

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Chief Counsel
September 9, 2026
Part of
Public Record

UNION PACIFIC CORPORATION AND	)	DOCKET NO. FD 36873
UNION PACIFIC RAILROAD COMPANY —	)	
CONTROL —	)	
NORFOLK SOUTHERN CORPORATION AND	)	
NORFOLK SOUTHERN RAILWAY COMPANY	)	

**EVIDENTIARY COMMENTS AND FACTUAL SUBMISSION OF RUTH L. TINES
REGARDING ENVIRONMENTAL RACISM AND THE 50-YEAR LIVED
REALITY
ON CHICAGO'S SOUTH SIDE**

PREAMBLE / INTRODUCTION

My name is Ruth L. Tines, I was born and raised in the Englewood and West Englewood community and I am a lifelong rail-adjacent resident of Chicago's South Side, a veteran railroader with over 32 years of service, and an official Party of Record in Docket No. FD 36873. I submit this filing to ensure the Surface Transportation Board (STB) and its Office of Environmental Analysis (OEA) account for the true human, biological, and environmental toll that decades of Class I rail expansion have inflicted on Black and Brown communities along the 79th Street Columbus Drive and Landers Yard rail corridors. For over 50 years, my family and neighbors have lived the reality of environmental racism—inhaling toxic diesel particulate matter, enduring constant structural vibrations, and facing severe public health crises while corporate executives treat our neighborhoods as sacrifice zones.

SECTION I: OBJECTIVE EVIDENTIARY FOUNDATION VERSUS CORPORATE RHETORIC

1. Executive Disregard for Public Health Data and NEPA Mandates
During recent investor forums and public statements, the Applicants' top executive leadership made claims that reveal a total disregard for independent scientific evidence and community health impacts:
 - Dismissal of Environmental Evidence as "Misinformation": Union Pacific CFO Jennifer Hamann explicitly dismissed public opposition to the transaction, stating: "You've had a lot of misinformation out there... You've had virtually no facts put out there other than the facts that Union Pacific put out." Characterizing independent municipal health records and academic air quality studies as "misinformation" demonstrates a corporate posture that ignores the lived human reality of rail-adjacent communities.
 - Refusal to Evaluate Cumulative Environmental Impacts: CEO Jim Vena dismissed

concerns regarding network concentration and downstream impacts, stating: "I have no idea why the STB should be worried about that... I'm not here to worry about [other carriers] in the long run." Under the National Environmental Policy Act (NEPA) and STB review standards (49 CFR § 1180.1), the Board and its Office of Environmental Analysis (OEA) are legally mandated to evaluate cumulative environmental and health impacts. CEO Jim Vena's refusal to account for cumulative regional toxic loads highlights why independent regulatory oversight is essential.

- **Dismissal of Downstream Competitor & Network Risk:** CEO Jim Vena further dismissed broader network impacts during an investor forum, stating: "I'm not here to worry about how Berkshire ends up in the long run... And I'm not really here to worry about what CSX is going to do in the long run for their shareholders, okay? That's up to them." By attempting to limit the scope of review to UP's bottom line, executive leadership explicitly ignores the massive, ripple-effect freight diversions and rail congestion that competitor actions will inflict on Chicago's rail hubs.
 - **Pressure on Regulatory Oversight Timelines:** CEO Jim Vena suggested that the STB was failing to communicate effectively, stating: "We learned that we were probably right when we started this, and we did say to the STB, 'Listen, let's make this a two-way discussion about what you need for information'... we probably should have pushed them harder to say, 'Listen, open up. Tell us what you want and we'll give it to you.'" Vena added: "We never thought the STB would move quickly for us, but now they're on a time clock." Treating federal environmental and public interest review as an administrative hurdle to be rushed through "on a time clock" directly undermines the thorough environmental evaluation required by law.
 - **The Moral and Human Disconnect:** These executive statements raise a fundamental ethical question for the Board: Would these executives be comfortable raising their own children, grandchildren, and elderly family members in homes directly abutting rail yards where heavy industrial traffic pumps diesel particulate exhaust into their backyards 24 hours a day? For decades, corporate leadership has treated low-income, predominantly Black and Hispanic neighborhoods on Chicago's South Side as expendable dumping grounds for toxic freight emissions. Environmental justice requires an immediate end to this double standard.
2. **Verifiable Public Health Statistics vs. Executive Rhetoric**
- Contrary to CFO Jennifer Hamann's claim that "virtually no facts" exist beyond the Applicants' filings, certified municipal, state, and federal records document a public health crisis in South Side rail corridors:
- **Demographic Reality:** U.S. Census Bureau and Chicago Metropolitan Agency for Planning (CMAP) data confirm that South Side neighborhoods intersecting terminal rail operations—including Englewood, Fuller Park, Auburn Gresham, and the 60620, 60621, 60629, 60636, and 60652 ZIP codes (spanning the 79th Street and Landers Yard corridor)—face median household incomes far below regional averages and poverty rates exceeding 44%.

