BEFORE THE

UNITED STATES DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

FRA WAIVER PETITION DOCKET No. FRA-2016-0018

Brake System Safety Standards for Freight and Other

Non-Passenger Trains and Equipment

(49 C.F.R. Part 232)

April 29, 2016

STATEMENT OF RICHARD A. JOHNSON, GENERAL PRESIDENT,

BROTHERHOOD OF RAILWAY CARMEN DIVISION

TRANSPORTATION COMMUNICATIONS UNION/IAM

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I. Introduction.

My name is Richard A. Johnson. I am the General President, Brotherhood Railway Carmen Division, Transportation Communications Union (BRC) and a National Vice President of the Transportation Communications Union (TCU/IAM). I have been a Carman for 45 years, beginning in 1971 on the former Milwaukee Road at Bensonville, Illinois, and I am personally familiar with the Federal Railroad Administration's (FRA) regulations that set forth safety standards for rail equipment.

BRC appreciates this opportunity to participate in the regulatory process, and brings to that process an enormous wealth of experience and practical knowledge in the area of railroad safety. Our experience has taught us that full compliance with FRA's safety regulations is the surest way to improve railroad safety and, to that end, BRC will address the safety and other issues raised by this petition for waiver.

The Association of American Railroads (AAR), on behalf of itself and its member railroads, has petitioned the FRA for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices. Specifically, AAR seeks a waiver of compliance from 49 CFR 232.213-- Extended haul trains, 49 CFR 232.15-- Movement of defective equipment, and 49 CFR 232.103(f)-- General requirements for all train brake systems. The current rules state that extended haul trains are permitted to move a train up to, but not exceeding, 1,500 miles between brake tests and inspections. 49 CFR 232.213(a). In addition, current rules require that equipment with defective or insecure power brakes only be moved from the place at which the defect or insecurity was first discovered to the nearest available place at which the repairs can be made (49 CFR 232.15 and 49 U.S.C. 20303), and each car in a train must have the air brakes in effective operating conditions unless the car is being moved for repairs in accordance with 49 CFR 232.15 (49 CFR 232.103(f)).

AAR presently petitions FRA for a 5-year waiver from these requirements to permit a limited pilot program conducted on a segment of the Union Pacific Railroad (UP) system to demonstrate that the use of wayside detectors to determine brake effectiveness will improve safety and eliminate unnecessary costs to the industry. For the reasons provided below, BRC requests that FRA deny AAR's petition for waiver.

II. Discussion.

AAR's petition should be denied because there is no evidence that wayside detection equipment can, by itself, provide a level of safety equivalent to that provided by the train inspections required under the current federal regulations. BRC's position is that while wayside technologies may in fact be a very useful tool for detecting and alerting to certain safety defects, such technology should only be used in conjunction with the inspection regime now required and not in place of them. Simply put, comprehensive hands-on brake inspections such as what is now known as the Class I and Class IA brake tests have a long history of contributing to safety in the railroad industry and their use must continue.

This is the third time in the last 10 years that the Carriers have attempted to substitute the heat sensing scans of wayside detectors for the hands on, visual inspections currently performed under Class IA brake tests on designated UP coal trains in the Powder River Basin. The first attempt was in 2006 by UP, which was denied by FRA in Docket Number FRA-2006-25564-0012. AAR then submitted a waiver petition in 2013, which was again denied by FRA in Docket Number FRA-2013-0080-0022.

AAR claims it has revised its previous waiver petition and accompanying Safety Assurance Plan (SAP) in accordance with further technical considerations and an evaluation of the similar exemption currently in effect in Canada. According to AAR, the coal trains will run on the UP system between Wyoming's Powder River Basin and an unloading facility in White Bluff, AR, a round trip of approximately 2,600 miles. The wayside detectors that monitor the system are located at Sheep Creek, WY. Under current UP operating practices, the coal trains running in this service are classified as extended haul trains and operate intact up to 1,500 miles between brake tests as required under 49 CFR part 232.

The waiver requested would extend the distance between required tests up to an additional 1,100 miles, bypassing approximately one (1) visual inspection. Each test train will receive a Class 1 brake test in accordance with 49 CFR 232.205 and a predeparture inspection in accordance with 49 CFR 215.13 at North Platte, NE. The trains will then leave North Platte and travel to a coal loading facility in the Powder River Basin. The train cars will be loaded with coal and then return to North Platte, passing the wayside detectors at Sheep Creek for recording of braking performance, continuing through North Platte through Van Buren, AR, and then to an unloading facility in White Bluff. The train cars will be unloaded in White Bluff, and then the train will return to the terminus at North Platte via Van Buren.

