

Railway / Municipality Proximity Issue Details
FAQs, Applicable Legislation, and References to Further Information

CATEGORY 3. Public Annoyance
Subject Area 3.1. Noise

Issue 3.1.a. Train Operations

Frequently Asked Questions

- Is there anything done to mitigate noise from train operations located nearby residential areas?

Ans. Railways have formal noise abatement programs in place to mitigate excessive noise from rail operations, both in yards and on mainlines. Railways operate 24 hours a day, seven days a week to meet the needs of a network of customers and industries. To do this railways must also meet the requirements of other transportation connections such as ships and trucks. This means that residential developments that are built nearby to tracks and yards may experience some levels of noise as the switching, humping and general yard activity can occur at any time of the day or night. Railway operating employees make every reasonable effort to minimize the impact of yard noise on people living nearby by implementing aspects of the various noise abatement programs (such as locomotive idling reduction programs and the purchase of newer and quieter locomotives). The railways seek to ensure that any development adjacent to a railway corridor or yard includes appropriate mitigation and physical protection measures that reduce the impact of rail noise and vibration such as building setbacks, safety berms and acoustic barriers, security fencing, vibration isolation, and the construction of buildings. There are ongoing joint efforts between organizations such as the Railway Association of Canada, the Federation of Canadian Municipalities, and the Canadian Association of Municipal Administrators that have led to progress in the development of proximity guidelines for railway noise emissions as well as dispute resolution models. These models emphasize early and ongoing dialogue with community-based stakeholders, thereby helping to avoid possible conflict. And when disputes do arise, the model facilitates local resolution by bringing together front-line railway employees and municipal government authorities to discuss new projects and issues and ongoing concerns.

Railway property planning departments also provide extensive information for land-use decision makers in an effort to deal with potential proximity issues at an early stage in development projects.

- What can I do if I wish to complain about rail-related noise in my area?

Ans. You should first call the railway involved to report any excessive noise and to seek resolution in dialogue with the company. Most noise-related problems can be solved in this way. While not common, disputes may arise over railway noise between residents of communities built near to railway property and railway companies, and in these cases a formal complaint may be made to the company or civil action sought through the courts. In Canada, at present there is no federal body mandated to regulate railway noise. Proposed changes to the Canada Transportation Act will authorize the Canadian Transportation Agency to review noise complaints and, if required, order rail companies to make changes to reduce unreasonable noise when constructing or operating a railway or rail yard. To do so, the Agency must be satisfied that the parties were unable to reach a voluntary settlement of the dispute on their own. However, such legislative changes have not yet been enacted.

- What kinds of noises can I expect from a train?

Ans. Unlike a highway or busy road, railway tracks are generally quiet, until a train passes. When a train does pass, you will hear the locomotives followed by the movement of freight cars and wheels making contact with the rails. If it stops or starts, you may hear the sound of brakes being applied or air under pressure passing through brake pipes on each car. You may also hear cars bumping together when slowing, or the slack being taken up when a train accelerates. If you live near a rail yard, siding or terminal, you will hear other types of noise such as banging when goods are loaded and unloaded, and as trains are being made up by the coupling and uncoupling of cars, as well as sounds from personnel radios. Also, in these areas, trains may stand for extended periods with their engines idling, as train crews wait for a train to pass or permission to pull out of the yard. Intermodal terminals are also served by trucks and mobile equipment such as cranes for moving and stacking containers; all of which may operate around the clock and create noise.

Applicable Legislation (What regulates noise from train operations?)

Under Section 2.4 of Circular No.13 of the Railway Association of Canada, Recommended Practices For Manual Protection Of Highway/Railway Grade Crossings mandate that unnecessary prolonged activation of railway crossing warning systems should be avoided. In Canada, changes to the Canada Transportation Act are pending which will allow the Canadian Transportation Agency to decide on disputes between railways and the public involving noise. Joint noise emission guidelines are in development by the railways and municipalities and some provinces and municipalities have developed their own guidelines for railway noise emissions and residential development. There are American standards in place for operational noise emissions compliance that most Canadian railways conform to. These are found in the U.S. Code of Federal Regulations Title 40, Part 201 and Title 49, Part 210.

Reference to further information (How do I find out more about...?)

Canada Transportation Act

http://www.tc.gc.ca/acts-regulations/GENERAL/c/ct/act/ct_a.htm

Canadian Transportation Agency

http://www.cta-otc.gc.ca/index_e.html

Railway Association of Canada's Circular No. 13 Recommended Practices For Manual Protection Of Highway/Railway Grade Crossings

http://www.railcan.ca/sec_leg/en_rac_circulars.asp

Canadian Pacific Railway Community Connect Line 1-800-766-7912

<http://www.cpr.ca>

Canadian National Public Inquiries Line 1-888-888-5909

<http://www.cn.ca>

Joint FCM/RAC Proximity Issues Information Base Reference Material

<http://www.proximityissues.ca/english/Materials.cfm?ID=1>

Railway Association of Canada

<http://www.railcan.ca>

Federation of Canadian Municipalities

<http://www.fcm.ca>

Ontario. Ministry of the Environment. Noise Assessment Criteria in Land Use Planning: Requirements, Procedures and Implementation. October 1997

<http://www.ene.gov.on.ca/envision/gp/3517e.htm>

U.S. Code of Federal Regulations Title 40, Part 201-Noise Emission Standards for Transportation Equipment; Interstate Rail Carriers – July 1, 2002

<http://frwebgate6.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=747255345219+21+0+0&WAIAction=retrieve>

U.S. Code of Federal Regulations Title 49, Part 210-Railroad Noise Emission Compliance Regulations – October 1, 2002

http://www.access.gpo.gov/nara/cfr/waisidx_04/49cfr210_04.html

For a full list of provincial government websites:

http://www.gc.ca/othergov/prov_e.html

See the Official Community Plans and Zoning By-laws for your particular municipality. A page that lists the websites of most Canadian municipalities (in order of province) can be found on the Federation of Canadian Municipalities website at:

<http://www.fcm.ca/english/members/list-e.html>

Guidelines for the Resolution of Complaints Concerning Railway Noise and Vibration Under the Canada
Transportation Act
<http://www.otc-cta.gc.ca/doc.php?did=923&lang=eng>