

Before the

246185

SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
August 8, 2018
Part of
Public Record

Finance Docket No. 35087 (Sub 8)

**CANADIAN NATIONAL RAILWAY COMPANY AND GRAND TRUNK
CORPORATION – CONTROL – E J & E WEST COMPANY**

**PETITION SEEKING REOPENING & IMPOSITION OF ADDITIONAL
MITIGATION PURSUANT TO THE BOARD'S GOVERNING REGULATIONS**

The Village of Barrington, IL petitions the Surface Transportation Board to reopen Finance Docket 35087 Sub 8 – based on the evidence derived from a June 12, 2018 train stoppage in the Village of Barrington (<https://www.viddler.com/v/2832714?secret=98362154> and <http://www.viddler.com/v/69638998>¹) that demonstrates clearly the remedial failure of mitigation intended to eliminate emergency response delays in the community.

¹ The consequences of this stalled CN train were not inconsequential, as can be attested by the fact that in the third largest media market in the United States, this event made the local NBC affiliate news throughout the evening and in the following weeks. A media feature story about this incident can be viewed here: <https://www.viddler.com/v/2832714?secret=98362154>. To assist the Board in assessing the seriousness of this incident, Barrington has also compiled a video and audio snapshot of the June 12 incident from the perspective of its first responders: <http://www.viddler.com/v/69638998>.

On December 24, 2008, the STB approved the purchase of the EJ&E rail line by CN. The EJ&E crosses four roadways within the limits of the Village of Barrington, Illinois. All four crossings are at grade level. The STB's SEA (now OEA) undertook an EIS for this transaction. In the DEIS and FEIS, SEA recognized the need to mitigate potential delays for emergency responders in Barrington given the increase in CN train traffic on the former EJ&E rail line. The Board ordered CN in its decision of December 24, 2008 in Condition 18 to mitigate these delays: *"The Board's mitigation requires applicants to install a real-time video monitoring (CCTV) system with video cameras at appropriate locations so that the movement of trains can be monitored and reasonably predicted."*²

Rather than installing the cameras, CN replaced that system with the Board's approval with Active Crossing System (ACS) technology. As STB Vice Chair Miller was able to observe on October 15, 2014, even that system had deficiencies and was difficult to use and rely upon.³

In the incident on June 12, 2018, the inability of any communication system (including CN's own emergency monitoring/GPS system) to address and avoid emergency responder delay – even if views and communications had been accurate and real-time – became stunningly clear. Thus, it also became absolutely clear that a crossing grade-separated from the CN line is the one and only mitigation remedy that will assure public safety by creating a failsafe

² December 24, 2008 STB Approval decision at page 48.

³ See Verified Statement of Barrington Police Chief Dave Dorn -- Appendix 1.

route for emergency responders to use to avoid any possible delay caused by CN's freight traffic – particularly in transporting patients to the closest hospital. The grade separation at U.S. Highway 14 from the CN rail line will be that one assured route 100% of the time. The Village of Barrington respectfully requests that the STB require CN to pay a significant portion of the cost of that grade separation, so that it can be constructed expeditiously and before a fatal emergency response delay occurs.

This Petition is governed by 49 C.F.R. § 1117.1 and reopening is further warranted pursuant to 49 U.S.C. § 1322(c) and 49 C.F.R. § 1115.4, which provide that a petition for reopening “must state in detail the respects in which the proceeding involves material error, new evidence, or substantially changed circumstances and must include a request that the Board make such a determination.” This Petition is based on new evidence and changed circumstances, so it satisfies the Board's regulations regarding re-opening.

Background

The STB in 2008 undertook a year-long NEPA review of the consequences on impacted communities stemming from Canadian National Railway's plan to purchase the EJ&E from U.S. Steel. Among the issues reviewed in 2008 was the transaction's impact on emergency service delivery. In June 2008, the Board released a DEIS stating that, “eleven fire and emergency medical service providers near the EJ&E rail line would experience potentially **substantial effects** as a result of the Proposed Action.”⁴

⁴ July 2008 DEIS Chapter 2 at 2-72

In December 2008, the Board updated stakeholders on its analysis:

SEA determined that the Proposed Action could potentially affect emergency service providers by increasing the potential delay at highway/rail at-grade crossings due to a change in train operations. As explained in the Draft EIS, SEA established screening criteria to determine whether or not the Proposed Action would potentially substantially affect emergency service facilities. Criteria for this examination included whether the emergency service facility:

- Was located within two miles of the EJ&E rail line*
- Was located within two miles of at least one public highway/rail at-grade crossing and **more than one mile from a public grade-separated crossing***
- Was situated **outside a reasonable distance** of a similar facility on the opposite side of the EJ&E rail line⁵*

As of December 2008, the Board had concluded in the FEIS that Barrington Fire Department - Station No. 1 and Advocate Good Shepherd Hospital in Barrington would be substantially affected by the transaction and required Board-ordered mitigation measures.

Per the FEIS⁶:

2.6.1.3 Barrington Fire Department – Station No. 1, Barrington, Illinois

*The Barrington Public Safety Building, which houses the Barrington Fire Department – Station No. 1 and the Barrington Police Department, is located within two miles of six highway/rail at-grade crossings along the EJ&E rail line (Cuba Road, Lake Zurich Road, Northwest Highway (US 14), Hough Street (IL 59), Lake Cook Road/Main Street, and Otis Road). **The nearest grade-separated crossing along the EJ&E rail line is Rand Road (US 12), located approximately 2.5 miles northeast. There are no grade-separated crossings along the EJ&E rail line to the west or southwest, and no fire stations are located west of the EJ&E rail line. This service provider has no station to cover the area west of the EJ&E rail line, and there are no highway/rail***

⁵ December 2008 FEIS Chapter 2 at 2-49

⁶ December 2008 FEIS Chapter 2 at 2-52 and 2-54 & 2-55.

grade separated crossings in the area. Accordingly, it meets SEA's criteria to be considered substantially affected based on average delay per delayed vehicle and total time that a crossing would be blocked in a 24-hour period, SEA has recommended mitigation for this facility.

2.6.1.12 Advocate Good Shepherd Hospital, Barrington, Illinois

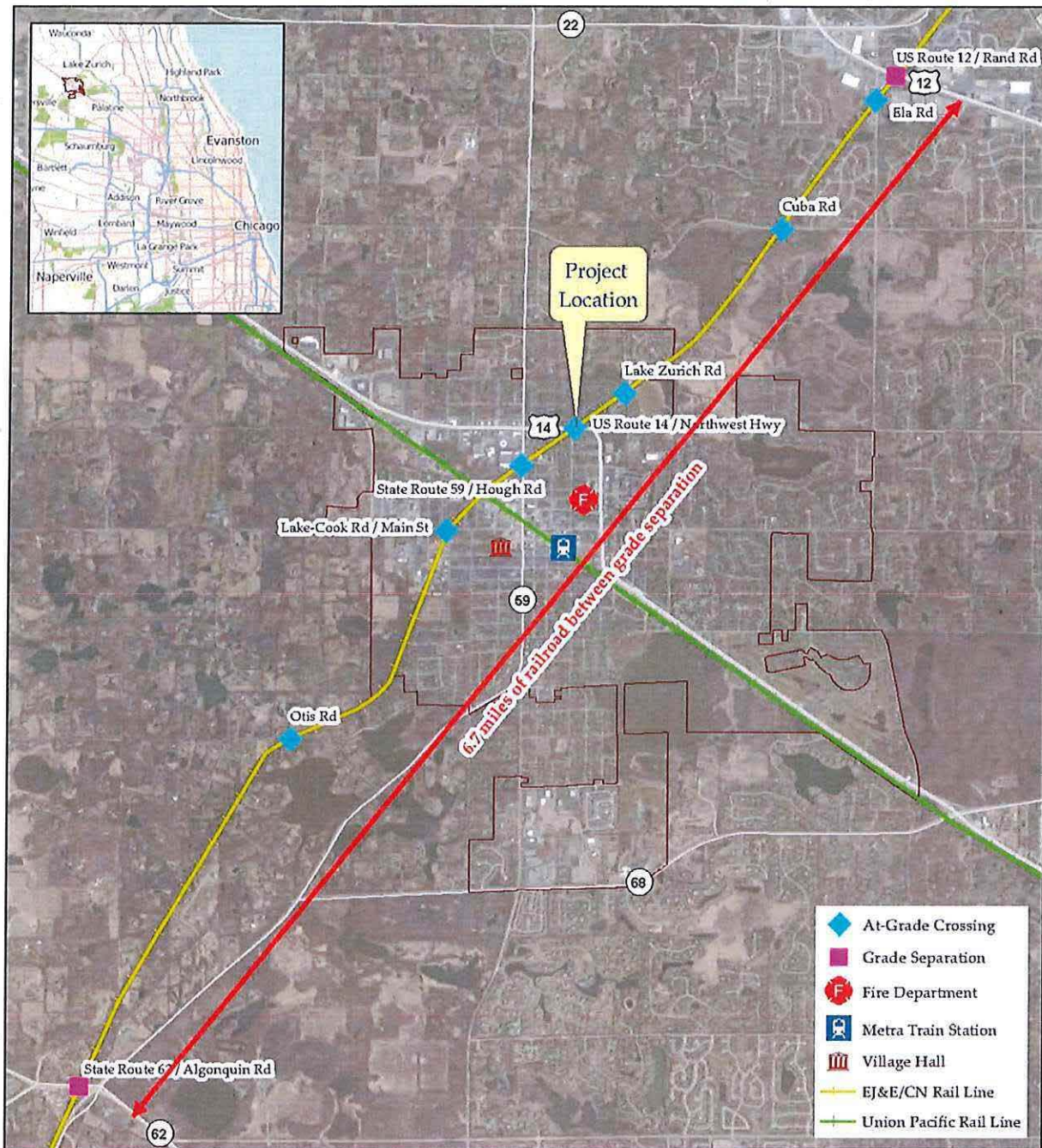
Advocate Good Shepherd Hospital is located within five miles of nine highway/rail at-grade crossings along the EJ&E rail line (Main Street, Old Rand Road, Ela Road, Cuba Road, Lake Zurich Road, Northwest Highway (US 14), Hough Street (IL 59), Lake Cook Road/Main Street, and Otis Road). ... The nearest grade-separated crossing along the EJ&E rail line is Rand Road (US 12), located approximately 4 miles east. There are no grade-separated crossings along the EJ&E rail line to the south or southeast and no emergency medical facilities located southeast of the EJ&E rail line. Since there are no emergency medical facilities southeast of the EJ&E rail line and no highway/rail grade separated crossings in the area, SEA believes mitigation for this facility is warranted.

