Ottawa Light Rail Commission

Brandon Richards
on Tuesday, April 26, 2022

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OTTAWA LIGHT RAIL COMMISSION

CITY OF OTTAWA - BRANDON RICHARDS

APRIL 26, 2022

--- Held via Zoom Videoconferencing, with all participants attending remotely, on the 26th day of April, 2022, 1:00 p.m. to 4:00 p.m.

COMMISSION COUNSEL:
Christine Mainville, Co-Lead Counsel Member
Emily Young, Litigation Counsel Member

PARTICIPANT:
Brandon Richards: City of Ottawa

ALSO PRESENT:
Helen Martineau, Stenographer/Transcriptionist,
Benjamin Bilgen, Virtual Technician

INDEX OF EXHIBITS

-- Upon commencing at 1:00 p.m.

BRANDON RICHARDS: AFFIRMED.

CHRISTINE MAINVILLE: The purpose of today's interview, is to obtain your evidence under oath, or solemn declaration, for use of the Commission's public hearings. This will be a collaborative interview such that my co-counsel, Ms. Young, may intervene to ask certain questions. If time permits, your counsel may ask follow-up questions, although I note you have chosen not to have counsel.

The interview is being transcribed and the Commission intends to enter this transcript into evidence at the Commission's public hearings, either at the hearings or by way of a procedural order before the hearings commence. The transcript will be posted to the Commission's public website, along with any corrections made to it, after it's entered into evidence. The transcript, along with any corrections later made to it will be shared with the Commission's participants and their counsel, on a confidential basis, before being entered into evidence. And you'll be given the opportunity to review your transcript and

correct any typos or other errors before the transcript is shared with the participants or entered into evidence. Any nontypographical corrections made will be appended to the transcript.

And, finally, pursuant to section 33(6) of the Public Inquiry's Act 2009, a witness at an inquiry shall be deemed to have objected to answer any question asked of him upon the ground that his answer may tend to incriminate the witness or may tend to establish his or her liability to civil proceedings at the instance of the Crown, or of any person. And no answer given by a witness at an inquiry shall be used or be receivable in evidence against him in any trial or other proceedings against him, thereafter taking place, other than a prosecution for perjury in giving such evidence.

And as required by section 33(7) of the Act, you are advised that you have the right to object to answer any question under section 5 of the Canada Evidence Act.

All right. So if that works we'll commence.

You had two different roles, as I

understand, in Stage 1 of Ottawa's LRT?

BRANDON RICHARDS: Yeah. I worked for the contractor OLRTC, I was working for a company called Dragados so I was on the contractor side during Stage 1.

CHRISTINE MAINVILLE: I'm sorry, can you repeat that? I disconnected for a moment.

BRANDON RICHARDS: I worked for the OLRTC contract, part of the joint venture of RTG, under a company called Dragados, and I was responsible for the installation of the communications based train control system.

CHRISTINE MAINVILLE: And do you recognize what is on the screen as your resume?

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: We'll file that as the first exhibit to your interview.

EXHIBIT NO. 1: Curriculum vitae of Brandon Richards.

CHRISTINE MAINVILLE: So if we go down to the third page, the last page, we see that you held that role of Senior CBTC Coordinator from July 2016 to June 2017?

BRANDON RICHARDS: Correct.

CHRISTINE MAINVILLE: And that CBTC

system is Thales' system, correct?

BRANDON RICHARDS: Correct.

CHRISTINE MAINVILLE: Can you tell us a bit about that role and -- well, let's start there.

BRANDON RICHARDS: Sure. In the capacity of that role I primarily was the conduit between Thales providing the design that's their system, so working with their teams and working with the subcontractors, and internally with our own engineering joint venture, which was called "EJV", to make sure that it would integrate with the other systems, that the other systems would integrate with CBTC, that it was installed properly as per Thales' design.

So I was the person in between all the different stakeholders managing its installation and ultimately up to commission.

CHRISTINE MAINVILLE: Okay. We'll come back to the details of that.

Can I just take you down where you say you led -- Brandon led the -- further down at the bottom:

"Brandon led the initiative to

document installation pertinent to the signaling system."

What do you mean by the "document installation"?

BRANDON RICHARDS: So Thales has a system called "PICO", it's an acronym that stands for post-installation checkout. And when I was in the role there was challenges with OLRT being able to bring those documents together, because you did need input from many different stakeholders and it was a new type of documentation for installation of systems. So I was able to bring the parties together and get these documents filed.

And then if you're talking -- honestly I don't remember off the top of my head but there was several hundred. For example, a switch machine would require several different PICOs, so it was an extensive amount of documentation to validate that it was installed in accordance with Thales' specifications.

CHRISTINE MAINVILLE: And when you talk about other parties would that primarily be Alstom?

BRANDON RICHARDS: Alstom was a small

part of it but more so the subcontractors, like ZEC, I think SEME [ph] was one, Alltrade. So if they were performing the electrical works, let's say, they would have to do testing to make sure that the cabling had proper continuity, the megger tests were done, so it was just really a validation that the hardware of the wayside equipment was installed properly.

CHRISTINE MAINVILLE: And then you also write that you brought the communication-based train control system back into schedule?

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: So I take it there was some delay on that front when you arrived?

BRANDON RICHARDS: Yeah. When I arrived there were challenges with the transponder tags and getting them into the yard at first. So there was some need for coordination between Thales and EJV and our subcontractors. And there was contentious -- not contentious but debate over something called a PIDO [ph], I forget what the acronym stands for, but it's essentially where the two lines of

diverging track intersect, so knowing from that fixed location where a transponder tag was to be installed.

After that milestone was sorted out then we were able to start moving that forward and then ultimately move the entire program back into a schedule.

CHRISTINE MAINVILLE: And going back up a little bit, you wrote that on this large-scale project you were not only exposed to the complexities and technicalities on the project but also the political intricacies?

BRANDON RICHARDS: Uhm-hmm.

CHRISTINE MAINVILLE: And I wonder what you meant by that?

BRANDON RICHARDS: With the different stakeholders. What I meant by that is that everybody has an agenda from the side they're working from. So with the OLRT side you want to deliver a product, you want to deliver the LRT system. And then from the City side, you know, being exposed to the political forces that want the system online, not that anybody's doing anything awry but just sort of understanding the multiple different stakeholders and how they're

driven to move these projects forward.

And that just doesn't include the City, it includes the public. Because there was a lot of scrutiny around the delays when the sinkhole happened. And just seeing all the different perspectives is really what I was trying to articulate there.

CHRISTINE MAINVILLE: And to what extent did you have interaction with the City when you were at -- with OLRTC?

BRANDON RICHARDS: I would provide tours on occasion, it wasn't very frequent. I would say it was probably -- I can think of two times off of the year that I was there that I did it where we took John Manconi and some of the consultants that they had. I don't remember where they worked for, if it was ACOM, but we took them for tours to show them the progress of the communications-based train control. We took them to Blair station and showed them the room and the equipment being installed, and that was sort of the interactions that I had.

And there was -- there was another woman from the City who would get updates. And when the CBTC system -- I would provide inputs

to the team for her updates. I think her name was -- I honestly can't remember her name.

CHRISTINE MAINVILLE: Okay. If we go up to -- well, first of all, then you went to ESI Rail as Director of Operations for a few years?

BRANDON RICHARDS: Yup.

CHRISTINE MAINVILLE: And ultimately you then were hired with the City of Ottawa as Chief Safety Officer?

BRANDON RICHARDS: Correct.

CHRISTINE MAINVILLE: In May 2020.

BRANDON RICHARDS: Yeah. May 5th I think the day was.

CHRISTINE MAINVILLE: So at that point in time the LRT is in operation, right?

BRANDON RICHARDS: Yeah, for I guess since September of the following year.

CHRISTINE MAINVILLE: The previous year, yeah.

BRANDON RICHARDS: Yeah.

CHRISTINE MAINVILLE: And was anyone in that position prior to you?

BRANDON RICHARDS: There was a gentleman named Jim Hopkins. I never met him,

he was gone before I came. I think he left in March of 2020, if I'm not mistaken. But he was in the role for, I want to say, five or six years before I was in it. He did retire, I believe.

CHRISTINE MAINVILLE: And that was work you were doing for OC Transpo more specifically, correct?

BRANDON RICHARDS: Correct. I was working for OC Transpo in the City of Ottawa.

CHRISTINE MAINVILLE: And if we go to the second page where you detail that work a little bit.

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: How would you describe the primary function of that role?

BRANDON RICHARDS: The primary function -- it's a fairly complex role to describe but I suppose -- I mean, you serve the organization from a safety perspective, first and foremost. So obviously when situations arise and decisions need to be made for safety, whether that's pulling the line out of service or reacting in an appropriate way, that I think would be the primary function of the role, is

being the accountable individual that makes sure that the system is ultimately safe.

But to break it down, when I came into the role I was given a mandate from John to reshape it and make sure that the safety culture embedded in OC Transpo.

And when I came in I made some changes, so what's highlighted there in the bullets, the three bullets, when I came I only had the transit training and the safety team. And because of the unique regulatory structure of OC Transpo and the City of Ottawa with its transit system, and because of how it tied into the contract, I wanted to bring that into my area because it gave more authority to the safety of the organization.

So I had done a restructuring probably within being there for about six months and then built the branch to have these three units.

CHRISTINE MAINVILLE: And so the transit training and development, do I take it that that's not only relating to the LRT but OC Transpo's transit generally?

BRANDON RICHARDS: That's correct. It's the bus drivers, it's mechanics, pretty

much everything in OC Transpo, other than legislated training, which is done by the City of Ottawa itself.

CHRISTINE MAINVILLE: Legislated training?

BRANDON RICHARDS: Yeah. Like workplace health and safety -- sorry, workplace -- violence in the workplace, we had some of it but I think it was primarily done more in the corporate side of the City. Sorry, not legislated, probably federally-mandated training.

But when with it came to operational training specifically, like driving the bus or teaching mechanics how to work on it, it was in my area.

CHRISTINE MAINVILLE: And then the safety standards, investigating and reporting, here you talk about being responsible for pro-active safety assessments and post-incident investigations for transit-related issues?

BRANDON RICHARDS: Yeah. So that's doing -- we had programs where we would do monthly audits and we would take times of the year. So, for example, when back to school is

happening we start doing some monitoring audits on speed in school zones, and then monitoring bus operations to make sure that there's no rolling stops within the compound at St-Laurent or other facilities. So doing pro-active audits to see the trends and who needs to be putting a focus on safety.

On the LRT side there's auditing for -- in the safety management system it was called "Targets and Initiatives". So, you know, doing audits there to make sure that people are familiar and compliant with rules. Just sort of pro-active audits to give an idea of what could have a benefit to put focus and resources on to make sure that it's safer before it becomes a reactive incident.

And then post-incident investigations is pretty much what it sounds like. When there is something that occurs, for example, reportable to the TSB, that the team would have the details and understand what happened, the concerns the risks, mitigations, how to apply them and provide reports.

CHRISTINE MAINVILLE: And who are you providing reports to?

BRANDON RICHARDS: Well, it depends on what the situation is. So if it was a TSB reportable it would be to the TSB. If it was an environmental spill or something it would be the TSSA. There's different bodies that you would provide those to depending on the situation.

CHRISTINE MAINVILLE: Were they ever internal or meant -- like, would you conduct an investigation and then report internally?

BRANDON RICHARDS: Absolutely. If it didn't have to do with any sort of reporting body and there was an incident that occurred it would be brought in, reported and collected as data to understand. And this is how we determined our targets and initiatives and the safety management system.

CHRISTINE MAINVILLE: And who was that reported to?

BRANDON RICHARDS: The safety management system is ultimately -- it's a document that you -- OC Transpo has to have in accordance with regulation. And you do -- OC Transpo does have to report -- it was after the first year of operations and then every three years after that.

So the process that we had -- because I went through one cycle of it while I was there. We hired on external auditor to audit our safety management system, and then provided it to Transport Canada with the recommendations and current status of the recommendations and then the annual report, to Transport Canada.

CHRISTINE MAINVILLE: So -- and I think you cut out when you said you -- was there a name to this document?

BRANDON RICHARDS: Safety Management System, SMS. Want me to talk louder or was I cutting out?

CHRISTINE MAINVILLE: There was one glitch.

BRANDON RICHARDS: Okay.

CHRISTINE MAINVILLE: So the safety management system, that gets reported to Transport Canada?

BRANDON RICHARDS: It does through the delegated agreement between Transport Canada and the City of Ottawa. And that's essentially an agreement where Transport Canada has delegated its regulatory authority to the City to regulate itself but obviously retains the right to take

back their authority should they feel they need to.

CHRISTINE MAINVILLE: And so there is that transportation Canada reporting but also -- does anybody internal to the City receive it? Receive your reports, whether they are forwarded to others inside the city?

