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STATE OF INDIANA
HOUSE OF REPRESENTATIVES
THIRD FLOOR STATE HOUSE
INDIANAPOLIS, INDIANA 46204

DR. VERNON G. SMITH
INDIANA BLACK LEGISLATIVE CAUCUS CHAIR
P.O. Box 64622
GARY, IN 46401
COMMITTEES:
LOCAL GOVERNMENT, CHAIR
EDUCATION
FAMILY, CHILDREN AND HUMAN AFFAIRS

January 30, 2008

Surface Transportation Board
395 E Street, SW
Washington DC 20423

Attn: Phillis Johnson-Ball
Environmental Filing
STB Finance Docket No. 35087

As indicated in the attached letter the Gary Common Council has gone on record opposing the acquisition of control of the EJ & E West Company by the Canadian Nation Railway Company. The proposed project, in the view of our mutual constituents, will negatively impact our city and its citizenry. The aforementioned letter expresses our concerns. I am joining the Gary Common Council in respectfully asking you to deny this application. I am asking this denial based on the need to provide for the health and safety of Gary residents and others affected.

Being cognizant of your assuredly busy schedule, I do thank you for your time and kind consideration.

Respectfully yours,



Dr. Vernon G. Smith
14th House District

Cc: Gary Common Council
Attn: Ronier Scott

Surface Transportation Board
CN-EJ&E BIS - FD-35087

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HDR

GARY COMMON COUNCIL



Office of the President

January 23, 2008

Surface Transportation Board
395 E Street, SW
Washington DC 20423

Attention: Phillis Johnson-Ball
Environmental Filing
STB Finance Docket No. 35087

On January 16, 2008 a public meeting was held in the city of Gary to solicit comments concerning the acquisition of control of EJ&E West Company, a wholly owned subsidiary of EJ&E Railway Company, by the Canadian National Railway Company, CN. Canadian National proposes to reroute the transport of hazardous waste material through the City of Gary resulting in a dramatic increase of exposure to hazardous material and unimaginable motorists and emergency vehicle delays at railroad crossings.

On behalf of the Gary Common Council and our constituents, we stand strong in our opposition to this acquisition and urge you to deny this application on our behalf. Please consider the existing levels of exposure to hazardous material we face and help us fight the environmental injustice that continues to victimize communities that are least prepared to resist. If there is anything more that I can add to your decision-making process, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronier Scott".

Ronier Scott, President
Gary Common Council

Cc: Common Council Members
Mayor Rudy Clay
Indiana Department of Environmental Management
Congressman Pete Visclosky
Indiana General Assembly Delegates