In its denial of both the UP's 2006 waiver petition and AAR's 2013 petition for waiver, FRA concluded that wayside detectors are clearly a supplement to - not a replacement for - Class IA brake tests. Docket Numbers FRA-2006-25564-0012 and FRA-2013-0080-0022. Generally, 49 CFR Part 232.207 provides that all trains, other than those designated as "extended haul trains" under to 49 CFR Part 232.213, must receive a Class IA brake "test at a location that is no more than 1,000 miles from the point where any car in the train received a Class I or Class IA brake test." The Class IA brake test consists of the following tasks and requirements:

- a leakage test (49 CFR Part 232.207(b)(1));
- a physical examination of each car during some portion of the test to examine and observe the functioning of all moving parts of the brake system (49 CFR Part 232.207(b)(2));
- fully charging the brake system (49 CFR Part 232.207(b)(3));
- a determination that the brakes on each car applies in response to a 20-psi brake pipe reduction, which application must remain until a release is initiated by the controlling

locomotive, provided, however, that a car initially failing this test may remain in the train if it passes a retest1 (49 CFR Part 232.207(b)(4));

- the brake rigging on each car must be properly secured and may not bind or foul or otherwise adversely affect the operation of the brake system (49 CFR Part 232.207(b)(5)); and

- all parts of the brake equipment must be properly secured (49 CFR Part 232.207(b)(6)).

In place of the requirements prescribed in 49 CFR Part 232.207, AAR requests that wayside detectors alone be used to monitor and identify the defects that the regulatory inspections would have identified. However, this view is in direct contrast to FRA's position regarding the carriers' previous two (2) waiver petitions.

In denying UP's 2006 petition for waiver, FRA specifically noted that "wayside detectors and Class IA brake tests serve complimentary, but distinct functions." Docket Number FRA-2006-25564-0012. For instance, FRA placed great emphasis on the wayside technologies inability to view the equipment. Indeed, FRA specifically provided that "[i]ntermediate brake tests, such as Class IA brake tests, provide the opportunity to view the foundation brake rigging and potentially identify conditions that may lead to failure, as well as obvious no sets." Moreover, FRA further maintained that:

> [a]lthough the methodology appears to be very well suited to identifying cars with low breaking horsepower . . . . A car to car inspection, while potentially less sensitive in identifying brakes that are becoming ineffective than a single car airbrake test or use of wheel temperature detectors, can ascertain which brakes are clearly ineffective (are cut out, or cut in but do not apply) and thus potentially better determine the total breaking effort available. Again, a visual inspection may also identify incipient conditions in the foundation break rigging that can cause the break to become ineffective. The Class IA inspection thus addresses the safety of the particular train movement.

Id.

FRA reiterated these points in its denial of AAR's 2013 petition for waiver as well. Docket Number FRA-2013-0080-0022. Therein, FRA specifically provided that:

> [t]he Board finds that the use of the WTD does not replace the inspections done at a Class IA brake test. It is unclear from the petition and the supporting documentation how the use of the WTD alone would provide an equivalent level of safety to the current Class IA brake test. The wayside detectors and Class IA brake tests serve complimentary, but different, functions. Intermediate brake tests, such as Class IA brake tests, provide the opportunity to view the foundation brake rigging and potentially identify conditions that may lead to failure, as well as oblivious brake defects (e.g., brakes not applying).

Id.

In both its 2013 waiver petition and in the instant matter, AAR claims that the wayside detectors can detect four (4) times the amount of defects that intermediate testing can produce. However, these defective cars will only be tested if brake effectiveness falls below 95%. In the current SAP, AAR provides that "any train with less than 95% qualified brakes must undergo an intermediate brake test at the regularly scheduled locations for the route" but that "[t]rains with at least 95% qualified brakes will bypass all scheduled intermediate brake inspection points during the cycle."

