

To:	Matthew T. Wallen, STB, Director of Office of Public Assistance, Governmental Affairs, and Compliance	Date:	March 15, 2010
From:	John Morton, HDR		
CC:			
Subject:	Community Coordination		
Project:	STB/CN Compliance Verification	Job No:	00000000133616

I. Introduction

The Board tasked HDR Engineering to conduct an independent audit of Canadian National Railway's (CN) compliance with the conditions imposed by the Board in Decision No. 16 of STB Finance Docket No. 35087, Specifically the Board directed that HDR review and audit the informational reports CN has provided to the Board and complaints the Board has received related to noise and vibration, train volumes and street blockages, vehicle delays and traffic congestion at grade crossings, operational accidents, and public grade crossing signs that were a subject of the Board's conditions. The first task was to prepare for the Surface Transportation Board's (the Board) approval questionnaires to be used to contact the communities along the EJ&E to:

- 1) advise them that the Board has directed HDR to conduct compliance activities as part of its verification of the November and December 2009 operations and environmental reports filed by Canadian National Railroad (CN) with the Board, and
- 2) request information from the communities to assist in verifying CN's reports and to identify any appropriate follow-up actions.

The questionnaires sought information from each community concerning CN's compliance with negotiated agreements, and CN's compliance with the Board's conditions relating to emergency protocols, emergency communication, fire prevention, hazardous-materials training, grade-crossing improvements, and quiet-zone implementation.

The intent of the questionnaires was to assist the Board in determining that either CN has complied with the agreements or conditions, as applicable, or that CN is making appropriate progress.

II. Background

On December 24, 2008, the Board issued Decision No. 16 granting, subject to numerous conditions, CN's application to acquire control of the EJ&E West Company. Recognizing that the transaction would impact the communities along the EJ&E rail line, the Board imposed 108 mitigation measures volunteered by CN (voluntary mitigation measures) and 74 mitigation measures recommended by the Board's Section of Environmental Analysis (Board conditions). The Board included a requirement for CN to report quarterly on the progress achieved in complying with the mitigation conditions. In addition, the Board required CN to submit monthly reports on operational matters. The Board also encouraged CN to negotiate directly with affected communities to arrive at mutually-acceptable mitigation agreements (Voluntary Mitigation Agreements). Of the communities along the EJ&E rail line, some have negotiated agreements with CN and some have not. Because the Board wanted to

better understand the views of both the communities without Voluntary Mitigation Agreements and the communities with Voluntary Mitigation Agreements, two different questionnaires were created.

III. Method and Analysis

The questionnaires were created to obtain general information about CN's coordination efforts from both the communities without Voluntary Mitigation Agreements (VMA's) and the communities with VMA's (See Attachment #1). The questions for each questionnaire needed to be broad enough to cover all of the communities in the two different groups and succinct so that information could be returned by the communities in a timely manner.

As of January 2010, there were 13¹ communities without a VMA with CN. In the questionnaire for those communities, the Board-imposed mitigation measures were reviewed for conditions relating to emergency protocols, emergency communication, fire prevention, hazardous-materials training, grade-crossing improvements, and quiet-zone implementation. Questions about those conditions were created. (See Attachment #2)

As of January 2010, there were 21 communities with a VMA with CN. Since each VMA is unique to each community, the questionnaire sought to determine the status of the ongoing coordination between the community and CN, as well as if coordination for general mitigation conditions relating to emergency protocols, emergency communication, fire prevention, hazardous-materials training, grade-crossing improvements, and quiet-zone implementation had taken place. (See Attachment #2)

The Board emailed a letter on January 20th, 2010 to mayors and village presidents of affected communities explaining the purpose of the survey with links to the on-line survey (See Attachment #3). A follow-up email was sent by the Board to the communities that had not yet responded on January 28th, 2010.

