

# Transportation Safety Board calls for tougher standards for rail tank cars

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OTTAWA - Nearly 20 years after the Transportation Safety Board first recommended "immediate action" on unsafe railway tank cars, the national safety investigator issued a new clarion call Thursday urging governments to act.

If a series of chemical spills in the 1990s from the easily ruptured tankers — known as DOT-111s — wasn't risky enough, the new era of "staggering" quantities of volatile crude oil travelling through North American communities means the issue can no longer be shunted aside, the board warned Thursday.

"A long phase-out simply isn't good enough," board chairwoman Wendy Tadros said at a news conference.

"Change must come and it must come now."

The board also recommended immediate safety assessments of all potential routes used for the transport of dangerous goods, including mandatory twice-yearly track inspections, slower train speeds and track sensors to detect defective rail-car bearings.

And it said that "at a minimum," Transport Canada must require emergency response assistance plans for all large shipments of everything from diesel to crude oil to ethanol.

It was the latest update from investigators examining last July's deadly derailment, explosion and fire in Lac-Mégantic, Que., which claimed 47 lives and incinerated the town's downtown core.

It was also the board's most emphatic response to date.

Transport Minister Lisa Raitt did not make herself available for an interview but her office issued a release saying "the health and safety of Canadians remains our priority."

"I have instructed my officials to review the recommendations on an urgent basis," said the government release.

Getting all flammable liquids out of the tens of thousands of older tank cars on North American tracks was one of three TSB recommendations, which emphasized the critical importance of the measures by announcing them in concert with the U.S. National Transportation Safety Board.

The U.S. investigators warned that increasing oil shipments by rail could result in a "major loss of life" if the new safety measures aren't implemented.

It's a warning that comes much too late for the people of Lac-Mégantic.

Canadian investigators now report that 60 of 63 oil-laden cars that derailed in the town last July 6 "released product due to tank car damage." All were older-model DOT-111s.

Even cars at the back of the train that had slowed considerably before derailling were breached, feeding the massive fires.

The report said it was only by good fortune that a large supply of fire-suppressing foam concentrate was available at a refinery in nearby Lévis, Que., 180 kilometres from the Mégantic crash.

"We simply cannot leave this to chance and we need to be prepared everywhere (in Canada)," said Tadros.

The Transportation Safety Board chair was at a loss, however, to explain why long-known problems with the common DOT-111 tank car did not raise red flags for government when the oil-by-rail boom took off in the last five years.

As far back as 1996, the TSB recommended Transport Canada "take immediate action to further reduce the potential for the accidental release of the most toxic and volatile dangerous goods transported in Class 111A tank cars ...."

There have been periodic warnings since, but no government action.

Some experts have predicted it could take 10 years to get the tens of thousands of older tank cars off the rails. The safety board wouldn't put a timeline on what ultimately is a political and economic decision, but said stopping all transport of crude oil in old DOT-111s must come "sooner rather than later."

"The longer they're left out there, the longer there's risk in the system," said Tadros.

She noted "the amount of oil on rails is staggering and much of this crude oil is volatile."

Large rail companies, including CN Rail, have been seeking tougher government rules on safer tank car construction since at least 2011, and CN Rail welcomed the latest recommendations.

But many others in the supply chain — notably tank car leasing companies, oil producers and refineries — are worried about the high cost of changing over the North American tank car fleet.

That puts the ball squarely in the court of government regulators.

"Transport Minister Lisa Raitt now has to choose between protecting public safety and keeping costs low for oil companies," said Keith Stewart of Greenpeace Canada.

"If she doesn't act immediately to ban the use of rupture-prone 111 tank cars for carrying oil, then we'll know whose side she's on."

NDP transport critic Olivia Chow noted the auditor general has repeatedly told government that it needed to understand and assess the risks involved in transporting dangerous goods.

"Was someone asleep at the switch? Yes, absolutely," said Chow.

She laid the blame on a cost-cutting Conservative government. "No risk management, no performance review and no action plan."

Liberal transport critic David McGuinty said the \$32 million the government spends each year on rail safety doesn't even match some of the Conservative government's taxpayer-funded advertising buys for its ubiquitous "Economic Action Plan."

"It's time to bring our railway safety in line with the volume of the shipping of dangerous goods by rail," said McGuinty.