

1 SCOPING MEETING FOR THE PROPOSED CANADIAN
2 NATIONAL RAILWAY COMPANY ACQUISITION OF THE
3 ELGIN, JOLIET AND EASTERN RAILWAY COMPANY
4

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9 STATEMENT OF:

10 ANTHONY Z. MIELCARZ

11 JANUARY 15, 2008

12 HOLIDAY INN

13 500 HOLIDAY PLAZA DRIVE

14 MATTESON, ILLINOIS

15 Surface Transportation Board

16 CN-EJ&E EIS - FD-35087

17 Log and Distribution

18 Date Rcvd: _____

19 HDR File No: _____

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21 CHIMNIAK REPORTING & VIDEO

22 Telephone: 312-781-9111
23

24 REPORTED BY: Sharon A. Stuckly, 84-1640

1 MR. MIELCARZ: Anthony, middle
2 initial Z. Mielcarz, M-i-e-l-c-a-r-z as in zebra.
3 330 Waldmann, W-a-l-d-m-a-n-n, Drive, Park Forest
4 60466 dash 1326.

5 I've had the EJ&J siting in my
6 backyard for over 40 years now living in Park
7 Forest. And one time the EJ&E was considered a
8 top-notch quality, highly maintained secure
9 railroad. If you noticed anything wrong, you
10 could call them and got an immediate response.

11 That's no longer the case. They
12 won't talk to anybody. We found out late summer
13 that the siding behind our house which has been
14 expanded more than what that map over there
15 shows, just pointing that out to another
16 gentlemen, is officially leased by the Canadian
17 National and the EJ&E has no say over its usage.

18 They have been doing a lot of work on
19 it. They have had these work engines sitting,
20 extreme noise, a lot of air pollution, fumes
21 vapors, hollering, screaming. I know that's from
22 track maintenance. I mean the standard home,
23 when they could put it -- lined it, there's like
24 a berm there. They never seem to do that.

1 There's nobody you can complain to.

2 I went through the village of Park
3 Forest. They finally found someone. They got
4 some cooperation talking to the Canadian National
5 to get them to shut this thing down in the
6 evening and not start until later in the morning,
7 but when they're there, I mean if the wind is
8 right, you smell the diesel fumes constantly.
9 They just sit there and the draft, you open up a
10 window. If you are not air conditioned, you are
11 in trouble.

12 There's nothing between me and him
13 except a tree line, you know what I mean. Little
14 bit of park land, tree line and then tracks. And
15 I grew up living by a railroad my entire life, 69
16 years, except two years I was drafted. And the
17 things I've noticed is that -- let me get the
18 right piece of paper. Right now we're
19 encountering a we-don't-care attitude, I am the
20 railroad. It's like we're above -- we're above
21 the law. It's our property we do what we want to
22 do with it. This is the impression they give you
23 when you try to reach somebody with a problem.

24 And when they start doing the

1 switching off the Canadian National main line
2 onto the EJ&E siding which is now leased by the
3 Canadian National, they're back in the process of
4 doing what they call humping. In other words,
5 the engine speeds up, releases the cars and they
6 go flying down the siding until they ram into the
7 cars which are sitting there which shakes the
8 house, vibration, loud banging sounds, loud
9 noises.

10 Long time ago, the EJ&E, if you
11 called about it, welcomed the complaint because
12 it prevented breaking of the cargo and cut down
13 on losses. Canadian National doesn't seem to
14 care.

15 Then we go to the other things like
16 if they increase -- right now even though they
17 say EJ&E -- Canadian National wants to buy it,
18 there are Canadian National trains on there now.
19 There's Grand Trunk trains on there now. And
20 there's EJ&E running on there now. It's already
21 being used by other train lines. The traffic is
22 up. And it's tying up our major roads.

23 There's a small section of Matteson,
24 Illinois, which is right just next to the park

1 where I live. When we first moved into the area,
2 we were looking at buying on that street. Our
3 insurance agent told us that our fire insurance
4 would be sky high because of the railroad, the
5 chance of an engine or train cars blocking the
6 crossing so the emergency equipment could not get
7 response to the town you live in. It would be
8 delayed.

9 If this goes through and they
10 increase the amount of trains the way they're
11 talking, that section of town in Matteson might
12 as well annex to Park Forest or Richton Park for
13 service because they can't rely on Matteson for
14 the service anymore, ambulance, fire or police.

15 And the only way you can get
16 underneath the train when it's sitting there
17 sometimes over an hour is you can go way to the
18 east and cross underneath the north-south street
19 in Park Forest called Orchard Drive which has an
20 underpass or you can go way far to the west to a
21 street in Matteson called Governors Highway. And
22 the only other one is a little known one way, way
23 to the east of Chicago Heights on Butler Street.
24 It's a single lane, sharp curve, and it's a game

1 of chicken, you know, who gets there first and
2 who wants to back down or don't want to back
3 down. Those are the only three places anybody
4 can cross it in that entire area unless they go
5 out onto the I-57 and that would mean going on
6 Sauk Trail or Lincoln Highway and coming all the
7 way around again.