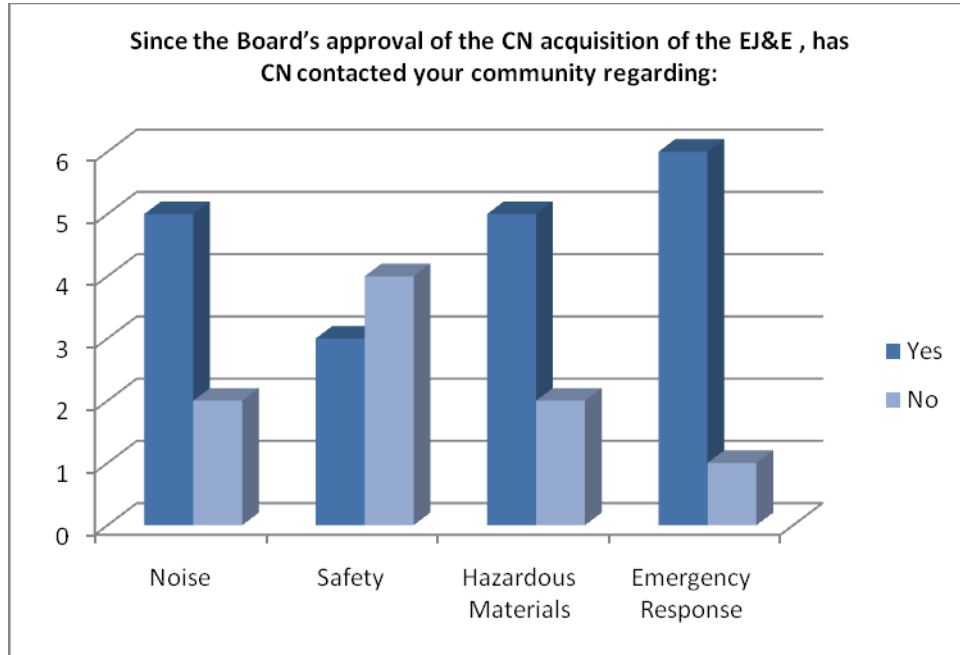
IV. Results

Communities without Voluntary Mitigation Agreements

Of the 13 communities that do not have a VMA with CN, seven responded to the survey. According to the responses, CN has initiated contact in six out of seven communities. However, according to the responses, there have not been follow-up meetings or progress on action items.

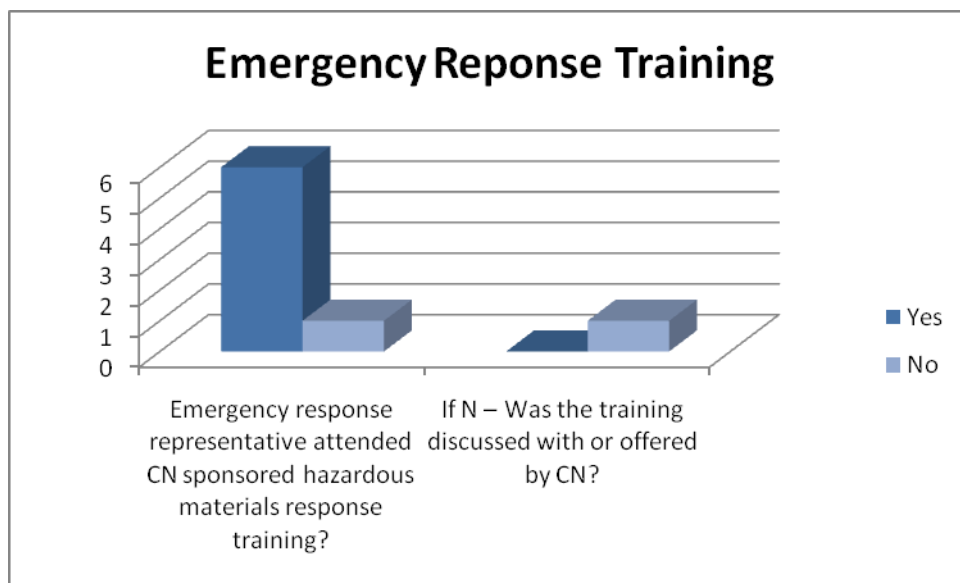
When the communities were asked about whether CN had contacted them about Noise, Safety, Hazardous Materials, or Emergency Response; only Lynwood said they had not been contacted about Emergency Response. In a follow up telephone conversation with Lynwood, it was not clear whether there had been any contact with CN concerning emergency response. The contact may have been with an official other than the one who completed the survey. Five out of seven communities said they had been contacted about Noise and Hazardous Materials; and three out of seven said they had been contacted about Safety.

