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ENTERED
Office of Chief Counsel
May 19, 2026
Part of
Public Record

5/19/2026

VIA ELECTRONIC FILING

Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: Docket No. FD 36873, *Union Pacific Corp., et al. - Control - Norfolk Southern Corp., et al. - Resident Comments on the Significance of Blocked Rail Crossings*

To Chairman Fuchs and members of the Surface Transportation Board:

I am a life-long resident of Eastwood in Houston, Texas. I grew up and still live near numerous active Union Pacific rail lines that run through my community. I am writing to ask the Board to take blocked rail crossings seriously as it evaluates the proposed merger between Union Pacific and Norfolk Southern.

I am also a professional traffic engineer, licenses by the state of Texas. I have grown my career over nearly 20 years searching for solutions to transportation issues, including traffic congestion and crash problems. Railroads create a specific challenge to these problems: few organizations have any authority over them, and what authority exists is relatively weak. The only real solution available to local governments is expensive grade separations; however, railroads frequently claim that grade separations do not benefit them, and therefore they contribute negligible funding for implementation.

Busy commercial railroads hem in my community: the West Belt on the west, the Galveston Subdivision on the north, and the East Belt on the east. Trains frequently block roads for long periods of time, up to several hours, on each of these rail lines. They block my work commute on Leeland Street at the West Belt; my access to the light rail transit line on Harrisburg Boulevard at the Galveston Subdivision; and visits to my brother's house along both Lawndale Street and Telephone Road at the East Belt.

Why this matters in our community

Blocked crossings pose public safety risks to our community. They delay emergency response times for fire, EMS, and police. They cut off access to schools, medical facilities, and workplaces. They affect residents' ability, including elderly neighbors and parents with small children, to move through their own neighborhood on foot or by car.

The East End and surrounding Houston neighborhoods already bear a disproportionate share of freight rail impacts. We have lived alongside these tracks for generations. The proposed merger is projected to grow freight volumes through our community, and growth in train counts and train length translates directly into more frequent and longer blockages at the at-grade crossings we depend on every day.

The Applicant's position should not control the Board's review

In their May 12, 2026, reply on completeness (UP-51/NS-49, Section XI), Applicants take the position that blocked crossings are appropriately addressed only through the Board's environmental review process under 49 C.F.R. § 1180.8(a)(2). I respectfully disagree with treating this as a procedural punt to a separate, slower track.

Environmental review on its own does not produce enforceable operating conditions on the merged railroad. A meaningful response to blocked crossings requires conditions imposed at the time of merger approval, with measurable reporting requirements and a real enforcement mechanism. Without those, communities along the line have no practical recourse when blockages happen. This is the time, for American residents and their federal protectors, to ensure that historical harms related to blocked railroad crossings are reduced—not increased.

The Board has clear authority under 49 U.S.C. § 10101 and 49 U.S.C. § 11324(c) to impose conditions necessary to protect the public interest, including conditions addressing community impacts of a proposed control transaction. Approving this merger without addressing blocked crossings in densely populated communities would consolidate freight rail control through our neighborhood without corresponding accountability.

Conditions I respectfully request

I respectfully ask that the Board:

1. Treat blocked crossings as a substantive issue in this proceeding, in addition to the environmental review process. There are meaningful ways for Union Pacific, in coordination with local, state, and federal authorities, to address blocked crossings.
2. Require Applicants to disclose, by neighborhood and by crossing, projected post-merger frequency, duration, and timing of blockages at at-grade crossings in densely populated communities along their lines, including the East End of Houston.
3. Condition any approval of the proposed transaction on enforceable measures to reduce blocked crossings, including:
 - a. A requirement that Applicants share real-time train movement information with local emergency services and 911 dispatchers.
 - b. Public quarterly reporting on blockage frequency and duration at identified high-impact crossings.
 - c. A dedicated regional point of contact and complaint process for affected residents and local governments.
 - d. Investment in grade separation, signaling improvements, and other mitigation at crossings the Board identifies as posing the greatest public safety risk.

Closing

Thank you for your consideration. I believe that Union Pacific has every right to push for quick approval that would benefit its bottom line. It is a private company, and its shareholders are its first priority. However, the benefits of any private company should not come at the expense of the life-safety of American communities. We look to our federal regulators to protect our interests. Only with strong regulation can we fully unlock all the wonderful benefits of our capitalist economic system.

I am happy to provide additional information about my experience, or about the impacts on my neighborhood, if it would assist the Board's review.

Respectfully submitted,

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cc: Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of May, 2026, the foregoing document was served to all parties of record to this proceeding.

/s/ Ian Hlavacek