

# Rail boss scapegoats Lac-Mégantic, Quebec train driver

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Five days after a runaway train carrying oil derailed and exploded in the center of Lac-Mégantic, causing devastation, Montreal, Maine & Atlantic Railroad (MMA) Chairman Ed Burkhardt finally visited the Quebec town.

Burkhardt was met by a public outraged by MMA's negligence and its efforts to blame others for Canada's worst railway disaster in more than a century. The remains of twenty-eight people have been recovered from the "red-zone" created by the July 6 derailment, explosion, and fire. A further twenty-two people are missing and presumed dead.

Burkhardt's words and actions while in Lac-Mégantic only further inflamed the town's residents. He once again tried to deflect responsibility for the accident from MMA management—which, in the push for profits, has transported oil on a poorly-maintained rail network, using tanker-cars known to be unsafe, while slashing staff. At a press conference Wednesday, the MMA chairman blamed the train's engineer, claiming, without providing a shred of evidence, that he was responsible for the failure of the train's brake system. Burkhardt also vigorously defended MMA's one-person "train crews", in which a single engineer drives the train and performs all ground operations (while running the train via remote-control.)

He did concede that MMA's practice of leaving running trains unattended for hours was in retrospect unwise. But he claimed ignorance of the complaints municipal authorities and local residents had made prior to last Saturday's tragedy about MMA's poor safety record and dilapidated infrastructure.

Prior to his press conference, Burkhardt flippantly told a TV reporter, "I hope that I don't get shot at. I won't have a bullet proof vest on." He then proceeded to hold the press conference in the French-speaking town entirely in English without so much as providing a translator.

Town residents shocked by the carnage wrought by the runaway MMA train and the company's callous response, yelled at Burkhardt throughout his remarks. Raymond Lafontaine, who fears that he has lost his son, two daughters-in-law, and one of his employees, told reporters, "I wanted to see my children's murderer. And I wanted to see the murderer of other people from here who didn't ask to die." Teenager Alyssia Bolduc said, "It actually makes us more angry that he's here, because [we] think he's shameless."

MMA's principal shareholder, Burkhardt is also the CEO of Rail World Inc., which specializes in the privatization of state-owned

railways. When asked how much he was worth, Burkhardt coldly replied, "A whole lot less than Saturday."

The events that led to the derailment and explosion began when the 72-car MMA train, carrying crude oil from North Dakota, came to a stop at 23:00 Friday in Nantes, 6.8 miles (11 km) from Lac-Mégantic. The train's lone "crew member"—its engineer—was scheduled for rest, and having parked the train was responsible for securing it until a replacement engineer arrived next morning to take the train into Maine.

In an unusual practice, MMA chose to park the loaded train on a significant railroad grade, thereby increasing the effort needed to secure it, and on the mainline, not a nearby siding where technology was in place to "catch" a runaway train.

The engineer, Tom Harding, shut down 4 of the 5 locomotives powering the train, leaving one running so as to maintain pressure in the train's air-brakes. At 23:50, a fire was reported to the MMA's rail traffic controller. The Nantes Fire Department responded and shut down the locomotive, which was necessary to extinguish the fire.

Burkhardt initially said the Nantes Fire Department must bear responsibility for the runaway train, because it was the shutdown of the locomotive that led to the failure of the airbrakes and because the Nantes firefighters had not contacted the MMA. This was doubly false: government regulations stipulate that handbrakes must be applied in sufficient number so as to ensure that even if the air-brakes fail the train does not move; the Nantes Fire Department was in contact with MMA personnel during and after the fire. An MMA track worker, not familiar with locomotive operations, was on site when the fire was doused and subsequently an MMA dispatcher agreed that the situation had been resolved.

At 00:56 Saturday, after the fire department and the MMA employee had left, the train began to move, eventually derailling at high speed in Lac-Mégantic.

Having failed to pin blame for the tragedy on unidentified "saboteurs" and the Nantes Fire Department, Burkhardt is now trying to scapegoat Harding, a veteran engineer, who was working the Lac-Mégantic route even before it was taken over by MMA. Speaking to reporters, Burkhardt said, "It seems like adequate handbrakes were not set on this train and it was the engineer's responsibility [to do so]. I think he did something wrong ... He told us that he applied 11 handbrakes and our general feeling is now that that is not true."

Burkhardt declared that MMA has suspended Harding without

pay, then added, "I don't think he'll be back working for us."