BRANDON RICHARDS: Yes. Under the delegated agreement the "Minister of Transportation" is the City Manager, is the accountable executive for the LRT.

So it would be to provide him with annual reports of the SMS, the safety policy. I can't think of any others off the top of my head, but it would be essentially that it would be reported to the City Manager.

For example, every year the safety policy is drafted up and has to be provided to the City Manager and the City Manager has to sign off as the accountable executive for the safety policy each year.

CHRISTINE MAINVILLE: We'll come back to that, but to finish off your resume here, the last point you have is regulatory and compliance, quality control and assurance?

BRANDON RICHARDS: Uhm-hmm. That's a team that I was building. So I started this reorg about six months into being there, saw there was a bit of a gap and a need for more quality control. The regulatory side needed more attention and resources and, you know, after going through the cycle and creating this org structure obviously then you have to go through a budget cycle. So I really didn't start to get building this team until probably early 2022.

Last I was there we had, I want to say, five people there. We had a specialist for quality control and assurance and she was doing auditing on the training programs. And then the regulatory side -- because we have quite a unique regulatory structure at OC Transpo we needed more dedicated resources to make sure that we were compliant with regulation between the bus side, the Trillium line, which is federally-regulated by Transport Canada, and the Confederation line, which is delegated to the City. So it's a little bit of a mixed bag of all these different regulatory structures. So I built this team and I intended to continue to

grow this team and embed more of a quality control element into the branch.

CHRISTINE MAINVILLE: And was that -- in terms of quality control was that primarily by way of audits or other type of activity?

BRANDON RICHARDS: Yeah, it was audits. That part was actually birthed from an audit from the Auditor General, which was before I came to OC Transpo.

There was a training audit for the new bus operator training where essentially, before I was there, they reduced the amount of time to train ENBOTS. And then the accusation, I believe, was that the reduction of training caused incidents on the bus side of operations.

So that position was birthed to really get in and understand, from an auditing perspective, what was going wrong, what was going right, what needed to improve. So we hired her in early 2021 and she spent almost the entire year focused on that primarily, to begin with.

I don't know if I answered your question. I think I rambled on a bit there.

CHRISTINE MAINVILLE: Well, why don't

we -- I think we can take down your resume. And then maybe we'll just delve into some of this a bit more.

Perhaps one thing that might assist is to know how your position and work relates to other safety-type officers, such as the regulatory monitor and compliance officer?

BRANDON RICHARDS: How it related to that person?

CHRISTINE MAINVILLE: So in terms of division of responsibilities or how does your role differ from that?

BRANDON RICHARDS: Are you talking about Sam Berrada or are you talking about the regulatory monitoring officer that we put in the quality control branch?

CHRISTINE MAINVILLE: I want to hear about both but I was talking about Sam Berrada.

BRANDON RICHARDS: Sam Berrada is independent of OC Transpo and he provides oversight to ensure that OC Transpo is compliant with the regulations set by the delegated agreement. And he does his monitoring throughout the year. So he would actually audit my teams and the subcontractors and then provide

status reports to Council and to the City Manager directly.

CHRISTINE MAINVILLE: But as far as I understood, you also have some involvement in ensuring compliance with the regulations that --

BRANDON RICHARDS: Absolutely, yeah. Essentially like -- Sam would be monitoring my teams for a lot of the regulatory monitoring he was doing.

But, for example, Sam would do monitoring on, let's say one of the elements of regulation is the maintenance and rehabilitation plan, that's an activity that rail operations would primarily be responsible for. So my team would work with rail operations to ensure that what they're doing is compliant with regulation in the system for the monitoring that Sam was going to do.

CHRISTINE MAINVILLE: And then you mentioned another officer.

BRANDON RICHARDS: Yeah. There was a position that I hired with that branch, I can't remember the exact title, it's very close to John's -- sorry, his name is John. It's very close to Sam's title. It's the regulatory -- it

might be the regulatory compliance officer.

But essentially it was an individual who would be responsible to provide support to the TSB and TSB reportables when they occurred. And someone who would do more auditing when it comes to the regulatory side of things for, like, let's say that maintenance and rehabilitation plan, they would hold the rail operations team to account to make sure they were compliant with regulation. And he was also responsible to make sure that the subcontractors were responsible as well, to make sure that they were compliant, which ultimately means OC Transpo's compliant with regulations. So really what he was doing with the subcontractor was, by extension, making sure that they were doing what they were supposed to do so that OC Transpo was in compliance with its regulation.

CHRISTINE MAINVILLE: And you're more concerned with just the latter?

BRANDON RICHARDS: The latter being?

CHRISTINE MAINVILLE: The latter being --

BRANDON RICHARDS: Yeah. Yeah, more concerned that OC Transpo is compliant, yeah.

CHRISTINE MAINVILLE: But is it fair to say that when you're looking at whether OC Transpo is compliant -- does it go beyond, you know, whether the various requirements and regulations are met and abided by to look at, you know, is the system in fact safe?

BRANDON RICHARDS: I'm not sure I follow.

CHRISTINE MAINVILLE: So let's -- perhaps let's break it down. What requirements are you looking to for -- in terms of assessing compliance, and what regulations?

BRANDON RICHARDS: So I don't have the regulations with me and I don't know them off by heart, but in the delegated agreement they do lay out the regulations, which is essentially different documents that you have to have in place, and programs you have to have in place. I'll list a few off the top of my head, like the maintenance and rehabilitation plan, which is a very large and encompassing document which makes sure that the LRTs are maintained properly, the stations are maintained properly, the infrastructure is. And there is schedules for minimum requirements for maintenance. So that,

by extension, is ensuring a high level of safety with those activities being done.

Now, actually proving they are being done is another piece. If I understand what you're saying, my team is responsible to make sure that those activities are done and, if not, escalate. So if they're not showing track inspections are done properly that needs to be escalated and then actions appropriately through the contract channels, or handled at another level of management. So that's sort of the role that they would play. If that's answering your question.

So there's the maintenance and rehabilitation plan, there's the safety management system, the security management system, there's quite a few, I can't remember them all off the top of my head.

CHRISTINE MAINVILLE: Fair enough. But are these -- am I right that these are regulations devised by the City pursuant the delegation agreement?

BRANDON RICHARDS: Yeah. I think it was regulations agreed upon between the City and Transport Canada through that delegated

agreement. I don't know who made them. I'm not sure who made them, if it was Transport Canada or the City, or it was just a joint effort. It was quite a while ago. I believe they were made over ten years ago.

CHRISTINE MAINVILLE: With a view to the LRT, is that correct?

BRANDON RICHARDS: Yes, specific to the Confederation line.

CHRISTINE MAINVILLE: And they are -- so is it fair to say though -- is it your understanding that they're not the federal relations that apply?

BRANDON RICHARDS: No, they follow parts of it. Like, so let's say having an SMS, that's part of federal regulation, federal railroads must have a safety management system program. So it does mirror some of that, and I think this is why there's a delegated agreement with Transport Canada.

The LRTs are a bit unique, they don't operate the same as a federal railroad so it does have its own nuances. And what I mean by that is that we talk about the maintenance and rehabilitation plan, LRTs are maintained

very differently than freight and Class 1 railroads in Canada. So I think they have a definitive line for certain activities and that's why the regulations change a little bit.

CHRISTINE MAINVILLE: So your teams are looking to those regulations in terms of ensuring compliance and that people are performing?

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: Are there other instruments that you're looking to that set out rules and regulations or the requirements, from a safety perspective, that you're measuring against?

BRANDON RICHARDS: The targets and initiatives in the safety management system, that's one of the larger focuses, because it's looking at specific instances brought forward by rail operations and my team for monitoring and analyzing trends. And then, as you said, then it's taking those trends and then reacting appropriately to enhance the safety of the system, and that embodies continuous improvement, which is what SMS fosters.

CHRISTINE MAINVILLE: And I think that

was also going to my earlier question. You talked about, first of all, assessing whether the various things that need to be done, pursuant to the regulations are in fact done, but I guess the second piece of it is --

BRANDON RICHARDS: Oh I see.

CHRISTINE MAINVILLE: -- looking to see whether those are sufficient and whether there is --

BRANDON RICHARDS: Yes. There is more than just regulation to that point.

CHRISTINE MAINVILLE: So your team, or several teams, will look at that as well, the sufficiency --

BRANDON RICHARDS: Yeah. Work with rail operations and customer service, and just trying to think of examples off the top, which may not even be encompassed in the SMS. But tracking, information like attempted suicides, you know, that's not part of regulation but we want to be aware of it. And then we engage Ottawa Public Health to get strategies on how to be prepared for not just staff in that situation but how do we try and avoid those situations and work together in those ways.

CHRISTINE MAINVILLE: And so the safety management system, is it created by OC Transpo?

BRANDON RICHARDS: It was created by OC Transpo, yeah. The person we talked about at the beginning, who was in the role before me, created the safety management system for the City. And, as I said, we update it every year and make changes and continuously improve it.

CHRISTINE MAINVILLE: So could you give me a sense of what that looks like? What kind of -- are there requirements set out there?

BRANDON RICHARDS: For SMS? How it works?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: If you were to go on Transport Canada's railway safety management system there's a pretty extensive guideline online. So that's the foundation for how all SMS work. So there are twelve steps in the safety management system, it's naming the accountable individual, having a process for risk management, having a process -- there's a lot of different levels to it. So they are fairly structured, it's not really something

that deviates too much from one company to another.

CHRISTINE MAINVILLE: And then what about targets and initiatives, can you explain that to me a bit more?

BRANDON RICHARDS: Yeah. So, for example, we work collaboratively with the other groups. I don't have them all off the top of my head, but there's quite a few targets and initiatives set. So we might look at, with the rail operations team, how many hours of -- we call it "RM mode", so driving manually the train happened this month? And then you try to associate that to incidents that may have occurred as a result of that. Was there a sufficient amount of training done on the line? If there was, does that contribute to us having less incidents this month? And we reviewed those on a monthly basis at a meeting that I chaired, called the "Confederation line safety meeting", and we look at the different trends. There was absenteeism, we would look at rule violations as a very big one in the rail industry because operating rules are very important to the safety of the system. So

seeing rule violations, seeing trends really is a good indicator as to how you can prevent things from happening.

CHRISTINE MAINVILLE: And to what extent would you look beyond OC Transpo's functioning, to the extent that, as you've explained, others may be performing certain roles? Taking maintenance, for example, and that may impact the extent to which OC Transpo is compliant. So what level of authority would you have over non-OC Transpo members and entities and how would you work with those?

BRANDON RICHARDS: Are you speaking about RTM specifically?

CHRISTINE MAINVILLE: Yes, RTM, Alstom maintenance.

BRANDON RICHARDS: So in the capacity of my position, under John I have the authority to shut the line down if I felt it was necessary for safety reasons. So that was the extent of my authority, which obviously can't be taken lightly and has to be weighed, but safety does have to be first.

I shut the line down twice since I was there, but I would generally work with, you

know, subject matter experts and -- during different situations, as they arose, to make sure that I was making the best informed decision to resume service safely if possible.

CHRISTINE MAINVILLE: And were those related to the derailments, those shutdowns?

BRANDON RICHARDS: Yeah. Both of them were related to the two derailments, the August and September. The August one I think it was shut down for about a week. I can't remember the dates but -- and obviously September it was a little bit longer.

CHRISTINE MAINVILLE: And we'll get to the details of those. But do you have sole authority for that or would the City Manager or anyone else, or Mr. Manconi have authority?

BRANDON RICHARDS: The General Manager could as well obviously, and the City manager could.

I mean, the culture there, if there was a concern from somebody else, like the Director of Rail Operations, obviously it would be no question, it would be shut down. Not that it was my sole, it's just that I had that authority.

CHRISTINE MAINVILLE: And in those two instances it was your call, would you say, on the two derailments?

BRANDON RICHARDS: I would say it was myself and John. I think we both were in agreement very, very quickly that we had to shut down and find out what was happening before we proceed.

CHRISTINE MAINVILLE: And when you say "John" that's John Manconi?

BRANDON RICHARDS: Yeah.

CHRISTINE MAINVILLE: And in terms of getting the green light to start back up again, was that also your joint call?

BRANDON RICHARDS: Yes. Yeah, it was. Do you want to go into the details of that?

CHRISTINE MAINVILLE: Let me just ask you one thing before, when you say the "Director of Rail Operations", who is that?

BRANDON RICHARDS: Troy Charter.

CHRISTINE MAINVILLE: So earlier when you were talking about rail operations you're referencing his department?

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: Okay. So let's

jump into the -- some of the issues that were encountered. And so let's start with the derailments. If you want to start from the beginning as opposed to the end on those incidents and what your involvement was that would be good.