This 95% effective brake threshold was addressed by FRA in its denial of AAR's 2013 petition for waiver. Docket Number FRA-2013-0080-0022. There, FRA specifically provided that under this standard:

> [t]he SAP could also allow a train to run several hundred miles with 95-percent effective brakes and bypass Class I inspections (if the qualified mechanical inspector does not discover a defective car that has an abnormal reading), while the Federal standard is generally that a train shall have 100-percent effective and operative brakes. See 49 CFR § 232.103(d).

Id.

AAR also maintains that its waiver petition should be approved because relief has been granted by Transport Canada to the Canadian Pacific Railroad (CP) under similar conditions. However, the information we found does not paint as clear of a picture.

After the Lac-Mégantic accident on July 6, 2013, the Canadian Broadcasting Corporation (CBC News) conducted an investigation into instances where Transport Canada had allowed railroads to exempt safety standards that were never made public. Three (3) CBC News articles are attached for your ready reference.

These articles discuss the waiver raised by AAR. According to the CBC News articles, Transport Canada granted CP the right to run its coal trains in British Columbia along a 2,400 kilometer, loop without a No. 1 brake test. This test was be replaced by a trackside monitor and an air brake effectiveness test.

Despite AAR's contentions, these matters are not similar. First, this is a loop of approximately 1,491 miles, much lower than 2,600 mile limit that AAR is requesting. In fact, the distance traveled in the CP situation is in line with the 1,500 mile extended haul standards for brake tests and inspections that the UP coal trains subject to this waiver currently follow under 49 CFR 232.213(a). Furthermore, according to the articles, the distance that AAR requests is more similar to relief CP was seeking in 2013. At that point in time, CP proposed a waiver on inspections to allow a double-loop of 4,800 kilometers, or 2,983 miles. But these further requests for waiver on the coal trains were withdrawn on July 30, 2013, three (3) weeks after the Lac-Mégantic explosion.

Another issue that is relevant to both the previous attempts and the instant waiver petition filed by AAR is the regulation and monitoring of the wayside detectors. Wayside detection equipment is a relatively new technology to the railroad industry that is not yet regulated by FRA. Without federal regulation, there are no universal standards for FRA to apply in

evaluating this equipment and there is no regulatory oversight over the safe operation and maintenance of the equipment.

This leads to the related point that should wayside detectors completely replace Class IA tests there is no guarantee that the detectors will be properly maintained and monitored. In its denial of UP's 2006 petition for waiver, FRA provided that "[a]ny reliance on this technology would necessitate tighter controls." Docket Number FRA-2006-25564-0012. While AAR has discussed some of the ways UP will monitor the wayside detectors in its petition, these are industry standards that do not provide the assurance of federal regulations.

BRC is also greatly concerned with rail labor's exclusion from the monitoring and review of the data collected by the wayside detectors. While AAR proposes to provide the FRA with monthly data, there is no mention of providing the data to the members of rail labor as well. The inclusion of rail labor would benefit the situation given our knowledge of the equipment and the federal regulations.

Finally, if granted, the practice will expand and water down the testing provisions currently prescribed by part 232. Such an expansion may cause further safety issues in the railroad industry.

An example of future watering down can also be seen in the Canadian situation. According to the CBC News articles, Canada's major freight rail carriers attempted to reduce safety inspections on railcars carrying dangerous goods exactly a month before the Lac-Mégantic tragedy. The Railway Association of Canada (RAC), whose major members include Canadian National (CN) and CP, asked Transport Canada to repeal rules that require certified railcar inspectors to do detailed examinations of brakes, axles, wheels and car components before they are loaded. The RAC argued that the examinations done at designated yards were "redundant" and "overlay," given that train conductors and engineers walk the length of their trains, and rail lines now are equipped with "wayside inspection detectors, wheel impact detectors and cold wheel set detectors." Soon after the Lac-Mégantic explosion, RAC withdrew its petition for waiver because both the carriers and Transport Canada felt that there was "more work to be done in this area."

III. Conclusion.

The Brotherhood of Railway Carmen always welcomes the opportunity to participate in the regulatory process. Safety issues addressed in this process are among the primary concerns to the Carmen. In accordance with our commitment to maintaining safety on the nation's railroads, the BRC suggests that FRA deny the AAR petition for waiver.