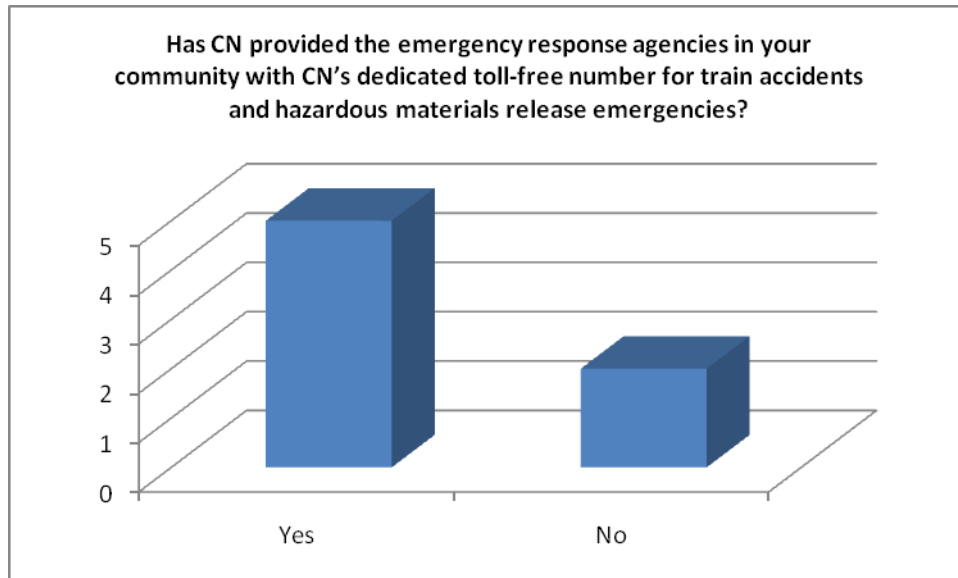
¹ In addition to the twelve communities listed on Attachment 1, Will County requested the opportunity to participate in the survey.



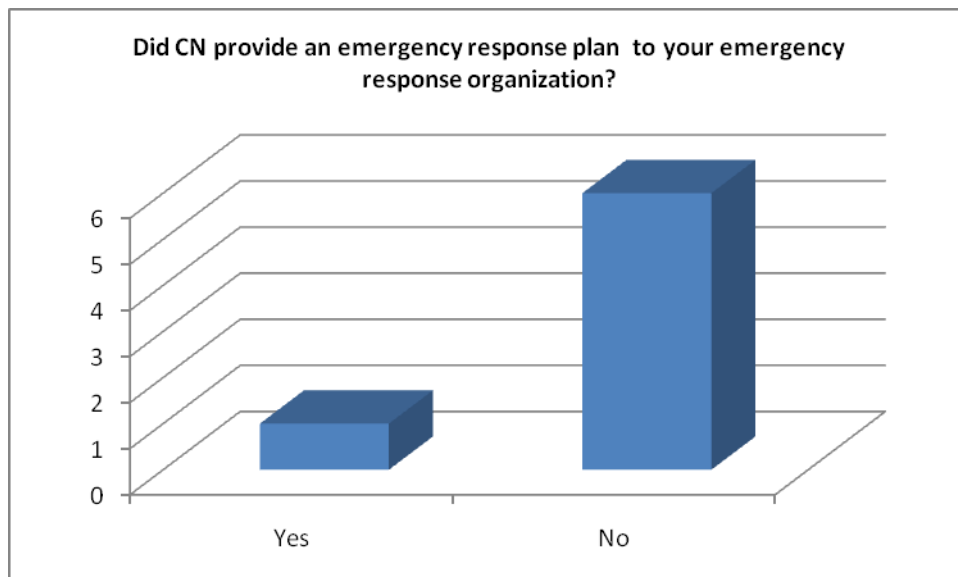
All of the communities stated that they had been provided with the name and contact information for CN's Community Liaison.