8 When they do do the switching,
9 sometimes they just sit there and sit there and
10 sit there. The air pollution off these diesels
11 is horrendous.

12 In the summertime, you don't open
13 your windows anymore. You don't enjoy your
14 backyard as much anymore or go out there and have
15 a conversation because you can't hear anything.

16 So I chose to live there because I
17 have been with trains all my life, but it has
18 gone from something that was tolerable to
19 something that is kind of like unacceptable. And
20 if they do make the acquisition, it's going to be
21 really, really, really bad. That's how I feel.

22 I mentioned the thing about the fire
23 department. Okay. I mentioned that already. I
24 mentioned about the shaking of the foundation and

1 noises and all that.

2 What is interesting is during the
3 Vietnam era, I just -- I did my tour duty and I
4 was in the first captain division. My wife and I
5 got married shortly after we met and married.
6 And the EJ&E was -- if you heard something, you
7 could call the EJ&E railroad police and they
8 would respond because the Park Forest and
9 Matteson police would not because it traveled
10 railroad property.

11 It was the wee hours in the morning.
12 I heard a lot of banging, clanking. I called the
13 railroad police. They responded. And somebody
14 had put cross ties between the high speed track.
15 There was a munitions train leaving the Joliet
16 arsenal outbound with high explosives heading
17 east to the shipyards or wherever it was going to
18 route to. There was an attempt to derail it. We
19 prevented the derailment. They were very
20 overjoyed that we called it to their attention
21 that we heard something suspicious.

22 Now there is nobody to complain to.
23 That's what is threatening me to going to Home
24 Land Security because we don't have a good

1 railroad security. I even went so far as to
2 print up -- these are all the phone numbers for
3 the EJ&E off the Internet. And then they were,
4 where did you get these? I says, on your
5 website. I have never called an emergency,
6 emergency number because some of this thing I
7 think is just something that they could check out
8 before it becomes an emergency. That's when they
9 get very rude and very defensive. And then you
10 are reminded they are the railroad, that's
11 railroad property, and they are unto their own.
12 When people tell me that, that kind of bothers
13 me.

14 And Canadian National, they were the
15 ones that actually had the last work on the track
16 this fall. All this equipment was brought in
17 from Canadian to work on the siding that the
18 Canadian National was already leasing from the
19 EJ&E. We had absolutely no control over it.

20 A wonderful woman through our public
21 works department in Park Forest was assigned the
22 job of trying to find some way to talk to these
23 people. She finally found a contact on the EJ&E
24 who then talked to the Canadian National

1 representative to get them to either stop
2 earlier, start later, shut these engines down
3 when they're not using them, cut back on the
4 noise and to move the thing out of there.

5 They had what they call a double lock
6 on the track. Canadian National had a key to
7 take the track lock off. The EJ&E had a key to
8 take the lock off the track. So they could move
9 this piece of equipment so they would know where
10 it went so somebody didn't steal it or sabotage
11 it or whatever. I don't know. Most of our
12 people in our block are law abiding. And, you
13 know, it's -- but if this is approved, I really
14 feel we're going to be at a loss. We're going to
15 be severely handicapped. We're going to be
16 denied freedom. It's going to take us longer to
17 get somewhere if you are going north or south
18 between the towns there because of the minimal
19 grades or shall I say where you could cross
20 without being interfered by trains just sitting
21 there.

22 There is a huge complex going up in
23 Crete, these boxcars where they take them off the
24 train and then load them onto truck and they put

1 them on the highway. The trackage on the CPX or
2 the amount of trains on that has increased
3 drastically that north-south train. That holds
4 up the EJ&E right now and that stops it on all of
5 our crossings because they have to wait for these
6 other trains to clear that are north or south so
7 they get the red light so they can't go and they
8 just sit there and sit there and sit there until
9 you finally give up and get disgusted and decide
10 after a half hour or so to maybe go around or
11 maybe you are working your way that way. Or like
12 my wife and I, now we get up and step out of the
13 house and we go, we hear a train, either we will
14 go this way or we will go that way just to be
15 sure we don't get stuck by somebody. But you got
16 to allow extra time out of your life so you're
17 not shall we say late for an appointment or
18 anything like else like. So it actually puts
19 more mileage on your cars, burns more fuel, more
20 gas, costs me more money.

21 I know we need railroads, but I
22 just -- I'm hoping they -- praying they find a
23 different way to route these things around and/or
24 if they would be responsive or if they could give

1 us some way to get underneath things, over these
2 things or make provisions where they could brake
3 the train.

4 Long time ago, they used to brake the
5 train for fire trucks on the Old Baltimore and
6 Ohio that went through Chicago Heights. If it
7 sat there for a long time, watch for the hot
8 boxes. And if they saw there was an emergency
9 vehicle or something, they would actually brake
10 the train. They have the engine back up a
11 little, uncouple the cars and let the ambulance
12 or fire truck through. I don't hear that
13 happening anymore. They just sit, go around or
14 whatever.

15 So I guess that's about all I got to
16 say right now. Thank you very much.

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