

January 16, 2008

Surface Transportation Board
395 E. Street, SW
Washington, DC 20423
Attention: Phillis Johnson-Ball
Environmental Filing
STB Finance Docket No. 35087

Surface Transportation Board
CN-EJ&E EIS - FD-35087
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Dear Surface Transportation Board,

My neighborhood faces a very real public health and ~~safety~~ ^{LD} threat by the Canadian National Railway's (CN) proposed purchase of the EJ&J railroad for which I choose to speak out against. The tracks that cross West Bartlett Rd. in Bartlett, Illinois, within a quarter mile east of our subdivision, will be gravely impacted. EJ&E currently runs 5.5 freight trains per day along these tracks. The CN is proposing to run a minimum of 28 freight trains-often a mile-long or more and frequently carrying hazardous materials-through the heart of my community. **This represents a 500% annual increase from 2,000 trains per year to over 10,000.**

Since moving to my home in 2004, I can't begin to count the number of instances where trains have apparently stalled or have "broke down" at the Bartlett Road crossing. The instances typically result in delays of a minimum of 15 minutes, but can also extend beyond 1 hour. The Village of Bartlett often issues citations against EJ&E when this occurs, but to no avail. I believe that train organizations, such as EJ&E or Canadian National, treat these citations as more of a daily operating cost of doing business than as a deterrent or penalty as no improvement results-trains continue to block traffic along West Bartlett Road for over an hour during all times of the day, including rush hour. As a resident-who will hold Canadian National responsible for when their promises of "no stalled or parked trains" along the tracks of West Bartlett Rd. fail to hold true? No one seems to be able to stand up and proclaim that they will oversee and hold Canadian National accountable to operate trains in the manner they claim they will.

Trains blocking West Bartlett Rd. may actually mean the difference of life and death for my daughter, Caitlin. Caitlin has a rare blood clotting disorder called **Immune Thrombocytopenic Purpura (ITP)**. She is an otherwise healthy and bright 2 ½ year old whose body destroys the platelets it produces and ultimately inhibits the ability of the body to clot blood in the event of an injury. Caitlin has low platelet counts (her average platelet counts over the last six months is in the area of 21,000 while the normal minimum value is 150,000, platelet counts below 11,000 can result in spontaneous cranial hemorrhaging). If she suffers even a minor cut or any sort of head trauma, **she**

can bleed out and die. I wish I could express to you in person the fear that looms over my husband and me each and every day. Any time she falls or bumps her head-we are prepared to dial "911" at the first sign of any disorientation. In the event we do need to dial "911"-**we'll need the emergency response to be prompt**, without any delay. Caitlin will need to be immediately evaluated with the diagnostic equipment only found within a hospital for internal bleeding-specifically cranial internal bleeding. I can't imagine or even begin to express to you the idea that if emergency vehicles can't cross the tracks to get to our home, and Caitlin can't get the critical trauma room medical treatment she needs, what that would do to her quality of life-if she survives-or to our own.

I do harbor additional concerns, more general in nature, as to why I believe the STB should not approve the EJ&E access discussed below.

Air Pollution: Diesel locomotives are the single largest source of pollution in the country. They release a fine particulate and NOx pollution that, according to the EPA, can & could prove to be fatal. Everyone in my community, children and adults alike-just 1,000 feet within the tracks, will be doing so in a more polluted and dangerous environment. Our area wetlands and local Tri-County State Park (James Pape State Park which the tracks will directly run along the East side of the park) are endangered as well by the proposed 500% increase in daily locomotives to the area. Endangered bald eagles and cranes have been spotted frequenting this 500+ acre wetland marvel. Endangered fauna, such as Lady Slipper, is also present in this State Park.

Environmental Impact: These trains will routinely carry a significant amount of hazardous materials through our community and State Park. **The CN seeks to increase hazardous material cars rolling through this community from 21 to a minimum of 200 per year, representing a 1,000% increase.** The chemicals they carry include chlorine, anhydrous ammonia, caustic soda, potassium cyanide, and liquefied gas or propane. Chemical and petrochemical comprise two of the three company's top three industries that it serves. The odds that the community may sustain a potentially catastrophic hazmat spill will increase exponentially with this plan. **If a hazmat spill were to occur in our community**, we would be evacuated and ultimately forced from our homes until who knows when. The CN cites a strong safety record. However, 2 years ago, this type of hazmat spill occurred involving a CN freight in British Columbia at Lake Wabamun. 700,000 liters of oil and toxic substance was spilled into Lake Wabamun. Estimates indicate that it will take upwards to 50 years for the environment impacted by the spill to recover. If CN can't properly manage the tracks it already owns, how will it manage the additional tracks it acquires within my community? Additionally, I have had first hand interactions with the Village of Bartlett and can assure you that the village lacks the leadership and infrastructure to deal with a hazmat situation of that level.