BRANDON RICHARDS: I'll try and be as detailed as possible. It was a while ago now, but in August, it was in the evening, but I got the call. Weren't really sure, there was something going on with the train, it was stopped and then -- and then ultimately it was derailed at Tunney's. And I actually went to the site, I went out and we had to wait to get access to the track and train.

And at that point we really didn't know too much, it just seemed like there was a wheel off. The train didn't really have any symptoms of having anything catastrophic, it didn't even really look like it was derailed when we were there. And then at that point we just shut down service for the night, everything went back to the MSF. I think this was around eleven o'clock.

And then as we were able to see the

vehicle we noticed there was significant damage to the one wheel and it was the burn off, the actual burn off. And then we knew that this is more widespread and serious. And that's when we grounded the fleet and said, There's no service resuming after this. So as soon as we saw that that was in play it was just a matter of grounding the fleet immediately.

And the reason for that is because Alstom could not definitively describe what the root cause was to be able to go into service safely with an adequate mitigation. So because they couldn't come up with an answer it was an easy call to say, because you don't know we can't put the trains into service.

And they started doing their analysis and they determined it was the axle bearing. They determined it was the -- they determined it was a torque nut inside the axle bearing housing that was coming loose and then ultimately causing it to degrade and burn off. And then they had a similar incident on a similar vehicle, I think it was the same vehicle in France at SNCF.

And they determined that by doing the

7,500 kilometre inspection on the bearing could prove that the bearing's integrity was sufficient to be able to allow it to run for 7,500 kilometres.

And I'm not a bearing expert so I need to rely on subject matter experts when it comes to this. So we reached out to different consultants and we had STV I think at the time do an assessment of the mitigations, and obviously Alstom's engineers as well. They provide, I think they call them "safety memos" just highlighting -- the risk is brought down through the mitigation to an acceptable level to resume operations.

So they did the paperwork, they gave a safety memo and a safety note saying that the fleet was safe to resume service following these mitigations are done. And that's how we were able to resume service for the August derailment.

CHRISTINE MAINVILLE: What do you mean by the hundred kilometer inspection, I think?

BRANDON RICHARDS: Yeah. So it's a 7,500 kilometre inspection was the mitigation that Alstom came up with. Essentially they put

the trains up on a jack so that there's no pressure on the bearings, and they would pry the bearings with a certain amount of force and measure if it moves at all. And if it moves it tells them that the bearing has a degraded state and then it has risk of deteriorating and burning off.

But if it doesn't have that move then it's safe to resume service, and that was, as I said, based off of their own engineering assessment and their past experience with SNCF.

CHRISTINE MAINVILLE: And is there a plan to do those regularly, to repeat these?

BRANDON RICHARDS: Every 7,500 kilometres they've had to do them while I was there, yeah.

CHRISTINE MAINVILLE: And in terms of a similar occurrence happening in France, would that have predated the --

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: -- LRT?

BRANDON RICHARDS: Yes, it did.

CHRISTINE MAINVILLE: So what -- to what extent, if at all, did Alstom mitigate that risk in respect of the Ottawa LRT?

BRANDON RICHARDS: I did not see any before the incidents occurred. The TSB obviously was involved when that happened. And when we went looking through Alstom's consolidated safety file, they call it, for the trains and we saw -- we didn't see anything specific to that between us and the TSB. So I can't really speak too much more than that. We didn't see anything specifically for this issue.

CHRISTINE MAINVILLE: And the TSB references that in their safety advisory record?

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: Saying it identified a locked axle as a hazard?

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: But that is slightly different is it?

BRANDON RICHARDS: It is, yeah. A locked axle would be a little bit different than a bearing, so that's why I say there's nothing really explaining this specific incident in the consolidated safety file.

CHRISTINE MAINVILLE: In terms of the locked axle being identified as a hazard in Alstom's consolidated safety file, what's

indicated there, as I understand it, is that it would be mitigated through regular maintenance. Is that something that could, from your perspective, also have mitigated what occurred here with the bearings?

BRANDON RICHARDS: I couldn't say that. I've not seen any assessment on if the maintenance that was recommended for that locked axle in that file would have done anything to mitigate the bearings, I wouldn't be able to say.

CHRISTINE MAINVILLE: Do you know anything about whether a heat detection system for the roller bearings was possible on the LRT?

BRANDON RICHARDS: I had a lot of discussions about that after the incident, some before because I'm used to it in the freight world. I don't know that it was possible, I like to think that it was, but I never got a definitive answer from Alstom or RTG as to how it would work.

I was told by Mario Guerra, with RTM, because he works on multiple projects in his role with SNC Lavalin, that Montreal REM project was putting a wayside heat bearing detection

system in, but I never got any details as to if it was something that could work with our line or not. That's something that I never got an answer for. It was just something that I was told was being continuously looked at.

CHRISTINE MAINVILLE: And what would be the extent of your role or involvement in that regard in terms of what could be required of Alstom or RTM as it relates to this? Like, how much say would you have in that? Or do you have to wait for them to come up with a plan?

BRANDON RICHARDS: At the end of the day, like I said, my authority was that if I felt it was unsafe for operations I could prevent operations or stop the line from running.

As for encouraging or forcing the contractor to put something in place like this, if it wasn't -- so there's always -- the heat bearing detection system, if plausible, would provide another element of safety, but that doesn't mean that without having it the line is unsafe to operate. So knowing that I wouldn't really have much authority to force them to do it, even though it's a good idea and I would

like it. It all comes down to cost and who's paying for it.

CHRISTINE MAINVILLE: And there may be various solutions to any given issue?

BRANDON RICHARDS: Sure. Yeah. Yeah.

CHRISTINE MAINVILLE: And so is it fair to say that it's not your role to dictate any particular solution?

BRANDON RICHARDS: That's correct. And that's how it was posed to the contractor. It was, you know, we know that heat bearing detection is a technology that's used frequently in the rail industry, if there are better solutions we're all for it.

CHRISTINE MAINVILLE: So at least by the time you left this was an unresolved issue, or did it appear to be -- did the inspections appear to be a permanent solution?

BRANDON RICHARDS: It was unresolved. As far as I was aware the inspections were a temporary solution. Alstom was -- they had committed to having the root cause for the bearings failure by December, which they didn't. And by the time that I left in January they didn't have any solution for it whatsoever. So

I'm not sure where that stands nor am I sure where the bearing detection analysis stands.

CHRISTINE MAINVILLE: And would you have left the investigation of that incident to TSB entirely, or was there -- were there investigative steps taken by your teams in respect of that?

BRANDON RICHARDS: Yeah. Every situation TSB was involved in, concurrent investigation with the TSB. You can't hold the TSB up or disrupt their investigation, but we obviously needed to move forward with the safety of the system and obviously resuming safe operations.

So, like, for example with the cracked wheel incident, we did parallel investigations and worked collaboratively with them also providing updates to them as required.

CHRISTINE MAINVILLE: Do you get anything back from the TSB, other than what's made public more generally?

BRANDON RICHARDS: No, not really. The TSB, if they feel there's a safety concern they will communicate with the organization, that's their practice.

We had a lot of meetings and collaborations where we would get everyone together. Alstom -- because Alstom does their own independent investigations as well because it's their vehicles, so we would have Alstom, the City, RTM, the consultants we would have to support us through those situations, and the TSB, and just sort of get everybody in the same room to lay out all the information and provide as much as we could. Obviously the TSB is not coming and providing information, they're taking whatever information they can to do their investigation.

CHRISTINE MAINVILLE: And did you get a sense, through your own investigation, or as a result of their -- the discussions with these various parties, did you get a sense of whether there was a need for increased maintenance, or whether the maintenance had been sufficient or not, at least as it relates to the vehicles and the -- and these roller bearings or axles?

BRANDON RICHARDS: If I can answer the question right, I think, if I understand what you're saying -- are you saying, based on the investigations that occurred did we discover and

feel that more maintenance was required?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: Yes, I would say so. The 7,500 kilometre inspection is evidence of that in itself.

And then when the second derailment happened, I know we haven't spoken about that yet, but we went through something we called the "safety critical items check". Alstom created that process, which I can elaborate on after. And when they did that check they found components, which I never got details of fully, just validation that the trains were safe to go to service, but they did find components that needed to be adjusted, tightened, stuff like that. So I think -- I was told that it was a worthwhile exercise and that they would incorporate it into their maintenance program going forward.

CHRISTINE MAINVILLE: Do you know why that hadn't been provided for earlier?

BRANDON RICHARDS: I don't know why it wasn't in the maintenance regiment before. Is that what you're asking?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: I don't know why it wasn't in the original maintenance. Because, I mean, I suppose what -- the maintenance regiment that you're talking about was the one that was drafted with the procurement of the LRT, right? So I don't know why it wasn't captured in that.

CHRISTINE MAINVILLE: So maybe you can just explain your understanding of that. Do you mean these would be things that had been provided for in the Project Agreement?

BRANDON RICHARDS: Yes. Like the maintenance and rehabilitation plan is developed -- my understanding of it, and I could be wrong, but my understanding of it is that it's developed through the Project Agreement. Obviously different projects are different so I can liken it to projects that I currently work on. But you do a hazard analysis, you do hazard assessments and you determine what maintenance activities mitigate risks? What maintenance activities are required, not required? So I would assume that Ottawa was no different, and that as a part of the PA deliverables the maintenance and rehabilitation plan was created from that, that's just my assumption though.

CHRISTINE MAINVILLE: So in terms of your other experience then in this regard, would the plans not need to be updated, in particular, you know, after construction and once -- and during testing and whatnot? Or is that usually fairly easily planned at the outset?

BRANDON RICHARDS: I think -- I don't know if I have enough experience to -- like, I'm not a -- I'm not an engineer to that level where I know that inside and out. I don't think they're updated regularly, unless there's a reason to, which in this case there obviously was.

I couldn't say what normal practice is for that, because the projects that I have experience with and I'm working on, they're either younger than the Confederation line or not built yet.

CHRISTINE MAINVILLE: So let's go back to the second derailment, could you tell us about your involvement in that one?

BRANDON RICHARDS: Sure. So the second derailment I got a call that there was a derailment on the main line. I didn't have much detail and I went to site. I had to go there

and see what was happening and see how I could support.

When the train was on the ground we stopped service even before I could get to site. I spoke to John. I remember talking to him and -- John Manconi, and saying, We don't have enough information. We have to just shut the line down until we get more information.

So immediately we stopped trains, passengers got off, they started bus service.

And then I called the TSB. Rob Johnson is the -- I think he's labelled as the Senior Investigator for most things, buts he's the Regional Manager I think. And I informed him as to what was happening and he came out as well right away and met me on site.

When I got there it was blocked off as a crime scene. The police, for some reason, had suspicion that somebody tampered with the LRV and that they had caused it to derail so they were doing an investigation. So I wasn't able to get on to see anything for -- it was a while. It was at least an hour or two before I could get on the track.

When Rob came they allowed the TSB to

go in and then, by extension, I was able to go with him and see what was happening. When I got there you could clearly see the LRV was off the track. It was probably the worst that we've seen yet. And you could see that there was damage along the guideway and that the train had travelled some distance before it had stopped.

And then we looked at the video footage and saw that the train derailed at Tremblay Station and then dragged. And I don't know if I'm going into too much detail or not?

CHRISTINE MAINVILLE: No, keep going.

BRANDON RICHARDS: After we started getting the pieces together we needed to determine what caused the derailment. There was speculation around sanding brackets, there was all sorts of speculation, as there are when these incidents occur.

And then I can't remember how many days it was afterwards, but we were obviously working to try and figure out what was happening. But Alstom had come forward and, through their records, had determined that a technician was working on the gearbox assembly, which is on the outside of the wheel. And this

is linked back to the August derailment because the gearbox assembly was taken off because they were doing a maintenance activity related to the replacement of the axle bearing from the first derailment. And by doing that they had to remove the gear box to replace the bearing, so they did that. And then the -- in their record keeping they had a technician that had went off their shift and they were doing this maintenance activity. And then the new technician came in, they didn't log the paperwork properly and the new technician did not tighten the gear box on properly.

And then the train, through its operation, I guess, must have vibrated the bolts loose and the gear box fell off of the train. It looks like it made contact with Tremblay Station and then derailed the train. And then the train -- they're quite powerful. So the operator was in the front train, because they're electric they have a very high torque. So the operator didn't really feel too much while they were driving, didn't feel anything at all actually, I spoke to him myself.

And I think the train was ultimately

stopped because it took out a switch machine that's a part of the CBTC system. And because it took the switch machine out the system responded by stopping the train.

So obviously knowing that, the process for coming back into a safe resumption of service is much more extensive than just the technical component that fails.

Now, I knew that to ensure that service could go back in safely we had to have confidence in the quality of the work that Alstom and RTM were doing, RTM in its oversight of its contractors and Alstom on delivering in its work.