- Pediatric Asthma Crisis: According to the Chicago Department of Public Health (CDPH) and the Chicago Cumulative Impact Study, children in Englewood and adjacent rail corridors suffer pediatric asthma emergency room visits at rates 4 to 6 times higher than the citywide average (exceeding 150 to 200+ ER visits per 10,000 children annually).
 - National Percentile Diesel Burden: U.S. EPA EJScreen metrics and the Chicago Environmental Justice Index Map place these South Side rail corridors in the 90th to 100th percentile nationwide for exposure to Diesel Particulate Matter (PM2.5), heavy freight traffic proximity, and toxic industrial land-use overlap.
 - Adult Respiratory Vulnerability: Illinois Department of Public Health (IDPH) data shows adult Chronic Obstructive Pulmonary Disease (COPD) prevalence in these rail-adjacent ZIP codes tracks at nearly double national and state averages (exceeding 9% to 11%), creating extreme biological vulnerability among infants, the elderly, and immunocompromised residents forced to inhale diesel combustion byproducts.
3. Alignment with Recent Independent Filings (July–August 2026)
- The health facts presented herein reinforce recent formal filings submitted to Docket No. FD 36873 by independent environmental, academic, and community organizations:
- Sustainable Englewood Initiatives (SEI) & Northwestern University (July 30, 2026): Grassroots organization Sustainable Englewood Initiatives—representing South Side residents adjacent to Norfolk Southern’s 47th Street Yard—filed formal comments highlighting that overburdened Black and Brown neighborhoods face heightened toxic diesel emissions, noise, vibrations, and derailment risks. SEI engaged an interdisciplinary team of experts from Northwestern University—including transportation engineers, data scientists, and air quality modelers—to evaluate the severe health and environmental impacts that increased intermodal train and truck traffic will bring to Englewood.
 - Natural Resources Defense Council (NRDC) Motion (August 25, 2026): Party of Record NRDC filed a formal motion challenging the Applicants’ attempt to hide their official “Railroad Emission Data Inventory” behind “Highly Confidential” protective seals. NRDC argued that the public and environmental justice communities have a fundamental right to review unredacted diesel emission data. The Applicants’ attempt to seal emissions data directly refutes their claims of transparency and validates community concerns regarding hidden environmental burdens.

EXHIBIT A-1: COMPARATIVE ANALYSIS OF RACIAL DISPARITY IN RAIL POLLUTION

Environmental Justice & Rail Pollution Disparity: Majority-White vs. Majority-Black & Brown Neighborhoods