The locations of the nearest grade separated crossings to Barrington are shown on the following map. Note that the 6.7-mile distance between grade separations is rail line miles and does not indicate the longer driving mile distances to the nearest grade-separated crossings.⁷

⁷ Driving miles from the center of Barrington are shown in maps provided on other pages of this Petition.

MAP 1

U.S. ROUTE 14 GRADE SEPARATION AT CANADIAN NATIONAL RAILROAD DISTANCE BETWEEN GRADE SEPARATIONS



Village Hall - 200 South Hough Street
Barrington, IL 60010-4399
Phone: 847-304-3400
Hours: Mon - Fri 8:00 - 4:30
www.barrington-il.gov

Projection: State Plane (Illinois East)
Map Units: Feet
Source: VOB GIS, Cook Co., Lake Co.
Date: 5/26/2015

0 0.5 1 Miles

Disclaimer of Liability:
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As a result of the likelihood for substantial negative effects on emergency response delivery, the Board reasoned on December 24, 2008 in its approval Decision:

*The mitigation that the Board is imposing will provide the emergency dispatchers **with better and more timely information so that they can either take pre-planned alternative routes or dispatch services from alternative facilities when appropriate.** Therefore, the Board's mitigation is reasonable and feasible to address the potential impacts on emergency response discovered during the environmental review.*⁸

The Decision included Mitigation Condition 18:

*Applicants shall consult with all appropriate agencies to implement a CCTV system with video cameras placed in locations **so that the movement of trains can reasonably be predicted at the highway/rail at-grade crossings** listed in Table ES- 1. Applicants shall pay for the necessary equipment, including cameras, monitors, poles, cables, controllers, cabinets, communications equipment, electrical connections, or other necessary components, the installation of the equipment, electrical connections, or other necessary components, the installation of the equipment, the equipment training for up to two individuals for each emergency service provider listed.*⁹

By the time it had submitted its first April 10, 2009 Quarterly Environmental Report (QER) to the Board, CN was discussing alternative technological solutions to the Board's camera-based emergency response mitigation plan by updating the Board that this mitigation was, "*In progress/ alternative technology being developed and discussed with municipalities and response agencies.*"¹⁰

⁸ December 24, 2008 STB approval decision at page 49.

⁹ December 24, 2008 STB Approval decision at page 77.

¹⁰ April 10, 2009 Report with Cover Letter from CN Vice President Karen Borlaug Phillips to the Board at page 20 of 27.

After much delay, CN notified the Board in its Quarterly Environmental Report dated October 14, 2010:

In light of the Board's decision to allow use of an alternative technology in lieu of the Closed-Circuit Television technology originally required by Condition 18 at crossings in five communities, we have finalized a contract with our vendor to complete the conversion of the Active Crossing System (ACS) from a web-based application to a client server application, for the benefit of all emergency services dispatch agencies that serve the affected communities. We anticipate beginning a full-roll-out in Q1 2011 and anticipate having all in place in Q2 2011.¹¹

CN further stated:

STB Decision #24 confirmed that ACS is an appropriate substitute for CCTV. Contract with vendor has been executed to redesign initial ACS to allow for constant access by dispatchers.

The ACS technology meant to satisfy Mitigation Condition 18 was finally installed in Barrington in 2014. On October 15, 2014 STB Vice Chair Miller was given a demonstration of the ACS at Barrington's Public Safety Building and witnessed that it was not performing adequately. Brian O'Boyle from Miller's office followed up with an October 29 email to Barrington officials stating that Miller would be contacting CN about it and stated that the Board's Office of Public Assistance, Governmental Affairs & Compliance would continue to follow progress on the issue.

The CN-provided mitigation was so rife with flaws, that it has never been a useful tool for first responders. This memo of Barrington Police Sergeant

¹¹ October 14, 2010 CN Quarterly Environmental Report at page 2.

Michael Gorzelanczyk to Barrington Police Chief Dave Dorn dated July 3, 2018 summarizes the problem for Barrington personnel in using the ACS system¹²:

The software was garbage, if referring to the CN gate monitoring software. It never worked correctly. If it did actually load it would eventually time out. It was also useless because it only showed you if a gate was tripped (possibly opened or closed). So, a gate could be down and you had no idea what the reason was, malfunction, service or train. If it was a train you then had to watch the crossing east or west of the activated crossing to see which crossing then activated next. This would most likely indicate if it was a train coming. No one has the time to sit and stare at a map all day watching for a crossing to change colors. Every time we would complain about the software they would send us another version. Sometimes it would work but if left up running it would just time out. You'd see a train come through town and look at the map and nothing indicated on the map. You'd restart the program and then see the train/crossing activated which was now useless for you.

June 12, 2018 Incident

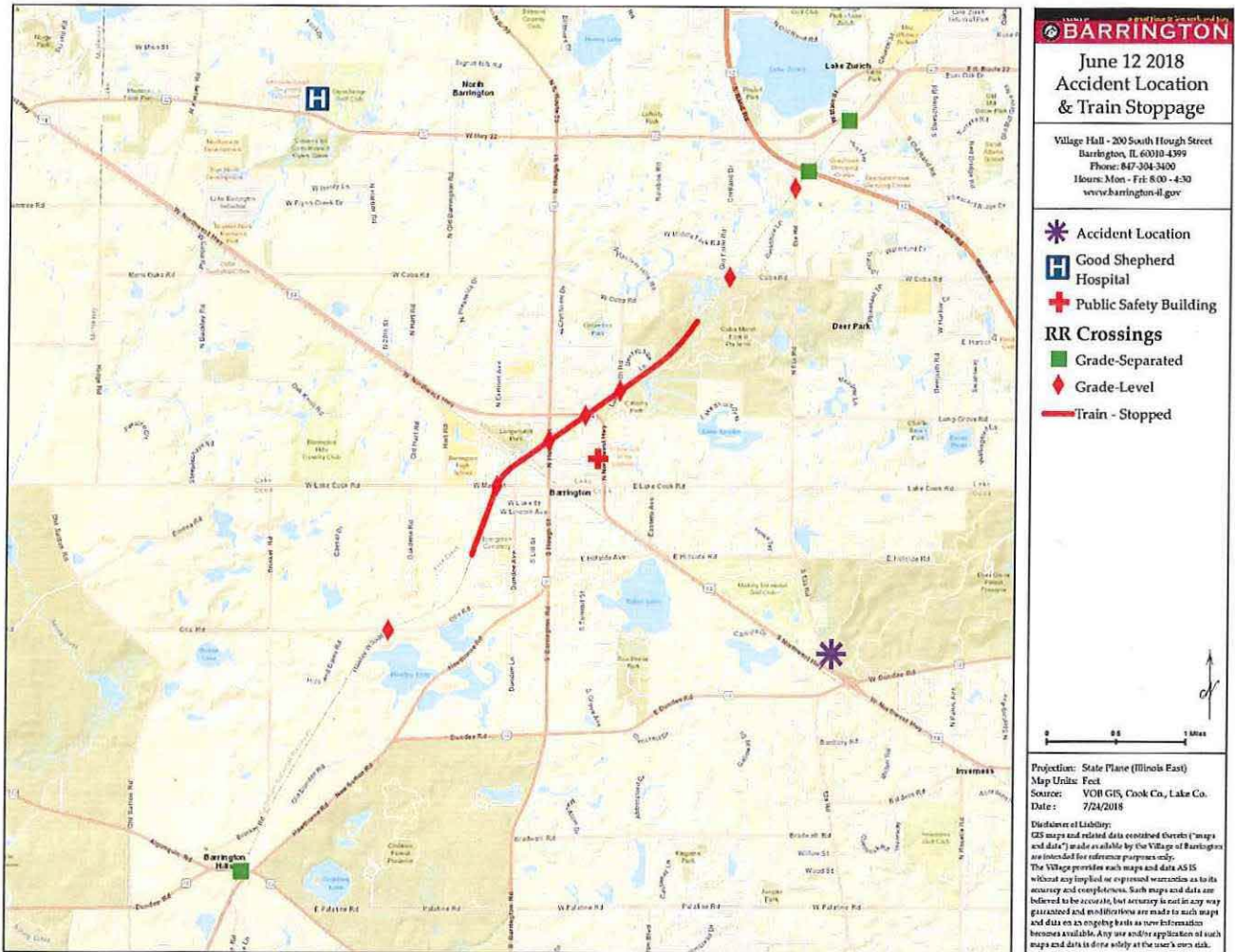
On June 12, 2018, a CN train blocked all four Barrington crossings during rush hour due to mechanical failure with the train's air brakes. The train blocked Barrington's crossings for a period totaling 52 minutes beginning at 4:41 pm.

Chillingly, this mechanical failure of the CN train occurred while two advanced life support (paramedic) ambulances had already started racing towards Advocate Good Shepherd Hospital at 4:37 pm via U.S. Highway 14. The ambulances were transporting two injured victims of a DUI-related multiple vehicle accident that had occurred on the southeastern border of the Village at 4:14 pm and required victim extrications. To facilitate the Board's

¹² See Appendix 1.

understanding of the situation, the following map (Map 2) illustrates the locations of the accident, the nearest hospital, the CN rail line crossings, and the stopped CN freight train:

MAP 2



At 4:41 pm, the driver of the first ambulance discovered that U.S. Highway 14 was blocked by the stopped CN train. A Barrington police officer then raced around the Village in an attempt to find an open crossing, but discovered that all four Barrington crossings were completely blocked and impassable.

As the video of the incident demonstrates, despite the rush-hour traffic congestion and the CN-caused traffic gridlock, emergency responders were able to reach the CN crossing via U.S. Highway 14 with alacrity because other vehicles on the road could and did move out of the way. There was no way to reach Advocate Good Shepherd Hospital by the quickest route of U.S. Highway 14, however, when the veritable wall created by the stopped CN train freight brought the ambulances to a complete dead halt.¹³

Also, at 4:41 pm, Barrington's 9-1-1 emergency dispatchers had initiated a call to CN's emergency line (800.465.9239) to determine why the train was stopped and when it would be moving. The CN phone rang for several seconds and then was answered by a recording instructing the caller to listen to a menu of four options, during which 62 seconds elapsed before the 9-1-1 dispatcher was able to talk with a live person. The 9-1-1 dispatcher was then told by the CN emergency operator that this was the first she was hearing of the problem.¹⁴ It then took yet another 2 minutes of time and discussion for the CN representative to determine if the stoppage was caused by a CN freight train.