Six out of seven of the communities have sent one or more personnel to CN sponsored hazardous materials response training; Lynwood was represented by personnel from another neighboring local government since none of its emergency service providers had the required certification. . Five out of the seven communities stated they had received a toll-free number from CN for train accidents and hazardous materials release emergencies. In follow up telephone conversations, one of the responders indicated that the toll free number had been provided. Another responder indicated that the toll free number had initially been provided to a fire protection district not under the responder's jurisdiction and since then has been provided to the responder's police department

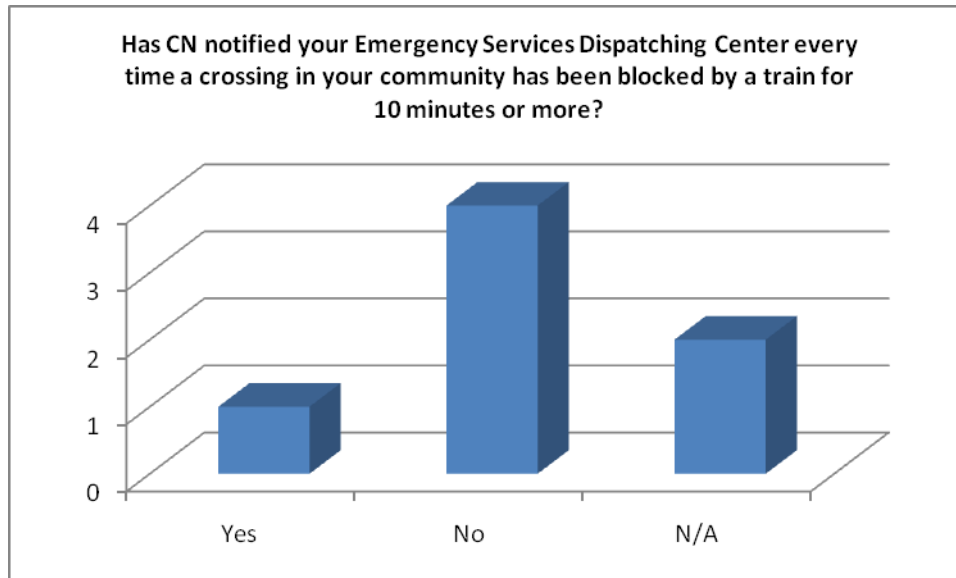




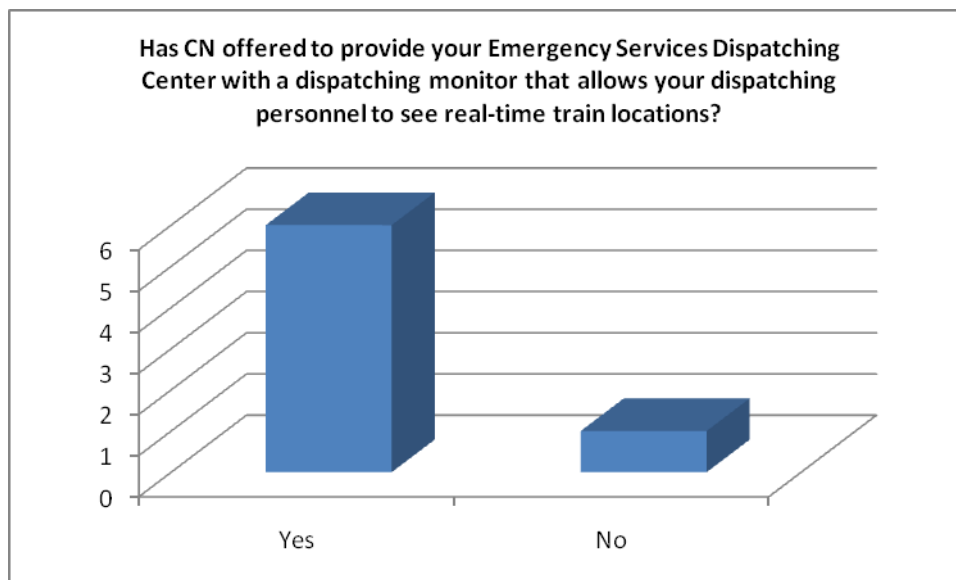