So we worked within -- by "we" I mean the City, Alstom, RTM, consultants to -- and the TSB too because we had to provide them information. But just so it's clear, the TSB doesn't have a role in resuming safe service, they don't have any role in that. I believe if they have a serious concern they would speak up. But I don't think that's very common or has happened, from my knowledge.

So we had to determine a safe return to service plan. What does that look like? And

we followed the APTA standard for doing investigations to come back in line with safety of the service. So obviously knowing that quality was an issue we had to look at workmanship from Alstom. We had to look at the actual technical components themselves. We had to come up with a testing regiment, infrastructure repairs.

And so we built this document called the "Return to Service" plan, or RTM built it because it's their responsibility to put something like this together. And the return to service plan is essentially a composition of all the different activities that were required to safely bring service back online. And its activities were the summation of a hazard analysis and risk assessment to determine that those activities allowed the service to resume safely, and that we were in a level of risk that is acceptable to resume service.

To sort of get at how we did that, I'd have to -- you'd have to see the plan. I'm sure maybe you already have it and have taken a look at it. But to determine workmanship Alstom decided they needed to physically check any work

they had done at Ottawa on their vehicles. And they came up with a very extensive list of all the different fasteners and pieces of equipment that they had to go through and physically check on every train. It took several days per train, if I remember right, and verify that they're all in good standing to go back into service. And that's where I was saying before that they did find some things that were unrelated to this that they though, Gee, this has got to get incorporated moving forward.

Now, this was not the first time I had raised concerns about Alstom's quality of workmanship. I had sent at least one official legal letter to RTM about the need for more oversight and for Alstom to increase its quality control. I can't remember exactly what the workmanship issue was but I think it was related to the cracked wheel incident, and I don't believe I got a response from Alstom on it.

So the summation of activities from the return to service plan was how we were able to resume service. I think it was over two months that we were out of service from the September derailment.

CHRISTINE MAINVILLE: So in terms of that letter that was sent raising concerns earlier on, I take it, given what you've said before, short of shutting down the service, the line, because you feel it's unsafe, or a particular -- I guess, taking a particular vehicle out of service, you have no ability to require an answer from -- whether it's Alstom or RTM?

BRANDON RICHARDS: When it's Alstom the contractual position is that they have a contract with RTM and they don't have to answer to the City. It was something that they would pick and choose to position themselves that way. I know on occasion they would directly communicate with the City, even though they're not supposed to, and it caused friction between RTM and Alstom.

But, yeah, you're correct. I had a couple of tools. One tool was to shut it down, pull a vehicle out of service, and the other was to send contractual letters. Which at the end of the day -- I wasn't too involved with the contract side of things. I do understand it was kilometre-based for service delivery, so that

hit the contractor financially when they didn't deliver service.

But as far as penalizing them for a situation like that, a quality of -- a concern for quality of workmanship I don't think it really had much of an impact with the contract.

CHRISTINE MAINVILLE: And you said you weren't sure what had prompted that letter, it could have been the cracked wheels. But can you speak to whether you -- were it not for the cracked wheel issue did you generally have concerns about the manufacturing of the vehicles, or otherwise, as you put it, the quality control with respect to Alstom's manufacturing?

BRANDON RICHARDS: I didn't have concerns until September. Before, when it was the cracked wheels, I mean, the incident, if I remember it right, it had to do with -- I think it had to do with torque strips I think it was on the wheels. If -- I can't recall what it was exactly. But essentially you have to put a torque mark on the wheel to make sure it was torqued properly and I don't think they had them.

So it was, you know, it is concerning. It's something I felt I needed to voice to RTM and Alstom, that you have to be 100 percent on your game here because there's always -- you need to be on top of this. And -- but at that point I didn't have any glaring, immediate concerns that there was significant quality of workmanship issues that would cause me to be concerned about the safety of the system.

CHRISTINE MAINVILLE: And when you say September those concerns arose, that was September 2020?

BRANDON RICHARDS: 2021, when the derailment happened. So when there was a derailment due to the quality issue with Alstom, that's when there was -- obviously I had concerns then and that's why we were out of service for as long as we were.

CHRISTINE MAINVILLE: And short of safety concerns would you otherwise have performance or reliability concerns? Or would you connect those to safety ultimately?

BRANDON RICHARDS: I don't know if it's quite black and white to say that the performance and reliability was directly linked

to safety. There's a lot of performance and reliability issues that maybe the vehicle didn't meet specification for the PA, maybe it was a heater that wasn't working properly for an operator. So there was quite a volume of things that would have affected reliability and service delivery that were not related to safety.

And when they did it was a matter of -- I mean, for example, LRV, I think it was 16 -- there was a couple of specific LRVs that I had grounded and would not allow back into service until Alstom had showed sufficient evidence that they were safe to resume service. If there was a safety concern that's how I would deal with it. I would ground the LRV until it was proved to be safe.

CHRISTINE MAINVILLE: And otherwise reliability concerns that you don't believe engaged safety those would not really be your concern?

BRANDON RICHARDS: Not really. I mean, I'm just trying to think of the details how to articulate what would and what wouldn't. I mean, there are some, obviously, I've had reports of a cracked windshield on a train and

it can't be used for service because there's a cracked windshield. So that's one where it would be my team's call to move forward or not.

But like I said, if there was a situation where the cabin heater wasn't working for the operator in the winter time, or the air conditioner wasn't working, it's not something that we would be too much involved with really

CHRISTINE MAINVILLE: And do you recall if -- and I think that started -- or it was largely before your arrival at the City, but the door issues?

BRANDON RICHARDS: That was before my time at the City. I know that they were doing some improvements to them when I was there. And I didn't really experience any door issues while I was there.

CHRISTINE MAINVILLE: Would those potentially have been considered safety related?

BRANDON RICHARDS: Oh, absolutely, for sure.

CHRISTINE MAINVILLE: Just going back to the second derailment, we talked about how there was a quality control issue. Would you --did you assess there to be any issues as

it related to operations, if only in terms of the possibility of having mitigated the damage done? So was there anything the operator perhaps should have noticed or could have done that required some -- that was addressed following the derailment?

BRANDON RICHARDS: I looked into that. My team looked into it and we had -- we had two instances where a train was dragged after it was derailed and it was the rear -- I don't know if you're aware but in the Ottawa system they put two LRVs together and they couple them together. And in both of these situations the rear LRV, the one that being dragged, derailed. And we had one in the yard that happened. And it was dragged for a bit of a distance, a couple of hundred feet. And you -- I could see the footage. I remember watching the footage there.

And that was an Alstom hostler, they call them. So they use hostlers to move the trains from the yard. And when it derailed in the yard he didn't feel anything at all, dragged it. You can see the train was bouncing and it was obviously under some pretty significant strain.

And I found it so hard to believe. How could you not feel this? What could you have done differently to stop the train sooner? And what it came down to is that there are processes that could be better followed through to prevent that from occurring in the yard. But on the main line where this OC Transpo operator was driving the train, I truly don't think he felt anything at all. And I'm not sure that there was anything that he could have done differently to prevent the extent of the damage or dragging the train.

CHRISTINE MAINVILLE: And so, is it fair to say that nothing was changed on the operations side, or even -- were any changes made on the City side following that derailment, in terms of requirements or checks and other measures?

BRANDON RICHARDS: I mean, with the return to service plan -- what we did as part of our service plan, return to service plan, from the City side, I engaged the training unit to do refresher training with the operators to make them familiar with symptoms that could arise that situation from happening again.

An example is when we went into doing the testing to let the trains go back into service, making people familiar that if you smell something that's burning, observe the trains when they go by, these are the things that you can look out for. It's not something necessarily that's going to mitigate in actual operation, because you've got the public around, there's not necessarily going to be people all over the place. But making staff generally aware that there are things you can look out for is one thing that OC Transpo had done.

And like I said, we also did refresher training, took the time to brush people up on their operating rules, because they were out of running the line for two months. So it was a matter of making sure that people were still up to their understanding and training.

CHRISTINE MAINVILLE: I have a Safety Occurrence Investigation Report from OC Transpo relating to the derailment. Is that something you would draft or do you need to see it?

BRANDON RICHARDS: Yes, could I see it. I think it's something I would have done.

CHRISTINE MAINVILLE: We don't have a

document number for this document yet. We'll show it to you.

BRANDON RICHARDS: Oh CleverCAD, yeah.

CHRISTINE MAINVILLE: Well, yeah, the CAD incident reports here, but if you go down this is a statement from the driver, correct?

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: Would you have seen that?

BRANDON RICHARDS: Sorry.

CHRISTINE MAINVILLE: Did you take that statement?

BRANDON RICHARDS: I believe rail operations took it jointly with one of my people from the safety team.

CHRISTINE MAINVILLE: Have you read it? Do you recognize this?

BRANDON RICHARDS: Yeah, I do recognize it. I don't remember every word but I recognize it. I believe he writes about how he doesn't feel anything.

CHRISTINE MAINVILLE: Right. And if we go down here to the "Safety Occurrence Investigation Report".

BRANDON RICHARDS: Yes. This would

have been something that I think my team would have put together. I don't know, I don't think I've seen this one.

CHRISTINE MAINVILLE: Is this a type of report that you work with in terms of structure? These are from your team?

BRANDON RICHARDS: Yeah. I think when I saw them they would have been formatted differently. I think this is when they put it in the system, but it's reading a bit familiar.

CHRISTINE MAINVILLE: And if you drop down a little bit to the second page of this report, you'll see a reference to the -- right there at the bottom:

> "[...] the OC Transpo Chief Safety Officer issued a Safety Order [...]"

And that would be you?

BRANDON RICHARDS: Yeah, and I created that safety order process. We put it into play I think in September, it was very new. But I wanted to have some sort of documented process where it was sanctioned by the General Manager. So John Manconi agreed that this was something good to have, and it was essentially a

documented form which when a situation were to occur like this, and there's different levels associated with the safety order, of severity.

I would issue them to -- I could issue them to -- here I did with the Director of Rail Operations, but I could issue it to the contractors. It's pretty much free for whoever affects the operation of OC Transpo in an unsafe way.

CHRISTINE MAINVILLE: And the safety order requires them to take steps?

BRANDON RICHARDS: Yeah. So in the safety order, I don't have one with me, but when we -- when I built it with my team it would highlight action required by the individual to remove the safety order.

I believe in this situation it was essentially talking about a safe return to service plan and a risk assessment to determine the safety of the resumption of service.

CHRISTINE MAINVILLE: And as you've indicated, if you were to provide this to a contractor it's not technically enforceable, but it would hopefully carry some weight?

BRANDON RICHARDS: Yeah. Well, where

I was going with that too was, obviously to shut the line down I wanted to have documentation that it was done properly with specific times and actions and individuals. I wanted to have that all recorded.

But the other piece of it too was when I had incidents with RTM or Alstom where I had concerns, I would issue these and build a pile, so to speak. And eventually you wouldn't -- it would amount to something that needed to be addressed.

Because I found, coming into the role, there was a lot of issues and situations that, you know, stand-alone weren't very big, but nothing was really being captured to the point where it could be built into a substantial case. Does that make sense?

CHRISTINE MAINVILLE: Yeah. Let's bring this down and file it as the second exhibit.

EXHIBIT NO. 2: Safety Occurrence Investigation Report from OC Transpo.

CHRISTINE MAINVILLE: What types of a safety orders did you -- or issues did safety orders cover that you say you sent to RTM and/or

Alstom over time? What were the main issues?

BRANDON RICHARDS: I think because it was fairly new I had only issued two while I was there, and this was one of them. And the other one was not as severe. It was a safety order from RTM. We had an incident where ceiling panels in underground stations were falling, and obviously there's a safety concern that it can strike somebody and hurt them, so we issued a safety order to RTM. And the safety order was essentially telling them that they had to come up with a mitigation to prevent this from happening again.

What they did was they put together a response to the safety order and they actioned fastening all of the ceiling panels up and securing them, and then doing manual checks until they could come up with a long-term design fix. But it was not a quick, easy process. It took like quiet a bit of painstaking meetings with them to actually get them to do it.

CHRISTINE MAINVILLE: So just to clarify your earlier answer, the idea is you might issue these for several smaller incidents that could become something bigger, but you

didn't in fact do that during your time there, you only issued two of them overall?

BRANDON RICHARDS: Yeah, I only had the chance to do two. Yeah, that was any vision of it, I was trying to --

CHRISTINE MAINVILLE: Right. And what, if anything, were you told when you came on to the job about any issues with the trains, the vehicles or the systems? Did you have any sense of past issues or reliability issues and things that had been countered up to then?

BRANDON RICHARDS: I mean, coming into the job I knew there was reliability issues. I didn't feel that there was safety issues, per se, but that the reliability issue needed to be addressed.