¹³ While Barrington is most acutely concerned about the danger facing patients being transported for hospital care, there can be no denying that such incidents burden the Village's police personnel as well. On June 12, as a result of the CN breakdown, all officers from the Barrington Police Department were managing traffic and undertaking public safety control and were "trapped" on the southeast side of the tracks, so the police departments of three neighboring communities were alerted that they would need to cover any calls on the other side of the tracks in Barrington.

¹⁴ The audio recordings of all three phone call communications between the Barrington region's 9-1-1 Dispatch Center (CenCom) and the CN emergency call personnel can be accessed by going to Barrington's Next Cloud Machine at nc.barrington-il.biz. Once there, type in "STB" for login and "STB2018!" for password.

Once the CN representative determined that it was, indeed, a CN train, she insisted that the train was still moving because it was showing that the train was moving on her GPS system despite the fact that it had been completely stopped for 7 minutes:

...the train looks like it is a southbound, but I guess it's actually still going. It's still at like 0.1 mph. It takes like a good 10 minutes to completely stop the train. ... So, that location, those four (blocked) crossings might shift once the GPS on the train kind of updates. ...So, the four crossings might shift.¹⁵

Based on the total conversation, it was clear that even CN's emergency operator had no equipment to determine **in real-time** whether a CN train was the cause of the problems, whether the train was in motion, what was causing the blockage, or what direction the train was heading. The emergency phone conversation to determine that all crossings were actually blocked, the reason for the breakdown, and the direction of the train took nearly 7 full minutes to complete.

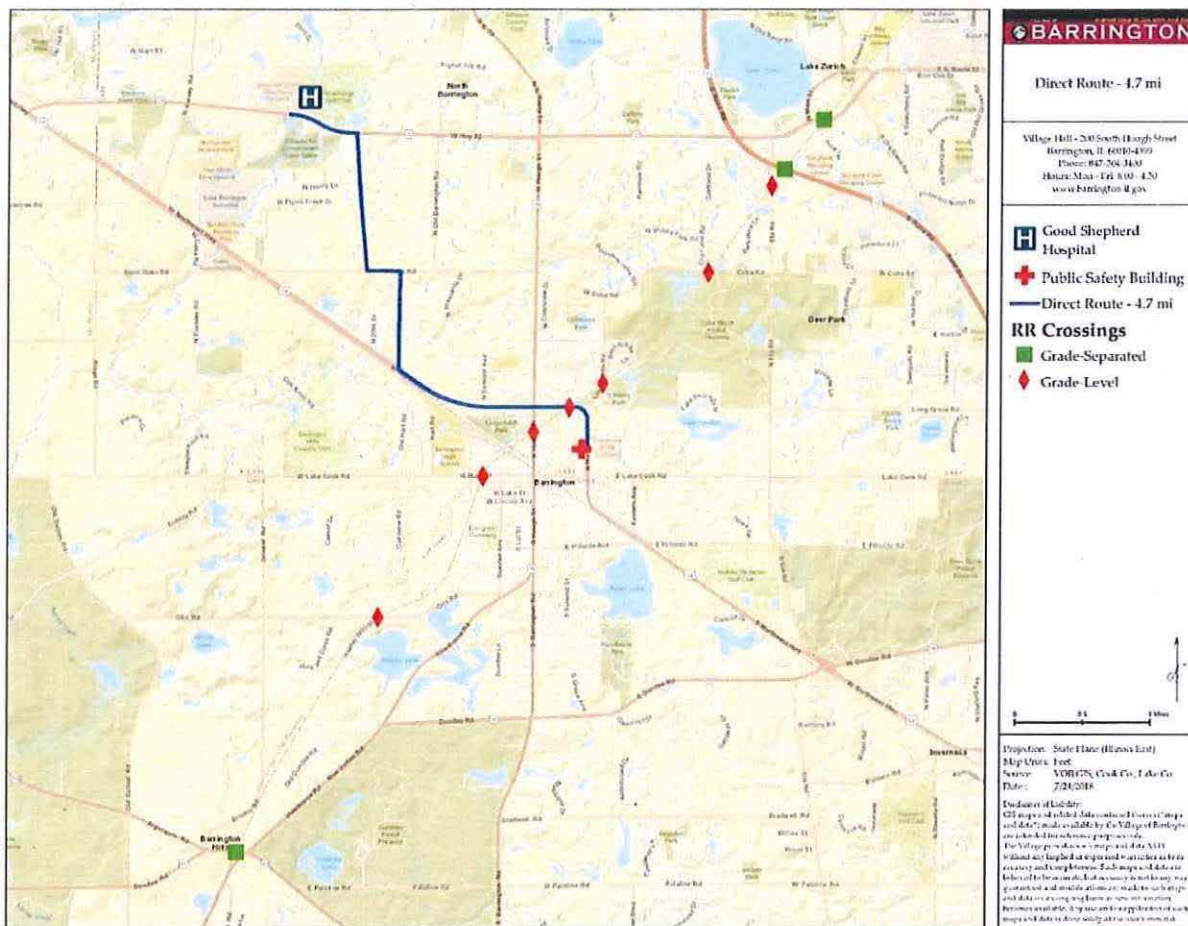
In listening to the communications between Barrington's 9-1-1 Center (CenCom) and CN personnel during the June 12 event, it was clear that even the CN emergency operator was lacking real-time technology that could provide helpful guidance to local communities seeking emergency assistance. As is clear from Barrington's audio/video compilation, the CN emergency contact had to deal with a timed-out screen that delayed guidance on the direction the train was traveling; stated incorrectly there is an overpass at U.S. Highway 14 in Barrington; and, had to be called by Barrington's 9-1-1 Center a second time

¹⁵ Ibid.

to secure an update for local emergency responders on when the train would be moving again¹⁶.

Given this scenario, and having already been stopped by the train for several minutes, the paramedic driving the first ambulance made the decision to take a longer route to Good Shepherd to detour around CN's "freight wall" in Barrington -- a lengthy detour in reaching the hospital versus the direct shot route shown below in Map 3:

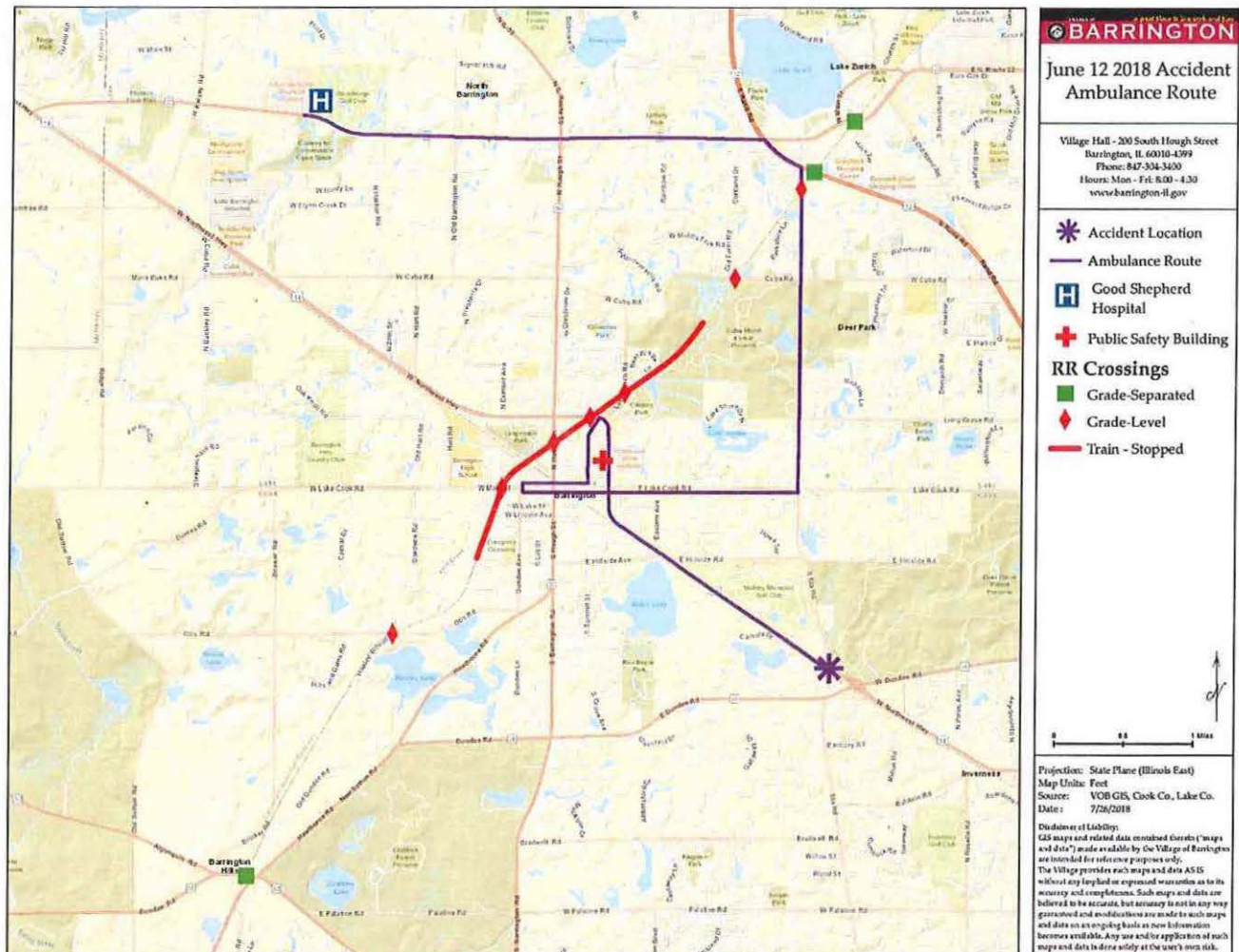
MAP 3 -- OPTIMAL ROUTE: The distance on U.S. Highway 14 is 4.7 miles.



¹⁶ Barrington's audio records demonstrate that the NBC News 5 media clip (at 2:31) in which CN claimed it was in constant contact with Barrington emergency personnel and initiated the contact are not supported by the evidence of the event.

At 4:56 pm the first Barrington ambulance reached Advocate Good Shepherd Hospital. Its routing from the time of the accident through the detour around the CN stoppage and reaching the hospital is shown in the following map (Map 4):

MAP 4



At 5:33 pm, the CN train finally started moving again. This occurred only after the crew had to “walk the entire length of the train” to discover what the problem was and fix it, and then allow for the train to build up sufficient air-brake pressure. While the CN representative had committed to calling back

Barrington's CenCom with updates, it was, in fact, CenCom that had to initiate another call to CN to secure updated status reports. Ultimately, CN waited until the train was moving again to call back to CenCom with the obvious information that the train was no longer cutting Barrington in half.