Public Safety: While Bartlett has been fortunate enough to have suffered no recent pedestrian deaths at railroad crossings, other communities with comparable train traffic like Barrington experienced 3 pedestrian deaths in 2007 alone from train traffic. **The potential for fatalities in our community to occur will only increase.** Automobile drivers, sensing that there is no access around the EJ&E traffic, may feel more compelled to go around the crossing gates. I have witnessed this firsthand when it “appears” that a train has been stopped for a period of time-vehicles will weave through the gates and cross the tracks. I can guarantee that a driver will feel “safe” and “o.k.” and will cross the Bartlett Rd. tracks yet again. It is almost a ‘status quo’ thing to do along Bartlett Rd. if the train has been stopped for 10 minutes or more & there’s enough room to get through.

Emergency Services: The closest trauma center is St. Alexius in Hoffman Estates, located 9 miles and 14 minutes away and is unreachable from our subdivision in the event the tracks are blocked. If an ambulance responds to a trauma for my daughter, elsewhere within my neighborhood or at Nature Ridge Elementary School, and is forced to wait for a freight train, initial emergency care is delayed. An ambulance with a critically ill or injured patient caught waiting for a train to pass-precious time is lost and can literally mean the difference between life and death for a victim whose only hope is the intervention and care delivered once inside the Emergency Room. Every minute, down to every second counts in emergency response.

The Village of Bartlett is constructing a new fire house on the east side of the tracks. Great-so as long as there are no freight trains passing through to prevent them from responding to a health or safety emergency. In addition, Bartlett police may be prohibited from being able to respond to our community needs as well if waiting for a freight train to pass.

Connecting Current CN Rail with EJ&J:

Canadian National already owns track in Bartlett that cuts East-West over Rte. 59 in Bartlett just off of Struckman, south of Stearns Road. CN has proposed to create a new connection off of Munger Road. CN has clearly chosen this site to connect trains that it is currently running on existing rail to the newly acquired EJ&E rail. Unfortunately, since CN already owns this rail, it is not required to report any change of train freight along this track in the EJ&E application to the STB. This matter should be questioned more thoroughly by STB and should be taken into consideration when ascertaining the total impact of freight traffic through the Village of Bartlett.

It has been widely publicized that just within the last few weeks, a freight train was stalled or stopped over the CN tracks that cross Rte 59, barring vehicles

from passing either North or South-bound along Rte. 59. Rte. 59 is a major and significant artery for traffic in the Western suburbs and through the Village of Bartlett. Local rumors are that an union employee of CN, disgruntled with the organization, decided to make a public statement. Unbelievable and intolerable! What is to prevent this type of "silent strike" activity to occur again?

A Bartlett Village Board Trustee commented that a new connection at Munger Road would alleviate congestion and should prevent trains from stopping over the West Bartlett Road crossing. I would love to think that is possible. However, in knowing that the CN freight trains are often over a mile long, **any proposed line connection on Munger Road or any additional railroad spurs from the EJ&J line connecting into the Brewster Creek Business Park, will only increase and allow even more trains per day to either back-up or outright stop and block the crossing at West Bartlett Road and Stearns Road.** While CN claims that the trains only take 3 minutes to pass through an intersection when traveling 25 miles per hour, **I'd like to hear their statistic when a mile long or longer train has to come to a stop, back up, and switch tracks or either drop off/pick up carloads along the spur in the business park.** CN's application to the STB, conveniently falls short of addressing this activity that will undoubtedly and negatively impact both crossings along West Bartlett Rd. and Stearns Rd. Based upon my current experience with EJ&E, CN is not being forthright with the freight activity it plans on pushing through my community, and ultimately will be crossing over Bartlett Road, Stearns Road, and Route 59. **Again-the question must be raised, if the Village of Bartlett is unable to hold EJ&E accountable for trains that are stopped on the tracks shutting down West Bartlett Rd.-who really will hold this international freight conglomerate accountable when they are unable to deliver on the promises they make?**

Real Estate Property Value Decline: If this volume of freight train traffic comes to fruition, and the adverse impacts of the locomotives and trains are realized, **I risk the decline in the value of my real estate**-this is my family's single greatest investment to rely on for the future. As it is at night, I lay in bed and literally, the walls of my bedroom vibrate and shake as a freight train rumbles by. I can't imagine my home going through this 28 times per day. With this kind of increase, it won't be possible for my family to sleep undisturbed through the night with the windows open.

While this letter may sound like a typical "not in our backyard" stance, the reality is, the trains will be in my backyard, you need to understand my utmost concerns, and view my concerns as a reasonable and prudent person would. I implore the STB to consider this as a MAJOR EIS impact on the residents of the Village of Bartlett and outright block the CN's acquisition of EJ&J.

Our personal opinion is that Canadian National is looking to purchase the EJ&E to have direct access around Chicago to Gary, Indiana so that it doesn't have to either pay another railroad to use its tracks or abide by another railroad's timeline. We don't believe that economies of scale will be realized by being able to bypass the downtown Chicago route. If the "by-pass" through my community allows CN to move freights more quickly through the Chicago region-what will keep CN from dramatically increasing the initially projected train volumes? We believe that CN finds this to be solely about the bottom line, a mission to move trains moving on their tracks at their costs, and does not take into consideration the cost to the communities they would begin to re-direct and move freight through now. Who can blame Des Plaines for supporting CN re-routing the Chicago freight from their backyard to my own? You can chalk that up to hard lessons learned, couldn't you?

