

TRANSPORT CANADA
ORDER PURSUANT TO SECTION 32.01 OF THE
RAILWAY SAFETY ACT

Whereas section 32.01 of the *Railway Safety Act* (RSA) provides that if the Minister considers it necessary in the interests of safe railway operations, the Minister may, by order sent to a company, road authority or municipality, require the company, road authority or municipality to stop any activity that might constitute a threat to safe railway operations or to follow the procedures or take the corrective measures specified in the order, including constructing, altering, operating or maintaining a railway work.

Whereas there have been a number of recent derailments of trains transporting dangerous goods which have resulted in the breach of tank cars and the release of dangerous goods, including the St-Lazare derailment in Manitoba in 2019, the Guernsey derailment in Saskatchewan in 2019 and the second Guernsey derailment in Saskatchewan in 2020.

Therefore I consider it necessary in the interest of safe railway operations to make an order pursuant to section 32.01 of the RSA. Accordingly, companies listed in Appendix A are hereby ordered to:

- (1) Not operate a Key Train at a speed that exceeds 20 miles per hour within Census Metropolitan Areas or, in all other locations, at a speed that exceeds 25 miles per hour.

This order is effective on February 8, 2020 and remains in effect until March 9, 2020.

For the purpose of this order,

Census Metropolitan Areas (CMAs) means population centres defined and published by Statistics Canada as core (i.e., at least 50,000 persons) and secondary core (i.e., at least 10,000 persons) of CMAs.

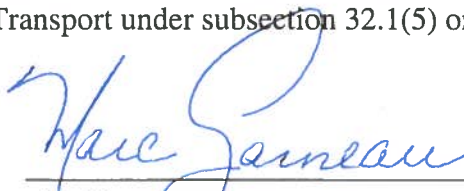
Key Train means an engine with cars:

- a) that includes one or more loaded tank cars of dangerous goods that are included in Class 2.3, Toxic Gases and of dangerous goods that are toxic by inhalation subject to Special Provision 23 of the Transportation of Dangerous Goods Regulations; or
- b) that includes 20 or more loaded tank cars or loaded intermodal portable tanks containing dangerous goods, as defined in the Transportation of Dangerous Goods Act, 1992 or any combination thereof that includes 20 or more loaded tank cars and loaded intermodal portable tanks.

Pursuant to subsection 32.1(1) of the RSA, a person to whom an order is sent under section 32.01 of the RSA may, on the date specified in the order, file a request for a review with the Transportation Appeal Tribunal of Canada (Tribunal).

If you intend to request a review of this Order, you must file a request in writing with the Tribunal, which must be postmarked no later than March 9, 2020.

Pursuant to section 32.3 of the RSA an order issued under section 32.01 of the RSA shall not be stayed pending a review requested under section 32.1, an appeal under section 32.2 or a reconsideration by the Minister of Transport under subsection 32.1(5) or 32.2.(3) of the RSA.



The Honourable Marc Garneau, P.C., M.P.
Minister of Transport

06-FEB-2020

Date

APPENDIX A

9961526 Canada Limited
Arnprior Nepean Railway Co. Inc.
Battle River Railway NGC Inc.
Big Sky Railway Corp.
BioPower Sustainable Energy Corporation
BNSF Railway Company
Boundary Trail Railway Company, Inc.
Canadian National Railway Company
Canadian Pacific Railway Company
Cando Rail Services Ltd.
Canfor Pulp Ltd. – Northwood Division
Cape Breton & Central Nova Scotia Railway Ltd.
Cargill Limited – Cargill Limitée
Carlton Trail Railway Company
Central Maine and Quebec Railway Canada Inc.
Central Manitoba Railway Inc.
Chemin de fer de Québec-Gatineau Inc.
Chemin de fer Québec North Shore & Labrador
Chemin de fer Oxford Express Inc.
Chemin de fer Sartigan
City of Ottawa carrying on business as Capital Railway
Compagnie du Chemin de fer Roberval-Saguenay
CSX Transportation, Inc.
Eastern Maine Railway Company
Essar Steel Algoma Inc.
GIO Railways Corporation
Goderich-Exeter Railway Company Limited
Great Canadian Raitour Company Ltd.
Great Sandhills Railway Ltd.
Great Western Railway, Ltd.
Hudson Bay Railway Company
Huron Central Railway Inc.
Kamloops Heritage Railway Society
Keewatin Railway Company
Kettle Falls International Railway Company
Knob Lake and Timmins Railway Company Inc.
Koch Fertilizer Canada, ULC
Lake Line Railroad Inc.

Last Mountain Railway
 Maska-Wa Transportation Association Inc.
 Metrolinx
 National Railroad Passenger Corporation (AMTRAK)
 Nipissing Central Railway
 Norfolk Southern Railway Company
 Ontario Northland Transportation Commission
 Ontario Southland Railway Inc.
 Pacific & Arctic Railway Navigation, British Columbia & Yukon Railway, British
 Yukon Railway doing business as White Pass & Yukon Route Railroad (WP&YR)
 Pinnacle Renewable Energy Inc.
 Port Stanley Terminal Rail Inc.
 Prairie Rail Solutions Ltd.
 Prudential Steel ULC
 RaiLink Canada Ltd.
 Railserve Inc.
 Réseau de transport métropolitain
 RIO Tinto Alcan
 RTC Rail Solution Ltd.
 Société du chemin de fer de la Gaspésie
 Southern Ontario Locomotive Restoration Society
 Southern Rails Co-operative Ltd.
 Southern Railway of British Columbia Limited
 South Simcoe Railway Heritage Corporation
 St. Lawrence & Atlantic Railroad (Québec) Inc.
 St. Paul & Pacific Northwest Railroad Company, LLC
 Stewart Southern Railway Inc.
 The Essex Terminal Railway Company
 The Toronto Terminals Railway Company Limited
 The Vintage Locomotive Society Inc. O/A Prairie Dog Central Railway
 Thunder Rail Ltd.
 Torch River Rail Inc.
 Trillium Railway Co. Ltd.
 Trillium Railway Co. Ltd. (Port Colborne Harbour Railway)
 Transport Ferroviaire Tshiuétin Inc.
 Union Pacific Railroad Company
 VIA Rail Canada Inc.
 West Coast Express Limited
 West Coast Railway Association
 York-Durham Heritage Railway