This email message to the Mayor from the Village Manager summarizes the overall impact of the June 12, 2018 event:

*All CN Rail Crossings are blocked in Barrington as of 4:45pm this evening. To add to the difficulty, just prior to the blockage, Police and Fire were dispatched to a Personal Injury Crash at U.S. Highway 14 & Ela Road with entrapment. Police had a DUI driver to transport from the crash and Fire had two ambulances with patients heading to Good Shepherd Hospital. People crawling under stalled train cars, frantic parents trying to get to their children at daycare, police trying to find a path for ambulances with injured patients to get to the hospital."*¹⁷

As one can plainly see by viewing the linked videos, notwithstanding the issues with the CN ACS technology given to communities, emergency service personnel can't even rely upon CN's own emergency communications system for *"better and more timely information so that they can either take pre-planned alternative...."* The CN emergency operator on June 12 was having equivalent efficacy issues with whatever in-house system she was using to determine the status of the CN freight train, so CN's technology capabilities – both "in region" and at the company's emergency call department -- are of dubious value to emergency responders seeking CN's assistance.¹⁸

¹⁷ The police report for this incident is Appendix 2.

¹⁸ CN's technology failures are not unusual. See Appendix 4 for three Barrington police call reports detailing a series of July 30, 2018 gate malfunctions at the Main Street crossing in Barrington. The gate was malfunctioning on and off between 1:39 am and 6:47 am (into Monday's

In the end, however, it is clear that ***there is no technology solution that can really help first responders avoid delay in Barrington.*** The Board is requested to acknowledge that even if the ACS technology that CN had provided to communities to satisfy Mitigation Condition 18 or even CN's own emergency system worked perfectly, it would still do nothing to improve the situation for emergency responders in the Village as was clear on June 12, 2018. Even if a perfect system could have seen the approaching southbound train on June 12 as the Barrington ambulances were leaving the crash site on the southeast border of the Village, would dispatch tell the ambulances to take anything other than the most direct route to Good Shepherd Hospital via U.S. Highway 14? Should dispatch have expected the train to go into mechanical emergency or expected that the CN train would clear U.S. Highway 14 by the time the ambulances got there?

The bottom-line problem is the reality that rerouting ambulances carrying patients to the hospital away from the most expeditious route from Barrington to Advocate Good Shepherd Hospital via U.S. Highway 14 will ALWAYS result in subpar emergency response alternatives. What became apparent on June 12 was not only the failure to provide emergency dispatchers with "better and more timely information," but that even if it were used in directing an ambulance to take a "pre-planned alternative" such

morning rush hour.) Twice, a Barrington patrol officer standing at the crossing reported the gate was in the down position to have a CN representative on the phone respond that the gate was up. In the third report, CN calls to say the gate is down and when officers arrived, it was actually up and operating normally.

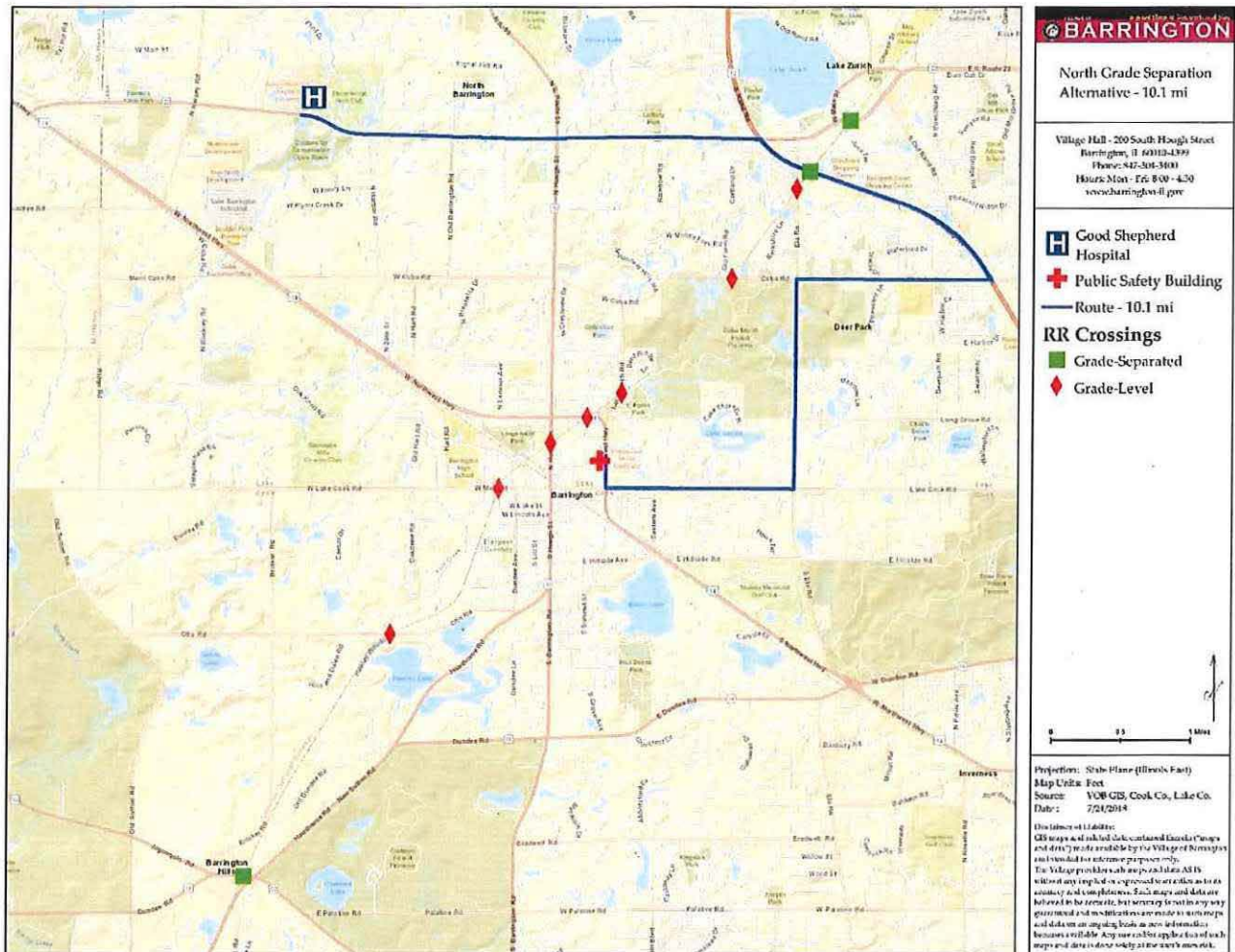
routing will ***always*** take much longer and be less desirable when it comes to transporting patients to an emergency room.

Clearly, a train stopped and blocking all crossings as happened on June 12 will require the use of a “pre-planned alternative.” But given that such an alternative involves going to the nearest grade separation to reach Advocate Good Shepherd Hospital or going to a more distant hospital, that “alternative” will require taking a patient a much longer distance.

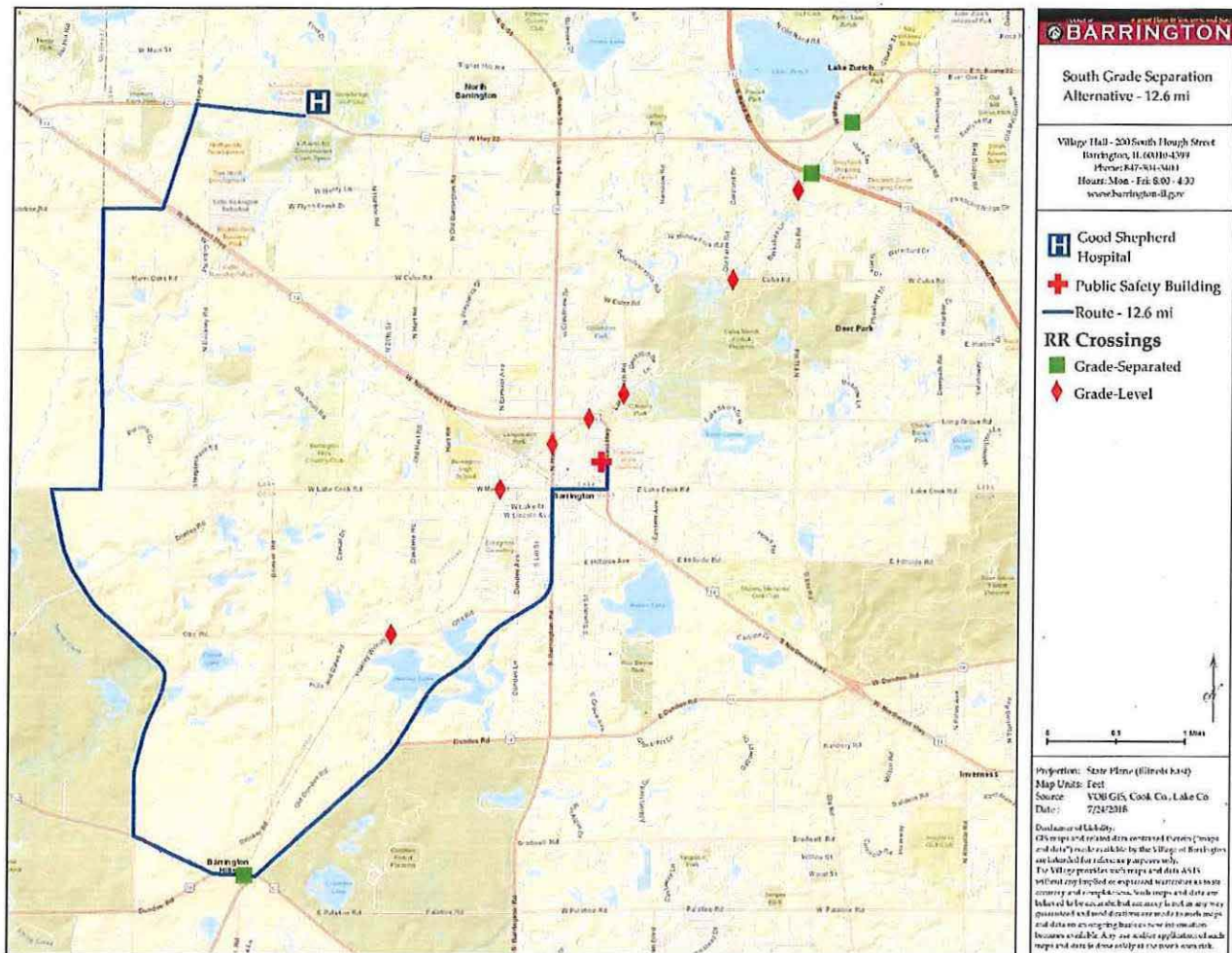
In terms of alternative routes to Advocate Good Shepherd Hospital, Barrington used Google Maps to help the Board understand the distances needed to divert from the most efficient route of U.S. Highway 14 to Advocate Good Shepherd Hospital that is located 4.7 miles from the center of the Village. That particular route is the most optimal because it is the shortest route in terms of road miles; it has four lanes of roadway plus shoulders available for emergency responders to use; and, it is the **ONLY** route through Barrington that doesn't cross the UP/Metra rail line.