I think no more than anyone else that was familiar with Ottawa's line. It was sort of, you know, it didn't have the greatest reputation coming into it. More so because of the door issues and the unreliability of it. But I don't think it was anything -- nothing stood out to me coming into the job that I didn't already know.

CHRISTINE MAINVILLE: And you weren't

told anything about the testing and commissioning and how the trains came into service, and anything that may lead to -- may lead one to conclude that there needs to be enhanced focus on maintenance or operations, or anything like that?

BRANDON RICHARDS: Coming into the job, I mean, obviously I knew the speculation from the public and what was reported. And they didn't actually do trial running, they didn't -- I don't know the details of that. I don't know what was actually done in the trial running or what was accepted.

I obviously heard many different people's perspectives and opinions on what needed to be increased, what wasn't done. I mean, it's a wide variety of opinion, right? As to what is safe and what isn't safe.

So my focus primarily was, you know, making reality safe and dealing with everything that I could in a practical way.

CHRISTINE MAINVILLE: But you weren't told in any formal way, or by any of the City officials that you were dealing with, such as John Manconi, this is something perhaps to keep

an eye on, or there may be issues here, or there have been some concerns there. Nothing like that?

BRANDON RICHARDS: No, no. No specifics like that, no.

CHRISTINE MAINVILLE: I just want to touch on a few other things. You mentioned the derailments, a derailment in the MSF yard?

BRANDON RICHARDS: Yeah.

CHRISTINE MAINVILLE: There was more than one, correct?

BRANDON RICHARDS: Yeah, there was more than one. I don't know how many off the top of my head, but I can think of three off the top of my head.

CHRISTINE MAINVILLE: And how were those addressed?

BRANDON RICHARDS: So as much as it's not good it's not uncommon to have that happening in a yard, but that doesn't mean that because it happened you don't need to try and improve and make things better.

That sort of goes back to a lot of the derailments that we had in the yard, or situations and rule violations that we had in

the yard were simply rule violations.

For example, one of the ones that I can think of, let me back up a little bit. The yard is supposed to be automatic, it's supposed to function without the need for humans to go and throw switches, if you're familiar with what switches are, or what not. And because they're operating it in a manual mode it causes human factor to play more of a role in the rail operation of the yard.

So the one situation that I can think of is, they threw the switch under the train, and essentially the train was going down one track, the switch was thrown and the other half of the train went down the other track and it derailed the train. So obviously when that happens you need to do a revision of the processes and rules and what the contractor's doing. How are you training your people? And go through that exercise.

I think we made some good improvements there. And that was jointly with the TSB as well because they did get involved with those sometimes. And I think it helped the contractor to not just hear it from the City but from the

TSB as well, that this is something you really need to put focus into and improve upon.

In the yard -- and then some of the other derailments that happened in the yard they weren't -- the two that I can think of, there was the same LRV that derailed twice, I think it was LRV 21, it climbed off of the rail.

And I know we were looking at the infrastructure as being the root cause of the issue. Alstom had ruled out that it wasn't the LRV, but I don't know that there was ever a conclusive finding as to why it derailed there. But it's a very steep curve so it's not unfathomable that it would happen, it just needs to be -- we need to try and prevent it from happening.

CHRISTINE MAINVILLE: And from your observations, and understanding of the situation, was there anything that you would have expected to be in place that could have helped prevent these occurrences and that wasn't in place?

BRANDON RICHARDS: I mean, if we're not just talking about derailments, I would have thought that RTM would have had more

knowledgeable staff in place to follow rules. I know there was a significant issue with using radios to do a communication yard, it's something that's done in the rail industry quite often.

Using a cell phone is not an acceptable method of communication. It's gotta be frequent and accessible for someone to talk. If you're moving a train you need to communicate with the person driving. That's something that I would have thought would have been more embedded into the culture of the organization.

CHRISTINE MAINVILLE: And could I ask you about the track buckling? Do you recall that in the summer of 2020?

BRANDON RICHARDS: Yeah, yeah, the sun kinks.

CHRISTINE MAINVILLE: Was there a mitigation plan for that and do you recall if it was implemented?

BRANDON RICHARDS: So that happened pretty early when I got there. I think that was in 2020. Is that what you're referencing?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: I know that from --

all I know is that in the construction they set the rail neutral temperature. Are you familiar with this term?

CHRISTINE MAINVILLE: For the tracks?

BRANDON RICHARDS: Yeah.

CHRISTINE MAINVILLE: Somewhat.

BRANDON RICHARDS: So essentially steel obviously expands in the summer time because it's heat and in the winter time it contracts.

So rail neutral temperature is essentially a temperature that you have the steel pulled to, let's say, so that it will react appropriately in that swing of temperatures.

Where it was set for construction, my understanding was that it was a bit high and that when it got hot outside the rail had a tendency to buckle and kink because it expanded too much from its neutral temperature, and it caused that as an outcome.

My understanding is that the mitigation was that RTG was supposed to be doing a full blown engineering assessment of what the rail neutral temperature should be.

And then I think it was in the spring of 2022, that was the last plan I heard, again this was many months ago, that they were going to go and completely reset the rail neutral temperature so that we wouldn't have that buckling occurring.

Coupled with doing that, though, they would have to provide the City with a risk assessment to ensure that they've done their due diligence before doing that. Because if you alter the infrastructure in one way right now you're being affected by heat. If you go too much you could then be affected by the cold. So you have to prove through a risk assessment that you've done that due diligence.

As for the short-term mitigations when that occurs, the short-term mitigation was they subcontracted out to rail contractors who would cut the rail and it's call "destressing". And you essentially move some of the rail out to take some of that stress out of the rail so it doesn't buckle any more.

CHRISTINE MAINVILLE: So is that completed?

BRANDON RICHARDS: The destressing?

CHRISTINE MAINVILLE: All the mitigation ordered.

BRANDON RICHARDS: The destressing and whatnot was done within a few weeks of those things happening, if I remember right. The resetting of the rail neutral temperature to actually fix the issue, I have no idea where that stands now.

CHRISTINE MAINVILLE: I think we'll go off record for a minute.

-- RECESSED AT 2:32 P.M. --

-- RESUMED AT 2:47 P.M. --

CHRISTINE MAINVILLE: Mr. Richards, we were talking about some of the issues that the LRT encountered. Do you -- I take it you weren't there, I think, when there were many switch failures?

BRANDON RICHARDS: No, that was before I got there. I think that was in 2019 in the winter, wasn't it?

CHRISTINE MAINVILLE: Right. Were you there, or were you made aware of any of the solutions that were applied to that, or risk mitigation measures?

BRANDON RICHARDS: I think they

upgraded the switches to gas heaters, if I'm not mistaken.

CHRISTINE MAINVILLE: From your perspective was that issue resolved by -- ultimately when you were there?

BRANDON RICHARDS: I mean, while I was there we had very few switch failures, so I think it was.

CHRISTINE MAINVILLE: And another issue that arose were flat wheels?

BRANDON RICHARDS: Yes. Again, that was also before I was there. I know Alstom was working on the wheel truing machine, and I believe they also did some stuff with the brake rate on the train, but that was all before I was there. And we didn't really have flat wheel issues, other than normal, while I was there.

CHRISTINE MAINVILLE: Didn't that arise in the summer of 2020?

BRANDON RICHARDS: The flat wheels? We had the cracked wheels in June of 2020, that's when they occurred; that's different.

CHRISTINE MAINVILLE: Do you have an understanding of the root cause of the flat wheel issue?

BRANDON RICHARDS: I don't know -- I know what causes flat wheels. And I think that what they did, like I said, with the brake rate helped.

I don't know exactly what the root cause was, if it was the lack of doing the wheel truing and maintenance on them, and in conjunction with that the brake rate needing to be adjusted. But I can't say that's the cause because I don't know.

CHRISTINE MAINVILLE: Could I ask you if you know typically would there be, at least in a location like Ottawa that has a similar climate, with hot summers and winters, would there be a need for different speeds or journey requirements based on inclement weather?

BRANDON RICHARDS: Only in the infrastructure is affected by such weather. The system should be designed to safely operate at its intended operating speeds regardless of, you know, cold or hot. I mean, I suppose if you're talking about extremes such as tornadoes or high, high winds, then you'd have to adjust accordingly to your operating procedures. But if we're talking about just going from minus 30

in the winter to plus 30 in the summer, the system really should be able to operate in those conditions, if designed properly. And that goes back to the rail neutral temperature.

CHRISTINE MAINVILLE: What about just if the rails get more slippery, or there's more slide that occurs because of either cold or other --

BRANDON RICHARDS: So the vehicles have different brakes on them. If the train's not able to slow down -- CBTC obviously tracks the speed of the train, its position relative to other trains, where it's docking, and a variety of factors. And if it's not slowing down fast enough it would respond and EB, let's say. So it would drop its -- I can't remember the name of the brake but essentially it's like an electromagnetic brake that would come down and clamp on to the rail and stop the train in a much more aggressive manner, if need be. So that's just one of the mitigations for it.

So, I mean, like I said, if the weather is changing the infrastructure in such a way that it is creating an unsafe environment, then you may reduce your operating speed to do

that, but not normally.

CHRISTINE MAINVILLE: And so "EB" does not stand for emergency brake.

BRANDON RICHARDS: Yes, it does, emergency brake.

CHRISTINE MAINVILLE: And was it your understanding that this may have contributed to the flat wheels, or do you not know?

BRANDON RICHARDS: So EB, emergency braking, can happen for a wide variety of factors. It's the system responding to events that are occurring outside of its parameters and making sure that it's going to its safest state.

So EBs could happen in so many different capacities. So, like, there's guideway intrusion detection systems, that's one of the systems we have. If that gets tripped and a train is within a certain envelope of that system the train will EB. The train has no choice, it has to EB because potentially there could be someone on the track, so just as an example. I don't know if that answers your question.

But it's not just environment that would cause a train to EB, there's many other

factors. So I think that it could be that when the system was brought on line if there's a lot of issues that are tripping the EB, let's say, and causing the train to emergency brake it could contribute to more flat wheels than a normal operation would.

CHRISTINE MAINVILLE: And in this particular case of the OLRT, did the journey time between stations, did that create any -- was that a cause of concern to you, whether from a safety perspective or potentially creating issues such as emergency braking?

BRANDON RICHARDS: Between the stations did you say?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: Can you repeat the first part?

CHRISTINE MAINVILLE: Whether the journey time caused you concern.

BRANDON RICHARDS: Like, how long it took the train to go through the whole loop?

CHRISTINE MAINVILLE: Just in terms -- yes, but in terms of how the CBTC had to be -- had to respond accordingly, and in terms of acceleration rates and braking?

BRANDON RICHARDS: I wasn't concerned, from a safety perspective because the system was responding by reverting to the safest state in the situation that it's in, and that's something that I'm very familiar with in my work, not just with LRTs but working with freight railroads when you have at great crossing or any of these systems.

I take comfort and I'm comfortable in the environment where they are reverting to their safe state. And obviously you want to know why they're reverting to their safe state. And that's when you sort of do the tweaking and change the brake rates, or the acceleration rates. And you go to different -- you have to tailor it to that.

But no, not concerned. The CBTC system, as far as I was concerned, worked very well, always performed in the way that it was supposed to, from what I could tell, and stopped the train at every turn when it needed to.

CHRISTINE MAINVILLE: Maybe we'll jump for a little while to your work on that system with OLRTC.

When you came into that role what was

the state of play on that? Both -- well, let's start with the work to be done on the CBTC system specifically?

BRANDON RICHARDS: So you want to know when I came into that project where the CBTC was at?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: When I came into the project, like I said, the CBTC was in it's installation phase. Final design was released for construction.

We were installing the transponder tags, building the signal control rooms at the different stations with the zone controllers, the CBTC rooms. So we were building the MSF CBTC room, we were doing Blair, Tremblay and we were starting on U of Ottawa.

They were also doing all of the wayside installation too, so the signaling systems, the switches, the switch heaters, running the cables. It was a lot of the actual construction work at that point in time. And then as we installed it it was doing that documentation we spoke about earlier.

CHRISTINE MAINVILLE: And were you

coming in in the systems' integrator role?

BRANDON RICHARDS: Kind of. I worked on the systems' team at OLRT. So I didn't carry the title of "Systems' Intergrator", that was someone else who was focused on doing the integration of systems, I don't know who. But I was just responsible for CBTC.

CHRISTINE MAINVILLE: So do you recall someone by the name of Jacques Bergeron?

BRANDON RICHARDS: Yeah, he was the engineer of record I think for the project.

CHRISTINE MAINVILLE: And did you work with him?

BRANDON RICHARDS: I ran into him a few times. We didn't work too much together. I worked with Henri Lamothe a few times on the issues with the communication systems for CBTC, so more with him than Jacques.