Only Deer Park stated that it had been provided an emergency response plan by CN. The quarterly environmental reports that CN has filed pursuant to STB Condition 74 and VM 101 show that all of the communities without a VMA that responded to the survey have sent representatives to CN seminars where emergency response plans were discussed. In follow up telephone conversations, some of the individuals who attended these seminars did not recall being given copies of CN's emergency response plans as required by VM 16 and VM 23.



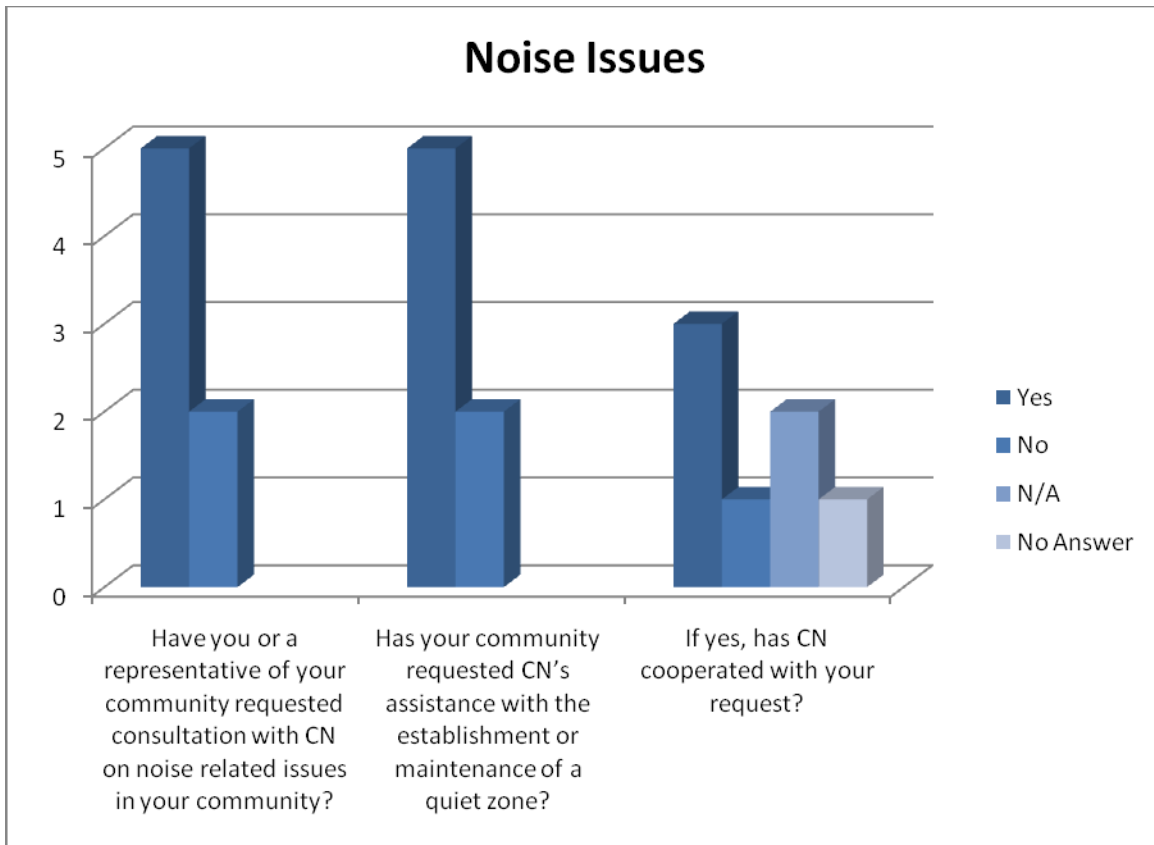
Only Will County indicated that it had been notified by CN every time a crossing in the community had been blocked by a train for 10 minutes or more. In its quarterly environmental reports, CN has not indicated whether it has informed communities of crossing blockages of 10 minutes or more.



