

Canadian railways fail to properly report accidents, regulator says

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More than 250 rail accidents went unreported by Canadian railways between 2007 and 2013, omissions the country's transportation watchdog says hinder efforts to improve safety on the railroads.

The Transportation Safety Board said on Monday its audits of rail collisions, derailments and spills at three railways, including the company involved in the Lac-Mégantic disaster of 2013, found carriers failed to follow mandatory reporting requirements by notifying the government of incidents late or not at all. The TSB said it will consider "enforcement action" including fines to address future non-compliance with the reporting requirements.

The TSB said the majority of the accidents in question at Montreal, Maine & Atlantic, Canadian National Railway Co. and Canadian Pacific Railway Ltd. were minor, and occurred in rail yards with no injuries.

"Most of those occurrences are small and minor, but they are still reportable," said Jean Laporte, chief operating officer of TSB, an independent government investigation body whose mandate includes transportation by rail, air, water and pipeline. "If we see that we've got lots of wheels that come off the track, someone's got to ask the question why, and deal with that before before it leads to accidents. That's the point of it being reported."

According to recently updated TSB regulations, railways and their employees must report incidents that include collisions or derailments; a risk of collision between rail cars and/or locomotives; switches left in improper positions; accidental release of dangerous goods or radiation and a train failing to obey a stop signal. Previously, railways only had to report accidents that resulted in damage that affected safe operations.

The watchdog uncovered the accidents by auditing the company's books, questioning railways on variations in accident trends as well as from the railways themselves as they came across accident reports at the end of a quarter or year.

The number of rail accidents recorded by the TSB has declined over the past 10 years to 1,090 in 2013 from 1,413 in 2004. However, the 2013 accident total is an increase from 2012. But fatalities soared in 2013, driven mainly by the death toll in Lac-Mégantic, Que.

At CN, the watchdog found 132 unreported occurrences, most of which were minor and did not happen on the main rail lines. Between 2007 and 2013, the TSB said CN did not properly report nine mainline derailments of one or two rail cars, and 111 minor derailments on non-mainline tracks.

Mark Hallman, a CN spokesman, said the unreported accidents were minor and none involved dangerous goods. He said the accidents were not reported because until July, 2014, the TSB had a "subjective" reporting requirement for damage that affected "safe operation." CN supports the new rules that require railways to report all derailments, Mr. Hallman said.

Governments, railways and regulators have faced new scrutiny in the wake of the July 6, 2013, derailment and explosion of an unattended MM&A oil train in Lac-Mégantic. The explosions killed 47 people and gutted the Quebec town in the worst railway tragedy in Canada's modern history. The small, U.S.-owned railway failed to report 22 incidents between

2010 and 2013, including three derailments involving dangerous goods. The TSB said most of the incidents it has now added to MM&A's database of occurrences involved non-maintrack derailments "with limited damage to track or equipment." MM&A went bankrupt after the Lac-Mégantic tragedy and no longer operates.

Most of the 100 unreported incidents at CP involved rail yard derailments and collisions, including 31 cases where one or two rail cars derailed in yards or secondary lines. The TSB found 15 unreported cases where dangerous goods leaked from rail equipment and one involving a fire or explosion. CP did not respond to a request for an interview.