CHRISTINE MAINVILLE: Did you have any understanding of any challenges that had been encountered in respects of systems' integration generally, but also as it related particularly to the vehicles? The trains?

BRANDON RICHARDS: The -- not really with the trains. I wasn't too involved with the

trains at that point. I was more focused on CBTC.

I know there was some -- I don't know even if you can say it was difficulties, but mor just normal growing pains of integrating the Thales' system into Alstom trains. I think there was some growing pains there, but I don't think it was uncommon for a project to experience that.

The only -- not really any like blaring (sic) problems. It was all just fairly standard, you know, having the different systems integrate.

I mean, Thales did -- the one thing is, Thales did their design for the system, CBTC, and the engineering joint venture of RTG didn't have anything to do with the design, as far as I was aware, it was Thales. But, I mean, it's not surprising because it's sort of a proprietary system for them.

So I think that there was a little bit of confusion at times, if I remember correctly, where I would work directly with Thales to get the engineering drawings to install their system, and the project would have EJV, which is

the engineering joint venture, do the comm systems, the duct banks. So that was part of my role was sort of integrating those two different areas that weren't necessarily aligned, but I don't know that they were designed to be.

CHRISTINE MAINVILLE: And so that mostly would have related to integrating the guideway with the CBTC -- or with the on-board train control system that --

BRANDON RICHARDS: Yeah, like the relationship between Thales and Alstom?

CHRISTINE MAINVILLE: Well, actually, I was referring to the relationship between Thales and EJV's work on the guideway, as opposed to the train work.

BRANDON RICHARDS: Yeah. Like an example would be, like I mentioned before, GID is a system that's called "Guideway Intrusion Detection", so if it trips it's detecting that somebody has gone within the envelope of the guideway and there's a risk that the train could make contact with somebody. So the integration there is that EJV would then fee Thales that as an input so that CBTC would know. So, yeah, they did interact and integrate together.

CHRISTINE MAINVILLE: Were concerns expressed to you from Thales about challenges that they had encountered in respect of integrating their CBTC system?

BRANDON RICHARDS: No, nothing -- no. It was -- I mean, in a project there's always these hiccups here and there about somebody forgot to install this piece of conduit, and this is missing, and we have to figure -- like it was more just the normal day-to-day grind of different things that you had to work through. But nothing blaring about how they disclaimed there was problems or unsafe conditions, or nothing like that.

CHRISTINE MAINVILLE: Would you have had any awareness of issues relating to the integration of the ICDs as between Thales and Alstom, or were you removed from that?

BRANDON RICHARDS: Yeah, I wouldn't have been involved in that.

And ICDs do you mean -- what's the acronym?

CHRISTINE MAINVILLE: I think it's the interface control documents?

BRANDON RICHARDS: No, I wouldn't have

been involved with that. That probably would have been specifically Alstom and Thales together.

CHRISTINE MAINVILLE: So you didn't deal much with Alstom?

BRANDON RICHARDS: Not then, not then, no. Very little then.

CHRISTINE MAINVILLE: Okay. Did you have any sense of OLRTC's general understanding of the CBTC system? Of course you were part of that, but beyond you was there, to your sense, sufficient expertise or experience in that regard?

BRANDON RICHARDS: I think people like Jacques Bergeron knew it well. There was a gentleman there that left when I was there, his name was Andrew King, he knew it well. There was competency in people that understood the signaling system. I mean, not everybody knew but not everybody needs to know.

CHRISTINE MAINVILLE: Did you come across any instances of the contracts, the various subcontracts not being aligned in respect of issues relating to the CBTC?

BRANDON RICHARDS: With the

subcontracts? No, no. When you say "subcontracts" are you referring to --

CHRISTINE MAINVILLE: EJV, Alstom and Thales, as opposed to the --

BRANDON RICHARDS: Like I said, I don't think I saw anything that was a blaring issue. I wasn't really privy to that relationship. Like I said, I got most of my information from Thales and EJV, and my role was to sort of marry them together. So as far as how they all worked together integrated I didn't really have a lot of exposure to that.

CHRISTINE MAINVILLE: And you mentioned some challenges relating to the PICO document and being a new type of document, can you explain that.

BRANDON RICHARDS: New to the companies that were working with it, like RTM and the subcontractors that I was dealing with. Not new to Thales, as far as I know. I think it's a process they've had for a while.

The reason -- it was a fairly significant challenge because of the volume and detail that was involved with it. I think for projects that the subcontractors I was dealing

with were used to it was quite extensive, and it also had the railway element so they needed to have education on that as well.

So, for example, installing, you know, component X had to be recorded to a very minute detail of specific chainage, "chainage" being an actual designated physical location on the track. And then, like I said, all the other technical testing involved within this was a prerequisite to be able to even begin doing the commissioning.

So there was challenges with it because, like I said, nobody had done them before, and I hadn't either so I had to try and figure out how to sort of bring all of this together so it wouldn't delay the project and getting into the testing and commissioning phase.

CHRISTINE MAINVILLE: And were you there when testing and commissioning started, as it relates to the CBTC system?

BRANDON RICHARDS: No. CBTC -- we didn't start commissioning the CBTC while I was there. When I was there the big push was to get the test track up and running, and that was more

for dynamic testing on the train. So I was aware it was happening but wasn't involved in it.

CHRISTINE MAINVILLE: Were you aware that there had been some delays, including to validation testing, which Thales would have been a part of to some extent?

BRANDON RICHARDS: No, I didn't. I wasn't aware of that.

CHRISTINE MAINVILLE: Are you able to speak to Thales' system a bit and tell us what, if anything, is unique about it in terms of the CBTC.

BRANDON RICHARDS: Unique about it? I mean, they are known to be pioneers in this industry from Alcatel when they built the cell track system.

So I like to think -- and from my involvement I really -- it's not really relevant but I enjoyed working with Thales. They are very professional and intelligent people and I really enjoyed learning from them.

I don't have experience with Alstom, CBTC or with Bombardier so I don't know what's different about Thales' system and theirs.

There's a lot of similarities to what I work with now with Hitachi. I don't -- I can't say that it's -- I couldn't really tell you what's unique about it. I mean, it's probably more at the software level.

CHRISTINE MAINVILLE: And is it -- for instance, I understand it's a wireless system?

BRANDON RICHARDS: In what sense? The way it communicates with the train?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: I guess I can -- do you want me to just tell you what I know of the Thales CBTC system?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: So the Thales CBTC system on the Confederation line is composed of five zones, there's five zone controllers. The zone controllers have designated areas to which they govern movements.

They feed back to the main ATS, the automatic train supervision, which compiles all the different zone controllers' inputs. That's all through a fibre optic network.

There's two fibre optic networks. One is a multi-modal fibre optic network, which is

how the wayside equipment communicates with the train. So you have these radios that are alongside the track that speak to the train, for lack of a better term. They communicate its position, thus the name "communication based train control", so it can track one train's movement relative to another train's movement; will never allow them to get within a certain envelope of each other; make sure there's proper braking distances. And at a high level that's how it works.

CHRISTINE MAINVILLE: And is that latter part you've described, about that safe distance between trains and control, is that something that is in some ways unique to Thales?

BRANDON RICHARDS: No, no, and it's tested too. You progressively go through different tests to make sure that you're safe. And you will actually test the system so that it actually does prevent a train from entering another train's envelope, that it stops properly. So not unique to Thales, no.

CHRISTINE MAINVILLE: As I understand it Thales' system is not a plug-and-play system?

BRANDON RICHARDS: Yeah.

CHRISTINE MAINVILLE: How does that compare to other similar CBTC systems?

BRANDON RICHARDS: I think, and this is just an assumption, I think they're all the same from the perspective that they're not plug-and-play with each other. I think it really just comes down to the software.

Because it's -- from my understanding, and based off of just conversations I've had, I'm not sure if this is even true or not, but I think it comes down to the code that's written for the line specifically, because it is very specific to that line.

I don't know why you couldn't buy an Alstom product, or -- I guess not Bombardier any more but another system for Stage 2 and not use Thales, I don't know why, but never really had to poke that.

CHRISTINE MAINVILLE: Do you recall who was to install the on-board system on to the trains?

BRANDON RICHARDS: For the CBTC?

CHRISTINE MAINVILLE: Yes.

BRANDON RICHARDS: I know Alstom had -- they called it a VOBC, a vehicle on-board

computer; it was a box. I remember seeing them. They were 3 foot by 4 foot, not too big. But I believe they built the VOBC and then I think Alstom was to install it on and do all the connections, I think that was the arrangement.

CHRISTINE MAINVILLE: And would that be typical, from your perspective, or would Thales be better placed to do the installment?

BRANDON RICHARDS: No. I mean, just from my experience, and I don't know if I can say what's typical for these projects, but I think Alstom would be better suited for doing that because it's their vehicle. So they would have all the infrastructure for the train, the wiring -- they would know the train better than Thales would. Thales would just be providing this spec of VOBC for them to install, which I assume would have been spoken to far before build.

CHRISTINE MAINVILLE: And then do you recall what was the plan for PICO testing as it related to the internal components to the VOBC?

BRANDON RICHARDS: On the VOBC I didn't have anything to do with the PICO testing on that. OLRT and Thales did have conversations

about who was going to be responsible for what PICO testing, and the VOBC was under Thales' scope so they did that PICO testing.

CHRISTINE MAINVILLE: Do you recall a company called "SEMP" coming in to assist with some of the system's integration?

BRANDON RICHARDS: I wasn't there for that, I know who SEMP is though.

CHRISTINE MAINVILLE: When you left the project how was the integration coming along of the CBTC system?

BRANDON RICHARDS: When I left the project -- so when you say "systems' integration" I'm not sure what you mean. Do you mean like the actual full integration of the different systems, or CBTC itself how it was coming along?

CHRISTINE MAINVILLE: No, CBTC with the other systems, so integrating that with the other systems.

BRANDON RICHARDS: They weren't there yet. CBTC was being installed but some of the systems that needed to integrate with CBTC, like SCADA, GID, EFTAS [ph], they weren't installed yet. So it was -- the integration hadn't

started at that point.

CHRISTINE MAINVILLE: Now coming back to your work with the City, do I understand that you have a perspective on the performance of Alstom maintenance?

BRANDON RICHARDS: Perspective on Alstom maintenance? I mean, from what I've seen and what I've been involved with it seemed like things were being done in accordance with the maintenance and rehab plan, but it seemed like there was some disorganization sometimes with how it was done.

And I guess the example I can give is -- and it wasn't a safety concern it was more of an operational concern. I remember there was an inspection coming due -- I think it was the 250,000 kilometre inspection for the trains. I mean, it's no similar (sic) than your own vehicle, you have to get it X amount of different things checked depending on the mileage you run.

I remember it impacting operations quite a bit, and it almost sort of came up as a surprise that this needs to be done now, and it was taking trains out for three days at a time,

or whatever it was.

So I found there to be, you know, at times some maybe scheduling issues, or just a lack of foresight for the planning.

I didn't have concerns that the critical safety checking for it wasn't done, because in rail operations there's a team that checks that maintenance activity was done properly, that it was logged properly, the paperwork was done. And that all has to be compiled before the train goes out into service the next day, and signed off by those City officials. So that was always in good order. And then the trains would have been meeting the PA specifications, especially for safety to go into service. So that was why I didn't have concerns about the safety element of the maintenance being done, but I did see operational and reliability struggles from the maintenance side.

CHRISTINE MAINVILLE: Did you have a sense of their level of resourcing and experience? And did you have any concerns there?

BRANDON RICHARDS: Experience? I

mean, they're a large global firm and when issues did arise they did bring in very competent, qualified people to help.

When -- as far as their actual staff and experience I can't speak to what level it's at because, again, the relationship was supposed be that RTM managed them and we would deal with RTM. RTM, I think, has one individual that is a vehicle person so I think that there probably could have been more there for the oversight of Alstom.

But as far as staffing levels, in the return to service plan we had asked for -- I don't have the document but I think we'd asked for Alstom's staffing plan, what resources they were going to have in place in RTM to improve on what was initially there, based on what had happened.

I don't know the status of it, if they actually carried through with it or not and they hired those people.

CHRISTINE MAINVILLE: Did you have any concerns with the initial return to service plan following the second derailment?

BRANDON RICHARDS: When we got to the

point where we actually signed off on it, no, I didn't have any concerns.

We did extensive work. I worked directly with TRA, the independent safety consultant who came in from the States to help with the return to service. I worked very closely with them for the entire time that we were working on that.

I had -- we had some engineers from their team that helped with the analysis of the 7,500 kilometre checks and the quality programs and monitoring, and we did extensive work. So I was comfortable that we had mitigated the risk that caused that derailment. At that point I felt we had done our due diligence to return to service.

