

The Lac Megantic Runaway Train Disaster Why Did it Happen?

In the wake of the terrible tragedy that beset the small town of Lac Megantic, Quebec on July 6th, the temptation is to look for a single factor, a single policy, or a single individual upon which to place the blame. Many in the town will be tempted to blame the notorious anti-union and lax-on-safety railroad CEO Ed Burkhart. Meanwhile Burkhart blamed the fire department and is now pointing fingers at the train's engineer.

However, those who study the root causes of disasters like this one generally agree that they are months, if not years in the making, and are the combined result of a host of factors. And while any single factor may have been the major catalyst or trigger, a whole host of precursors more than likely led up to the disaster. These might well include the actions of Ed Burkhart as well as the engineer, but also include numerous other factors, such as single employee train operations, the advent of short lines and spinoffs, the poor safety record on the Montreal, Maine & Atlantic Railroad, inspection exemptions for unit trains like the one involved; general maintenance and staffing issues on the MM&A, the deregulatory environment in Canada in recent years, and more.

And while the ongoing investigation may take months or even years before the investigation team reaches a final conclusion, it is safe to speculate that some or all of the factors listed here all contributed in some fashion to creating a powder keg that finally exploded in Lac Megantic the night of July 6th, 2013.

Ed Burkhart – MM&A CEO

MM&A CEO Ed Burkhart is a renegade in the rail industry. Vehemently anti-union and dictatorial, Burkhart gained notoriety with his first railroad, The Wisconsin Central where he was CEO from 1987 to 1999. During his reign there, he attempted single employee train crew operations, fought numerous union organizing drives, and had a poor safety record. In 1996, a similar spectacular train wreck involving hazardous materials occurred in Weyauwega, Wisconsin, complete with blazing fire balls and the town's complete evacuation. After being removed by the WC Board in 1999, "Fast Eddie" went on to purchase the recently privatized railway in New Zealand, and did the same hatchet job on safety and staffing there. It would appear that his reckless, irresponsible behavior has continued at the MM&A. According to one source, "The modus operandi for all of Burkhart's adventures in railroading is to fire as many employees as possible, grind down the wages of the ones who remain, and maximize the profits for himself and his fellow investors."

The MM&A Engineer

The engineer who was in charge of the train, Tom Harding, has more than 30 years experience on the railroad. Tom tied his train down for the night before departing for the hotel. What complicity he has in the events that would unfold that fateful night will be better known after the event recorder is analyzed. But we may never know if he set the appropriate number of handbrakes, as there is no software record of this activity and the cars that would have been hand-braked were at the head of the train, and these cars were completely destroyed in the inferno.

Unit Train Maintenance

Through special waivers, some unit trains that stay together as a “unit” and circulate from mine to mill or in this case from oil fill-up to oil load-out and back again in a cycle, are exempt from the scrutiny that other trains receive. It is possible that the brake shoes on the cars of the train were worn beyond a safe level, and/or the brake seals and gaskets were worn and subject to above average leakage of compressed air. A few carmen we’ve discussed this incident with raised questions about the train’s air brakes bleeding off in such a short time period after the engine was shut down. Potentially some of this might come out in the future investigation.

The MM&A Safety Record and Safety Culture

The accident has shined a spotlight on MMA's safety record. Over the past decade, the company has consistently recorded a much higher accident rate than the national average in the U.S., according to data from the Federal Railroad Administration (FRA).

Last year, for instance, the railroad had 36.1 accidents per million miles traveled by its trains. The national average for 2012 was 14.6.

These statistics point to a railroad that is lax on safety as a matter of policy. So this outlook could easily have contributed to any failure on the part of the engineer to strictly follow the rules, knowing perhaps that the company tolerated or even encouraged “short cuts” to save time and money. It potentially contributed to a failure to: 1-- properly inspect the train at its initial terminal as well; and/or 2 -- properly inspect/repair the locomotive that was badly leaking oil upon arrival at the end of its run (which resulted in the locomotive fire); and/or 3 – take action when informed by the engineer that the locomotive had a serious oil leak which could have prevented the fire and eventual locomotive shut down around midnight.