If an ambulance is blocked from using U.S. Highway 14 by a CN freight train, the “alternative routings” to Good Shepherd Hospital are clearly inferior routings. Using measurements taken from the Public Safety Building that is almost at the center point of the Village, the routing distances are as shown on the maps (Maps 5 and 6) on the two following pages.

MAP 6 -- Diverting to the closest NE grade separation via Lake-Cook/Ela/12/22, an ambulance would travel for 10.1 miles.

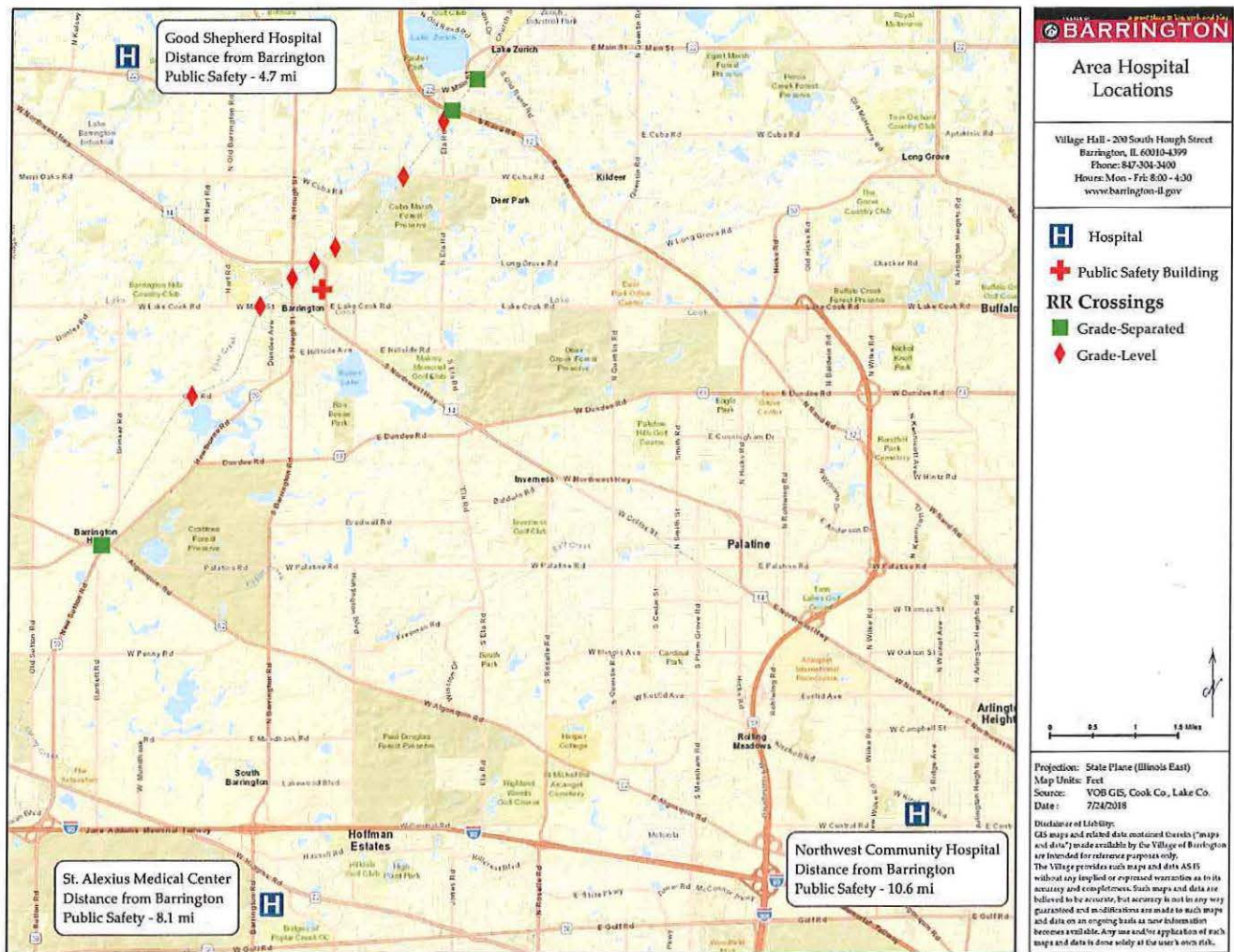


MAP 7 -- If an ambulance needed to take the SW grade separation via Main St./Hough St-IL59/Algonquin/Old Sutton/County Line Rd/Ridge, the distance would increase to 12.6 miles.



As to neighboring hospital alternatives, the next closest hospital – St. Alexius Medical Center in Hoffmann Estates is 8.1 miles from Barrington, while Northwest Community Hospital in Arlington Heights is 10.6 miles from Barrington. (See Map 8 on next page.)

MAP 8 -- BARRINGTON REGION HOSPITAL LOCATIONS



While the other two alternative hospitals don't incur the possibility of being blocked by a CN freight train for calls originating from the south of the CN rail line, it is a patient transport that averages 20 minutes above and beyond what the same patient transport to Advocate Good Shepherd Hospital would take. This means that these alternative hospitals can never be a failsafe alternative destination for patients in need of timely critical emergency care.

Even a moving CN train (as was the case before the June 12 train went into mechanical failure upon reaching Barrington) presents a dilemma for

emergency response, as the routing decision becomes a crap-shoot for paramedics and dispatchers. A dispatcher is required to consider the question of whether to instruct the ambulance driver to take the quickest route, or whether the driver should be instructed to travel a longer grade-separated route to Good Shepherd, or head to an alternative hospital in case a CN freight train interferes with the transport. Again, on June 12, two ambulances transporting patients were already *en route* to Good Shepherd Hospital via U.S. Highway 14 before the CN train had a mechanical failure and came to a stop.

In a perfect world, should a 9-1-1 dispatcher using the ACS system to observe gate activations indicating a train is going to cross U.S. Highway 14 assume that the train would stop at the crossing, or should the dispatcher allow the ambulance to proceed based on the assumption that the train would be operating normally? Or, should the dispatcher send the ambulance on a longer route to Advocate Good Shepherd Hospital, or a more remote hospital just in case the train is not operating normally? Or, should the dispatcher assume the train would move through and have cleared at least one of the four crossings in the Village by the time the ambulance arrived at a crossing? What train length and speed assumptions should the 9-1-1 dispatcher assume in making any of these routing decisions?

The gamble involved in determining ambulance routing is virtually a daily one for 9-1-1 dispatchers. Approximately 900 EMS (emergency medical services) calls are received by the Barrington Fire Department annually with 630 (70%) of those calls being separated from Advocate Good Shepherd

Hospital by a CN crossing. Approximately 410 of these calls require emergency transports per year, of which 80% require advanced life support (328).¹⁹

A further complication in not having a direct grade-separated route to the hospital arises when neighboring fire departments “back up” Barrington ambulances. With the Illinois MABAS system²⁰, automatic mutual aid is provided by one department to another when requested. It is not uncommon to have another community’s ambulance transporting patients to the hospital -- as occurred June 12 when Palatine Rural was transporting the second crash victim to Advocate Good Shepherd Hospital. These responders understand that U.S. Highway 14 is the direct route to Good Shepherd Hospital but may not be as familiar with the alternate routes and roadways, so directing them appropriately may mean even more transport delay.

A delay in transporting patients to the hospital can lead to serious medical complications, and even death. The American Heart Association states that a 10% decrease in survivability for every one minute of delay in treating a cardiac arrest victim. As Fire Chief James Arie notes in his Verified Statement, the outcome for a February 6, 2016 cardiac arrest patient who was successfully resuscitated and transported to Good Shepherd Hospital’s Cardiac Catheterization Lab was qualitatively better than the outcome would have been

¹⁹ See Barrington Fire Chief James Arie’s Verified Statement – Appendix 3.

²⁰ All emergency response departments in Illinois are members of MABAS (Mutual Aid Box Alarm System) in partnership with IEMA (Illinois Emergency Management Agency) -- a statewide, non-discriminatory mutual aid response system for fire, EMS and specialized incident operational teams.

if that patient had been delayed by a CN freight train and/or more time-consuming alternative routings to avoid a CN freight train.

Adding to the gamble that 9-1-1 dispatchers and ambulance crews face is the lengthy CN trains traveling through Village crossings that often block all four crossings at one time or in close succession and routinely constrict the flow of traffic throughout town. None of this reality was ever captured through the Board's mandated reporting requirements during oversight because of the 10-minute blockage reporting threshold. While the Board has no idea how often a train created havoc by blocking a crossing for 9 minutes and 59 seconds (or less) rather than the minimum 10-minute threshold, Village officials do.

The Barrington Fire Department compiled records of incidents from 2016 and 2017 showing when emergency responders were delayed by CN trains:

**2016 CN RAIL CROSSING EMT DELAYS
DUE TO CN BLOCKING A RAIL CROSSING DURING AN EMERGENCY RESPONSE**

Main Street CN Crossing: 6 times one or more units were delayed going to an emergency call 1:16 average delay Low 00:26 High 4:32
Hough Street CN Crossing: 10 times one or more units were delayed going to an emergency call 3:08 average delay Low 00:22 High 5:24
Route 14 CN Crossing: 9 times one or more units were delayed going to an emergency call 2:46 average delay Low 00:41 High 3:57

**2017 (POST-OVERSIGHT) CN RAIL CROSSING EMT DELAYS
DUE TO CN BLOCKING A RAIL CROSSING DURING AN EMERGENCY RESPONSE**

Main Street CN Crossing: 7 times one or more units were delayed going to an emergency call 2:09 average delay Low 00:53 High 6:13
Hough Street (IL 59) CN Crossing: 11 times one or more units were delayed going to an emergency call 2:33 average delay Low 00:42 High 4:06
US Highway 14 CN Crossing: 21 times one or more units were delayed going to an emergency call 6:08 average delay Low 00:17 High 8:39

A careful review of the emergency response delay data for U.S. Highway 14 – again, the roadway that serves as the quickest route to the nearest hospital (Advocate Good Shepherd) -- demonstrates that this particular

crossing has experienced substantial emergency responder delay increases from 2016 to 2017:

- From 9 to 21 annual delays or a 210% increase.
- From an average delay of 2:46 minutes to 6:08 minutes or a 186% increase.
- From a high of delay time from 3:57 minutes to 8:39 minutes or an increase of 219%.

