• (2025)

**Mr. Marc Brazeau:** I think that any time we have additional partners, that will help us get the message out, communicate our videos and educate the general population about the importance of being safe around railway crossings and not to trespass. We're always looking for additional partners to help convey that message, so if there's anything that we can do with the federal government, municipalities, provincial governments.... We've done a lot of outreach in the last two years alone with our social media, but we're always looking for opportunities to expand that coverage, and any support we get there would be much appreciated.

**The Chair:** Thank you, Mr. Brazeau, and thank you, Mr. Sidhu. Those were great questions.

We're now going to the Bloc.

Mr. Barsalou-Duval, you have the floor for six minutes.

[*Translation*]

**Mr. Xavier Barsalou-Duval:** Thank you, Mr. Chair.

My question is for Mr. Brazeau from the Railway Association of Canada. It is about oil.

In her report, the Auditor General, who appeared just before you, pointed out that a fairly significant increase in the transportation of oil by rail had been observed and that this could increase the safety risks.

Mr. Brazeau, have you seen that same increase in the transportation of oil? Is there any way to quantify it? Can you give us an idea of what this increase in oil transportation will look like over a 10- or 15-year period? Just briefly, how are you adapting to that?

[*English*]

**The Chair:** Mr. Brazeau, you're on mute.

**Mr. Marc Brazeau:** Yes, that's the classic error of 2020 and 2021, I guess.

[*Translation*]

We have seen an increase in the amount of oil transported by rail, but it's still a small percentage of the total amount of oil transported, because pipelines are still the primary way to transport oil. Railroads have the capacity to do this, but they are not there to replace pipelines. Rather, they are there to assist in the transportation of oil, when necessary. New, stronger and safer rail cars have been built. They are in use today. So there has been an increase, yes, but it is still a small amount of the total amount of oil being transported.

**Mr. Xavier Barsalou-Duval:** Thank you.

In her report, the Auditor General talks about a 45% increase between 2017 and 2018, which is still major.

I grew up next to a railroad track. I lived there for about 25 years. When I was a little kid, I would go to the window and count the cars in the middle of the night. I was always excited about the train going by. I couldn't wait to say that the train was going to go by. It was like an event in the day for me as a little boy.

Of course, when we saw the Lac-Mégantic accident in 2014, I was a little older. Instead, that excitement turned to fear, and I think it was the same for a lot of people, because of the transportation of oil. We no longer saw trains as a means of transporting goods, but as a threat, especially when we saw so much oil on the tracks.

Perhaps this is not a general feeling, but where I live, many people feel that trains carrying oil pass more often at night than during the day to avoid being seen.

Is it true or a coincidence? Or is it a comment not based on reality?

**Mr. Marc Brazeau:** Personally, I am not able to answer your question. My colleagues would be better able to tell you which trains run during the day or at night. I know there are trains that run 24 hours a day. There may be some areas where there is a higher probability of a train running at a certain time.

The Lac-Mégantic tragedy is so sombre that it remains in our thoughts to this day. Many changes have been made since then, and safety has been strengthened in terms of systems, culture, equipment, training and everything else related to the operation of a train. However, I can confirm that the amount of oil transported by train has increased. The fact remains that 99.99% of all dangerous goods transported by train arrive at their destination without incident.

It is important to keep in mind that the success rate of transporting dangerous goods remains extremely high, and this is due to the implementation of several technologies and safety systems.

• (2030)

**Mr. Xavier Barsalou-Duval:** Thank you.

My next question is about what municipalities are requesting.

For years, I have been hearing municipalities complain that they would like to know in advance what types of goods will be passing through their area, so that they can adapt their services and ensure that firefighters are on the alert and that police and emergency ser-

vices are ready. They want to be able to be proactive in their response in an informed way if something were to happen.

Is there any way that your organizations could commit to sharing this information with municipalities in advance?

**Mr. Marc Brazeau:** First responders already have access to this information. It is also available to any municipality that wants to have access to it.

The only thing I would like to emphasize is that it is not to the advantage of the municipalities and the general public that this information be made public, for security reasons—

**Mr. Xavier Barsalou-Duval:** I am sorry to interrupt you, Mr. Brazeau.

Mr. Chair, I would like to know whether we will have time for a second round.

[*English*]

**The Chair:** Mr. Barsalou-Duval, because we had some lag time due to technical difficulties, I'll be allowing the meeting to go to 8:45. I'm hoping to get as far as I can based on the time that's remaining as well as the time individual members have.

That being said, I do thank you for your questions, because you're now past your time. I apologize.

