

Charles G. Scouten

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16017

19 September 2008

Phillis Johnson-Ball
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Ref: STB Finance Docket No. 35087

**RE: Canadian National Railway Company and Grand Trunk Corporation-Control—
EJ&E West Company (STB Finance Docket No. 35087)**

Dear Ms. Johnson-Ball:

As a resident of the City of Warrenville for 20 years, I've been paying close attention to the proposed purchase of the EJ&E Railroad by Canadian National (CN). I know that the City of Warrenville has met with CN representatives to convey the concerns of residents, particularly of those living close to the tracks. Still, I want to directly convey my concerns about the proposed transaction to the Surface Transportation Board (STB).

It is my understanding, that there will be a significant increase in train traffic (over 70%) and hazardous materials traveling through our community. I also understand there will be a significant – though perhaps not corresponding – decrease in traffic through other neighborhoods and towns in the Chicago area. Since deaths and injuries, noise and vibration, always accompany the presence of heavy rail traffic, I am sure the folks in these latter areas are happy to see CN traffic go. Simply put, my concern is that – if approved – this transaction include engineering design and operational controls that avoid simply moving these problems from their current location to a new one in our town. This is the responsibility of STB.

Several specific points:

- EJ&E Grade crossings should be eliminated if the proposed traffic level is approved. Not to do so is to sign death warrants for the additional people who will die at those grade crossings – and here fault does not matter, just the number of extra deaths that occur because a grade crossing is chosen instead of another, inherently safer, grade-separated design.
- Electrification would eliminate heavy diesel particulate emissions (including PM 2.5) that have severe adverse health effects – both quality of life and morbidity. If diesel power is to be used, then STB must demand effective controls to strictly limit particulate emissions at or below current levels.

- Freight trains can stir up dust and/or shed dust. STB must demand strict dust control measures to prevent environmental degradation due to train dust, and to protect the health and property of Warrenville citizens.
- Every freight train I have been near has been noisy and caused severe vibration. STB must demand engineering design and operational controls for the proposed project that reduce the current levels of noise and vibration the citizens of our city and neighboring towns must endure.
- STB must demand double tracks for CN freight to minimize the time trains waiting for clearance to proceed, and to enable most of the night to be free of train traffic.
- The STAR line has been proposed as an outer rail beltway for Chicago. STB should demand – as a condition of approval - that CN acquire sufficient right of way land to accommodate a third track for STAR or other commuter rail in the future.

I am opposed to CN acquisition of EJ&E as I currently understand the proposal. I might have more confidence in the CN proposal were the CN CEO and Board of Directors domiciled in a Warrenville subdivision abutting the tracks. They are not. So, I must respectfully request that STB examine the CN proposal critically, with the goal of protecting the safety, health and quality of life of US citizens in the area where CN wants to move heavy freight train traffic. Safety and health of US citizens trumps profits for a foreign firm – and STB is the US agency charged with protecting us in this matter.

If you have questions or need more information, please call me at 630-428-1075 or drop me an email at cscouten@aol.com.

Thank you very much for your service to our country, and for protecting US citizens in this important matter.

Sincerely,



Charles G. Scouten

cc: Judy Biggert, U.S. Representative - 6262 South Route 83, Suite 305, Willowbrook, IL 60527
 Bill Foster, U.S. Representative - 27 North River Street, Batavia, IL 60510
 David L. Brummel, Mayor, City of Warrenville, City Hall, 28W701 Stafford Place, Warrenville, IL 60555