

Western Chicagoland Merger Oversight Alliance

Berkeley | Elmhurst | Geneva | Glen Ellyn | Lombard | Villa Park | Wheaton | Winfield
Illinois

September 18, 2026

Via E-Filing

Ms. Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

Dear Ms. Gosselin:

The Chicagoland, Illinois Villages of Berkeley, Glen Ellyn, Lombard, Villa Park and Winfield, and the Cities of Elmhurst, Geneva, and Wheaton hereby submits their collective response to the August 19, 2026 letter from OEA to representatives of the communities. The communities have executed a Memorandum of Understanding to participate in the merger proceeding collectively as the Western Chicagoland Merger Oversight Alliance (“Alliance”). As requested by OEA, this letter provides the Alliance’s preliminary comments on environmental issues and concerns related to the Transaction, including any information on resources that might be affected.

A. Background

The Alliance communities are situated along tracks owned and operated by Union Pacific Railroad Company (“UP”) in the western suburbs of Chicago. According to publicly available data,¹ the merger of UP and Norfolk Southern Railway (“NS”) as proposed is expected to result in daily train traffic rising from 77.11 to 84.01 trains—an increase of roughly 9%. However, train frequency only tells part of the story. These communities will also absorb an approximate 36% surge in total freight volume, jumping from 74.851 million to 101.723 million gross tons annually. This stark disparity between the increase in train frequency and the increase in freight tonnage indicates a deliberate shift toward significantly longer and heavier trains.

The real-world impact of this shift is deeply concerning. Already, the FRA Blocked Crossing Dashboard shows that the Winfield Road crossing alone (FRA Crossing No. 174964H) has logged 26 blocked crossing reports with an average reported delay of 42 minutes. Introducing longer, heavier trains to this corridor will inevitably compound these severe local disruptions.

¹ <https://stoptherailmerger.com/community-impact-map/>

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Accordingly, the Alliance communities implore OEA to very closely analyze and to affirmatively address the following impacts the Transaction will have on the Alliance communities:

- Road crossings blocked by stopped or slow-moving trains
- Crossing safety
- Noise and vibration
- Pedestrian safety at or near railroad crossings
- Other impacts from the presence of more frequent and longer trains.

B. Mitigation Measures and Oversight

OEA's analysis of environmental impacts and development of mitigation measures should have two goals: first, mitigation of the immediate environmental harms of the merger, and second, ensuring that the Applicants supply stakeholders with sufficient data to establish the baseline from which post-merger operations can be measured during the oversight period through additional reporting by the carrier, so that adjustments can be made by the Board if necessary.

Stakeholders should not be put in the position of incurring the cost and other resources necessary to try to collect relevant information on train movements, road crossing delays, train length and frequency, and similar data post-merger when all relevant data is collected and maintained by the merging railroads in the normal course.

Along these lines, in addition to OEA thoughtfully developing its own conditions to mitigate the environmental harm from the Transaction and collect data during the oversight period, OEA should closely scrutinize any voluntary mitigation measures submitted by the Applicants and ensure they are meaningful and also provide useful information during the oversight period. The Alliance communities submit that several voluntary mitigation measures adopted by OEA and the Board in the CPKC merger proceeding have proven to be of little value for a variety of reasons. One example is VM-Grade Crossing-02, which states "The Applicants will operate under the General Code of Operating Rules rule numbers 6.32.6 (Blocked Public Crossings) and 6.32.4 (Clear of Crossings and Signal Circuits), which provide that, when practical, a standing train or switching movement must avoid blocking a public crossing longer than 10 minutes and, when practical, cars, engines and other equipment should not be left standing closer than 250 feet from a road crossing when there is an adjacent track."

The Alliance submits that OEA must reject a voluntary condition offered by the Applicants in this proceeding based on the "10-minute" rule because there is no scientific or regulatory basis for it. Rather, the 10-minute period appears to have been invented over 16 years ago by the General Code of Operating Rules Committee (GCOR), an organization made up entirely of railroads, without any prior study or scrutiny by non-railroads or the public before or since its adoption.