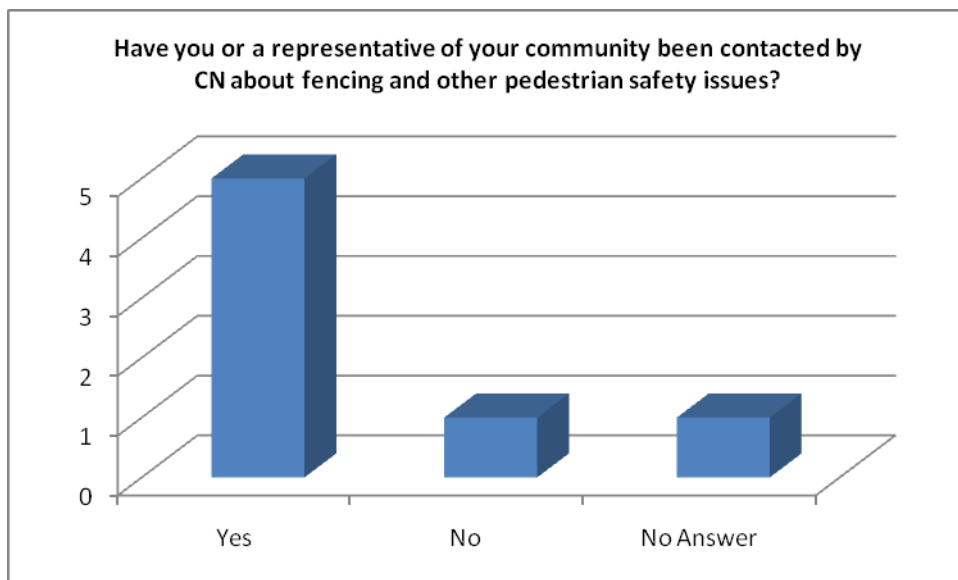
Only Lynwood said that CN has not offered their Emergency Services Dispatching Center a monitor that allows the dispatching personnel to see real-time train locations. In a follow up telephone conversation, Lynwood confirmed it had not been offered a monitor. In its most recent quarterly environmental report, CN indicated it had held three preliminary coordination meetings on this issue and that implementation was to begin as soon as possible.



Five out of seven communities have requested consultation with CN on noise related issues. Five out of seven communities have requested CN's assistance with establishing or maintaining quiet zones. New Lenox stated that CN has not cooperated with their request, and Bartlett responded that CN would only fund the necessary improvements if the community signed a VMA. In its most recent quarterly environmental report, CN responded on the status of compliance with VM 5. VM 5 requires CN to cooperate with interested communities for the establishment of quiet zones and assist in identifying actions that could enable the creation of quiet zones. In its response CN stated preliminary discussions were underway with several communities on this issue, studies were under review and work was anticipated for 2010.



