

**Brief Submitted to the House of Commons Standing Committee on Transport,
Infrastructure and Communities**

Comité Ferroviaire de la Ville de Boucherville, June 15, 2021

1. Background

The Sorel Subdivision rail line of the Canadian National Railway Company (CN) crosses through Boucherville. This rail line is dedicated to transporting goods primarily to supply the industries of the areas surrounding Montreal. Beginning at the junction with the main line in Saint-Bruno-de-Montarville, the railway continues northward, mostly along the eastern shore of the St. Lawrence River, up to Sorel-Tracy. Although the route runs mainly through farmland, it also crosses through the centre of the urban areas of Boucherville, Varennes and Verchères, including a large residential neighbourhood spanning more than 5.5 kilometres in Boucherville.

Use of the railway to transport dangerous goods and hazardous materials in urban areas causes numerous nuisances and stirs public concern. Issues include traffic flows, level crossings, emergency services, nuisance noise and vibration, public safety, air quality and urban planning.

These issues are all the more important because the Port of Montreal's proposed container terminal in Contrecoeur would considerably increase the frequency and length of trains on this line.

An analysis of these issues shows that relocating the railway outside the urban part of Boucherville, and possibly the other cities affected by this line, would reduce the risks and problems associated with mobility and road traffic, residents' quality of life, public safety and urban planning.

To this end, the City of Boucherville commissioned Norda Stelo Inc. to conduct a pre-feasibility study for relocating the CN rail line that runs between Boucherville and Sorel-Tracy. The firm submitted its report last March, and its main conclusions are that the relocation project is feasible and several routes are possible.

Given that the study focused on relocating the railway in Boucherville, a more detailed feasibility study is now required to determine which of the five proposed routes could be selected and how the relocation could be implemented in the other cities along the route.

2. Purpose

1. Make the House of Commons Standing Committee on Transport, Infrastructure and Communities aware of the need for Transport Canada to be more receptive to

considering relocations of railways that transport hazardous materials through densely populated areas.

2. Make the Committee aware of the need to improve public access to information about hazardous materials being transported on railways in populated areas.

3. Current situation as we see it

3.1. The federal government is not very receptive to railway relocation projects

The safety and security of rail transportation has been an issue for a number of decades in cities crossed by the CN railway, particularly in Boucherville and Varennes, where the riverside population density along the railway is highest.

Public concern initially focused on the nuisances caused by trains passing through urban areas (locomotive whistling, vibrations and their impact on the foundations of nearby homes, train speed, the risk of accidents at level crossings, lower property values, the use of herbicides along the tracks). However, it has now expanded to include the risk of hazardous material spills in downtown cores and their impact on the safety of residents and the environmental impacts for cities bordering the St. Lawrence River that still have large agricultural areas.

These concerns have intensified since the derailment of a crude oil train in Lac-Mégantic in July 2013, which devastated the municipality's downtown and cost 47 people their lives, and whose terrifying images were viewed around the world.

These fears of a repeat of the Lac-Mégantic disaster in Boucherville, and in other cities along the route, have intensified since lengthy trains carrying Alberta crude oil for export and loading onto supertankers at the Kildair dock in Tracy first appeared in November 2013.

Historically, requests to relocate or realign railways carrying hazardous materials have met with little response from the federal government, as evidenced by the unsuccessful attempt by Boucherville and Varennes in the early 1990s to relocate the CN railway in anticipation of the Soligaz natural gas liquids storage project in Varennes. The project was to be supplied by trains of freight cars transporting highly flammable materials through urban areas.

A further example is the eight years of dithering and the slow implementation of a by-pass at Lac-Mégantic since the 2013 tragedy.

3.2. Oil transport by rail is here to stay

On Friday, June 11, the International Energy Agency predicted that global oil demand, which had collapsed at the start of the COVID-19 pandemic, will exceed pre-crisis levels by the end of 2022.

Moreover, given the lack of social acceptance and abandonment of major pipeline projects, such as Energy East in Quebec and Keystone in the United States, and the stalled Trans Mountain project in British Columbia, oil transportation by rail—particularly from landlocked Alberta—will clearly continue for many years to come.

As a result, we would somewhat qualify the statement by the federal government, and CN, that rail is only a “supplementary” means of transporting oil. According to Transport Canada, demand for oil transport by rail increased in 2017, but this trend is not expected to continue over the medium term, as moving oil by pipeline is expected to eventually become dominant again. CN’s president and chief executive officer made similar comments in April 2019, stating that “railroads play only a supplementary role in transporting this resource, representing a bridge between the past and the near future, that is, until pipelines once again transport the lion’s share of black gold.” [translation]

In addition, in a release on March 6, 2019, the Transportation Safety Board reported that the number of accidents involving hazardous materials on main tracks has trended upward, from 10 in 2017 to 17 in 2018. Of these, six caused the release of hazardous materials.

3.3. Freight car safety

On July 24, 2016, the Minister of Transport, Marc Garneau, announced his intention to speed up the removal of the DOT-111 tank cars involved in the Lac-Mégantic tragedy by six months. As a result, as of November 1, 2016, no more DOT-111s would be transporting crude oil. However, these cars could continue to transport refined oil and any other hazardous material through our cities. The deadline for complete retirement of the DOT-111s, and their CPC-1232 enhanced version, and their replacement by the new TC-117 cars (theoretically safer), has been set for 2025. The implication is that, for the next four years, the transport of oil, including heavy oil, and hazardous materials through our densely populated urban areas, will continue to be risky. Moreover, there are doubts about the industry’s ability to supply these cars by the target date.

3.4. Better public access to information

Protective Direction No. 36, which increases disclosure requirements, was made under the *Transportation of Dangerous Goods Act, 1992*, which the federal government implements across Canada. This direction requires railway operators to provide municipalities with more data, including the maximum specific volume of dangerous

goods transported, by obliging them to share information that could be made public. CN boasts about cooperating closely with Transport Canada in implementing this direction, including by providing communities with information on unit trains, the percentage of cars carrying dangerous goods and information on the type and volume of goods. However, since crude oil trains have resumed operating on the Saint-Lambert–Sorel-Tracy railway in a significant way, it has been very difficult, in practice, for citizens and our committee to obtain any information whatsoever on these trains, the pretext being that these data are kept confidential as an anti-terrorist precaution. As if trains of 100 cars duly identified as carrying heavy oil could go unnoticed! We believe that transparency is lacking and that the residents of the cities through which this oil and these hazardous materials are transported are entitled to more information from the relevant authorities and from CN.

4. Conclusion

In November 2018, the Union des municipalités du Québec adopted the *Déclaration de Trois-Rivières*, in which the participating cities committed to developing rail transport so that it becomes a keystone and highly competitive mode of transport for the outlying regions of Quebec. The declaration also called for close cooperation with the governments of Canada and Quebec to ensure rail transport is safe for the public at all times and under all circumstances, while respecting municipal jurisdiction.

We believe that the proposed relocation of the Boucherville–Sorel-Tracy rail line that crosses through our cities meets the commitments of the *Déclaration de Trois-Rivières*. We further hope that, given the acknowledged smaller environmental footprint of rail transport, mainly because of its energy efficiency, the Government of Canada will welcome the opportunity to participate in a feasibility study on the relocation of the Boucherville–Sorel-Tracy line of CN railway's Sorel Subdivision.