



VILLAGE OF LAKE ZURICH FIRE/RESCUE DEPARTMENT

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Phillis Johnson-Ball
STB Finance Docket No. 35087
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Surface Transportation Board,

The following Emergency concerns were developed by the Lake Zurich Fire Rescue Department Lake County, Illinois during the document review of the CN proposed acquisition of the EJ&E Rail lines. The report is broken down into three key areas: **Safety, Hazardous Materials, and Transportation Systems**. Each of these areas has been identified to include significant impact on the Lake Zurich Fire Rescue Department's ability to effectively respond to emergency calls within the Village of Lake Zurich as well as in the five communities included in the Lake Zurich Rural Fire Protection District (LZRFPD): Hawthorn Woods, North Barrington, Kildeer, Deer Park, Lake Barrington and unincorporated Lake County areas of Echo Lake and Forest Lake. The Lake Zurich Fire Rescue Department provides a full service emergency services program (fire, EMS, Specialized Rescue) to roughly 40,000 people from four strategically placed stations within a 25 square mile response area.

Safety

It is both my professional opinion as well as that of the Surface Transportation Board's Section of Environmental Analysis (SEA) that one of the most important areas affected by the proposed acquisition is Safety. A particular important part of the SEA's analysis was to evaluate the potential effects of the Proposed Action on freight rail safety, passenger rail safety, motor vehicle safety, hazardous material safety, and pedestrian/bicycle safety. SEA evaluated freight rail safety based on the rate of train accidents per million train miles. The SEA concluded that if the applicants increase train volumes on the EJ&E rail line as proposed in their Operating Plan, the number of train accidents on the EJ&E rail line is likely to increase by 28% compared to the No-Action Alternative, a change directly related to the increase in train miles on the EJ&E rail line. The SEA also concluded that the total number of yard accidents in EJ&E yards would likely increase with the increase in switching activity.

SEA also calculated the risk of accidents at public highway/rail at-grade crossings and concluded that under the Proposed Action, the SEA analysis predicted an increase from 1.57 to 6.04 highway/rail accidents annually on the EJ&E.

Based on the information detailed in the SEA report, we will see a substantial risk in train accident potential on the EJ&E. The Voluntary Mitigation efforts suggested are limited to community awareness and individual hazardous material training which is far short of providing the necessary resources (personnel, equipment, training or access) to effectively respond to a train accident.

Hazardous Materials

With respect to hazardous material transportation, SEA analysis showed that the number of "major key routes" (rail segments where the volume of hazardous materials transported would exceed 20,000 carloads annually) would increase from 2 to 14 on the EJ&E rail line under the Proposed Action. Because of the large percentage increase in the volume of hazardous materials that would be transported on the EJ&E line, the expected percentage increase in reportable hazardous materials release would also increase. **We have made numerous requests to CN for information regarding the types and quantities of hazardous materials they intend on shipping on the EJ&E with no response as of this date. This information is critical for the preparation and training of emergency response personnel as well as for resident health/safety and welfare.** The substantial increase in the transportation of hazardous materials on the EJ&E adjacent to several schools, homes, businesses and arterial roadways creates an extremely dangerous and potentially lethal situation.

The SEA refers to several Voluntary Mitigation programs that can be initiated by the CN in relation to hazardous materials. Unfortunately, most relate to awareness, and are limited in relation to the actual response capabilities or resources for local emergency providers. The voluntary mitigation regarding training is limited to one person per department to attend TTCI in Pueblo, Colorado and does not provide for adequate overall response training or equipment. **Funding to provide department-wide initial, and continued education training on rail emergencies for all the local emergency providers as well as equipment/apparatus procurement to effectively respond has not been addressed.** The fact that the proposed increase rail traffic increase from 5.3 to 20.3 trains/per day on the EJ&E carrying an increased 9.4 hazardous materials cars per train (141 total per day) presents a drastic increased of risk versus benefit that local first responders will be mandated to respond to with little to no additional funding or resources.

At a National level, the increased rail traffic coming from Canada to the United States will result in increased risk of terrorist opportunity in the smuggling of dangerous materials and/or sabotage of rail cars or tracks with intent to cause

large-scale devastation. The report is silent on this issue and does not mention that Homeland Security is equipped to maintain and sustain long term inspections of rail elements in border security.

Transportation Systems

The SEA evaluated the potential effects of increased rail traffic on the EJ&E and the location of the proposed rail line connections on local and regional roadway systems, emergency vehicle response and potential delays. They concluded that an increase in total vehicle delay ranged from 50 minutes to 149 hours. SEA also concluded that 15 crossings would be “substantially affected” defined as a situation in which the Proposed Action queue length would block a roadway that is not blocked under the No-Action Alternative or the roadway would be at or over-capacity or delay for all delayed vehicles would be more than 40 hours per day. SEA considers many of the traffic problems as “pre-existing” conditions and beyond the Board’s authority to mitigate here. But the Proposed Action would, in some cases, exacerbate the existing problems, and at the 15 highway/rail at-grade crossings listed in **Table ES-1, Highway/Rail At-Grade Crossings In The Study Area That Require Mitigation Due to Effects Under The Proposed Action** would cause substantial effects. Two at-grade crossing locations identified in Table ES-1 #2 & #3 as “Substantial” are within the Lake Zurich Fire Rescue response area at Old McHenry Road in Hawthorn Woods (already one significant derailment adjacent to St. Matthews School in 1991) and at the other at Ela Road in Lake Zurich.