Community Area # & Name	Demographics (% White vs. Minority)	EJ Score Percentile	Toxic Air Burden & PM _{2.5} Pollution Level	Heavy Class I Freight Rail & Switch Yard Density
06. Lake View	75% White, 25% Minority	0 – 10 (Lowest)	Minimal. Low industrial emissions, clean air buffer.	None. Passenger/CTA commuter rail only; no Class I freight yards.
07. Lincoln Park	78% White, 22% Minority	0 – 10 (Lowest)	Minimal. High green canopy, minimal toxic fumes.	None. No freight switching yards or heavy intermodal hubs.
72. Beverly	58% White, 42% Minority	0 – 10 (Lowest)	Low. Residential green space, low toxic exposure.	Low. Metra commuter rail only; light local freight exposure.
74. Mount Greenwood	84% White, 16% Minority	0 – 10 (Lowest)	Lowest. Minimal commercial/industrial air pollutants.	None. No heavy freight lines or switching operations.
77. Edgewater	54% White, 46% Minority	0 – 10 (Lowest)	Minimal. Lakefront winds, very low industrial toxic burden.	None. CTA transit corridor only; zero freight rail hubs.
67. West Englewood	4% White, 96% Minority (91% Black)	80 – 90 (Severe)	Extreme. Continuous diesel exhaust (PM _{2.5}) and toxic fumes.	Severe Concentration. Norfolk Southern 47th St Intermodal Yard expansion.
68. Englewood	3% White, 97% Minority (93% Black)	80 – 90 (Severe)	Severe. High diesel particulate matter	Heavy Concentration.

Community Area # & Name	Demographics (% White vs. Minority)	EJ Score Percentile	Toxic Air Burden & PM _{2.5} Pollution Level	Heavy Class I Freight Rail & Switch Yard Density
	Black)		and heavy truck emissions.	Major freight rail junctions and switching yards.
30. Little Village	10% White, 90% Minority (82% Hispanic)	80 – 90 (Severe)	Severe. Dense industrial corridors, high diesel soot.	Heavy Concentration. BNSF and Class I rail corridors, heavy freight traffic.
51. South Deering	4% White, 96% Minority (Black/Hispanic)	90 – 100 (Highest Priority)	Maximum. High concentration of industrial air toxics.	Extreme Concentration. Lake Calumet industrial rail complexes.

TERMINOLOGY & DEFINITION KEY

- **Highest Priority EJ Zone (90–100th Percentile):** Defines the top 10% most environmentally burdened areas in Chicago. Characterized by extreme concentration of Class I freight rail yards, heavy manufacturing, hazardous waste sites, and continuous industrial truck corridors.
- **Severe Cumulative Impact (80–90th Percentile):** Formally designated Environmental Justice (EJ) neighborhoods facing heavy multi-pollutant exposure, high diesel particulate matter from rail switching operations, and severe health/economic disparities.
- **High Impact (60–80th Percentile):** Areas directly adjacent to major transport infrastructure (highways, arterial freight rail, intermodal hubs) experiencing elevated noise, vibration, and air quality degradation.
- **Elevated / Mid-Range Impact (40–60th Percentile):** Moderate urban density zones with mixed light industrial or commercial transit exposure, but lower overall industrial site density.
- **Low / Lowest Impact (0–40th Percentile):** Neighborhoods with minimal heavy industrial land use, low diesel truck/rail traffic, and high green space canopy.
- **Designated EJ Neighborhood Overlay:** Areas officially recognized by local and state frameworks for priority protection due to historical disinvestment, environmental health burdens, and demographic vulnerability.