Compounding the failure of Mitigation Condition 18, is the reality that the threat of Barrington's crossings being blocked will only get worse as the recent drastically changed circumstances surrounding the industry-wide operational practices of Class I railroads. The Class Is are now running much longer trains than the Board had contemplated when it ordered emergency response mitigation in 2008.

When the Board was conducting its environmental review of the transaction in 2008, it stated that *"since the EJ&E line is in place and an active rail line today, the affected emergency service providers' current dispatching process includes the possibility that a crossing could be blocked."*²¹ However, as it relates to Barrington, the impact on emergency response delivery by freight trains running on the old EJ&E line prior to CN's acquisition was negligible. Pre-CN, the average train was only 2,760 feet in length.²² Those trains never had the opportunity to block ALL four Barrington crossings simultaneously or

²¹ December 24, 2008 Approval Decision at page 49.

²² December 2008 FEIS Appendix A at page 489.

in quick succession because they didn't span the full 5,918 feet span between the four grade-level crossings in Barrington. They were akin to the short and quick Metra commuter trains that run through the Village without much in the way of emergency response disruption.

A July 2018 Progressive Railroading²³ article summarizes the substantially changed circumstances now facing Barrington's emergency responders:

At any given time on Class Is' networks, trains stretching from 10,000 to 15,000 feet long are snaking their way to a destination. Pulling well more than 100 cars, the trains are much longer than — and in some cases more than double the size of — a typical 5,000- to 6,000-foot train.

Canadian Pacific, CN and Union Pacific Railroad have incorporated long trains into their operating strategies and continue to aggressively push the length envelope.

When it comes to the reasons for lengthening trains, all the Class Is are in unison: to boost productivity, gain more efficiencies and cut costs.

Transporting more freight on one train helps to maximize locomotives, crews, fuel and other resources, and trim labor and diesel expenses. It also enables the railroads to reduce the number of trains on their networks, creating more space on certain route segments for additional traffic.

The industry publication story then goes on to speak specifically of CN's operations:

CN also is making strides in lengthening trains. The Class I doesn't stress footage data for long trains; instead, it focuses on train productivity, or gross ton miles (GTMs) per train mile.

23

https://www.progressiverailroading.com/rail_industry_trends/article.aspx?id=55035&source=pr_digital3/22/17&email=sdevane@hdresources.net

CN data shows train productivity increased 3 percent last year from 9,314 GTMs per train mile in 2016 to 9,424 GTMs per train mile in 2017. Prior-year figures were 8,739 in 2015, 8,625 in 2014 and 8,438 in 2013.

*Since 2000, train productivity has increased nearly 70 percent as CN continues to operate longer trains carrying more tonnage. **Last year, the Class I's average mainline train length was about 9,000 feet and average trainload weighed about 95,000 tons.***

This story in Progressive Railroading underscores the observational data about train lengths that Barrington has collected on CN's operations through the years:

BARRINGTON OBSERVATIONAL DATA OF CN TRAIN LENGTHS

TIME PERIOD	AVG. TRAIN LENGTH	# & % OF TRAINS GREATER THAN 6,800 FEET	PERCENTAGE OF TRAINS GREATER THAN 10,000 FEET
May 12 to June 15, 2011	5,800	87 (41%)	3%
October 2015	7,700	380 (69%)	13%
March 2016	7,700	336 (71%)	16%
April 2016	8,000	384 (75%)	19%
May 2016	7,700	330 (71%)	16%

Longer trains are here to stay given the financial incentives the railroads have to run them. Accordingly, a two to three-mile long "super-train" is a clear game-changer²⁴ in undermining the efficacy of the Village's critical emergency response capabilities.

Conclusion

²⁴ CN's extremely long trains are compounding any emergency response problems created by a train malfunction. As was shown on June 12, when a train malfunctions, the train crew is required to walk the length of the train. Obviously, that walk will be more time-consuming the longer the train length.

The Village of Barrington states unequivocally that CN's ACS technology that was supposed to provide emergency dispatchers with better and more timely information so that they can either take pre-planned alternative routes or go to alternative facilities is useless. The same can be said of CN's own in-house emergency system to accurately view or predict the movement of trains when the railroad is contacted by an emergency response department in need of guidance. The mitigation ordered in 2008 fails to meet the Board's rationale for ordering mitigation, as the system does not help reduce delays in emergency response situations -- particularly in transporting patients to the area's closest hospital -- Advocate Good Shepherd.

With nearly half of all ambulance calls in Barrington requiring transport over one of the four roads that cross the CN tracks at-grade, there can be no denying that the people of the region are deprived of an acceptable level of emergency service because CN trains place public safety at daily risk. This effect is no longer a "potential" one -- it is an omnipresent and ongoing safety risk to the public and it has not been mitigated in any fashion.

The mitigation the Board had ordered in 2008 with the belief that it would provide a feasible and reasonable solution for substantially affected emergency response locations cannot fix the problems for emergency responders as they have unfolded. A technology solution -- even if it had worked as the Board planned -- can do nothing to address the "Great Wall of Freight" that frequently blocks emergency responders from crossing the CN rail line and must therefore, divert miles out of the way. Nor does it address the

dilemma presented to ambulances transporting seriously injured victims as to whether to take a longer and far less desirable route with the patient or go the direct way and risk delay by stoppage or blockage at a CN crossing that is experiencing ever-longer trains.

For the sake of public safety, the Board should order the only reasonable and feasible solution to address this critical emergency response situation in Barrington. The STB is respectfully requested to require mitigation relief of a majority railroad-funded grade separation at U.S. Highway 14 and the CN rail line. Based on the evidence from the June 12 incident, it is clear that the entirety of Barrington's emergency response delivery has been severely impaired by CN freight trains. As such, on the basis of a clear record of remedial failure as it relates to the 2008-ordered mitigation meant to minimize impacts on emergency response delivery and substantially changed circumstances, a grade separation is fully warranted.

Respectfully Submitted,

/s/ Richard H. Streeter

Richard H. Streeter
Law Office of Richard H. Streeter
Counsel for the
Village of Barrington, IL
5255 Partridge Lane, NW
Washington, DC 20016
P: 202.363.2011
Email: rhstreeter@gmail.com

Dated: August 8, 2018

Appendix 1

**Barrington Police Chief Dave Dorn
Verified Statement**

Before the
SURFACE TRANSPORTATION BOARD

Finance Docket No. 35087 (Sub 8)

CANADIAN NATIONAL RAILWAY COMPANY AND GRAND TRUNK
CORPORATION – CONTROL – E J & E WEST COMPANY

VERIFIED STATEMENT OF DAVE DORN

My name is Dave Dorn. I am the Chief for the Barrington Police Department – a position I've held for 5 years. The Department is headquartered at 400 N. Northwest Highway (also known as U.S. Highway 14) in Barrington, Illinois and is located approximately 2000 feet (.4 mile) south of where U.S. Highway 14 crosses the EJ&E.

Partnering with the community, the Police Department provides the Village of Barrington with a full range of police services including patrol operations, criminal investigations and juvenile investigations, traffic and parking enforcement, crime prevention education, and community policing.

The Patrol Division is the largest and most visible of all the Police Department's operational units. Officers are assigned to one of four patrol teams, two daytime shifts and two nighttime shifts. Each team is supervised by a Patrol Sergeant and works a 12-hour shift to provide 24-hour services to the community.

Through the cooperation and assistance of residents, business operators, and visitors, the patrol division responds to emergency and non-emergency calls for service, as well as self-initiated activities and extra patrol requests. Patrol officers protect property and personal safety,

render aid, mediate disputes, assist with civil matters, and assist law enforcement agencies and Village departments as needed, as well as have primary responsibility for prevention and investigation of all criminal and traffic-related matters in the Village.

The Emergency Communications Center responsible for receiving all 9-1-1 telephone calls for service is CENCOM E9-1-1 Public Safety Communications Center located in Round Lake Beach, IL. CENCOM handles calls and radio traffic from nine regional public safety agencies.

As Chief, I have been involved with integrating the ACS technology provided by CN Railroad for the entirety of its use in Barrington. Its theoretical benefits have always outweighed its value as a tool that CENCOM dispatchers or patrol officers can rely upon for real-time information. Although it was only in use for a few months when STB Vice Chair Miller visited Barrington in October 15, 2014, we were able to provide a live demonstration for her of its operations. Its value as an early warning train tracking system was rendered ineffective because gate activations did not necessarily mean a train was present; the system consistently timed out; the system sometimes failed to activate when a train was present; and, ascertaining train direction was time-consuming and laborious. As a result, the ACS technology became a useless tool for both emergency dispatchers and patrol officers.

After the June 12 incident in which all four Barrington crossings were blocked by a disabled train, I was asked by Village leaders to determine how successfully the ACS technology has been utilized. The following is the email response I received from my personnel with direct responsibility for the system:

From: Gorzelanczyk, Mike

Sent: Tuesday, July 3, 2018 4:18 PM

To: Dorn, David <ddorn@Barrington-il.gov>; Gilbert, Tom <tgilbert@barrington-il.gov>

Cc: Burrell, Steve <sburrell@barrington-il.gov>

Subject: RE: Checking up on the CN monitor system

The software was garbage, if referring to the CN gate monitoring software. It never worked correctly. If it did actually load it would eventually time out. It was also useless because it only showed you if a gate was tripped (possibly opened or closed). So a gate could be down and you had no idea what the reason was, malfunction, service or train. If it was a train you then had to watch the crossing east or west of the activated crossing to see which crossing then activated next. This would most likely indicate if it was a train coming. No one has the time to sit and stare at a map all day watching for a crossing to change colors. Every time we would complain about the software they would send us another version. Sometimes it would work but if left up running it would just time out. You'd see a train come through town and look at the map and nothing indicated on the map. You'd restart the program and then see the train/crossing activated which was now useless for you. We were so fed up with it not working.

Thanks,

SERGEANT MICHAEL GORZELANCZYK
BARRINGTON POLICE DEPARTMENT
400 N. NORTHWEST HWY.
BARRINGTON, IL 60010
847-304-3315 OFFICE
847-381-2165 FAX
MGORZELANCZYK@BARRINGTON-IL.GOV

In addition to this information, please see the police report from the June 12, 2018 CN train blockage in Appendix 2.