As well, of course, Mr. Brazeau, thank you for your answers.

We're now going to move to our next speaker, who is representing the NDP, for six minutes.

Mr. Bachrach, you have the floor.

**Mr. Taylor Bachrach:** Thank you, Mr. Chair.

Thank you to our witnesses.

I'd like to start with Mr. Brown.

Mr. Brown, CN, obviously, operates in northwest B.C. It's a big part of our history, a big part of our current economy. As I mentioned earlier in the meeting, there's been a marked increase in the transport of dangerous goods, especially products like liquid propane. This is of fairly significant concern to municipalities, to volunteer fire departments and to residents who live along the rail corridor. They look at major disasters like Lac-Mégantic and they think about their own community. They think about what would happen if there were a disaster of that magnitude and that scale in their local community.

I wonder if you can comment on whether your company models disaster response for a large industrial fire involving liquid propane, and on what such a disaster would look like relative to what we saw in Lac-Mégantic, which was a disaster involving crude oil. How would those two differ in their character?

**Mr. Tom Brown:** Thank you, Mr. Bachrach.

First of all, along your corridor we do provide training to communities and first responders. We do have emergency response equipment situated in Prince George, Smithers, Terrace and Prince Rupert, in the unlikely event of a dangerous goods derailment.

We do conduct exercises, but they're not full on Lac-Mégantic-type exercises. The exercise we'll do is a live-fire exercise, simulating a tank fire, with local first responders. We teach them how to address that type of a derailment, that type of a fire. We don't table-top something like a Lac-Mégantic.

**Mr. Taylor Bachrach:** Could I ask why not? Do you have a plan for responding to a major disaster involving multiple cars of liquid propane? I look out my window and see trains with what looks like hundreds of cars parked in the rail yard containing that product. What would it look like if multiple cars were to be involved in an incident?

**Mr. Tom Brown:** Yes, we do. When we go through an exercise on how to approach a fire with dangerous goods, whether it's a single car, multiple cars, or just strictly a release of a dangerous goods product, all first responders, the fire departments, are all trained. In fact, in the last couple of years we've trained over 540 first responders in that type of scenario of single car or multiple car derailment with dangerous goods in the northern B.C. corridor.

• (2035)

**Mr. Taylor Bachrach:** Mr. Brown, I've also spoken with local fire departments, and I've heard a lot of concern, both from fire departments and municipalities, about taking on the added responsibility of maintaining training, of having proper equipment. Many of these fire departments are volunteer. They have their hands full just addressing structural fires in the community and responding to highway accidents, that sort of thing.

If a volunteer fire department did not feel it wanted to take on the added responsibility of responding to rail-related incidents involving dangerous goods, what would CN do in those instances?

**Mr. Tom Brown:** I really couldn't answer that. I can check and get back to you. I haven't had that situation as of yet. I was not aware that there's any fire department that was not willing to participate in the training that we provide or respond to a dangerous goods derailment.

**Mr. Taylor Bachrach:** Perhaps we can touch base offline.

My next question is around response times. You mentioned the communities that have teams and equipment in them. For communities that are farther away from those communities, a community such as Burns Lake, which is an hour and a half from Smithers and even farther from Prince George, does your company have a maximum response time for responding to a major incident involving dangerous goods?

**Mr. Tom Brown:** No, we do not have a maximum response time, just based on the geography of our track layout and the facilities. As I mentioned, we have emergency response gear in Prince George, Smithers, Terrace and Prince Rupert. We also have environmental caches positioned at Burns Lake.

**Mr. Taylor Bachrach:** If there were a major incident in a community with residences nearby involving multiple cars of liquid

propane, has your company modelled out what could happen over the course of the several hours that it could take for teams and equipment to arrive on the scene?

**Mr. Tom Brown:** No, not that I'm aware of.

**Mr. Taylor Bachrach:** Mr. Chair, I'm going to use the rest of my time to move the motion that I provided notice of.

**The Chair:** Go ahead.

**Mr. Taylor Bachrach:** Mr. Chair, I move:

That in light of the numerous rail disasters that have occurred since the Committee last studied rail safety in 2016, and given projected increases in the volumes of dangerous goods transported through some regions of Canada, the committee commit to a follow-up study focusing on Canadian rail safety, including but not limited to the transport of dangerous goods, emergency response capacity and efficacy, and labour conditions for workers in the sector; that the study identify measures that can be taken by the federal government to improve rail safety; and that the study conclude in six meetings or fewer.

**The Chair:** Thank you, Mr. Bachrach. Your time has been stopped, but you alluded to the fact that you were going to use your time to present this motion.