EXHIBIT A-2: CITYWIDE ENVIRONMENTAL JUSTICE INDEX BASELINE

Chicago Community Areas: Environmental Justice Index & Risk Score Breakdown

Community Area # & Name	EJ Score Percentile	Risk & Cumulative Impact Level	Map Overlay & Primary Characteristics
01. Rogers Park	40 – 50	Mid-Range Impact	High-density residential, coastal transit access
02. West Ridge	30 – 40	Moderate Impact	Commercial corridors, mixed residential
03. Uptown	20 – 30	Low-Moderate Impact	Lakefront residential, transit-adjacent
04. Lincoln Square	10 – 20	Low Impact	Residential, low industrial presence
05. North Center	10 – 20	Low Impact	Residential, light commercial
06. Lake View	0 – 10	Lowest Impact	Lakefront residential, minimal industrial density
07. Lincoln Park	0 – 10	Lowest Impact	Lakefront parkland, high-income residential
08. Near North Side	20 – 30	Low-Moderate Impact	High-density commercial/residential, Loop border
09. Edison Park	10 – 20	Low Impact	Far Northwest single-family residential
10. Norwood Park	20 – 30	Low-Moderate Impact	Single-family residential, highway adjacent
11. Jefferson Park	20 – 30	Low-Moderate Impact	Transit hub, residential, expressway corridor
12. Forest Glen	20 – 30	Low-Moderate Impact	Low-density residential, forest preserve border
13. North Park	30 – 40	Moderate Impact	Educational institutions, green space, light commercial
14. Albany Park	30 – 40	Moderate Impact	High-density residential, commercial corridors

Community Area # & Name	EJ Score Percentile	Risk & Cumulative Impact Level	Map Overlay & Primary Characteristics
15. Portage Park	30 – 40	Moderate Impact	Residential, major commercial intersections
16. Irving Park	30 – 40	Moderate Impact	Interstate exposure (I-90/I-94), mixed residential
17. Dunning	20 – 30	Low-Moderate Impact	Far West Side residential, institutional space
18. Montclare	30 – 40	Moderate Impact	Rail line border, mixed residential
19. Belmont Cragin	50 – 60	Elevated Impact	Designated EJ Area; light industrial, high density
20. Hermosa	50 – 60	Elevated Impact	Designated EJ Area; rail corridor exposure, light manufacturing
21. Avondale	40 – 50	Mid-Range Impact	Expressway corridor (I-90/I-94), light industrial
22. Logan Square	40 – 50	Mid-Range Impact	Transit-adjacent, historic residential
23. Humboldt Park	70 – 80	High Impact	Designated EJ Area; industrial rail corridors, high density
24. West Town	40 – 50	Mid-Range Impact	Industrial corridor remnants, mixed commercial
25. Austin	70 – 80	High Impact	Designated EJ Area; major rail/highway corridors, high burden
26. West Garfield Park	80 – 90	Severe Impact	Designated EJ Area; heavy transit/rail, industrial exposure
27. East Garfield Park	70 – 80	High Impact	Designated EJ Area; rail lines, vacant industrial land
28. Near West Side	40 – 50	Mid-Range Impact	Major expressway interchanges (I-290/I-90), medical district
29. North Lawndale	80 – 90	Severe Impact	Designated EJ Area; industrial

Community Area # & Name	EJ Score Percentile	Risk & Cumulative Impact Level	Map Overlay & Primary Characteristics
			corridors, rail freight lines
30. South Lawndale (Little Village)	80 – 90	Severe Impact	Designated EJ Area; heavy industrial, freight hubs, high traffic
31. Lower West Side (Pilsen)	80 – 90	Severe Impact	Designated EJ Area; industrial corridor, Chicago River, heavy rail
32. Loop	40 – 50	Mid-Range Impact	Central Business District, major transit convergence
33. Near South Side	30 – 40	Moderate Impact	Mixed commercial/residential, lakefront adjacent
34. Armour Square	60 – 70	High Impact	Expressway junction (I-90/I-55), rail infrastructure
35. Douglas	50 – 60	Elevated Impact	Lakefront adjacent, transit corridors
36. Oakland	40 – 50	Mid-Range Impact	Residential lakefront buffer
37. Fuller Park	80 – 90	Severe Impact	Designated EJ Area; bounded by Dan Ryan (I-90) & heavy rail
38. Grand Boulevard	60 – 70	High Impact	Transit corridors, dense urban layout
39. Kenwood	30 – 40	Moderate Impact	Lakefront residential
40. Washington Park	70 – 80	High Impact	Highway exposure, public parkland, urban density
41. Hyde Park	20 – 30	Low-Moderate Impact	Institutional space, lakefront parkland
42. Woodlawn	50 – 60	Elevated Impact	Vacant land density, major transit corridors
43. South Shore	50 – 60	Elevated Impact	High-density coastal residential, transit exposure
44. Chatham	60 – 70	High Impact	Commercial rail lines, major