VERIFICATION

I, Dave Dorn, declare under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on August 3, 2018

/S/ Dave Dorn

Chief Dave Dorn

Appendix 2

June 12, 2018 CN Train Blockage Police Report



BARRINGTON POLICE DEPARTMENT
GENERAL CASE REPORT

DATE/TIME OF REPORT 06/15/2018		UCR# 9522		COMPLAINT NUMBER 1806-0755	
OFFENSE/INCIDENT Traffic Disruption (CN Crossings blocked)		LOCATION OF INCIDENT See narrative for all locations			
DAY/DATE/TIME OF INCIDENT Tuesday 6/12/2018 1640-1738		TYPE or PLACE of OCCURRENCE Roadway		WILL COMPLAINANT PROSECUTE YES ☐ NO ☐	
RELATED CASE NUMBERS		Evidence Collected ☐ Photo(s) Taken ☐ Written Statement ☐ Video(s) ☐			
REPORTED BY Sgt Jenlffer Whitcher		ADDRESS 400 North Northwest Hwy Barrington, IL 60010		PHONE 847-304-3300	
VICTIM NAME		GEN	RACE	DOB	VICTIM OCCUPATION
VICTIM'S ADDRESS		CELL PHONE		HOME PHONE	
VICTIM'S DRIVER'S LICENSE #		DL # STATE	VICTIM'S Email ADDRESS		VICTIM INJURED YES ☐ NO ☐
DESCRIBE INJURIES		TRANSPORTED BY		TRANSPORTED TO	
JUVENILE PARENT CONTACTED		DATE/TIME OF CONTACT		JUVENILE PARENT HOME ADDRESS	
JUVENILE PARENT HOME PHONE		JUVENILE PARENT CELL PHONE		JUVENILE OFFICER CONTACTED YES ☐ NO ☐ N/A ☐	
DISCOVERED ☐ WITNESSED ☐	GEN	RACE	HOME ADDRESS		PHONE
WITNESS NAME	GEN	RACE	HOME ADDRESS		PHONE
WITNESS NAME	GEN	RACE	HOME ADDRESS		PHONE
M/O HOW DONE, FORCE USED		TOOL OR WEAPON		OTHER ACTS OR TRADEMARKS	
VEHICLE INVOLVED SUSPECT ☐ VICTIM ☐ N/A ☒		VEHICLE INFORMATION (YEAR, MAKE, MODEL COLOR, BODY STYLE, LIC. NO, STATE & VIN)			
NAME OF SUSPECT		GEN	RACE	DOB	HEIGHT
					WEIGHT
					EYES COLOR
					HAIR COLOR
ADDRESS OF SUSPECT		HOME PHONE		CELL PHONE	BUSINESS PHONE
SUSPECT'S DRIVER'S LICENSE #		DL# STATE	STATE ID #		FBI #
					CHICAGO IR #
ADDITIONAL SUSPECT INFORMATION (CLOTHING, SCARS, TATTOOS, RELATIONSHIP WITH COMPLAINANT OR WITNESS)					

CODES: D=DAMAGED PROPERTY E=EVIDENCE F=FOUND PROPERTY L=LOST PROPERTY S=STOLEN

PROPERTY SECTION	Code	QTY	DESCRIPTION (SIZE, COLOR, MODEL, STYLE, MATERIAL, CONDITION)	SERIAL NUMBER	VALUE
					\$
					\$
					\$
ADDITIONAL PROPERTY LISTED IN NARRATIVE SECTION					
UCR# 9522		Type of Criminal Activity		Aggravated Assault/Homicide Circumstances	
Relationship of Victim to Offender		Bias Motivation RACE ETHNIC RELIGIOUS SEXUAL			
REPORTING OFFICER Sgt. J. Whitcher, 304		APPROVING SUPERVISOR 			Page 1 of 3 Pages



BARRINGTON POLICE DEPARTMENT
NARRATIVE



OFFENSE ☐ CHARGE ☐ INCIDENT ☐		COMPLAINT NUMBER
Traffic Disruption (CN Crossings blocked)		1806-0755
COMPLAINANT ☒	ARRESTEE ☐ VICTIM ☐	PAGE 2 OF 3
Village of Barrington		SUPPLEMENT ☐ CONTINUATION ☒

NARRATIVE

On Tuesday 6/12/2018 at 1640 R/S was assisting other officers at the scene of a personal injury accident when R/S heard Officer Gruenthal via radio request CenCom to contact Canadian National Railroad (CNRR) to find out why their freight train had just stopped blocking the crossing of Route 59 (Hough Street) at James Street.

At 1637 Barrington Fire Department ambulance 361 went enroute to Good Shepherd Hospital from the scene of the accident. Palatine Rural ambulance went enroute to Good Shepherd Hospital at 1639. R/S heard via the fire band at 1642 that the roadway at Northwest Highway and the CNRR was blocked by a stopped freight train. R/S advised CenCom that I would be headed to check the Main Street crossing to see if that was blocked so that the ambulances could get through to the hospital. R/S observed that the Union Pacific Railroad gates were down at Main Street and Cook Street and a Metra train was stopped at the depot. At 1643 the gates did go back up and R/S was able to continue west and observed (1644) that the CNRR gates were activated and the crossing was blocked by a stopped freight train. R/S then advised that I would head to the Lake Zurich Road crossing to check on the status of the crossing.

R/S requested that CenCom notify the Chief and Assistant Chief of the situation at 1645.

At 1646 while R/S was approaching the CNRR crossing at Lake Zurich Road R/S was informed via dispatch that CNRR dispatch advised the train had gone into a mechanical emergency and was stopped and unable to move. R/S advised dispatch that Lake Zurich Road was also blocked and R/S was not able to see the front of the train and was unsure of the direction the train was travelling. CenCom was able to find out that the freight was headed southbound.

R/S advised CenCom at 1651 that the ambulance would have to be routed to Main Street to head east to Ela Road. At Ela they were to head north to Cuba Road and could then go west to Route 59 to continue on to Good Shepherd Hospital.

At 1654 R/S advised 7507 and 7511 to continue to keep Northwest Highway shut down and route traffic to Route 68. At this time R/S was the only available unit and there were no units on the north side of town.

R/S spoke with Chief Dorn at 1655 and was advised R/S could pull Detective Smith and have him cover the north area as well as pulling Officer Gruenthal for calls if needed. Chief advised at this time the only issue was volume of traffic and no available way to move traffic through town as every crossing was blocked.

At 1701 R/S requested Cencom notify Barrington Hills Police Department, Lake Zurich Police Department and Lake County Sheriff Department that we would be requesting assistance to cover the north and west areas of Barrington if needed due to no available units in that area.

REPORTING OFFICER Sgt. J. Whitchee, 304	DATE/TIME 6-12-2018 3:21	SUPERVISOR APPROVING [Signature]
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BARRINGTON POLICE DEPARTMENT
NARRATIVE



OFFENSE ☐ CHARGE ☐ INCIDENT ☐		COMPLAINT NUMBER
Traffic Disruption (CN Crossings blocked)		1806-0755
COMPLAINANT ☒ ARRESTEE ☐ VICTIM ☐	PAGE 3 OF 3	
Village of Barrington	SUPPLEMENT ☐ CONTINUATION ☒	

NARRATIVE

At 1704 R/S had CenCom contact Palatine Police Department and request assistance with traffic control at Northwest Highway and Dundee Road. R/S asked that Palatine Police shut down the exit ramp from Dundee Road to Northwest Highway along with diverting traffic from Northwest Highway on to eastbound Dundee Road. Palatine Police responded within minutes with three squads and moved the traffic off Northwest Highway. Westbound traffic on Northwest Highway was opened at 1734.

At 1714 R/S requested records alert midnight shift of the road blockage so that they could plan to leave earlier for work if it was needed.

Officer Gruenthal notified dispatch at 1718 that people were climbing on the train or crawling under the train to get around the blockage. At 1719 Detective Smith was dispatched to the area of Main and Hager to attempt to stop people from trespassing on the property. Detective Smith did give one verbal warning to a father and son.

At 1722 R/S requested Lake County Sheriff Department to close down southbound Route 59 at Cuba Road. R/S was informed at 1726 that Lake County would not be able to assist in a road closure.

R/S at 1725 requested CenCom notify Barrington Child Care and Barrington Park District that several parents were on the east and south side of town and were unable to return to pick up their young children at the designated pick up time.

At 1726 R/S was informed via radio that CNRR had located the problem and once fixed would take 15 minutes to charge the lines again before the train was able to move.

At 1733 the train did start moving and at 1737 the train had cleared the crossing of Northwest Highway. By 1739 all CNRR crossings were clear and open.

REPORTING OFFICER
Sgt. J. Whitcher, 304

DATE/TIME

[Signature] 304

SUPERVISOR APPROVING

[Signature] 304

Appendix 3

**Barrington Fire Chief Jim Arie
Verified Statement**

Before the
SURFACE TRANSPORTATION BOARD

Finance Docket No. 35087 (Sub 8)

CANADIAN NATIONAL RAILWAY COMPANY AND GRAND TRUNK
CORPORATION – CONTROL – E J & E WEST COMPANY

VERIFIED STATEMENT OF JIM ARIE

My name is Jim Arie. I am the Fire Chief for the Barrington Fire Department – a position I’ve held for 15.5 years. Our Fire Department is headquartered at 400 N. Northwest Highway (also known as U.S. Highway 14) situated just four-tenths of a mile south of where U.S. Highway 14 crosses the EJ&E/CN tracks.

The Barrington Fire Department is dedicated to providing the most efficient and professional response to the broadest range of emergency incidents by making every unit and its crew capable of initiating lifesaving action at any emergency. Every front-line emergency response vehicle includes immediate fire and medical response capabilities. All fire suppression vehicles are equipped to respond to life-threatening medical emergencies with firefighters who are all cross-trained as firefighter/paramedics, and all medical rescue transport vehicles carry specialized equipment that enables firefighter/paramedic crew members to support suppression efforts, or conduct search and rescue activities at any fire incident.

I have been asked to address how the Board’s emergency response mitigation that was mandated in 2008 is assisting the Barrington Fire Department in realizing its mission. In short, it is not. The ACS technology that was provided by CN has always been error-prone and provides insufficient data to use reliably. But even if the technology worked properly, it doesn’t assist the Department’s ambulances when transporting patients to the Village’s primary hospital –

Advocate Good Shepherd -- in cases where they are blocked from taking the quickest route by CN's freight traffic, and thus, cause time-consuming delays and detours.

Approximately 900 EMS (emergency medical services) calls are received by the Barrington Fire Department annually with 630 (70%) of those calls being separated from Advocate Good Shepherd Hospital by a CN crossing. Approximately 410 of these calls require emergency transports per year, of which 80% require advanced life support (328).

