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To: EIS Contact

Subject: CP-KCS EIS Public Scoping Period - Website Contact

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contact-message : Canadian Pacific has a long record of disregarding safety measures, refusing to provide employees with requested and needed training, and failing to properly maintain their equipment, resulting in death, destruction, and environmental damage. This record must be at the forefront of the Board's analysis, as the actual performance of the company if allowed to take on KCS's trackage will almost certainly be at the extreme end of the estimated range of potential impact.

The Board should consider:

1. Statements by the company that it plans to increase the number of trains carrying oil and other volatile chemicals along its routes. CP's current tracks already go through Minneapolis-St. Paul and they have refused to disclose how much volatile freight is coming through. If allowed to expand their operations through the acquisition of KCS's routes, they have said they will increase this number "significantly." (<https://www.startribune.com/railroad-venture-significantly-increasing-number-of-oil-trains-running-throughminnesota/600107523/>) Human history strongly suggests that the increase in the number of these trains is likely to eventually come with a decrease in safety measures as the company becomes more comfortable transporting what are effectively bombs through our communities. Considering the frequency at which CP has failed to meet even the most basic of safety measures, this is a terrifying thought. Oil trains are notoriously unsafe, a fact acknowledged by regulators.

(<https://www.bizjournals.com/twincities/news/2019/02/11/more-oil-trains-rumble-through-minnesota-spooking.html>) Allowing this company to continue and grow this practice greatly increases the likelihood that the Twin Cities – or any of the hundreds of small towns and farms along the route – could be turned into a tragedy like Lac-Mégantic, Quebec. (https://en.wikipedia.org/wiki/Lac-M%C3%A9gantic_rail_disaster)

2. The actual impact increased use of trains to transport crude oil will have on the number of tractor trailers carrying oil. Trains, pipelines, and ships are used to transport freight along longer routes, while tanker trucks are used for the last mile – delivering fuel from a distribution point to gas stations or other endpoints – or in the rare occasion that a more efficient means isn't practical. (<https://www.breakthroughfuel.com/blog/oil-in-motion-visibility-intocrude-oil-transportation>) While proponents for oil-by-train claim that an increase in the use of trains for this job will result in a significant reduction in the use of tanker trucks, this is a false premise. The numbers they put forward are clearly inflated and are unlikely to materialize. In fact, the increased movement of crude oil to refineries, whether by pipeline or freight train, may actually mean an increased amount of fossil fuel being moved from refineries or other distribution points using tanker trucks.

3. The increased risk for spills of oil and other chemicals that will come with the increased traffic. Canadian Pacific has spilled millions of gallons of crude oil (<https://www.reuters.com/article/us-usa-derailment-oilspill/canadian-pacific-oil-spillcleanup-to-last-two-days-idUSBRE92R02V20130328>; <https://www.cbc.ca/news/canada/saskatoon/cp-train-saskatchewan-oil-1.5459853>;

<https://www.cbs58.com/news/35-homes-evacuated-after-1-000-gallons-of-crude-oil-spill-in-train-derailment>; <https://www.mprnews.org/story/2013/03/27/20k-gallons-of-crude-spill-in-mn-train-wreck>; <https://www.wctrib.com/news/2223352-canadian-pacific-tanker-train-sprays-crude-oil-nearly-70-miles-near-red-wing>), diesel (<https://www.twincities.com/2021/07/19/canadian-pacific-railway-reports-hundreds-of-gallons-of-fuel-spilled-near-battle-creek/>); <https://www.brainerddispatch.com/news/accidents/7172618-Three-train-crash-spilled-estimated-1200-gallons-of-diesel-fuel-near-Mississippi-River-in-St.-Paul>; <https://www.startribune.com/canadian-pacific-derailment-spills-diesel-fuel-into-battlecreek/504459302/>), sulfur (Canadian Pacific Railway Train No. 607-059 main-track derailment in Maple Ridge, BC), potash (<https://www.cbc.ca/news/canada/saskatoon/cp-train-derailment-potash-spilled-1.6215072>); <https://esemag.com/spills-and-containment/b-c-train-derailment-spills-potash/>; <https://vancouver.citynews.ca/2020/09/15/cleanup-is-underway-after-train-derailment-in-british-columbia/>; https://www.chroniclejournal.com/news/national/cleanup-is-underway-after-train-derailment-in-british-columbia/article_2a926b24-c220-504b-817db6fa6dcab2d4.html; <https://thestarphoenix.com/news/local-news/canadian-pacific-potash-train-derails-south-of-saskatoon-near-blucher>), ethanol (U.S. Dept. of the Interior and the State of Iowa settlement agreement with Dakota Minnesota and Eastern Railway d/b/a Canadian Pacific Railway for the Balltown, Iowa Spill), tar (<https://nationalpost.com/pmnn/news-pmnn/canada-news-pmnn/highway-rail-line-remain-closed-for-tar-spill-cleanup-after-train-derails-in-alberta>) and other pollutants into the ground and water along its routes. A 2019 CP accident in Canada leaked six times more oil than the 2016 Husky Energy pipeline disaster. (<https://www.cbc.ca/news/canada/saskatoon/cp-train-crude-oil-derailment-saskatchewan-1.5393622>) This is especially a concern for Minnesota, where the Mississippi River watershed has already been impacted by frack-outs and drainage related to the construction of Line 3 during an unprecedented drought. Additionally, spills here will inevitably make their way downstream, through a variety of natural and built environments, wreaking havoc we simply cannot afford.