Just before Lac-Mégantic, railways sought to reduce inspections

CBC News finds request to minister dropped in wake of crude oil explosion

By John Nicol and Dave Seglins, CBC News Posted: Feb 04, 2014 2:25 PM ET Last Updated: Feb 05, 2014 1:08 PM ET

Canada's major freight rail carriers attempted to reduce safety inspections on railcars carrying dangerous goods exactly a month before the Lac-Mégantic, Que., tragedy, CBC News has learned.

The Railway Association of Canada, whose major members include CN and CP Rail, asked the federal transport minister at the time, on June 7, 2013, to repeal rules that require certified railcar inspectors to do detailed examinations of brakes, axles, wheels and car components before they are loaded.

- **INTERACTIVE MAP: Dangerous Goods: Rail safety in Canada**

The RAC argued that the examinations done at designated yards were "redundant" and "overlay," given that train conductors and engineers walk the length of their trains, and rail lines now are equipped with "wayside inspection detectors, wheel impact detectors and cold wheel set detectors."

- **Railway Association of Canada letter to unions**
- **CAW letter to Railway Association of Canada**
- **Teamsters letter to Railway Association of Canada**
- **Railway Association of Canada letter to Transport Canada**

Last month, the RAC twice denied they had ever sought to repeal the inspection rules, until CBC News confronted the organization with its own correspondence. A spokesman released a statement Tuesday afternoon.

"The RAC proposed language to modify the rules," wrote Paul Goyette, and among them was a suggestion to remove an inspection on dangerous goods cars before they are loaded. "In some instances, depending on route and railways involved, it might result in the elimination of a redundant inspection, but that would not have any direct impact on safety based on industry research, study and science."

Goyette acknowledged in an earlier e-mail that "in light of events at Lac-Mégantic and in the interest of safety" the RAC withdrew its pitch to reduce inspections.

Late on July 6, 2013, an unmanned, 72-car train carrying crude oil rolled down a grade and into the town of Lac-Mégantic, Que., where it derailed and exploded, killing 47 people.

The RAC wrote to Transport Canada 12 days later, saying: "The RAC has had discussions with Transport Canada surrounding the proposed change, and at this time we both feel there is more work to be done in this area. As such, we would ask that you rescind our filing and we will revisit this matter at a future date."

Early Wednesday, the office of Transport Minister Lisa Raitt — appointed days after the tragedy — told CBC News: "The RAC withdrew their pitch to reduce inspections and it's a good thing they did, because I would have never allowed this to happen."

Unions warned of risk

Unions consulted on the proposed change had objected from the outset, citing safety concerns for employees and the general public.

Robert D. Smith of the Teamsters Canada Rail Conference wrote on May 21, saying that "the boom in oil production has prompted a huge rise in crude-by-rail transport as output has outgrown the existing pipeline network. Recent train derailments causing spills have heightened concerns about the environmental impact of rail shipments."

Even though it was six weeks before the events at Lac-Mégantic, Smith wrote: "This is therefore not the time to be considering a relaxation of rules ... but rather a time to maintain that which is in place to safeguard these increased movements."

Transport Canada figures show that since 2006, the volume of dangerous goods being shipped by train in Canada has risen more than 30 per cent. However, the numbers of accidents and incidents reported by rail companies involving dangerous goods appears to be falling.

The Transportation Safety Board's database of dangerous goods derailments and incidents reported by companies shows 3774 mishaps across the country between 2000 and 2012.

Evidence 'isn't in'

The TSB data, obtained by CBC News, suggest one-third of all problems with dangerous goods railcars was detected through inspections. Often, workers noticed the problem either by smelling it or spotting a leak.

Brian Stevens of Unifor, which represents the carmen who would normally make comprehensive inspections, echoed his May 23 objections to the proposed change, telling CBC News about the "over-reliance we see creeping into the industry where they want to rely more and more on the technology — hot box detectors, impact detectors, cold wheel detectors — to do away with the car inspections in the safety maintenance locations and say 'listen, we have this terrific technology that's going to tell us when cars are faulty.'

"And the evidence isn't in on that."

Stevens points to the recent derailment in Plaster Rock, N.B., where investigators found a broken axle contributed to the accident.

"That train had just recently passed a hot box detector and an impact detector, and didn't note that," Stevens said. "We had a similar situation last summer in Sudbury, where there was a derailment, took out a bridge (over the Wanapitei River), and that train I believe only nine miles earlier had gone past a hot box detector that didn't detect the failure in the wheels."

'Dismal' success rate

In his May 23 letter, Stevens said the most important inspection is on brakes.