CHRISTINE MAINVILLE: Do you know about the comprehensive safety investigation report following the second derailment?

BRANDON RICHARDS: When was it issued to the City?

CHRISTINE MAINVILLE: I don't have the date here. You're not aware of anything that --

BRANDON RICHARDS: I saw so many reports at that time I don't know if I can pick

this specific one out.

I know that Alstom did have -- is it an Alstom report? Or an RTM report? Either way, I know we had issues with getting timely reports after incidents like derailments. So it's entirely possible that it may have come after I left.

CHRISTINE MAINVILLE: Just going back to -- I asked you about Alstom maintenance, you would have had more interaction, I take it, with RTM. What is your assessment of their performance.

BRANDON RICHARDS: I think especially after September there was even acknowledgment from RTM that they needed more staff to support the oversight of Alstom.

In the incident of September RTM, in the return to service plan, identified that not only did they need to increase their level of oversight with 24/7 management oversight of Alstom, but they also were to hire an independent firm to assess the level of maintenance Alstom should be doing on the vehicles, relative to the maintenance and rehabilitation plan, break that down into how

many hours it would take to equate into resources. And then from that they would determine if they needed to further increase their organization from what their proposal was from the return to service plan. That was still under way when I left.

But there was a consensus from the City and RTM that they needed to increase their resources to have oversight of the contractor.

CHRISTINE MAINVILLE: And you mentioned someone, one person who was more specialized or focused on the trains, who was that?

BRANDON RICHARDS: His name is James Messel -- no, sorry, that's a different person. What's his name? Oh, if I remember I'll tell you. I can't remember his name.

CHRISTINE MAINVILLE: No problem.

Would you have had the opportunity to review their maintenance plans and other procedures?

BRANDON RICHARDS: No. I mean, you have to understand that it's thousands upon thousands of pages with the amount of maintenance activities they would have done.

When it came to the incident happening and -- for example, when I said before I would ground an LRV because of a reason that I had a concern for safety. Then I would have to have record of the maintenance activity they did and then have the team cross reference if that maintenance activity was appropriate and if it was carried out properly. So in those situations I would, but of the entire maintenance and rehab plan, no, I wouldn't have read the whole thing.

CHRISTINE MAINVILLE: And are you able to speak to what, if any, pro-active maintenance was being done by either RTM or Alstom maintenance?

BRANDON RICHARDS: When you say "proactive" do you mean outside of regular maintenance that was specified?

CHRISTINE MAINVILLE: Yes, in terms of foreseeing potential issues.

BRANDON RICHARDS: As far as I know I don't know of anything above what regular maintenance would have been stipulated was done, other than mitigations that they would have determined necessary based on incidents that

happened.

CHRISTINE MAINVILLE: In terms of the City's oversight, is there anything that you think the City could have done more in terms of oversight to -- that could have helped prevent some of the issues that were encountered in terms of the breakdowns and derailments?

BRANDON RICHARDS: I guess I can answer that by saying I think that more oversight is good.

I had put together in 2021 a -- an OC Transpo oversight plan, like an annual oversight plan for things that would be monitored, and more oversight engagement with RTM to make sure that -- and this all tied back to regulation and making sure that the maintenance was being done properly, and all that. So I was taking steps to increase that because I felt that it needed to be increased.

CHRISTINE MAINVILLE: And is that something you would have expected to be in place, or at least that there would have been more of it prior to your arrival?

BRANDON RICHARDS: I think that's a tough thing to answer, because I know that the

contract was set up so that, you know, you do have oversight, but I think there was a -- there's a reliance that the contractor is able to do the oversight of its contractors and deliver the service safely.

And the reality was different than what was expected, and that's where I think it was time to pivot and then put an oversight plan in for OC Transpo, to respond to these incidents and start to take action and have more oversight to hopefully prevent future one.

CHRISTINE MAINVILLE: And to what extent was it different than expected? That wasn't, it seemed, sufficient oversight by the contractor?

BRANDON RICHARDS: I mean, I'm just speculating. I think -- I mean, the way that I am understanding the contract being set up is service delivery. You know, you deliver the service safely and the payments are made. It seemed to be more geared around that than -- yeah, I think it was more just based on having people move than it was on -- I don't know how to articulate it. But -- I think if -- I think if the contractor had had more oversight in

place, as identified in the return to service plan earlier on, it could have prevented some things from happening.

I'm not sure if it would have prevented the derailments because it was something that occurred that wasn't identified in Alstom's consolidated safety file. So I'm not sure if that would have been detected by more oversight, but I think it would have benefited the project to have more support and oversight from the contractor earlier on.

CHRISTINE MAINVILLE: The contractor being --

BRANDON RICHARDS: RTM.

CHRISTINE MAINVILLE: And this tags into the same thing, but how -- how would you articulate how far the City's responsibility goes in terms of ensuring a safe environment, as opposed to the contractor's?

BRANDON RICHARDS: Well, I think that the City is the one that's responsible for the safe environment and operation, in totality.

I think -- at the end of the day they're bound by regulation. The City is responsible to deliver safe service and has a

responsibility to the public and its customers to deliver a safe service. I think the responsibility lies with the City.

The contractor obviously has a responsibility to provide, you know, a safe system as well, but the City is responsible. And that's why the delegated agreement has the City as the person who's to be compliant with regulation.

CHRISTINE MAINVILLE: In terms of tools that you had to do your job, is there anything that you've seen elsewhere, or that you think you could have in terms of additional tools that you did not have?

BRANDON RICHARDS: I think that the contract could have been structured to support maybe more -- I guess it would have been financial penalties on safety occurrence incidents than it does. Like I said before about the ceiling panels, for example. I created the safety order and issued that, but as far as actually being able to contractually do anything about it there was really not too much.

So I think that that would have been a beneficial tool to have, to have some sort of a

lever to pull to be able to enforce that, without shutting to line down, which is a bit of an extreme situation in that circumstance.

CHRISTINE MAINVILLE: Did you ever see a term sheet that was signed in order to allow the system to go into service, or to meet RSA, revenue service availability, that deferred certain retrofits until after the RSA date?

BRANDON RICHARDS: No, I wasn't even aware that there was one.

CHRISTINE MAINVILLE: So you weren't aware of retrofits outstanding, even while you were there, to the train?

BRANDON RICHARDS: I knew of some retrofits that were outstanding but I didn't know that they were something that was accepted for RSA.

CHRISTINE MAINVILLE: There was a, am I right, a first triennial audit of the OLRT safety management system?

BRANDON RICHARDS: Yes, the agreement was that after the first year of operations and then after that every three years.

CHRISTINE MAINVILLE: So there's been one up to now?

BRANDON RICHARDS: Yeah. One up to now, yeah.

CHRISTINE MAINVILLE: And what were the findings in their -- if you're able to speak to them generally?

BRANDON RICHARDS: The findings were pretty good in favour of the City, from what I remember on the SMS.

We did two audits. The agreement with Transport Canada was to do the security management system and the SMS. I wasn't responsible for the security management system but I did facilitate the audit because it is a regulatory function for the deliverable.

So the security management system had a number of recommendations, including updating cyber security, just sort of doing an update of the actual SEMS. I don't remember all the details but it had more recommendations than the SMS. The SMS there wasn't too many recommendations for it. I want to say there was three or four, but I can't remember what they are.

CHRISTINE MAINVILLE: And you spoke about Confederation safety line meetings?

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: What type of issue were discussed in that context, and who was in attendance?

BRANDON RICHARDS: I had Troy Charter from Director of Rail Operations, and he had a second person named Duane Duquette. I had people from my team there, a couple of program managers representing safety, the regulatory side and sometimes training, if required, and then I would have RTM attend. Alstom wouldn't be there because they're the subcontractor of RTM.

And we had a structured meeting that was developing throughout the operation, but in the end we were covering off upcoming regulatory filings, audits that were occurring, rule violations, safety incidents that occurred. RTM would have theirs and Alstom's, and then we had ours. And we would compare and analyze the data and sort of have these working sessions where it's looking at all the safety incidents that happened throughout the month.

CHRISTINE MAINVILLE: Now, in terms of OC Transpo, and operations more specifically,

you had a branch responsible for transit training, what is in place for ongoing, long-term training for OC Transpo specifically. So the operators but also the employees in the control room and --

BRANDON RICHARDS: Yeah.

CHRISTINE MAINVILLE: As it relates to the LRT specifically, the Confederation line.

BRANDON RICHARDS: So specifically long-term and not the qualification training?

CHRISTINE MAINVILLE: Well, we can do that after but, yes, what's planned?

BRANDON RICHARDS: Generally it would be -- you'd have to do operating rule refresher training. Sometimes -- think it's every -- it's either every year or every three years, I get confused because I've worked for so many different railways and some people do it every year, some people do it every three years. I think at OC Transpo I think it's every three years.

So we would do operator refresher training. There would be different modules for if you're talking about the control room, the controllers would do for refresher training.

That was something that was in development while I was there. It still was in development when I left because the controllers were traditionally trained by a third-party consultant, and that was something that I was working to bring in-house. So that curriculum was being developed with help from another SME. But the plan was to do on-going refresher training and monitoring and making sure they were up-to-date.

For the operators on the trains they would do, like I said before, RM mode, which is a restricted, manual operation of the train. So they would actually do -- because normally they don't drive the train, normally CBTC just runs. So they would be forced to, I believe it was two hours a month, drive the train manually so they were familiar with it, how to drive the train and make sure they weren't going over the speed profiles and emergency breaking and stuff like that. So making sure they were familiar with that.

And because if it ever needed to do some sort of an emergency procedure they would need to drive the train manually. So making sure they're up to training. So they would do

that. They would do the rules refresher training.

In the railway you issue bulletins if there's changes to any rules, or special things that are occurring on the line. So they would be trained on bulletins as they come out. I think that's pretty much it.

CHRISTINE MAINVILLE: And who trains -- who delivers the training?

BRANDON RICHARDS: For the operators it is in-house fully; the controllers it's coming in-house, I'm not sure if it's there yet. We had hired an instructor before I left but not for long, so I'm not sure if that's in place yet, but for the operators it's in-house training.

CHRISTINE MAINVILLE: And is there any refresher training or update training for the trainers?

BRANDON RICHARDS: Yes. That's -- so -- I don't know how -- because of the way that train program is set up it's identified in SOP what prerequisites somebody needs to become a trainer on the Confederation line, and it involves experience as a trainer, drive time on

the vehicle as an operator, so on and so forth.

And then for -- we do professional development, that's something that I started with the group when I got there. So every -- we were doing it every quarter. We were doing professional development and helping the trainers to -- it was a wide variety of different things that we were teaching them on everything from auditing practices to communicating with students. So we do a lot of professional development. And then also the refresher for the rules training, and whatnot, as it becomes new and changes.

CHRISTINE MAINVILLE: And in terms of training from either Thales or Alstom, is that seen as -- you know, something that would be advisable to have going forward? Because I understand initially they had people training the trainers when the system began. Is that something you would expect to see happen again along the way?

BRANDON RICHARDS: I think for the control room that's something we had talked about, is sending people to Toronto to get training from Alstom, because it is -- the CBTC

system is theirs. We wanted to have them involved. Yes, I think Thales would be good to have for that.

Alstom plays a small role in providing some training to operators when it comes to -- they have processes if there's issues that occur on the train that are fairly easy for an operator to fix. They might train them on a procedure on how to reset a door, for example, so they're involved a little bit. But other than that I'm not sure what role they would play in training, moving forward.

CHRISTINE MAINVILLE: And you said for Thales it would be good to have. Do I take it it's not been arranged for?

BRANDON RICHARDS: Not since I left, unless something has changed since then. But I think it would be good, yeah.

CHRISTINE MAINVILLE: And then did you see, when you were there, any issues with operations in terms of lack of experience or preparedness, or anything that could have that required some improvements?

BRANDON RICHARDS: Whatever growing they had gone through it by the time I got

there, and they seemed to have a pretty good knowledge base of individuals, especially in the leadership side of things. I mean, Dwayne was a veteran of rail operations. He was good at understanding the intricacies of it.

I remember another individual named Derrick Morin [ph], he was well versed in how the Confederation line ran because he was involved in it throughout the entire Stage 1 building process.

I felt like from their perspective I think the competency was pretty good. I didn't have any concerns with the actual operations team delivering, were always pretty good.

CHRISTINE MAINVILLE: Were there any challenges relating to incidents -- response to incidents or events on the line in terms of how those were to be addressed between OC Transpo and RTM or Alstom?

BRANDON RICHARDS: I think the dividing line between who was to responsible to attend or respond to them was clear. If it was a vehicle issue Alstom was to be there. If it was a station issue RTM. I think that was clear.