Community Area # & Name	EJ Score Percentile	Risk & Cumulative Impact Level	Map Overlay & Primary Characteristics
			thoroughfares
45. Avalon Park	60 – 70	High Impact	Bounded by freight rail tracks
46. South Chicago	80 – 90	Severe Impact	Designated EJ Area; former steel mill sites, heavy industrial port
47. Burnside	70 – 80	High Impact	Bounded on all sides by freight rail junctions
48. Calumet Heights	60 – 70	High Impact	Freight rail access, commercial corridors
49. Roseland	70 – 80	High Impact	Major transit hub, historical industrial legacy
50. Pullman	70 – 80	High Impact	Historic manufacturing hubs, industrial parks, highway (I-94)
51. South Deering	90 – 100	Highest Priority EJ Zone	Designated EJ Area; Lake Calumet industrial complex, land disposal
52. East Side	80 – 90	Severe Impact	Designated EJ Area; heavy industrial, Calumet River, manufacturing
53. West Pullman	80 – 90	Severe Impact	Designated EJ Area; heavy manufacturing, freight rail lines
54. Riverdale	90 – 100	Highest Priority EJ Zone	Designated EJ Area; water treatment, heavy rail yards, toxic sites
55. Hegewisch	90 – 100	Highest Priority EJ Zone	Designated EJ Area; heavy industry, auto plants, freight switching yards
56. Garfield Ridge	60 – 70	High Impact	Midway Airport pollution zone, Stevenson Expressway (I-55)
57. Archer Heights	70 – 80	High Impact	Bounded by Stevenson Expressway (I-55), rail yards
58. Brighton Park	80 – 90	Severe Impact	Designated EJ Area; heavy industrial corridors, rail switching yards

Community Area # & Name	EJ Score Percentile	Risk & Cumulative Impact Level	Map Overlay & Primary Characteristics
59. McKinley Park	70 – 80	High Impact	Central Manufacturing District exposure, I-55 corridor
60. Bridgeport	60 – 70	High Impact	Bounded by Chicago River industrial zones and I-90/I-55
61. New City (Back of the Yards)	90 – 100	Highest Priority EJ Zone	Designated EJ Area; stockyard history, dense diesel truck/rail hubs
62. West Elsdon	60 – 70	High Impact	Midway Airport buffer zone, rail exposure
63. Gage Park	70 – 80	High Impact	Freight rail corridors, high residential density
64. Clearing	60 – 70	High Impact	Bounded by Clearing Freight Yards and Midway Airport
65. West Lawn	60 – 70	High Impact	Midway Airport proximity, arterial traffic
66. Chicago Lawn	60 – 70	High Impact	Dense residential, commercial traffic corridors
67. West Englewood	80 – 90	Severe Impact	Designated EJ Area; Norfolk Southern rail yard expansion, high diesel traffic
68. Englewood	80 – 90	Severe Impact	Designated EJ Area; rail freight hubs, major urban transportation cut-throughs
69. Greater Grand Crossing	70 – 80	High Impact	Major rail intersections (Skyway, I-90), high traffic volume
70. Ashburn	60 – 70	High Impact	Southwest rail line exposure, commercial transit
71. Auburn Gresham	60 – 70	High Impact	Bounded by major freight rail lines, dense residential
72. Beverly	0 – 10	Lowest Impact	Low-density single-family residential, high green canopy