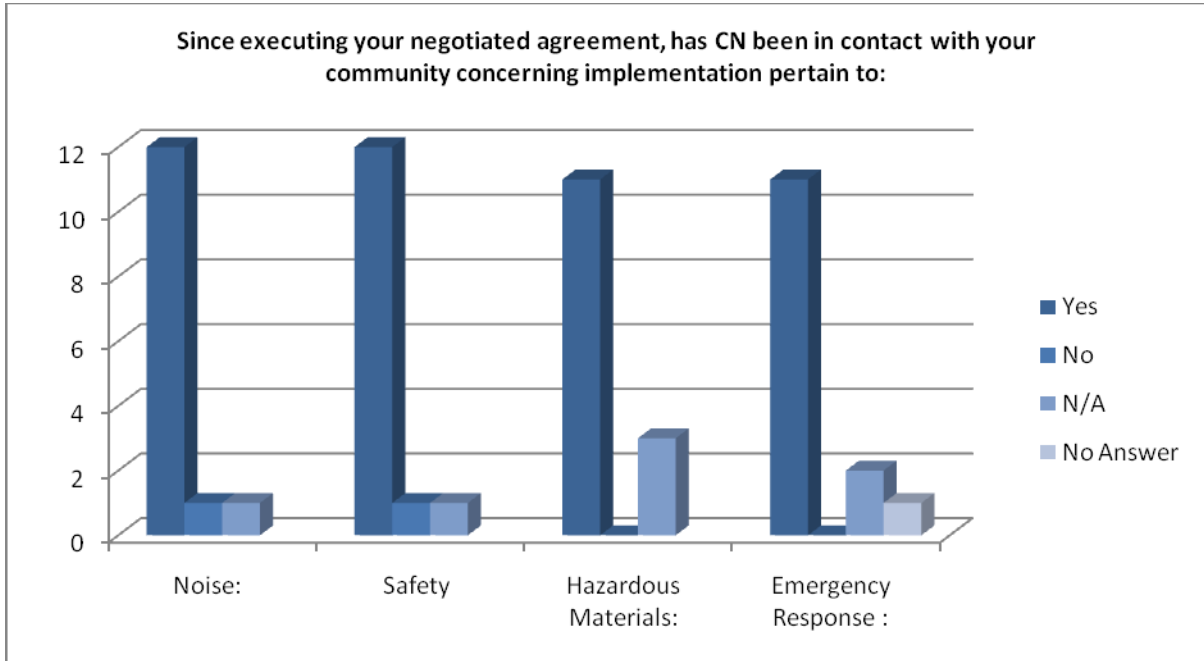
Only New Lenox stated that it had been contacted by CN about fencing and other pedestrian safety improvements in their community, and the fencing was only done at Lincolnway West High School, which is outside of the village. It should be noted that many of CN's contacts and agreements on fencing have been with schools and parks that are not represented by the communities that answered the surveys.



Comments focused mainly on blocked crossing issues and noise and vibration issues. Based on the survey comments, communities without a VMA are generally not pleased with the coordination with CN.

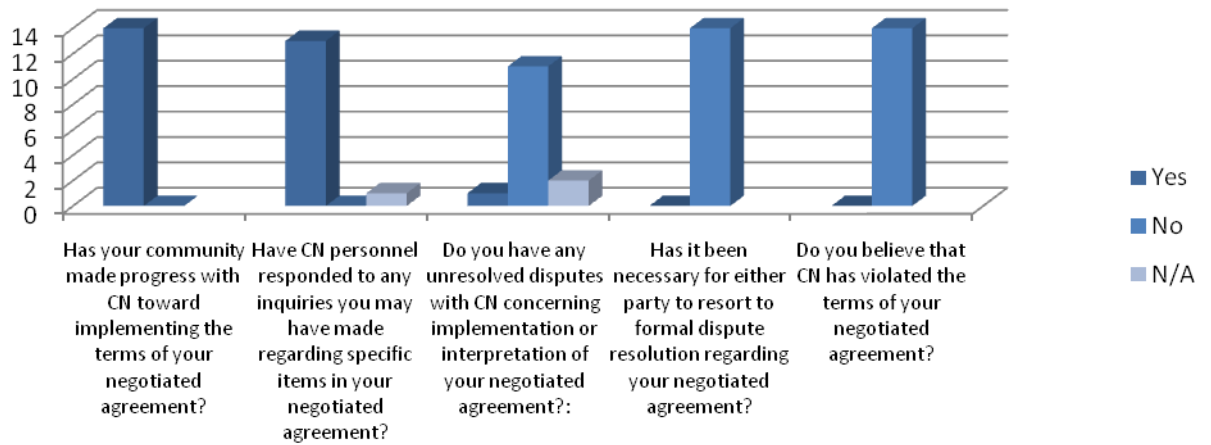
Communities with Voluntary Mitigation Agreements