"Data provided by CP in relation to Automated Train Brake Effectiveness (ATBE) scanners indicate a

dismal train scan success rate of 69 per cent to date," he wrote. "This misplaced reliance on technology thereby confirms that over 30 per cent of freight car equipment passing these detectors are not monitored."

Last spring, the RAC argued that it had done a risk assessment and noted that the combination of inspections — by conductors and locomotive engineers who "have been extensively trained" to spot problems, and the automated detectors — would help prevent derailments.

Transport Canada refused to tell CBC News how many of their own inspectors are dedicated to inspections of dangerous goods cars, and whether those inspectors are on the ground or simply monitoring rail company reports on self-inspection.

In an email to the CBC, Transport Canada said: "Railway companies are responsible for the safety of their rail line infrastructure, railway equipment and operations. This includes ongoing inspection, testing and maintenance programs in accordance with regulatory requirements, as well as any particular operating and environmental conditions."

Transport Canada did not respond to questions about its discussions with the RAC to reduce the inspections.

Please send any tips on this or other stories to John Nicol and Dave Seglins.

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Railway safety: Lisa Raitt rejects rail inspection cuts, but ministry grants exemptions

CBC News reveals further safety exemptions granted by Transport Canada

By John Nicol and Dave Seglins, CBC News Posted: Feb 06, 2014 5:00 AM ET Last Updated: Feb 06, 2014 8:48 AM ET

Transport Minister Lisa Raitt reacted strongly and swiftly to a CBC story Wednesday that detailed how Canada's rail freight companies had asked to remove a requirement for inspection on dangerous goods railcars a month prior to the tragedy at Lac-Mégantic, Que.

Raitt, who became minister days after the calamity, told CBC News yesterday, "I mean if the request came in, I would say no. It's pretty clear post-Mégantic or even before Mégantic, we want to make sure that we're doing as much as we can on inspections and the railroads — the railways understand what our point of view is on safety."

The Railway Association of Canada withdrew the request 12 days after 47 people died in the small Quebec town east of Montreal late on July 6. An unattended train with 72 tank cars of crude oil rolled down a grade into Lac-Mégantic, where it derailed and exploded.

"The reality," said Raitt, "is that they probably withdrew it because they knew what the answer was going to be."

Despite the minister's tough talk, her director general of rail safety has quietly granted safety exemptions to Canada's major rail carriers.

Exemptions waive safety rules

A CBC News investigation has found that Transport Canada has granted at least three exemptions in recent years:

- Rail companies had seven years, since July 19, 2006, to follow a Transport Canada order to put reflective strips on their railcars. It was deemed the safest method to prevent automobiles from crashing into trains on dark level crossings at night, but in 2013 CN and CP successfully lobbied to extend the deadline a further 28 months.
- On Sept. 14, 2012, Transport Canada granted CN permission to conduct a test for six months that would allow trains leaving Winnipeg's Symington Yard to snake through the city without a full complement of brakes.
- On April 17, 2012, Transport Canada granted CP the right to run its unit coal trains in British Columbia along a 2,400 kilometre loop without a No. 1 brake test. It would be replaced by a trackside monitor, an air brake effectiveness test, that railway unions say is only 71 per cent effective.

CP was seeking relief from other restrictions in British Columbia, and proposed a waiver on inspections to allow a double-loop of 4,800 kilometres. But further exemptions for the coal train were withdrawn on July 30, three weeks after the Lac-Mégantic explosion.

"Those trains used to get safety and maintenance inspections in Golden, B.C., and another one at the port of Vancouver before it left to come back," said Brian Stevens of Unifor, the union that represents the

certified car inspectors, or carmen. "If Air Canada or WestJet or Porter was allowed to go to the regulatory body and say we want to be exempted from checking our planes, instead of every landing, we want to do it every five landings?

"How would the public feel about that?"

Stevens said the greatest danger, especially in B.C., is for railway employees, but he feels anyone who lives near a railway track should be concerned about the reliance of the industry on mechanical monitors.

The call for public safety was echoed by Mayor Mike Bradley of Sarnia, Ont., a city with a busy rail yard for petrochemical products. He said he is not surprised to learn industry was pushing to reduce inspections.

Bradley said it's part of a pattern of cost-cutting and risk-taking by large freight companies, driving up shareholder profits at the expense of safety and the confidence of local communities.