One Voluntary Mitigation item listed in the SEA mentions Relocate Emergency Response Facilities. This would not be feasible in our district without initial and continued funding for land purchase, construction, equipment and staffing. This tactic would also only provide a handful of personnel on one side of the track with no local capability for support crews to cross and assist. It is more prudent, and should be demanded, that the applicant provide accessibility by either an over or under pass to ensure our ability to respond and assist on either side of the tracks.

The suggestion of providing telemetry technology to first responders so they are made aware of blocked rail crossings is a viable benefit if it is based on real time. This benefit will only assist in minimizing delays and not address the ultimate problem since we will still be blocked and will need to either wait or seek out much longer alternate routes.

Emergency Response

SEA’s analysis also focused on potential impacts on emergency services in communities along the EJ&E rail line. Based on data on emergency response times established by the NFPA, SEA used an increase of 30 seconds or more in average delay per vehicle and 30 minutes or more for the total delay time that the crossing is blocked in a day. Worse delays could potentially cause a serious effect

on emergency service response times. Based on the analysis, SEA concluded that, without mitigation, 11 fire and emergency medical service providers near the EJ&E rail line would potentially experience substantial negative effects as a result of the Proposed Action. These emergency agencies are listed in **Table ES-2, Emergency Service Providers Potentially Substantially Affected Under the Proposed Action**. The Lake Zurich Fire Rescue Department that operates out of Lake Zurich Rural Fire Protection District station No. #3 is identified in Table ES-2 along with neighboring towns of Mundelein and Barrington who we rely daily on for Automatic/Mutual Aid response.

The impact of a blocked crossing at Old McHenry as related to emergency fire, medical, specialized rescue response would significantly increase our response times to areas across the tracks. Currently, residents will experience response times well within the standard 4-6 minute time frame. Based on the Proposed Action and increase in trains from 5.3 to 20+ per day, we can expect response times much higher than the acceptable standard especially when the alternative route around this crossing adds approximately 7 miles to the response. A life may be saved with a potential full recovery if advanced Life Support efforts can be initiated within 4-6 minutes of a medical emergency. After that time, the scale drops off sharply as it relates to our success in preserving as full recovery. In fire situations, fire typically increases in size every minute so with extended response delays, our ability to preserve property will substantially diminish as well. Also, many areas in our fire district do not have fire hydrants and water must be brought in with fire tenders, adding access delays with our water supply will hinder our suppression efforts and result in a much greater loss.

SEA also concluded that although the number of potential accidents involving pedestrians or bicycles at trail/rail could not be quantified, the consequences of increased train traffic on the EJ&E rail line would increase the risk of pedestrians and bicycles at those 21 trail/rail crossings. A large portion of the EJ&E tracks run parallel to three schools in our area re: St. Matthews, Lake Zurich High School and May Whitney as well as through a Forest Preserve containing many nature trails. Walking/bicycle students routinely take the shortest path to and from school which in this case is crossing the EJ&E tracks in various locations. **The SEA does note the Voluntary Mitigation action that the applicant work with schools to provide fencing but does not provide a solution for students to safely cross the tracks such as the funding and installation of pedestrian bridges.**

I would also like to mention that the EJ&E overpass at Route 12 is quite old and has been subject to many structural impacts from truck traffic below. Based on the overpass age, historical incidents of impact damage and potential of increased rail traffic and weight that the overpass should be tested for its structural integrity to handle the Proposed Action.

Conclusion

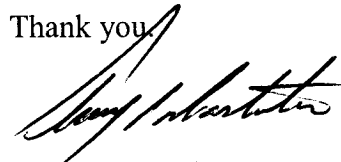
The acquisition of the EJ&E by the CN will diminish our long-standing tradition of preserving and protecting the health, safety and welfare life and property in the area. The purchase provides no benefit and, in fact, will result in a significant environmental and financial impact as it relates to safety, hazardous materials, and transportation.

Major changes on rail lines that require major mitigation to address the significant environmental impact issues as previously stated must be firmly established, funded and in place before any consideration be given to an acquisition of this magnitude. The Voluntary Mitigation efforts outlined in the SEA are significantly deficient to maintain a safe community.

Emergency responders must have unimpeded access across rail lines, and adequate safety devices installed to assure emergency services can be delivered during life threatening events. Delays in our business are unacceptable and mission critical to sustaining life and property, and should not be worsened to appease the private sector with a shareholder charge of simply generating more profit. The STB and applicant must be responsive to the basic needs of a community (fire, ambulance and police services) and must be responsible for all actions (funding and infrastructure) to preserve those services.

I ask that the STB take the necessary time to thoroughly evaluate the environmental impact this proposed purchase will have on our area and not succumb to the request of CN to expedite the process. The safest solution from an emergency services standpoint is to find an alternate route through open areas to move this increased rail traffic and not shift the risk from one community to another. I would also ask that the burden to effectively and totally mitigate the items discussed be demanded of the applicant prior to consideration.

Thank you



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cc: President John Tolomei, Village of Lake Zurich
President Keith Hunt, Village of Hawthorn Woods
President Bruce Sauer, Village of North Barrington
President Scott Gifford, Village of Deer Park
President Alan Stefaniak, Village of Kildeer
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