Canadian Government Lack of Oversight and Regulation

According to the United Steelworkers of America (USW), the union that represents 75 employees at MM&A in Canada, in recent times, the government of Canada has taken a “laissez –fair” approach to transport operations. “Over the years, the federal government has deregulated rail transport as well as the aviation industry” said Daniel Roy, United Steelworkers’ Quebec Director.

In fact, by the time the Mulroney government was finished with its reforms, the rail industry was deregulated, and companies had rewritten the safety rules. That launched an era of cost-cutting, massive lay-offs, and speed-ups on the job, and eventually, the full privatization of companies and rail-lines. The subsequent Liberal government completed the job by turning over what regulation remained to rail companies themselves. A report issued in 2007 by a safety group spelled out the result: Canada's rail system was a disaster in the waiting.

The rail carriers have been using old rail cars to ship the new Bakken oil, despite the fact that regulators warned the federal government they were unsafe, as far back as 20 years ago. A more recent report by a federal agency reminded the government that the cars could be "subject to damage and catastrophic loss of hazardous materials." All of these warnings have been ignored.

Short Lines and Spinoffs

The rail line in question operated by the MM&A was previously owned by the Canadian Pacific in the late 1990s. The sale by the CP was part of the arrival of the so-called “short lines” in Canada, some of which consist of rail operations that were abandoned by large rail corporations. These “spin-offs” greatly benefited the large railroads who were now able to shed the responsibility of operating less profitable lines while in many cases continuing to receive the more lucrative “long haul”, since the short line delivers its loaded rail cars to the big railroad for forwarding.

These short lines do not have the resources and are not subject to scrutiny the way larger railroads like CP and CN are. Because short lines are often lightly used, the track, locomotives and other equipment are ~~is~~ often not maintained to a level that is maintained by the larger, richer railroads.

Single Employee Train Crews

The MM&A had convinced the federal government in 2012 that it could safely handle trains with a single employee. Transport Canada gave the railroad the green light in late 2012 to reduce staffing aboard road trains. (Apparently the carrier had previously been running trains with a single employee south of the border). Common sense dictates that two heads are better than one, that two sets of eyes and ears see and hear more, and that two fatigued employees at the end of a long day in the middle of the night will remember and respond better than just one. It is debatable to just what extent the single employee crew role played in the wreck, but it is safe to say that in all likelihood, a traditional crew of both engineer and conductor would have performed the securing of the train in a more efficient and safe manner.

Securing Trains on A Steep Grade

Just west of where the train was left standing is apparently relatively level terrain. Had the train broke free and ran away here, it would have almost certainly have caused no damage whatsoever and rolled to a stop at a slow speed. Why then was it standard practice to leave an extremely heavy and dangerous loaded oil train at the top of a steep grade when it was not necessary to do so? Did the company stand to save money on cab ride or other fees? Whatever the case, there is no excuse for regularly leaving a train unattended on such a steep grade. Railroad property is almost universally easily accessible to pedestrians, and on a Saturday night, it is feasible that young revelers could knock off the train’s hand and/or air brakes, setting it free to roll.

Conclusion

While it can be endlessly debated which of the above factors played a “key role” or a “major” or “minor” role in the train wreck, what we can plainly see is a disturbing pattern by which rail corporations, oil companies, big business and their political allies have all combined to create an irresponsible and unsafe situation where corporate profits are placed well ahead of public and worker safety. Deregulation, lax oversight, short staffing, inadequate legally mandated rest, reductions in train crew size, poor maintenance, corner cutting and more are the root causes that ultimately result in train wrecks. Unless and until this trend is halted and reversed, we are bound to see more cataclysmic train wrecks of this nature. We simply cannot trust the safety of the public and the safety of railroad workers to the rail corporations, big or small, in Canada or the U.S.