Are there any questions or comments from members of the committee on Mr. Bachrach's motion?

With no questions or comments, I am going to now move on to the—

**The Clerk of the Committee (Ms. Alexie Labelle):** Mr. Chair, there are questions.

**Mr. Maninder Sidhu:** Mr. Chair, there are a couple of hands up in the participants panel.

**The Chair:** Usually I see the hands.

Folks, if you could use the “raise hand” function, it's easier for me to see all the hands raised. There should be a “raise hand” function there.

**Ms. Helena Jaczek:** My raised hand is right there, Mr. Chair, on the screen.

[*Translation*]

**Ms. Soraya Martinez Ferrada:** Mine too, Mr. Chair.

[*English*]

**The Chair:** Okay. There we go. I'm working off of one screen now.

I have Mr. El-Khoury, Ms. Martinez Ferrada, Ms. Jaczek and Mr. Rogers.

Mr. El-Khoury, go ahead.

[*Translation*]

**Mr. Fayçal El-Khoury:** Thank you, Mr. Chair.

With all due respect, I know full well that we have a lot of documents to produce as a result of the work we have already done.

I'm not sure whether this is the right time or whether it would interfere with our work and our efforts to produce our report, but I would like to know what our colleagues from the Conservative Party and the Bloc Québécois think about such a situation.

• (2040)

[*English*]

**The Chair:** Thank you, Mr. El-Khoury.

Ms. Martinez Ferrada, you have the floor.

[*Translation*]

**Ms. Soraya Martinez Ferrada:** Thank you, Mr. Chair.

I apologize to my colleague. I have just arrived at the committee and I understand that a lot of work has already been done and that there are reports waiting to be produced. I understand that the committee's schedule is already quite full. All in all, I think we all agree that we need to discuss the importance of our rail safety and that we all share the same concern.

Is there a way to reduce the number of meetings? I'm glad there is no set date for us to agree on the motion. This will allow us to assess when it could be introduced. Generally speaking, we could support such a motion if we could reduce the number of meetings proposed for the study, and agree on it during our term.

[*English*]

**The Chair:** Thank you, Ms. Martinez Ferrada.

We will go to Ms. Jaczek, Mr. Rogers and then back to Mr. Bachrach.

Ms. Jaczek, you have the floor.

**Ms. Helena Jaczek:** Thank you, Chair.

Certainly, the issue of rail safety, especially from what we've heard today, is of great interest to all of us. But at this point in time, we have done so much work and heard so many witnesses on a variety of different studies, and yet we haven't tabled a single one in Parliament. I just read the draft of our report on aircraft certification subsequent to the Boeing 737 Max 8 crashes. I'm really anxious to get that discussed so that we come to our recommendations. I just think of all those witnesses who came. We started this in January 2020. All of that work was done. We owe some respect to the families involved who we heard from with great emotion. We have to complete some of the work that we've started.

In terms of the number of meetings and when we might engage on this particular study, I echo my colleagues' comments. I really think we need to make sure we can put in front of Parliament something that we have actually completed as a committee.

**The Chair:** Thank you, Ms. Jaczek.

Mr. Rogers.

**Mr. Churence Rogers (Bonavista—Burin—Trinity, Lib.):** Mr. Chair, my comments will be very similar.

As a committee, we set out a priority list of studies that we wanted to do. If we continuously get thrown off that track, we will accomplish very little as a committee. I think we have enough on our plate right now.

I support this motion only if it's prioritized at the end of the line as compared with the other studies that we've already agreed on. I appreciate the rail safety issue, obviously, but if we're going to be successful as a committee, we need to get on with the work we have already prioritized and do that first.

**The Chair:** Thank you, Mr. Rogers.

Ms. Kusie.

**Mrs. Stephanie Kusie:** Chair, I was having a conversation with Mr. Bachrach as well as the Conservative members on the committee. We feel it might be timely if we took even half a meeting for the business of the committee at this time. It does seem that after the aviation study, and then the Max 8... I do sympathize with Ms. Jaczek's comments that it does seem that we are undertaking so much.

I don't know if we need half a meeting, but I think it would be good if we took even half an hour to re-evaluate our previously determined priorities and have a conversation on whether this is what is still important, especially as we see the nation emerging, hopefully, from the pandemic, and on the most pressing needs for the future from a transport perspective. That's a conversation I've had with several committee members.

• (2045)

[*Translation*]

Mr. Barsalou-Duval, I'm sorry that we haven't had that conversation.

I also want to welcome Ms. Martinez Ferrada to her first meeting.

