

# Security Committee Meeting

October 2, 2024

People. Goods.  
Canada moves by rail.



Railway Association  
of Canada



## **Competition Law Compliance Policy**

### **STATEMENT**

The RAC is committed to compliance with all **competition laws** applicable in Canada, including Canada's *Competition Act*.

Under the leadership of its Board of Directors, the RAC carries out its activities in strict compliance with all **competition laws**, provides guidance to its committees and its employees on how to comply with these laws, and promotes with them the importance and value to the RAC of complying with them.

The RAC Corporate Secretary ensures that RAC, its committees and its staff are familiar and comply with this policy.

### **COMPETITION LAW**

**Competition laws** are designed to maintain and encourage competition in the marketplace. Non-compliance with the **competition laws** relating to improper coordination among competitors could constitute a criminal offence to which significant fines and prison terms can be attached, and for which significant damages can be awarded in private lawsuits, including large class actions.

RAC is a forum for railway members to exchange information and views on the railway sector. Particularly because RAC is an association that represents most of the players in the rail sector in Canada, including many that compete with one another, any activity it conducts must be in strict accordance with the **competition laws**, and avoid even the perception of possible improper conduct.

### **PROHIBITED ACTIVITIES**

Due to the presence of multiple competing entities in RAC, any activity, including discussions or agreements that relate, directly or indirectly, to the following "**Prohibited Topics**" are strictly prohibited:

- ☐ Prices (rates) charged to shippers for services provided by members of the RAC
- ☐ Prices (costs) paid to suppliers for services provided to members of the RAC
- ☐ Any other conditions associated with services provided to shippers or received from suppliers of RAC members, including discounts, rebates, etc. and level of service provisions
- ☐ Customer or territory allocation
- ☐ Limitation of supply of services provided by RAC members to their customers

### **GUIDANCE**

Any activity, including discussions or agreements that could even remotely be construed as relating to the above Prohibited Topics, cannot take place at the RAC or any of its committees or any meeting organized or attended by RAC staff, or otherwise among RAC members.

To ensure compliance with these rules, when meeting, members of a RAC committee or of the Board of Directors must:

- ☐ Have a pre-set agenda and take minutes, recording resolutions adopted and summarizing the essentials of conversations that took place.
- ☐ Limit themselves to issues identified on the agenda, except if circumstances call for other issues to be addressed, in which case careful notes of the additional issues discussed must be recorded.
- ☐ If any participant believes that Prohibited Topics have been raised or discussed, they must advise all participants of their concern and any discussion relating to that issue be ceased immediately pending legal advice.
- ☐ Require legal advice if any issue to be discussed might cause the members to believe that **competition laws** could be infringed.
- ☐ Suspend or even postpone to a later date discussions on such issues if legal advice cannot be sought in a timely manner.

Staff of the RAC shall in their duties ensure the confidentiality of information brought to their attention by members, avoid conflict of interest or situations that would discredit the RAC, unless doing so could violate the **competition laws**.

Updated May 3, 2021

## RAC SECURITY COMMITTEE MEETING

**October 2, 2024  
13:00 to 14:00 (ET)**

**Microsoft Teams Meeting**  
[Click here to join the meeting](#)

### **AGENDA**

	<b>SCHEDULE</b>	<b>DISCUSSION LEADER</b>	<b>TIME</b>
1.	Welcome, Call to Order, Roll Call	L. Bentenuto	13:00
1.1	Competition Law Compliance Policy – Forward Statement	S. Croome	13:01
1.2	Approval of Draft Minutes (April 4, 2024)	L. Bentenuto	13:04» <b>D</b>
2.	AAR Rail Security Issues	All	13:05
3.	TC Security Group Meeting	S. Croome	13:10
4.	Briefing IMCIT	C. Johnson	13:15
5.	Debrief Counter Terrorism	L. Bentenuto	13:25
6.	General Discussion	All	13:55
7.	Miscellaneous / Adjournment	L. Bentenuto	14:00
<b>D</b>	<b>Decision Required</b>		
»	<i>Supporting material</i>		