Moreover, 10 minutes is more than twice the minimum time first responders state they must have for them to do their jobs. The National Fire Protection Association has adopted Standard

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1750, part of the national Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Services, Special Operations, and Fire Prevention Activities, which in part states that first responders should arrive on the scene within 240 seconds (4 minutes) for fire suppression and EMS incidents, 90% of the time.

Accordingly, OEA should not accept a voluntary mitigation based on the 10-minute rule, and should instead seek input from first responders and police in the Alliance and other urban communities before it decides the reporting threshold. A 10-minute threshold in any mitigation measures will result in harmful crossing blockages being significantly underreported.

Another example from the CPKC proceeding is VM-Grade Crossing-06, which states “The Applicants will notify Emergency Services Dispatching Centers for potentially affected communities of all crossings blocked by trains that are stopped and may be unable to move for a significant period of time.” In practice, the lack of a definition of “significant period of time” has rendered this notification ineffective and severely limited the amount of blocked train data reported during the oversight phase of the CPKC merger. A metric more closely related to gate down time, i.e., the amount of time a crossing cannot be used because the crossing gates are down and the associated lights and signals are deployed, would be much more useful.

In summary, mitigation measures should both (1) aggressively address the immediate harms that will be caused by the merger; and (2) establish a process whereby the merger Applicants provide adequate data to stakeholders and the Board during the oversight period to enable all to accurately measure the extent to which the representations made prior to merger approval come to pass post-merger. The Alliance communities suggest the following metrics, reported monthly, should be part of OEA’s analysis and oversight:

- **Train Volume:** The total number of daily freight, passenger, and switching trains traversing the rail corridor that encompassed the Alliance communities.
- **Train Length:** The precise length (measured in feet) and total car/locomotive count of each individual train (not an average length calculated by the railroads).
- **Gross Ton Miles:** The total weight of a loaded train multiplied by the distance traveled over the Alliance community rail corridor.
- **Gate Downtime Duration:** The exact entry/exit timestamps and total elapsed duration (in minutes and seconds) that crossing gates are fully or partially deployed down for each train movement, idling event, or switching operation.
- **Sensor Infrastructure Integration:** Where current signaling infrastructure lacks the capability to measure precise gate downtime durations, the Applicants would fund and install necessary monitoring sensors or logging software upgrades.
- The Applicants would be required to retain this data for a rolling period of no less than ten (10) years.

In addition, OEA should seek input directly from communities on how certain impacts can be mitigated through measures funded by the merging railroads. These include, but are not limited

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to:

- Workshops for first responders on emergency response measures;
- Training of firefighters on emergency response training techniques;
- Allocation of railroad-owned emergency response equipment;
- Collaboration with Alliance communities and the Illinois Commerce Commission (ICC) to secure funding for safety-enhancing crossing mitigation projects.
- Funding infrastructure improvements necessary to allow any community with an existing Quiet Zone to maintain that designation, and to assist and fund any interested community in achieving a Quiet Zone.
- Funding the installation of advanced smart-corridor technologies across the Alliance communities' rail lines (coordinating with Metra where trackage rights overlap) to achieve the following, including but not limited to (1) predictive mobility systems to deliver advanced digital notice of blocked crossings directly to citizens, police, fire, and rescue dispatchers, (2) advance warning signs; and (3) positive train control wireless tie-ins at certain crossings.

Finally, OEA and the Board should require the Applicants to establish and fund a dedicated Community Liaison position for a period of ten (10) years. This position should have the power and authority to make actionable decisions on behalf of the railroad.

In conclusion, the Alliance communities appreciate the opportunity to provide this input to OEA and we look forward to continuing to participate in the environmental review process, including the public meetings OEA intends to hold.

On behalf of the Alliance,

A handwritten signature in black ink, appearing to read 'E. K. Summers', with a long, sweeping horizontal line extending to the right.

Evan K. Summers, Village Manager

Village of Winfield