Community Area # & Name	EJ Score Percentile	Risk & Cumulative Impact Level	Map Overlay & Primary Characteristics
73. Washington Heights	60 – 70	High Impact	Interstate exposure, freight rail lines
74. Mount Greenwood	0 – 10	Lowest Impact	Far Southwest low-density residential
75. Morgan Park	30 – 40	Moderate Impact	Single-family residential, transit corridor divide
76. O'Hare	60 – 70	High Impact	O'Hare International Airport jet fuel/diesel emissions zone
77. Edgewater	0 – 10	Lowest Impact	Far North Side lakefront, minimal industrial footprint

SECTION II: GROUND-TRUTH GEOGRAPHY, OPERATIONAL REALITY, AND CONTRAST WITH EXECUTIVE ADMISSIONS

While the Applicants paint a picture of frictionless efficiency in corporate filings, the physical reality on the ground in the 60620, 60621, 60629, 60636, and 60652 ZIP codes tells a vastly different story. The Landers Yard and 79th Street rail corridor functions as a high-density bottleneck where idling diesel locomotives, switching operations, and heavy drayage truck traffic run 24 hours a day, 7 days a week directly adjacent to residential homes, public parks, and neighborhood schools.

Contrast with Executive Admissions: The severity of this operational impact stands in stark contrast to the rosy macroeconomic projections advanced by railroad leadership:

- Union Pacific CEO Jim Vena has publicly promoted this transaction as a "win for America for our customers for the safety of our communities," claiming the merger will remove millions of truckloads from highways while reducing overall train starts.
- Union Pacific CFO Jennifer Hamann has explicitly stated that the merger is engineered to "supercharge that growth profile by shifting significant business from road to rail" across 10,000 single-line service lanes.

While executive leadership champions these metrics from insulated corporate offices, the physical displacement of freight from highways to fixed steel rail corridors does not eliminate pollution—it relocates it. Shifting millions of tons of freight directly into the backyards of low-income Black and Hispanic communities on Chicago's South Side is not an administrative triumph of logistics; it is an unconscionable transfer of environmental harm onto vulnerable populations who lack the political insulation of affluent enclaves.

The Shell Game of Corporate Sustainability: Corporate merger models are built to satisfy Wall

Street by focusing entirely on macro-level logistics numbers while erasing the human geography of where those toxic operations actually land. The railroads pitch this deal on the metric that it will convert 2.1 million truckloads from road to rail annually, eliminating approximately 3.8 million metric tons of CO2 emissions and 3.6 billion truck-miles from public highways. They also highlight industry data showing that rail produces 70 to 75 percent fewer greenhouse gas emissions per ton-mile than trucking, with a single intermodal train capable of taking up to 550 trucks off the road.

On a corporate balance sheet, shifting freight to rail looks like a clean win for national efficiency. But for humanity and neighborhood health, that math is a shell game. Shifting freight off the highway doesn't make diesel exhaust, particulate matter, and toxic fumes vanish into thin air; it concentrates them onto fixed, permanent steel corridors that slice directly through low-income, predominantly Black and Hispanic communities on the South Side of Chicago. On an interstate highway, vehicle emissions are transient and dispersed across miles of open road. But when those mega-trains and expanded intermodal operations are funneled directly into yards in neighborhoods like Englewood, Fuller Park, and Ashburn, the pollution becomes a permanent, localized assault on the families, babies, and seniors living right outside their back doors. Trading regional carbon credits for localized lung damage in working-class neighborhoods isn't a victory for humanity—it is environmental racism disguised as corporate sustainability.

Because the record before the Surface Transportation Board is supported by verifiable census metrics, peer-reviewed science, documented local geography, the NRDC's challenges to hidden data, and the applicants' own financial disclosures, these structural inequities cannot be dismissed or minimized. The Board must evaluate this merger through the lens of real human impact, public health, and explicit environmental justice and civil rights protections.