**RAC SECURITY COMMITTEE MEETING  
DRAFT MINUTES 24-01  
Virtual Meeting  
April 4, 2024; 14:00 HOURS (EDT)**

**In Attendance**

Luciano Bentenuto, VIA – Chair  
Christopher Bennett, CSX  
Scott Croome, RAC  
Enzo De Benetti, RAC  
Court Edeburn, GCRC  
Herschel Flowers, CPKC  
Mitch Jardine, CN  
Lori Kennedy, CPKC  
Peter Lambrinakos, VIA  
Paige McFall, BNSF  
Greg Sandsness, BNSF  
Pierre-Luc Vachon-Gravel, exo  
Jared Wagar, CPKC

**Regrets**

James Babe, CR  
Bryan Bass, BNSF  
Jean Ernest Celestin, VIA  
Stephen Covey, CN  
Patrick Desaulniers, exo  
Jack Gibson, CSX  
Bruce Power, CN  
Michael Rennie, ONTC  
Stéphane Tardif, GWCI  
James Tollerson, NS  
Todd Wallace, WCE  
Steve Weir, Metrolinx  
Brian Williams, BNSF  
Robert Zawerbny, CN – Vice-Chair

**1. Welcome, Call to Order, Roll Call**

Luciano Bentenuto noted that the required quorum was achieved and called the meeting to order in accordance with the Railway Association of Canada (RAC) bylaws.

1.1 Mr. Croome read the Competition Law Compliance Policy – Forward statement

1.2 Approval of Minutes (September 26, 2023) – Luciano Bentenuto  
It was moved by Peter Lambrinakos (VIA) and seconded by Jared Wager (CPKC) to approve the minutes of the September 26, 2023, meeting.

**2. Cybersecurity Committee Update**

The Cybersecurity Committee had its inaugural meeting on January 24, 2024. The committee was well represented and had participation from both Canadian Class 1's, passenger rail, several shortlines, CSX and AAR. During the meeting the committee elected Vaughn Hazen, CN as Chair and Janna Dewar, VIA as Vice Chair. The committee reviewed and approved the Terms of Reference.

A working group was also formed to focus on the proposed Bill C26, dealing with cybersecurity in Canada. The sub-committee is currently working on its mission statement as well as a scope of work. Their first meeting was held on February 28, 2024, and they are continuing to work towards those two goals.

The objective of the Cybersecurity Committee is to bring items of cybersecurity to all members of the railroads and to ensure that they are handled appropriately. Legislation has already been established in the United States and railroads on both sides of the border want to ensure that the bill in Canada doesn't stray too far from the American one. The bill itself here in Canada hasn't come into law yet. It is still in reading and progressing through the house. It's expected to become law by next year. The Cybersecurity Committee is hoping to influence the bill and make sure that it doesn't negatively impact the railways.

The next Cybersecurity meeting April 11, 2024.

### 3. AAR Rail Security Issues

The AAR is monitoring the USA elections and party conventions that are happening later this year as there will likely be security concerns during the elections and the lead up to the inauguration in January 2025.

### 4. TC Security Group Meeting

At the most recent Rail Security Working Group call, TC covered the Guide on Preparedness for Railway Interference. This guide was developed out of a Sub-Working Group stemming from the 2020 railway blockades and included members from CN, CPKC, VIA Rail, and Transport Canada.

This guide was developed to ensure a consistent and measured approach by law enforcement when handling railway interference and is based on industry best practices. It is intended for use by law enforcement and industry as they see fit to avoid railway interference.

TC will be releasing this advanced copy of the guide to members of the Rail Security Working Group – at the next meeting CN and CPKC will provide a brief overview of the deck and members will have the opportunity to ask any questions or provide comments to the document before it is shared more broadly to the law enforcement community.

Scott Croome provided key take aways from members that were mentioned during the TC Security Group meeting.

- CN saw a 35% increase in Q1 of wire theft and vandalism with London, ON being a hot spot.
- CN noted that National Day of Protest was on their radar of concerns due to the Carbon Tax rule that came into effect on April 1, 2024.
- CPKC noted one of their rail cars carrying a lumber load in Kitchener was set on fire.
- Metrolinx has seen an increase in train surfing predominantly near colleges and universities.
- The United States is seeing an increase in illegal immigrant's train surfing across the border from the North.

### 5. Critical Infrastructures

A new working group has been proposed, this group would focus on Critical Infrastructure related to railway operations.