4. The company's infamous and singular resistance to accountability. Eight years after CP's greed resulted in an explosion that leveled half of a Canadian town, killing 47 – some of whom were literally vaporized – the people of Lac-Mégantic are still fighting for some form of justice. (<https://montreal.ctvnews.ca/lac-megantic-class-action-against-cp-begins-could-last-seven-months-revealing-new-answers-1.5596364>) The families of three Canadian Pacific workers are still fighting for justice two years after CP's negligence resulted in the men's death, after which CP used private police to cover up their liability, even threatening a safety inspector who indicated that he believed CP was responsible for the deaths. (<https://www.cbc.ca/news/canada/calgary/cp-rail-lawsuits-victims-fatal-derailment-1.5991122>; <https://nationalpost.com/news/canada/rcmp-investigating-alleged-canadian-pacific-railway-cover-up-of-2019-train-derailment>) Corporate greed has caused enough damage to the environment and human life. Let's not give a foreign company with a history like CP's a free pass to kill more.

5. The wear and tear that increased rail traffic will have on already precarious infrastructure and the inability of existing infrastructure to support increased traffic. The U.S.'s railways are already substantially subpar compared to other industrialized nations. Disinvestment by federal and state governments has only made that worse. Many rural areas simply can't afford to install the gates and lights needed to make rail crossings less deadly, and unless compelled to, CP shows no indication of wanting to provide these safety measures for the many small crossings where they will increase traffic. According to a study by researchers at the University of Illinois that was published in 2012, the number one cause of derailments at any speed is track maintenance issues like broken rails or welds, with equipment issues (caused by poor maintenance or which would have been identified and fixed if proper maintenance had been done) another significant cause for accidents when trains were traveling over 25mph. (Analysis of Causes of Major Train Derailment and Their Effect on Accident Rates, by Xiang Liu, M. Rapik Saat, and

Christopher P.L. Barkan) Canadian Pacific's greed and poor maintenance practices have been the cause of their most infamous disasters like Lac-Mégantic and the three workers they killed in 2019. In fact, the NTSB concluded that the 2002 derailment of Canadian Pacific Freight Train 292-16, which released a massive plume of anhydrous ammonia from five ruptured tank cars, resulting in hundreds of injuries, including one death, was a result of "Canadian Pacific Railway's programs and practices for the inspection and maintenance of joint bars in its continuous welded rail; the Federal Railroad Administration's oversight of continuous welded rail maintenance programs; and tank car crashworthiness, specifically the adequacy of non-normalized steels to resist tank fracture propagation."

6. CP's record of putting profits before people, resulting in deaths. This claim is at the heart of the lawsuit brought by the families of dead workers described above and the Lac-Mégantic disaster. (<https://www.tsb.gc.ca/eng/rapports-reports/rail/2013/r13d0054/r13d0054-r-es.html>) The company has shown incredible callousness towards that safety record as well, awarding its executives more than 100 percent of their "safety" bonus the same year their negligence resulted in worker deaths. (<https://www.theglobeandmail.com/business/commentary/article-canadian-pacific-executives-got-worker-safety-bonuses-in-a-year-when/>) The company has denied conductors requested training necessary for operating trains through urban areas, which has proven deadly (<https://www.theglobeandmail.com/report-on-business/cp-rail-conductor-given-second-chance-after-2016-toronto-collision/article37810775/>), and has even used its office workers to operate trains when job cuts among skilled conductors and engineers became a problem. (<https://financialpost.com/transportation/the-other-side-of-hunter-harrisons-cp-legacy-white-collar-workers-driving-trains>) More trains and more dangerous freight being pulled by unskilled operators is a recipe for disaster.

7. The additional danger to people and wildlife from increased train traffic, especially considering the company's track record when it comes to failure to take the most basic of safety measures – an issue the Canadian Pacific train workers union has raised. 9 <https://www.ohscanada.com/death-canadian-pacific-engineer-highlights-union-safety-concerns/>) Whether the company is running only a few more trains or an average of 14.4 more trains a day through a specific area, the planned merger will mean a higher probability of workers, pedestrians, and wildlife being struck by a train. The additional risk to life at road crossings in rural areas where proper lighting and gates are not currently provided is a major concern. The proposed capital improvements are nowhere near adequate to mitigate the increased risk and generally ignore this increase.

8. The additional microparticulate pollution caused by an increase in diesel-powered trains going through populated areas. The air pollutants put off by diesel engines are particularly dangerous and contribute to childhood asthma. (https://www.nyu.edu/about/newspublications/news/2006/october/asthma_symptoms_linked_to_soot.html; <https://www.sciencedaily.com/releases/2013/09/130923114152.htm>) CP's current tracks run through urban as well as rural areas, always closer to lower-income neighborhoods, which are already disproportionately home for people with chronic illness. The increased exposure could be devastating.

9. The amount of noise and shaking created by trains when traveling through residential and commercial areas, and how much worse that will be if train traffic is increased. This has a negative impact on residents' health. (<https://www.jvejournals.com/article/14612>; <https://link.springer.com/article/10.1007/s00395-019-0753-y>) This is also particularly harmful for children and others in educational environments. (<https://www.nytimes.com/2013/12/04/nyregion/parents-push-to-quiet-roar-from-trains-near-queens-school.html>; https://www.researchgate.net/publication/329988424_Noise_Pollution_of_Local_Train_and_its_Impact_on_Students_Residing_Nearby_Railway_Station)

10. The additional traffic congestion that will result because of the increased number of trains crossing active roads. This will, of course, decrease local air quality, as noted above, and will increase dangerous chemical run-off from the roads into local waterways. Additionally, it will cause delays for first responders and may cause truancy issues when students are stuck waiting for a train to pass.

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