SECTION III: CUMULATIVE IMPACTS AND THE DOUBLE STANDARD OF FREIGHT CORRIDORS

Federal environmental policy under Executive Order 12898 and Executive Order 14096 mandates that federal agencies address environmental justice by evaluating the cumulative burden placed on historically disadvantaged communities. Adding hundreds of additional freight train movements and thousands of daily local truck trips through South Side rail corridors under this proposed merger will compound 50+ years of unmitigated pollution. Corporate promises of future 'efficiency' do not clean the air breathed today by children in Englewood, West Englewood, Auburn Gresham, and across all of the overburdened South Side ZIP codes—including 60620, 60621, 60629, 60636, and 60652—where the highest concentration of this toxic diesel air is continuously dumped.

SECTION IV: MANDATORY ENVIRONMENTAL AND OPERATIONAL CONDITIONS

Should the Surface Transportation Board consider approval of this transaction under 49 U.S.C. § 11324, it must impose strict, legally binding environmental mitigation conditions to protect South Side residents:

1. Mandatory Zero-Emission Standards & Anti-Idling Oversight: Enforceable limits on locomotive idling in urban yards, backed by mandatory electrification and zero-emission drayage equipment transition timelines.

2. Independent Continuous Air Quality Monitoring: Funding for real-time, community-accessible air monitoring stations placed around Landers Yard, 47th Street Yard, and the 79th Street corridor to track PM2.5 and diesel particulate levels.
3. Sound and Vibration Mitigation Infrastructure: Installation of physical sound barriers, vegetative buffers, and home insulation grants for residents living within 1,000 feet of active rail lines.
4. Community Health Impact Fund: Establishment of an independently managed mitigation fund dedicated to pediatric asthma treatments and respiratory health clinics in South Side ZIP codes.

SECTION V: **CONCLUSION & PRAYER FOR RELIEF- REJECT THE MERGER**

For half a century, the people of Chicago's South Side have borne the uncompensated human and biological costs of national rail commerce. The Surface Transportation Board cannot allow corporate leadership to dismiss municipal health data as "misinformation," dismiss downstream network impacts, or ignore cumulative environmental burdens.

The Board has a legal, moral, and regulatory duty to prioritize human life over corporate profit. I urge the Board to look past spreadsheets and balance sheets and consider the real human stakes:

- Think of Humanity: Recognize that economic growth cannot come at the expense of human dignity, health, and clean air.
- Think of the Future of Our Children: Protect the lungs and futures of infants and young children the low-income, predominantly Black and Hispanic residents living in Englewood, West Englewood, Auburn Gresham, and across all of the overburdened South Side ZIP codes—including 60620, 60621, 60629, 60636, and 60652 who suffer pediatric asthma at rates 4 to 6 times the city average.
- Think of Our Senior Citizens: Honor the last, peaceful twilight days of our elderly residents who deserve to breathe clean air without inhaling constant toxic diesel fumes. Pumping additional locomotive diesel exhaust (PM2.5) into these exact ZIP codes directly threatens populations that are already biologically and environmentally overburdened.

I respectfully request that the Surface Transportation Board fulfill its public interest mandate under 49 U.S.C. § 11324 and **REJECT THE MERGER.**

Respectfully submitted,

Dated: September 8, 2026

/s/ Ruth L. Tines

Ruth L. Tines, Party of Record (STB Control No. 312171)

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EXHIBIT A: FOOTNOTES & EVIDENTIARY CITATIONS (PAGE 1)

On Locomotive Diesel Particulate Matter (DPM), Toxic Fumes, and Lung Cancer

- **U.S. Environmental Protection Agency (EPA).** *"Health Assessment Document for Diesel Engine Exhaust."* EPA/600/8-90/057F. Classifies diesel engine exhaust and diesel particulate matter (DPM)—the microscopic soot ($\text{PM}_{2.5}$) emitted by idling and switching locomotives—as a known human carcinogen, establishing direct causal links between long-term environmental exposure to locomotive emissions and increased incidence of lung cancer, pulmonary inflammation, and cardiovascular mortality.
- **International Agency for Research on Cancer (IARC / World Health Organization).** *"IARC Monographs on the Evaluation of Carcinogenic Risks to Humans: Diesel and Gasoline Engine Exhaust and Some Nitroarenes"* (Vol. 105). Formally classified diesel engine exhaust as a Group 1 Human Carcinogen, concluding that outdoor environmental exposure to diesel fumes causes lung cancer, with positive associations noted for urinary bladder cancer.
- **National Institutes of Health (NIH) / National Cancer Institute.** *"Air Pollution and Cancer Risk in Urban Rail Corridors."* Urban populations residing adjacent to heavy freight rail infrastructure, intermodal classification yards, and high-density diesel corridors face elevated lifetime cumulative cancer risks due to constant exposure to polycyclic aromatic hydrocarbons (PAHs), benzene, and ultrafine diesel soot.

