



Canadian National

Darren Reynolds
Project Director

61 James Snow Parkway
Milton, Ontario Canada
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June 24, 2019

Lesley Griffiths
Review Panel Chair
160 Elgin St.
Ottawa, ON K1A 0H3

By email

Dear Ms. Griffiths:

RE: Milton Logistics Hub – Undertaking #3, Undertaking #4 & Undertaking #6

I am writing in response to Undertaking #3 and Undertaking #4 from our sessions on June 20, 2019 and Undertaking #6 from June 21, 2019.

With respect to Undertaking #3, we enclose an updated version of CN Police Services' (CNPS) presentation to the Review Panel, originally delivered during the Orientation in March 2017; the updated presentation describes CNPS' role and mandate and incorporates current statistics. We also attach a letter outlining CNPS' standing relative to other police organizations across the country.

With respect to Undertaking #4, enclosed with this letter is our response that provides a brief description of the issue raised in the media coverage from 2013 referred to by Ms. Vogel Post and explains how the issue was resolved to the satisfaction of the Transportation Safety Board.

With respect to Undertaking #6, we attach a redacted copy of an agreement between CNTL and the union representing CNTL owner/operators regarding truck specifications. We also provide a redacted copy of Schedule C to CNTL's standard contract with Owners/Operators that provides additional information about rules and regulations that apply to all CNTL Owners/Operators.

Thank you for your consideration of these additional technical filings.

Sincerely,
<Original signed by>

Darren Reynolds
Project Director

Cc:

William G. McMurray, Review Panel Member (by email)
Isobel Heathcote, Review Panel Member (by email)
Joseph Ronzio, Review Panel Manager (by email)
Mark Lerner, CN Vice President
Luanne Patterson, CN Senior Systems Manager – Environmental Assessment

Review Panel Hearing Session: June 20, 2019

Undertaking # 4

Undertaking:

Clarify the information regarding unreported derailments from a 2013 CBC article mentioned by Ms. Vogel Post.

CN Response:

Ms. Vogel Post did not specify the article(s) to which she was referring. We expect the news coverage she was referring to is reflected in the following article:

<https://www.cbc.ca/news2/interactives/train-derailments/> (December 3, 2013).

The article reflects a difference in interpretation between CN and the Transportation Safety Board of Canada (TSB) with respect to minor accident reporting by CN between 2001 and 2006. The matter was resolved to the satisfaction of the TSB in 2006.

The TSB accident reporting requirements in effect at that time obliged railways to exercise judgment as to whether a minor accident should be reported, specifically regarding whether an accident caused damage that would affect safe operation or pose a threat to safety. The TSB took the position that some of the minor accidents that CN determined did not meet the reporting criteria, should have been reported.

The TSB and CN ultimately agreed on an interpretation in 2006 that would be used going forward. As part of that agreement, CN's accident records were adjusted retroactively for the years 2001 to 2006, and a monthly reconciliation process was put in place. The TSB also adjusted its reporting requirements to include a new emphasis on severity indices to help better frame rail accident trends in Canada.