### 6. General Discussion

#### CBRNE Exercise

Scott Croome provided an overview of the CBRNE exercise that occurred in BC Oct 23-26, 2023. This was one of the largest events coming out of the pandemic as well as a first of its kind in Canada. The exercise was sponsored by Defence Research & Development Canada (DRDC).

The purpose of the exercise was to evaluate:

- The National Response Team's (NRT) response to a security incident involving dangerous goods (DGs) in transportation.
- The effectiveness of Transport Canada's CBRNE ERAP Program integrating into the existing CBRNE response landscape in Canada.
- The response capability limits of the RCMP NRT to ascertain when and how Transport Canada response partners are needed in the mitigation of a CBRNE event with dangerous goods.
- The transfer of command when going from a safety incident to a security incident and how the ERAP resources could integrate into the command structure for a CBRNE incident.

### Conclusion

Additionally, the exercise was conducted to educate municipal first responders in both the Transport Canada ERAP program and the National CBRNE response and how to access the resources associated with each.

Exercise Dynamic Response was developed to simulate the response to a national security event involving the derailment of a train carrying dangerous goods. The main purpose was to test the interoperability between municipal first responders, Transport Canada's Emergency Response Assistance Plans (ERAPs), and the Royal Canadian Mounted Police (RCMP) Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) specialized National Response Team (NRT) should an event of national interest occur.

The exercise and functional drill are considered a success and completed all the exercise objectives.

Exercise Dynamic Response was completed with a focus on health and safety and did not result in any injuries or near misses.

### Areas for Improvement

Throughout the exercise, several opportunities for improvement in the coordinated ability to respond to the incident were identified. The primary areas for improvement include:

- Use and familiarity of existing incident management tools including forms, and Incident Command system (ICS) meeting conventions.
- Communications planning including communication pathways and technology for communication.
- Inter-operational coordination through the Operations Section to complete the execution of one incident action plan.

### Recommendations for Response

The following recommendations are put forth by the evaluation team:

1. Continued discussion and research on potential notification pathways that may be used by all levels of government in the event of dangerous goods release with potential criminal activity.
2. Consider the creation of general guidance document that may be shared within and between agencies to promote understanding of required approvals and time frames to activate each agency resource.
3. Continue to exercise with local, provincial, and federal agencies to promote familiarity with industry and contractor resources for response to dangerous goods incidents.
4. Consider existing incident management systems and how they can promote communication with an Incident Management Team.
5. Review existing communication devices and methods.
6. Consider the implementation of communication planning that is available to all responders.
7. Explore both formal and informal ways to align industry and governmental agencies to coordinate Unified Command or similar structure.
8. Consider the implementation of existing resource management systems.
9. Consider the use of additional incident management documentation to formalize tactical planning and operational briefings.

### UIC and Rail Poll Update

Peter Lambrinakos is part of the UIC Security Platform that represents 194 railway companies across the world as well as the Rail Poll strategic Committee. He has offered to speak to the security committee about either or both groups as well as bring and any challenges or opportunities the security committee has back to these two groups. Peter Lambrinakos will talk offline with Luciano Bentenuto and Robert Zawerbny to see what might be of interest to the security committee.

## 7. Miscellaneous / Adjournment

The meeting was adjourned at 15:00.

Action Items – September 26, 2022	Lead	Status
1. <b>Minutes:</b> The meeting minutes are to be circulated within 21 calendar days	Brianna Bowman	Complete
2. IMVE presentation at next committee meeting	Luciano Bentenuto	
3. Share pdf of CBRNE exercise (pending confirmation)	Scott Croome	
4. Follow up with TC to see if a future CBRNE exercise could include a passenger rail component.	Scott Croome	



**Security Committee**

**Bentenuto, Luciano**

Senior Advisor

*VIA Rail Canada Inc.*

[luciano\\_bentenuto@viarail.ca](mailto:luciano_bentenuto@viarail.ca)

**Chair**

**Zawerbny, Robert**

CN Police Inspector for Network Security and Intelligence Unit

CN

(905) 760 3449

[robert.zawerbny@cn.ca](mailto:robert.zawerbny@cn.ca)

**Vice Chair**

**Babe, James**

Manager & Chief Special Constable

*Capital Railway*

[james.babe@ottawa.ca](mailto:james.babe@ottawa.ca)