Yet earlier this week, the MMA chairman joined with Lac-Mégantic residents in hailing Harding as a hero. Harding, who was at a hotel in the center of town when the train exploded, rushed to the site of the derailment, donned a firefighters uniform, and placing his own life at risk, used a small vehicle capable of pulling railcars to pull a number of tank cars that were not yet on fire to safety.

The effort to make Harding the culprit for the Lac-Mégantic tragedy is a shameless attempt to divert attention from the criminally negligent policies and procedures of the railroad. The question of how many handbrakes were applied is certainly a question that warrants investigation. Yet to date, MMA has provided the public with no information as to its own determination of how many handbrakes should have been applied, to say nothing of evidence that Harding didn't follow the company's rules.

More fundamentally, there would never have been a runaway train derailment and explosion in the center of Lac-Mégantic had the company not chosen to have an unattended train, carrying inflammables, parked on the mainline and on a steep grade.

Parking it on a grade meant that far more handbrakes needed to be applied that usual. Harding had to conduct this work alone after a full shift. Other railroads use two-man crews, where an engineer and conductor work in tandem to carry out the task of securing a train and can double-check the work.

Under pressure from MMA, Canada's Transport Ministry granted MMA's request to go to one-man operation of their trains in 2010.

A railroader on *Trainorders.com* recently summed up the issues involved in one-man operations: "I am totally opposed to one-man crew operations strictly on the safety issue. It is a widely accepted fact that track and equipment employees perpetually function in a sleep-deprived state, thanks to railroads' inexcusable inability to schedule operations; that second set of eyes and brain may not be fail-safe, but functioning as a team with shared responsibility reduces the opportunity for errors and omissions; been there and grateful for it.

"Don't kid yourself, the one-man crew concept is all about corporate greed, management trying to squeeze the last ounce of productivity out of the employee, and encouraging shortcuts to make it 'work'. You may hear lip service paid to 'safety', but shareholder returns and executive compensation take precedence."

Burkhardt, at his Wednesday press conference, shamelessly touted this dangerous but profitable corporate practice: "We actually think that one-man crews are safer than two-man crews because there's less exposure for employee injury and less distraction [for operators]."

As head of Rail World Inc., Burkhardt has presented himself as a trailblazer in making freight railroads more efficient and "cost-effective," squeezing out increased profits by slashing jobs and pay and investing little in infrastructure.

He began by forming Wisconsin Central railroad from a collection of lower-traffic routes in the upper mid-west of the United States. The railroad relied on non-union operating personnel and the first North American use of one-man crews

using remote controls to switch railcars. The practice was borrowed from New Zealand, where Rail World bought government-run rail services in 1993, and restructured with substantial layoffs and hefty investor payouts.

After a series of Wisconsin Central derailments and a fire that caused a 16-day evacuation of 3,000 residents in Weyauwega, Wisconsin, the (US) Federal Railroad Administration applied a temporary freeze on one-man operations within Wisconsin and gave scrutiny to maintenance and employee training.

In 1999 Wisconsin Central was sold for \$1.2 billion to Canadian National Railways and Burkhardt was named Railroader of the Year" by *Railway Age*, an industry magazine. In Britain, Rail World participated in a bonanza of railway privatization in the 1990's, buying 90 percent of British Rail's freight services to form the English, Welsh and Scottish Railway. Burkhardt immediately laid off 1,700 employees, while securing public subsidies and grants estimated to total \$242 million over eight years to operate the Rail Freight Distribution subsector of British Rail. EWS was bought out by the German rail giant Deutsche Bahn in 2007.

In 2001 Rail World Inc. participated in the purchase of the former state-run railway of Estonia, Eesti Raudtee. The European Union financed the enlargement and modernization of the Muuga harbor east of Tallinn, which allowed for a temporary boom in rail traffic as Russia used the port for increasing oil exports. After political disputes and economic changes, the Estonian government bought back Eesti Raudtee in 2007.

Montreal, Maine and Atlantic was formed in 2003 to take over low-traffic lines in Maine, Quebec, and New Brunswick. Burkhardt began with a 40 percent wage cut. More layoffs and expenditure cuts followed in 2006 and 2008 in response to traffic losses. One engineer, Jarod Briggs, left in 2007, because of this concerns about the safety of MMA's operations, including one-man crews. He told the *Toronto Star*, "It was all about cutting, cutting, cutting. It's just an example of putting company profits ahead of public safety."



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