Welcome, Madam Parliamentary Secretary.

[*English*]

I think it would be good if we had even half a meeting to set ourselves on track.

Thank you.

**The Chair:** Thank you, Ms. Kusie.

Before I move on, we are at our time limit here. I will take the advice of members of the committee to have a business planning session. My concern is not different from what has already been mentioned. We've participated in a lot of studies since the beginning of this session and we haven't brought a report to Parliament yet. Those studies shouldn't be looked at as a waste of time. They should be made to be productive, and the only way they can be productive and we can actually validate them is by bringing them to the floor of the House and presenting them to the members of Parliament.

Having said that, I think we have one more study, which we're embarking on right now, which is the infrastructure study. Of course the expectation beyond that was to bring some reports to the committee, to ratify them and, again, to proceed to the House of Commons.

I'm going to go quickly, before we adjourn, in fairness to Taylor and to Xavier with regard to their comments, and then I'm going to have to adjourn the meeting, but I will assure you that we'll call at least half a meeting or half a time slot for a business planning meeting so we can settle this.

Taylor, you have the floor.

**Mr. Taylor Bachrach:** Thank you, Mr. Chair.

I support the idea of having a committee business meeting. I also appreciate the suggestion by, I believe, Ms. Martinez Ferrada, that maybe the number of meetings be reduced, and I would be happy to make that amendment to my motion. Currently it's six meetings. I would be happy to modify it to four meetings including today's meeting.

I would note that we find ourselves in this position because we've added witnesses on this topic to our meeting, so it feels as though we're partway through a study on rail safety, and I would very much like to continue that momentum and to hear some other perspectives. I've met with other people who might not share the same perspective as that of the people we've met with today.

Mr. Chair, appreciating the short time we have, I would like to have a vote on my motion before we adjourn, if that's possible.

**The Chair:** It's not. We're out of time. I'm sorry, Taylor. We're at 8:47 right now, but with all due respect to you, may I suggest we discuss this at the business planning meeting? I think it goes without saying that you have support with the amendment being made. If I read the numbers now across one screen that I have in front of me, I'm very optimistic. I wouldn't be too worried about bringing this and passing it, but we are out of time, and I can't go past the time—

**Mr. Taylor Bachrach:** A vote takes 30 seconds, Mr. Chair.

**The Chair:** I still have Mr. Barsalou-Duval who wants to speak as well, with all due respect to him. Then we'll have to move on. Taylor, we can move this to the business planning session, and I think we can then move on from there, especially with respect to prioritizing it.

Mr. Barsalou-Duval, go ahead.

[*Translation*]

**Mr. Xavier Barsalou-Duval:** Thank you, Mr. Chair.

I just want to mention that I intend to support Mr. Bachrach's motion. I think it deals with an important subject that has not yet been studied by the committee.

I feel like we've been rushed a little. We've had almost no time to ask our witnesses questions today, and they are important witnesses. Whether we like it or not, the railway issue remains important for everyone. I think that four meetings are not many, but perhaps they would still allow us to reach a consensus, at the very least. We may also have an opportunity to discuss this in a future planning meeting of the committee.

In fact, and I think I mentioned this at a previous meeting, I agree wholeheartedly with Mrs. Kusie that there should be a meeting soon, even if it's a half-meeting or an hour-long meeting, so that we can look at the planning of our business.

[*English*]

**The Chair:** Thank you, Mr. Barsalou-Duval.

All points are well taken. Ms. Kusie, Mr. Rogers, as well as Mr. Bachrach and Ms. Jaczek, those are very good points.

Also, before I adjourn, I want to welcome Ms. Martinez Ferrada to our committee. I apologize for not doing this at the beginning of the meeting, but we wanted to get into the meeting so quickly that I forgot. Soraya is going to be doing some great work, I'm sure. Although it's her first round here at Parliament, it's like it's her sixth because she just dove into the whole file and is very well versed.

Soraya, welcome. It's great to have you on board, and we look forward to your participation.

Last, I also want to thank the witnesses, all of you, for coming out today and for spending your time with us.

I especially want to thank you, Mr. Brazeau. You made some great points, especially related to working with communities. I am working over a situation right now with CN that, frankly, I'm getting fed up with in terms of the implications and the impacts it's having on a small community here in southwestern Ontario. Therefore, I will be calling upon you in the very near future hopefully to help facilitate some resolution to that and, of course, some involvement by CN to actually take care of some of the implications and problems that we're having in that specific community.

With that, members, thank you very much for your interventions and participation this evening. We look forward to Thursday's meeting.

The meeting is adjourned.







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