As this acquisition will have a dramatic and major impact on my community, please consider blocking the EJ&E acquisition.

Respectfully,

Handwritten signatures of Cathy and Casey Scanlon in cursive script, with the word "and" written between them.

Cathy & Casey Scanlon

1899 Burton Drive

Bartlett, IL 60103

Province unprepared for Wabamun spill: Klein

Last Updated: Thursday, August 11, 2005 | 10:35 PM ET

CBC News

Alberta Premier Ralph Klein admitted his government was unprepared to deal with the oil spill into Lake Wabamun caused by a train derailment last week.

"I fault the province and I fault the railway because we didn't have a disaster plan in place," Klein said Thursday. "The [containment] booms had to be brought in from elsewhere."

"Unlike the coastal provinces, we don't have booms and we don't have things available because we never anticipated something of this nature ever happening," Klein said.

The premier said the province will now be developing a disaster plan for areas where railways come close to bodies of water.

Earlier, both the Alberta and federal environment ministers toured the Lake Wabamun train derailment site promising answers and action regarding potentially cancer-causing chemicals that spilled into the water there last week.

"We need to get to the bottom of this issue," federal Environment Minister Stéphane Dion said.



Alberta Environment Minister Guy Boutilier

"It's a very sad day for us all," said Guy Boutilier, Alberta's environment minister, after touring the resort community about 65 kilometres west of Edmonton.

"From the air – as a cottage owner – it's heart-wrenching," Boutilier added.

But as the ministers spoke, local anger continued over the area's plight that began when 43 rail cars jumped the track on Aug. 3.

Doug Goss of the Lake Wabamun Residents Association told CBC News on Thursday he recognized Dion "is here doing his job."

"He's here to say he's going to enforce the law," Goss said.



Not satisfied

But, he said, residents want more.

"The fact of the matter is this horse is long since gone from the barn."

The big concern is the state of the water.

At first, cleanup efforts and health warnings focused on bunker fuel oil as the cause of a huge slick on the lake.

But Alberta Environment crews became suspicious after spotting a green substance at the scene.

On Wednesday, Alberta Environment confirmed that initial results of testing near the lake showed there had been leakage from a train car that was carrying about 70,000 litres of an oil used to treat utility poles.

But it said it wouldn't know until later in the week whether enough of the substance spilled to pose a threat to human health, Environment officials said.

"We have to wait for the conclusions determined by the chemists," Dion said on Thursday.

"We know it's a toxic substance," he added, but how toxic is not yet known.

The oil is a polycyclic aromatic hydrocarbon. Health officials say prolonged or repeated contact with polycyclic aromatic compounds has been shown to cause skin cancer, while inhaling the substances can cause cancer to other parts of the body.

Boutilier has said CN Rail will face criminal charges if the company turns out to have misled officials by neglecting to report what exactly had spilled.

Faulty track caused derailment, oil spill in Lake Wabamun: TSB

Safety board recommends replacing worn-out rail, improving track testing

Last Updated: Thursday, October 25, 2007 | 12:55 PM MT

CBC News

A defective rail caused a CN train to leave the tracks, dumping oil into a popular Alberta lake two years ago, according to the final report by the Transportation Safety Board.

The derailment, which led to an environmental charge against CN, spilled more than 700,000 litres of bunker oil and other chemicals into Lake Wabamun, 50 kilometres west of Edmonton, in August 2005.

A 12-metre section of replacement rail had at least 13 defects that went undetected before the derailment, said George Fowler, a track specialist and TSB investigator, at a news conference in Edmonton on Thursday.

Fractures in the faulty track, installed in 2003, grew until at least one broke, sending the train onto the shores of Lake Wabamun.

The safety board made three recommendations in its latest report:

- Set minimum standards for the quality, strength of rails.
- Review Canadian rail procedures, equipment used to test tracks.
- Establish standards that require that fatigued rails be replaced.



More than 40 rail cars derailed just metres from homes bordering Lake Wabamun.
(John Ulan/Canadian Press)

The report also said weak emergency response plans by both CN Rail and the provincial government contributed to the impact of the spill.

Residents of the village of Wabamun who feel CN did not respond quickly enough to the spill had called for similar recommendations.

On the second anniversary of the spill in August, health officials warned boaters and swimmers to stay away from oil patches and tar balls still in Lake Wabamun.

E. Hunter Harrison, CN Rail's president and CEO, did not respond directly to Thursday's recommendations, but praised the "thorough investigation of the unfortunate accident."

In a news release, Harrison said: "I'm pleased to say that CN, as the report notes, has already taken many steps to reduce the risk of recurrence of accidents of this nature, and will continue to do so together with government and industry experts."



An aerial image of Lake Wabamun from August 2005 shows the oil slick that killed

In June 2006, Alberta Environment charged CN Rail with failing to take all reasonable measures to remedy and confine a spill, an offence punishable by a maximum penalty of \$500,000. The case is not yet resolved.

156 birds.
(CBC)

The TSB said 71 trains have derailed in Canada in the past 10 years because of worn-out rail.