After reviewing and analyzing delayed emergency calls for the last full year of Board oversight on the EJ&E transaction (2016) and comparing it to the first full year after oversight concluded (2017,) I saw that the emergency response delays increased significantly year over year. In my professional opinion, **this data is alarming** and, given the continued trend of longer trains that translate to longer delays caused by a moving or stationary freight trains, the end result will be delayed arrival of emergency medical patients to Good Shepherd Hospital. Due to delayed arrival, highly trained medical professionals with specialized expertise, equipped with the latest technology and life-saving equipment will be restricted in providing their best efforts due to time lost as a result of delays encountered by waiting for, or travelling around, blocked CN rail crossings. These time delays directly cause adverse outcomes, up to and including death of our patients. This is **totally unacceptable**.

These increased delays were particularly acute at the crossing – US Route 14 – which is the quickest and most direct route to Good Shepherd Hospital.

2016 CN Rail Crossing Delays due to CN blocking a rail crossing during an emergency response

Main Street CN Crossing:

6 times one or more units were delayed going to an emergency call

1:16 average delay

Low 00:26

High 4:32

Hough Street CN Crossing:

10 times one or more units were delayed going to an emergency call

3:08 average delay

Low 00:22

High 5:24

Route 14 CN Crossing:

9 times one or more units were delayed going to an emergency call

2:46 average delay

Low 00:41

High 3:57

2017 CN Rail Crossing Delays due to CN blocking a rail crossing during an emergency response

Main Street CN Crossing:

7 times one or more units were delayed going to an emergency call

2:09 average delay

Low 00:53

High 6:13

Hough Street CN Crossing:

11 times one or more units were delayed going to an emergency call

2:33 average delay

Low 00:42

High 4:06

Route 14 CN Crossing:

21 times one or more units were delayed going to an emergency call

6:08 average delay

Low 00:17

High 8:39

2016/2017 Comparison of CN Rail Crossing Delays due to CN blocking a rail crossing during an emergency response

Main Street CN Crossing:

6/7 times one or more units were delayed going to an emergency call

1:16/2:09 average delay

Low 00:26/00:53

High 4:32/6:13

Hough Street CN Crossing:

10/11 times one or more units were delayed going to an emergency call

3:08/2:33 average delay

Low 00:22/00:42

High 5:24/4:06

Route 14 CN Crossing:

9/21 (210% INCR) times one or more units were delayed going to an emergency call

2:46/6:08 (186% INCR) average delay

Low 00:41/00:17

High 3:57/8:39 (219% INCR)

When it comes to transporting patients in need of critical care to the hospital, delays can not only determine the quality of health outcome for the patient, delays can also determine the difference between life and death. On February 6, 2016, we transported a patient who experienced a heart attack from south of the CN rail track to Good Shepherd Hospital. Thanks to this patient's quick-thinking family, our 9-1-1 emergency dispatch was notified immediately and we responded quickly and worked to successfully resuscitate this patient as we transported him to the emergency room. The speed of the ambulance transport using the most expeditious route across unimpeded CN tracks enabled this patient to reach the Hospital without delay. If my Department had faced a similar situation on June 12, 2018, when CN blocked all four crossings in Barrington, the outcome would have likely been far more dire for this patient.

Advocate Good Shepherd Hospital is the hospital of choice for all Barrington region heart attack and stroke victims because the hospital is one of the nation's top 50 cardiovascular care hospitals. Additionally, Alexius Medical Center and Northwest Community Hospital cannot be reached as quickly as Advocate Good Shepherd Hospital.

VERIFICATION

I, Jim Arie, declare under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on August 7, 2018

/s/ Jim Arie

Chief Jim Arie

Appendix 4

**July 30, 2018 Police Reports on CN Gate Malfunctioning
At Main Street Crossing**

Law Incident: 2018P241462

Incident Date:	07/30/2018	Primary	7522m
Incident Time:	01:39:48	Backup	7502
Priority	2	Received	01:39:48
Nature	RGM-RAILROAD GATE MALFUNCTION	Shipped	
		Dispatched	01:39:48
		Arrived	01:39:48
Location	W MAIN ST-BA/LAGESCHULTE ST-BA	DL	ST
		DL	ST
Apt		Veh. Descr	
Building:		Report	
Phone		Num Rpts	0
CrossSt1	LAGESCHULTE ST	DispO. Code	9
CrossSt2	GRANT ST	2nd DispO.	9
Directions		Code	9522
Jurisdicts	BA	Officers	P 7500936 - KOPERA,STEVEN
PolArea	75-2		B 7508328 -
Grid	1826B		CLEVELAND,ALEXANDER
PrePlan Map	1826		
Loc 2			
Cautions			
See Officer	N		
Neigh.	N		
Dispatcher	EMW		
Call Taker			
Complainant			
Compl Addr			
Compl			
Phone			
Loc. Occ.			

Unit	DSP	ENR	ONS	ORP	AVL
7522 (P)	01:39:48	01:39:48	01:39:48	02:13:47	02:13:47
7502 (B)	01:42:48	00:00:00	01:42:50	00:00:00	02:13:40

Notes 01:39:48 P.D. Response Area is 75-2 (EMW)

01:39:53 Timer reset to 4 minutes on unit 7522 at (EMW)

01:39:53 01:39:53 (EMW)

01:42:06 CN NOTIFIED (EMW)

01:42:29 Timer reset to minutes on unit 7522 at (EMW)

01:42:29 01:42:28 (EMW)

01:55:36 260516K (EMW)

02:13:46 GATES FUNCTIONING NORMALLY (EMW)

04:23:58 RR GATE WAS MALFUNCTIONING. PROBLEM WAS (7500936)

04:23:58 FIXED AND IS WORKING PROPERLY NOW. (7500936)

04:23:58 *Police incident closed by mobile unit

Law Incident: 2018P241576

Incident Date:	07/30/2018	Primary Backup	7522m 7502
Incident Time:	05:45:12	Received	05:45:12
Priority	2	Shipped	
Nature	RGM-RAILROAD GATE MALFUNCTION	Dispatched	05:45:50
		Arrived	05:46:42
Location	W MAIN ST-BA/RR TRACKS CAN NATL-BA	DL	ST
		DL	ST
Apt Building:		Veh. Descr	
Phone		Report	
CrossSt1	RR TRACKS CAN NATL	Num Rpts	0
CrossSt2	LAGESCHULTE ST	DispO. Code	9
Directions		2nd DispO.	9
Jurisdicts	BA	Code	9522
PolArea	75-2	Officers	P 7500936 - KOPERA,STEVEN
Grid	1826B		B 7508328 -
PrePlan Map	1826		CLEVELAND,ALEXANDER
Loc 2			
Cautions			
See Officer	N		
Neigh.	N		
Dispatcher	DMF		
Call Taker	DMF		
Complainant			
Compl Addr			
Compl			
Phone			
Loc. Occ.			

Unit	Unit	DSP	ENR	ONS	ORP	AVL
Times	7522					
	(P)	05:45:50	00:00:00	05:46:42	06:24:11	06:24:11
	7502					
	(B)	05:47:59	00:00:00	05:51:39	00:00:00	06:23:57

Notes 05:45:50 P.D. Response area is 75-2 (DMF)

05:45:51 TRAIN (TSD)

05:46:00 BEEN THERE FOR ABOUT 5 MINUTES (TSD)

05:46:13 LARSON,CHRIS 847-528-3026 (TSD)

05:46:24 CROSSING NUMBER 260516K (TSD)

05:46:45 Timer reset to 4 minutes on unit 7522 at (EMW)

05:46:45 05:46:44 (EMW)

05:51:27 Timer reset to 20 minutes on unit 7522 at (EMW)

05:51:27 05:51:26 (EMW)

05:52:22 TRAIN COMING THRU (EMW)

06:04:02 REPAGING THE MAINTAINER (EMW)

06:12:09 Timer reset to minutes on unit 7522 at (EMW)

06:12:09 06:12:08 (EMW)

06:18:55 CN ON SCENE (EMW)

06:30:47 Unit 7522 delayed by Incident 2018P241590 (EMW)
06:36:30 Timer reset to 20 minutes on unit 7522 at (EMW)
06:36:30 06:36:30 (EMW)
06:47:57 GATES FIXED BY CN OPERATOR. (7500936)
06:47:57 *Police incident closed by mobile unit

Law Incident: 2018P241588

Incident Date:	07/30/2018	Primary	7512
Incident Time:	06:27:24	Backup	7502 7522m
Priority	2	Received	06:27:24
Nature	RGM-RAILROAD GATE MALFUNCTION	Shipped	
		Dispatched	06:28:06
		Arrived	06:31:47
Location	W MAIN ST-BA/RAYMOND AV-BA	DL	ST
Apt		DL	ST
Building:		Veh. Descr	
Phone		Report	
CrossSt1	RAYMOND AV	Num Rpts	0
CrossSt2	N HAGER AV & S HAGER AV	DispO. Code	9
Directions		2nd DispO.	9
Jurisdicts	BA	Code	9522
PolArea	75-1	Officers	P 7505439 - WEBB, JOSHUA
Grid	2026D		B 7508328 -
PrePlan Map	2026		CLEVELAND, ALEXANDER
Loc 2			B 7500936 - KOPERA, STEVEN
Cautions			
See Officer	N		
Neigh.	N	Unit Times	
Dispatcher	EMW		
Call Taker	EMW		
Complainant	CN		
Compl Addr			
Compl			
Phone			
Loc. Occ.			

Unit	DSP	ENR	ONS	ORP	AVL
7512 (P)	06:28:06	00:00:00	06:31:47	00:00:00	06:46:14
7522 (B)	06:28:43	00:00:00	00:00:00	00:00:00	06:29:10
7502 (B)	06:29:07	00:00:00	00:00:00	00:00:00	06:29:59

Notes

06:27:41 CALLING IN BY CN (EMW)

06:27:47 NO TRAIN - ACTIVATED CROSSING (EMW)

06:27:50 5 MIN ETA (EMW)

06:27:57 Complainant changed from to CN (EMW)

06:28:06 P.D. Response area is 75-1 (EMW)

06:29:18 UNIT DELAYED BY TRAIN (EMW)

06:30:05 BACK ENROUTE (EMW)

06:31:55 Timer reset to 4 minutes on unit 7512 at (JNY)

06:31:55 06:31:55 (JNY)

06:36:33 Timer reset to 20 minutes on unit 7512 at (EMW)

06:36:33 06:36:33 (EMW)

06:43:08 Timer reset to 20 minutes on unit 7512 at (EMW)

06:43:08 06:43:07 (EMW)

GATES APPEAR TO BE WORKING PROPERLY (7505439)

06:46:14

06:46:14 *Police incident closed by mobile unit