On Chicago South Side Environmental Justice, Asthma, and Health Disparities

- **Chicago Department of Public Health (CDPH).** *"Air Quality and Health Report: Environmental Justice Neighborhood Index."* Identifies South Side Chicago ZIP codes—including 60620, 60621, 60629, 60636, and 60652 surrounding the 79th Street rail corridor and Landers Yard—as high-burden environmental justice communities experiencing disproportionate exposure to industrial $\text{PM}_{2.5}$, heavy-duty truck drayage traffic, and ambient locomotive exhaust.
- **Illinois Department of Public Health (IDPH) & Respiratory Health Association.** *"Pediatric Asthma Disparities in Cook County."* Documents that children residing in South Side Chicago neighborhoods adjacent to primary intermodal rail facilities exhibit pediatric asthma emergency department visitation rates 4 to 6 times higher than the citywide average (exceeding 150 to 200+ ER visits per 10,000 children annually), driven primarily by localized diesel exhaust and particulate concentration.
- **U.S. EPA EJScreen (Environmental Justice Screening and Mapping Tool).** *"Community Environmental Burden Profile for ZIP Codes 60620, 60621, 60629, 60636, and 60652."* Ranks the residential neighborhoods directly bordering the 79th Street rail corridor in the 90th to 99th national percentiles for Diesel Particulate Matter exposure, proximity to heavy industrial rail facilities, and pre-existing respiratory vulnerability.
- **Cumulative Respiratory & Cardiovascular Mortality (IDPH & CDPH Longitudinal Data).** Health surveillance records document elevated chronic mortality rates from COPD, lung cancer, and cardiovascular disease in South Side rail-adjacent ZIP codes (60620, 60621, 60629, 60636, 60652). The human toll in this corridor is reflected not merely in immediate accident risks, but in decades of uncompensated, silent mortality driven by continuous 24/7 exposure to ultrafine locomotive diesel exhaust and heavy drayage soot.

ATTACHMENT A / EXHIBIT A

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EXHIBIT A: FOOTNOTES & EVIDENTIARY CITATIONS (PAGE 2)

3. On Regulatory Mandates Governing Cumulative Environmental Justice Impacts
 - Executive Order 12898 & Executive Order 14096. "Revitalizing Our Nation's Commitment to Environmental Justice for All." Directs all federal administrative agencies, including the Surface Transportation Board, to identify and address disproportionately high and adverse human health or environmental effects of federal programs, policies, and merger approvals on minority and low-income populations.
 - Surface Transportation Board (STB) Environmental Rules (49 CFR Part 1105). Mandates that the Board evaluate the cumulative, localized environmental and public health impacts of increased train traffic, extended yard idling, intermodal truck diversion, and toxic emissions resulting from proposed Class I consolidation transactions.

ATTACHMENT A / EXHIBIT A

STB Docket No. FD 36873

Filing Party: Ruth L. Tines

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of September, 2026, I served a true and correct copy of the foregoing **EVIDENTIARY COMMENTS AND FACTUAL SUBMISSION OF RUTH L. TINES** upon all Parties of Record in Docket No. FD 36873.

Via Electronic Mail (Email):

- Michael L. Rosenthal (mrosenthal@cov.com)
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Via First-Class U.S. Mail:

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Dated: September 8, 2026

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