



#### Corporate Services

#### Services corporatifs

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August 4<sup>th</sup>, 2020

Elizabeth (Lisa) Slomke, AOMC  
Municipal Clerk  
Civic Centre, 320 Portage Avenue  
Fort Frances, ON P9A 3P9

#### **Subject: Rail Safety**

Dear Mrs. Slomke:

Thank you for your letter dated 26 February, 2020, addressed to Mr. Ruest and Mr. Pace, in which you express your appreciation to those who have responded to the Emo derailment and your concern by the number of derailment incidents.

I would like to offer an apology with respect to the delay in responding to you. Following the Emo derailment and citizen engagement on remediation efforts, COVID-19 became an urgent matter to deal with resulting in this response being delayed.

As you know, CN has a significant presence in Fort Frances, averaging 11,300 trains going through the town annually. We value good and constructive relations with all our neighbours, especially with those who see such volumes of traffic. Your concerns are important to us and I would like to share the details around derailment that occurred in Emo on February 18, 2020. The Emo derailment was a very regrettable incident and CN apologizes for the inconvenience and disruption to the lives of the citizens and public officials in the area.

The recent report by the Transportation Safety Board (TSB) on this incident, published on Tuesday, July 28th, found that snow and ice build-up between the underside of the rail and the tie plate which secures the rail in place caused the track gauge to spread under the load of the train, which led to the derailment. The TSB stated clearly that it found no fault with CN's train marshalling, train handling, or the condition or performance of the crew. Furthermore, the TSB took no exception to the track structure (rail, tie plates, ballast, hardwood ties) and they noted that the track maintenance in the vicinity of the derailment site met or exceeded the minimum

standards of the regulations and of CN's own Engineering Track Standards. The TSB further reported that CN's track inspections were performed regularly and the frequency met or exceeded the minimum requirements of the regulations and of CN's own Engineering Track Standards. The TSB also stated there were no mechanical defects observed on the railcars involved and that the authorized timetable speed in the vicinity of the derailment is 50 mph. The train was travelling less than the authorized timetable speed at the time of derailment.

At CN safety is a core value and we take our responsibility to our employees and the communities in which we operate very seriously. While the cause of the derailment was attributable to ice and snow, CN nonetheless made changes to our Engineering Track Standards to increase inspection requirements to include that when our Engineering forces are working on one rail to operate with an abundance of caution and inspect both rails to ensure that they comply with track standards and that no hazards exist. This will be an added layer of precaution to our already robust safety protocols.

Following the incident, CN continued to engage with the Emo Municipal Council and residents to ensure we were readily available to them to answer information about claims or other concerns. CN's environmental team remains involved and continues to work with local and provincial authorities at remediating the impacts of this derailment and engaging with landowners whose property was affected.

In the meantime, CN continues to work diligently to reduce the number and severity of incidents on our network by investing in equipment, infrastructure, and safety training. We are investing approximately \$2.9B this year, following the \$7.4B of capital investments we have already made over the last two years, all of which contribute, in varying degrees, to increasing safety on our network and in the communities we travel through.

We are also investing in new technologies such as automated track inspection equipment and automated railcar inspection portals to increase the frequency and accuracy of preventative inspections. While these technologies would not have prevented the derailment in Emo, they are important new tools in our arsenal of trackside safety technologies.

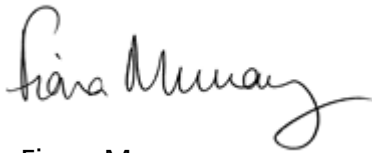
Furthermore, we have rigorous safety standards and protocols that require the training and retraining of our employees. This is carried out in compliance with Transport Canada regulations, and in some instances in excess of those regulations.

As per your request, CN would be pleased to address your Council and engage in local public communications to explain our dangerous goods programs and the safety of railway operations in or near your district's municipalities. You may be aware that we participated in similar sessions at the time of the incident and during the remediation

work we have stayed in close contact with those landowners whose properties were affected. As we are observing social distancing during the COVID-19 pandemic, I hope you understand that we prefer to appear virtually rather than in person. In this regard, and for coordination purposes, please do not hesitate to communicate with Daniel Salvatore, our Ontario Public Affairs Manager, at [daniel.salvatore@cn.ca](mailto:daniel.salvatore@cn.ca) or 647 544 3368.

Once again, thank you for your letter. Should you wish to discuss this further, please do not hesitate to contact me or Daniel Salvatore.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Fiona Murray', with a stylized, flowing script.

Fiona Murray

cc: Hon. G. Rickford, MPP Kenora-Rainy River  
Hon. M. Powlowski, MP Thunder Bay-Rainy River  
Hon. R. Phillips, Minister of Finance, Ontario  
Hon. C. Mulroney, Minister of Transportation, Ontario  
Hon. J. Yurek, Minister of Environment, Conservation and Parks, Ontario  
Hon. M. Garneau, Minister of Transportation, Canada  
Rainy River District Municipal Association  
Municipalities of Alberton, LaVallee, Emo, Chapple, Morley, Dawson, Rainy River and Atikokan  
Chief Brian Perrault, Couchiching First Nations  
Chief Robin McGinnis, Rainy River First Nation