I think there's always improvements that can be made and efficiencies that can be sought on how it's done. For example, with Alstom the way they deploy technicians, one of the things they said they were going to start doing more of was having them more centrally located on the line so they would have quicker response times. So I don't think that there's anything that's out of the norm for the industry, but improvements can always be made.

CHRISTINE MAINVILLE: Are you aware of any complaints from Alstom, or RTM about accessing -- not being able to access certain information from OC Transpo when an event occurs?

BRANDON RICHARDS: Never heard that, no.

CHRISTINE MAINVILLE: Would it make sense to you that they'd be able to, for instance, interview the operator when something occurs, or have access to some of the footage, given their role in investigating some of these events?

BRANDON RICHARDS: To my knowledge they did. To my knowledge they did interview

the operator for in September, for example, and the footage -- I don't know about the main line, but I remember the yard reviewing it with them so I think they do.

CHRISTINE MAINVILLE: Okay. Are you able to speak to how the operation manuals and operating procedures are updated, including when Thales makes updates to its systems, for instance?

BRANDON RICHARDS: When you say "operating procedures" do you mean specific to OC Transpo? You mentioned Thales.

CHRISTINE MAINVILLE: No, specific to OC Transpo, but how they're updated to account for any changes made to the trains or the signaling system?

BRANDON RICHARDS: If we take the example of Alstom, for example, if there's something that -- a retrofit, for example, that was done that needed to be communicated to operations, operations would then incorporate, based on whatever parameters they have provided for that retrofit, to be included in their operating procedures.

The process, I don't know it off by

heart, but I believe it's Alstom communicates to RTM, RTM to the City, the City integrates and implements whatever's required.

CHRISTINE MAINVILLE: I think you might have touched on this a bit earlier, but are you aware of a change that the City ultimately made to the settings for the brakes that may have had some connection to the flat wheel issue and the emergency braking, or the speed profiles?

BRANDON RICHARDS: Yeah. I believe Alstom made those changes because I think they were trying to -- and again this is all speculation because I don't know. I wasn't there when they did that. But I did hear that they did change the brake rates. And why they did that, my understanding is that by reducing the brake rate, for example, the wheel will not slide as much, it's almost like ABS breaking on your car. And by not sliding as much it won't cause flats as much. So by doing that it helped to alleviate the issue of flat wheels, is my understanding.

CHRISTINE MAINVILLE: Were you aware of the discussion that took place around

there -- around that issue at the City level?

BRANDON RICHARDS: No. No. Again because it was before I was there. I mean, I had heard conversations about how it was done, and I know in operations they do have different types of braking that they use to change the way that the vehicle enters and docks at a station, for example, or the way it approaches. But beyond that, no, I don't.

CHRISTINE MAINVILLE: Can you say why did you leave your position at the City?

BRANDON RICHARDS: I left for an opportunity to work with a global company for more exposure in different areas, and career growth.

CHRISTINE MAINVILLE: Do you have any views on what may have contributed to the issues that this LRT faced, the breakdowns and derailments, you know, from a broader perspective in terms of root causes, or things that may have contributed. So standing back from -- so not the specific mechanical failures or quality control issues, but why this particular project may have encountered the issues that it did?

BRANDON RICHARDS: I've asked myself that quite a bit. I can never really bring it down to one thing or even many things. I don't know if I even fully understand what's happened there. I mean, the -- I think that what I've concluded is that LRTs are a newer technology in Canada maybe and the procurement processes, the regulations, it's regulated very differently than in the States, for example. The State has oversight and there's federal mandates around how LRTs function. It's different in Canada.

I wonder if it's just a new type of system to Canada and we're just sort of getting our feet on the ground on how to build them. I'm not sure.

CHRISTINE MAINVILLE: You worked on other rail systems, do you have a view as to when you're dealing with a new system, you know, how much running time there should be, burn-in period, dry runs, practice runs before the system is fully operational?

BRANDON RICHARDS: So do you mean the testing, commissioning, trial running? How long that should be before it runs?

CHRISTINE MAINVILLE: Yeah.

BRANDON RICHARDS: Well, I think, you know, you define your criteria and you observe the performance and then you can make your assessments from there.

I don't know that there's a 90 days, 120 days number that can be thrown at it. I know from other projects that I've seen or been on that it's a fixed amount regardless of the performance. If it's going really well we're still going to do 90 days of trial running. So I don't think it's a one-size-fits-all.

CHRISTINE MAINVILLE: And what would you expect in terms of the reliability and performance of the system prior to it going into full service? Like, is the expectation that the system will run smoothly by the time it goes into operations?

BRANDON RICHARDS: I would think that that's the expectation. I would have that expectation as the client if I was buying an LRT.

I think the reality is that testing is accurate to real life as it is not real life. So there are situations that arise when you have, you know, 600 people piling into a train.

Some things, as much as you forecast them and mitigate the risks it may not respond in the way that you had thought it would.

So I think it's not unreasonable to say that, I think it should have a high reliability but I'm not going to be surprised if I have a few hiccups.

CHRISTINE MAINVILLE: And is one option to have -- let's say if there are some potential issues foreseen, is one option to have a soft start, or a progressive start to operations?

BRANDON RICHARDS: Yeah, I suppose. I don't think that there's any one-size-fits-all There's nothing wrong with doing a soft start. I can see the benefit for both, to just sort of rip the Band Aid off and get it going, as long as you have confidence in the safety of it. But then I can also see the progressive build-up to a full system as being good too.

I think that it would come down to is whatever analysis and risk assessment you've done to determine the best path forward.

BRANDON RICHARDS: Right. I think that's generally defined too by the client,

right? The trial running period is generally something that's stipulated in the contract before award too.

CHRISTINE MAINVILLE: And the client being the City, in this case?

BRANDON RICHARDS: In this situation, yes. Sorry, I'm used to --

CHRISTINE MAINVILLE: And do you have any views on the state of the system now, or at least at the time of your departure, whether you have confidence that things have improved, or do you foresee -- did you see some potential weaknesses still by the time you departed?

BRANDON RICHARDS: I saw improvements I saw continuous improvements. I saw better response and planning from the contractor in the way that they dealt with the axle bearing checks, that got a lot more efficient. And I think that maybe came with being experienced in doing it. It got better.

I feel as we went further the risk got lower as people got more comfortable with the way that we wanted to operate moving forward.

I did see improvements. The return to service plan did highlight a lot of activities

that needed to happen after service opened back up. Had I still been there I would have wanted to continue tracking those to make sure they didn't fall through the cracks, because they were critical in making sure that the system remained safe and in operation.

And things like the hot bearing detection. Things like the root cause of the bearing failures. Those needed to continue to be pursued.

CHRISTINE MAINVILLE: And who took over your position after you left --

BRANDON RICHARDS: They hired somebody pretty recently, his name is Paul Treboutat

CHRISTINE MAINVILLE: And did we cover the various individuals who effectively oversee safety? We mentioned Sam Berrada, we mentioned the other compliance officer, and the City Manager, of course, ultimately is responsible. Is there anybody that is part of that framework who has a role in this oversight, safety oversight by the City that we haven't mentioned?

BRANDON RICHARDS: You mean my direct staff that I had or --

CHRISTINE MAINVILLE: No, just aside

from your own teams. Is there another piece of this -- I guess there would be auditors brought in occasionally for safety audits?

BRANDON RICHARDS: Yeah, if we're talking specific to the LRT, I mean, there's Transport Canada which we do our reporting to. They don't have much involvement.

There's the TSB, which they have involvement when we report to them.

Then we have our internal reporting processes to the City Manager. And then we have my team, Sam Berrada, and then our internal audit staff. I can't think of anybody else, other than my teams, at that point.

But I guess what I could add to that is that everybody in the organization, the expectation that I laid out when I was there with it is that, for example, with Troy Charter as the Director of Rail Operations, you have a responsibility for safety.

The message that we had for everybody was that safety, it's about you, me and it's about us, it's about everybody working together.

CHRISTINE MAINVILLE: And before I ask my colleague if she has any questions, what can

you say about the relationships between the various entities who have a role in ensuring safety? We've mentioned RTM, Alstom maintenance, OC Transpo? How is the relationship? And is that an issue that you saw as, you know, being an obstacle perhaps to ensuring a properly functioning system?

BRANDON RICHARDS: I can say that there's tension because of the commercial disputes, which I'm not involved with or wasn't involved with. But I could see the tension. I know there's friction between Alstom and RTM because they have commercial disputes.

I think there's also a disputes with Thales, I don't know. I'm just guessing based on the delivery of the project.

I know within RTG there's disputes with OLRT. So I know there's a lot of -- and I don't know if that's uncommon for large scale projects that when it's finally said and done there's probably a few disagreements here and there.

But I know it does slow down responses and progress sometimes. I like to think that safety was always prioritized from the City's

perspective and that the line was safe to operate. But I can say that there's some tension between different partners based on the outcomes of the delivery of the project.

CHRISTINE MAINVILLE: And perhaps I'll just ask you this since we have a few minutes. Could the system have returned to service earlier after the second derailment? I understand I think they -- there was -- I don't know if you want to call it delay, but some time that was meant for the City and TRA to sign off on the return to service.

From your perspective did the system have to be shut down that long? Could it have returned faster?

BRANDON RICHARDS: I personally wouldn't have been comfortable moving faster. I felt like we needed to get everything in order before we could move forward, and that included the analysis of the quality of workmanship, the existing state of the vehicles based on that concern, the bearings. There was a few key issues that really needed to be solidified.

I don't think it could have gone faster without the proper engineering analysis

having been done and the risk assessment being conducted. I don't see how it would have gone feaster. And because it's not maybe common for something like this to happen in an LRT, I could refer you to Washington. I don't know if you've heard of that incident? But they had a similar -- right around the same time actually as the September derailment incident here. They had to pull many, many cars out of service and they're still out of service. So it's not unfathomable that it took us a little over two months, it was just the due diligence that was required.

CHRISTINE MAINVILLE: And just one thing to clarify. We spoke about another incident in France with roller bearings burning off on Alstom trains.

BRANDON RICHARDS: Yes.

CHRISTINE MAINVILLE: Do you know how long ago that was.

BRANDON RICHARDS: I did. I thought it was ten years ago. I could be wrong. I remember TRA doing a presentation on it for me but I can't remember the year that it happened.

CHRISTINE MAINVILLE: I'll ask my counsel if she has any clean-up questions? Is

there anything else that you think we should know that we haven't discussed, based on our mandate?

BRANDON RICHARDS: I don't think so.

MS. YOUNG: I just had a couple of little things. One, I was wondering what kind of role you would have played in determining which issues on the line would be considered safety issues? So I think we know that the City would make inspections on the line, respond to issues, and they would determine at that point, or at some point thereafter, whether it was a safety issue or whether it was some kind of other issue. And so my question is, what was your involvement in that and what would the process have been like of determining which issues were safety issues?

BRANDON RICHARDS: Okay. We have standard operating procedures that my team would follow, and one of them that I can think of is the accident investigation reporting -- operating procedure where you identify categorically what constitutes a safety issue. So then the team would take that situation, which ever it is, and identify if it's something

that needs to be escalated, dealt with, how it needs to be dealt with?

So OC Transpo does have operating procedures to be able to disseminate what is a safety issue or is not a safety issue. And then if there's doubt you escalate. Does that answer your question?

MS. YOUNG: Yeah. I think that sounds to me, and I don't know if you agree, Christine, that's sort of separate from the usual maintenance oversight the City was doing? But I might not be understanding that properly.

BRANDON RICHARDS: It is separate.

MS. YOUNG: Yeah. And then I had another question. You mentioned all the safety requirements that were contained in the delegation of authority from Transport Canada. And I was wondering whether you knew whether those were sort of directly translated into the requirements in the Project Agreement or what the relationship was between those two sets of requirements?

BRANDON RICHARDS: So are you talking specifically about the regulation from the delegated agreement, the regulations?

MS. YOUNG: Yeah, essentially just the safety requirements that were imposed by Transport Canada's part of the delegation.

BRANDON RICHARDS: I don't know if that was derived from the PA industry best practice or not. I know there was a law firm called BLG that supported the City in developing that. They might be better to answer where that was birthed from.

MS. YOUNG: I think that's all I have, Christine.

CHRISTINE MAINVILLE: Thank you.

Thank you very much. Mr. Richards. I think that's all we need, but we'll let you know if we need follow-up question.

--- Completed at 3:59 p.m.

REPORTER'S CERTIFICATE

I, HELEN MARTINEAU, CSR, Certified Shorthand Reporter, certify;

That the foregoing proceedings were taken before me at the time and date therein set forth;

That the statements of the presenters and all comments made at the time of the meeting were recorded stenographically by me;

That the foregoing is a certified transcript of my shorthand notes so taken.

Dated this 27th day of April, 2022.

PER: HELEN MARTINEAU
CERTIFIED SHORTHAND REPORTER

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