

RAILWAY EXTREME HEAT AND FIRE RISK MITIGATION RULES

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1.0 SHORT TITLE

These Rules may be cited as the *Extreme Heat and Fire Danger Rules*.

2.0 OBJECTIVES

2.1. These rules are intended to ensure that companies have:

- (a) Mitigating measures to protect safe railway operations and the infrastructure during periods of extreme heat;
- (b) Appropriate methods in place to detect and to prevent the starting of fires during periods of Extreme Fire Danger Levels; and
- (c) Mitigating measures for fires that may be started on railway rights-of-way during periods of Extreme Fire Danger Levels.

2.2. Section 6 and Section 7 of these rules supplement the requirements of the *Prevention and Control of Fires on Line Works Regulations*.

3.0 SCOPE

3.1. These rules shall apply during the fire season.

4.0 DEFINITIONS

“Extreme Fire Danger Level” means a fire danger level reported as “Extreme” for an area that, as part of the Canadian Wildland Fire Information System (CWFIS), is published on the Department of Natural Resources (NRCAN) website or on any other Government of Canada website. If more than one danger level is shown for an area, the fire danger level for the area is the highest indicated level.

“Fire season” means the period of time from April 1st to October 31st;

“Locomotive” means “locomotive or engine” as defined in the “*Railway Locomotive Inspection and Safety Rules*”.

“Qualified person” is as defined in the “*Railway Locomotive Inspection and Safety Rules*”.

“Right-of-way” means railway operated right-of-way.

5.0 REQUIREMENTS TO ADDRESS TRACK INTEGRITY DURING PERIODS OF EXTREME HEAT

5.1 In order to protect safe railway operations and the infrastructure during periods of extreme heat, each company must establish temperature thresholds at which train speed restrictions and supplemental track inspection requirements must be adhered to. Requirements applicable to continuous welded rail must be contained in each company’s Continuous Welded Rail Management Plan, as required under the Rules Respecting Track Safety.

6.0 LOCOMOTIVE INSPECTION REQUIREMENTS

6.1 Companies shall ensure the entire exhaust system of root blower locomotives is inspected and cleaned at intervals not to exceed 30 days. These inspections shall be conducted by a qualified person. A record of the inspection shall be retained for at least 90 days.

6.2 Companies shall ensure that locomotives equipped with turbocharged engines have had their entire exhaust system inspected and cleaned at intervals not to exceed:

- (a) 92 days for turbocharged engines equipped with mechanical fuel injection
- (b) 184 days for turbocharged engines equipped with electronic fuel injection

These inspections shall be conducted by a qualified person. A record of the inspection shall be retained until the next required inspection has been completed.

7.0 REQUIREMENTS FOR A FIRE RISK MITIGATION PLAN FOR THE PREVENTION OF FIRES ON RAILWAY RIGHTS-OF-WAY

7.1 Each company must develop and adhere to an Extreme Weather Fire Risk Mitigation Plan (Fire Risk Mitigation Plan) that will be in effect during the fire season.

7.2 The Fire Risk Mitigation Plan must include, at a minimum, measures to:

- (a) Monitor fire risk levels;
- (b) Detect and report fires along the right-of-way including reporting by the public of fires on rights-of- way to railway companies;
- (c) During periods of Extreme Fire Danger Levels, for each railway company that operates or maintains the line work, to manage vegetation, including the removal of combustible materials or debris from the right-of-way being generated through vegetation management activities;
- (d) During periods of Extreme Fire Danger Levels, for each railway company that operates or maintains the line work, to mitigate fire hazards during line work maintenance activities; e.g., rail cutting, welding, rail grinding; and respond to fires resulting from such activities, if needed. Except in the case of emergencies or where required to maintain safe railway operations, mitigations may include restricting or stopping certain line work maintenance activities as appropriate;
- (e) Assess conditions and implement appropriate mitigations during active fire events on or encroaching on the right-of-way to maintain safe railway operations, including adjustments to train operations; and
- (f) Respond to detected or reported fires, which could include immediate action to suppress the fire, communication to and/or deployment of appropriate emergency response resources. Emergency response resources may include external parties such as first responders and/or fire services.

7.3 Companies must file their Fire Risk Mitigation Plan with Transport Canada within 30 days after the date on which these Rules come into force. Any subsequent revisions to the plan must be filed with transport Canada before the revisions become effective.

8.0 FIRE RISK MITIGATION PLAN REVIEWS AND MUNICIPAL AND OTHER LEVELS OF LOCAL GOVERNMENT INPUT

- 8.1. Each company must have a process to review the Fire Risk Mitigation Plan at least every five years and update it as required.
- 8.2. The process must include a method for each railway company that operates or maintains the line work for which the plan applies, to receive safety related comments on the Fire Risk Mitigation Plan from relevant municipal and other levels of local government, including Indigenous communities, for the company's consideration. The method shall address the following requirements:
 - (a) Communication of the Fire Risk Mitigation Plan to relevant municipal and other levels of local government, including Indigenous communities;
 - (b) Provision of company contact information through a publicly accessible web site to receive safety related comments for consideration;
 - (c) Consideration of comments received, including further engagement with commenter if necessary; and
 - (d) Determination as to whether the Fire Risk Mitigation Plan requires modification.

In all cases, companies will acknowledge receipt and keep records of comments received for six years.

- 8.3. The process must include a method for each company to ensure that the Fire Risk Mitigation Plan is communicated to the railway company that operates or maintains the line work for which the plan applies.