He fears Transport Canada will allow safety standards and vigilance to relax as Lac-Mégantic fades from the media spotlight.

"These railcars are rolling through the hearts of communities right across this country and the level of anxiety — for some very sad reasons — is very high in these communities," Bradley told CBC News. "Transport Canada needs to become the watchdog, not the lapdog of the rail industry. My own observation from over the years is there's almost an incestuous relationship between the industry, Transport Canada and the government of the day

"There's a role for government here."

Transport Canada told CBC News it didn't have enough time Wednesday to respond to questions about why the specific exemptions were granted, but could not clarify whether it makes exemptions public. CBC will publish more details as Transport Canada provides them.

For tips on this and other stories, contact John Nicol and Dave Seglins.

With files from Brigitte Noël

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Transport Canada keeps exemptions on rail safety secret

CBC investigation finds railways given waivers on safety inspections, rules that regulator never makes public.

By John Nicol and Dave Seglins, CBC News Posted: Feb 07, 2014 5:00 AM ET Last Updated: Feb 07, 2014 5:59 AM ET

Transport Canada refuses to discuss why it grants exemptions to freight rail companies on issues such as brake inspections and safety rules, claiming it is private information.

CBC News this week revealed that Canada's rail regulator has waived a number of safety rules and orders for both CN Rail and CP Rail operations in recent years.

But in a statement late Thursday Transport Canada refused to offer reasons.

"We cannot provide details on specific exemption requests, as these are third-party information and subject to privacy regulations," spokesperson Karine Martel told CBC News in an emailed statement.

"The minister or her delegated official would not approve any request for a short-term exemption that threatened safety," the regulator said.

- **Railway safety: Lisa Raitt rejects rail inspection cuts, but ministry grants exemptions**
- **Just before Lac-Mégantic, railways sought to reduce inspections**
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- **TIMELINE: Lac-Mégantic rail disaster**

An ongoing CBC News investigation into rail safety discovered three specific exemptions Transport Canada granted in recent years that had never been made public before.

Rail companies were ordered in 2006 to install reflective strips on railcars following a number of deadly accidents involving automobiles striking freight trains at unlit or poorly marked level crossings. Companies were given several years to make the change but in 2013 Transport Canada granted CN and CP an extension of another 28 months.

Transport Canada in 2012 waived the usual requirements for CN trains leaving Winnipeg's Symington Yard for six months, allowing them to travel through the city without a complete brake test.

In 2012, Transport Canada granted CP an exemption to cut brake inspections on coal trains in British Columbia along a 2,400-kilometre loop. The company wanted a further exemption despite union objections claiming it was unsafe.

Other exemptions granted

Since the story aired, other railroaders have contacted CBC News about exemptions granted, and they question the adjustments allowed to the Canadian Rail Operating Rules, the industry's safety bible. Transport Canada refuses to disclose how many exemptions exist.

The regulators refused to provide any rationale, but told CBC News that rail companies are entitled to seek exemptions under the Railway Safety Act after first consulting with employee unions. In each of

the three exemptions revealed by CBC News, unions objected but the regulator approved the waivers in favour of the rail companies.

Got tips?

Please send news tips to John Nicol and Dave Seglins

"The minister, or her delegated official gives consideration to union concerns, if any, as well as the measures taken by the railway company to ensure that safety is maintained," Transport Canada said on Thursday. "The minister or her delegated official only grants exemptions when assured that the exemption is in the public interest and would not threaten the safety of railway operations."

Transport Minister Lisa Raitt told CBC News this week that "the health and safety of Canadians remains our top priority" in response to a CBC News story that rail companies sought a repeal of rules forcing detailed safety inspections on all railcars to be loaded with dangerous goods.

"[Industry] withdrew their pitch to reduce inspections and it's a good thing they did, because I would have never allowed this to happen," Raitt said.

NDP transport critic Olivia Chow accused Raitt of talking tough in public while allowing safety exemptions in private.

"Transport Canada is hiding the fact that instead of protecting Canadians, they are obeying orders from the rail giants and cutting safety inspection and granting exemptions to brake tests," Chow said Thursday.

"Minister Raitt needs to come clean, tell Canadians what other gifts (in the form of safety exemptions) were given to rail giants. Why is she hiding the truth from Canadians?"

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