**Bass, Bryan**

Deputy Chief Police/Homeland Security

*BNSF Railway Company*

[bryan.bass@bnsf.com](mailto:bryan.bass@bnsf.com)

**Bennett, Christopher**

Director, Public Safety

*CSX Transportation Inc.*

(904) 359 3720

[christopher\\_bennett@csx.com](mailto:christopher_bennett@csx.com)

**Celestin, Jean**

Acting Deputy Chief

*VIA Rail Canada Inc.*

[JeanErnest\\_Celestin@viarail.ca](mailto:JeanErnest_Celestin@viarail.ca)

**Covey, Stephen**

Chief of Police - North America

CN

(514) 399 6220

[stephen.covey@cn.ca](mailto:stephen.covey@cn.ca)

**Croome, Scott**

Director Dangerous Goods

*Railway Association of Canada*

[scroome@railcan.ca](mailto:scroome@railcan.ca)



**Desaulniers, Patrick**

Director Security Operations

exo

[pdesaulniers@exo.quebec](mailto:pdesaulniers@exo.quebec)**Edeburn, Court**

Vice President of Operations

*Great Canadian Railtour Company Ltd.*[cedeburn@rockymountaineer.com](mailto:cedeburn@rockymountaineer.com)**Flowers, Herschel**

Rail Security Coordinator

CPKC

[Herschel.Flowers@cpkcr.com](mailto:Herschel.Flowers@cpkcr.com)**Gibson, Jack**

Manager of Infrastructure Protection

*CSX Transportation Inc.*

(904) 366 4773

[Jack\\_Gibson@csx.com](mailto:Jack_Gibson@csx.com)**Jardine, Mitch**

Criminal Intelligence Analyst Network Security Intelligence Unit

CN

(905) 760 3470

[mitchell.jardine@cn.ca](mailto:mitchell.jardine@cn.ca)**Kennedy, Lori**

Managing Director Regulatory Affairs

CPKC

(403) 319 7413

[lori.kennedy@cpkcr.com](mailto:lori.kennedy@cpkcr.com)**Lambrinakos, Peter**

Chief Constable

*VIA Rail Canada Inc.*

(514) 871 6606

[Peter\\_Lambrinakos@viarail.ca](mailto:Peter_Lambrinakos@viarail.ca)**Power, Bruce**

Chief Asst Operations Support

CN

514-399-6294

[bruce.power@cn.ca](mailto:bruce.power@cn.ca)**Rennie, Michael**

Senior Manager, Regulatory Affairs and Training

*Ontario Northland Transportation Commission*[michael.rennie@ontarionorthland.ca](mailto:michael.rennie@ontarionorthland.ca)



**Sandsness, Greg**

Sr Manager Homeland Security  
*BNSF Railway Company*  
[Greg.Sandsness@bnsf.com](mailto:Greg.Sandsness@bnsf.com)

**Tardif, Stéphane**

Senior Director, Safety and Security  
*Genesee & Wyoming Canada Inc.*  
(514) 948 6968  
[stephane.tardif@gwrr.com](mailto:stephane.tardif@gwrr.com)

**Tollerson, James**

Infrastructure Security Director  
*Norfolk Southern Corporation*  
(470) 463 1749  
[james.tollerson@nscorp.com](mailto:james.tollerson@nscorp.com)

**Vachon-Gravel, Pierre-Luc**

Senior Advisor - Compliance, Security and Network Protection  
*exo*  
[plgravel@exo.quebec](mailto:plgravel@exo.quebec)

**Wagar, Jared**

Manager Critical Infrastructure Protection  
*CPKC*  
(403) 319 7413  
[jared.wagar@cpkcr.com](mailto:jared.wagar@cpkcr.com)

**Wallace, Todd**

Manager Train Operations  
*West Coast Express Ltd.*  
(604) 488 8913  
[todd.wallace@translink.ca](mailto:todd.wallace@translink.ca)

**Weir, Steve**

Inspector  
*Metrolinx*  
[steve.weir@metrolinx.com](mailto:steve.weir@metrolinx.com)

**Williams, Brian**

Director Homeland Security  
*BNSF Railway Company*  
[Brian.williams@bnsf.com](mailto:Brian.williams@bnsf.com)