Of the 21 communities with a VMA with CN, 14 of those responded to the survey. When the communities were asked about whether CN had contacted them about implementing conditions of their agreements, only Mokena said they had not been contacted about Noise and Safety conditions of their agreement. All of the communities said they had been contacted about Hazardous Materials and Emergency Response conditions of their agreements. In addition to implementing Noise, Safety, Hazardous Materials, or Emergency Response conditions, CN has also worked with communities on additional conditions such as: Economic Development in Griffith, Median Barrier, path crossing, an advance message sign in Hoffman Estates, Volume of daily train traffic in Mokena, and Quiet Crossings in Schererville.



All of the communities thought they were making progress with CN toward implementing the terms of their negotiated agreements, and the communities that made inquiries to CN about specific items thought that CN had responded to their concerns. Only Warrenville stated that it had an unresolved dispute with CN about implementation or interpretation of their agreement, but none of the communities has needed to resort to formal dispute resolution over the terms of a negotiated agreement. None of the communities thought that CN had violated any terms of their negotiated agreements.

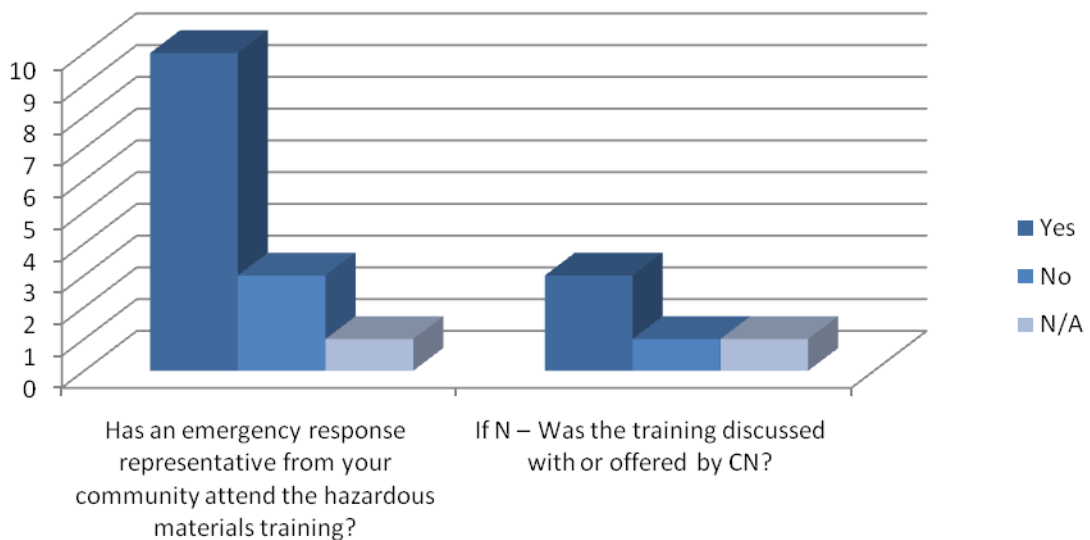
Progress on VMAs



Thirteen out of 14 of the communities stated that they had been provided with the name and contact information for CN's Community Liaison, Mundelein left the question blank.

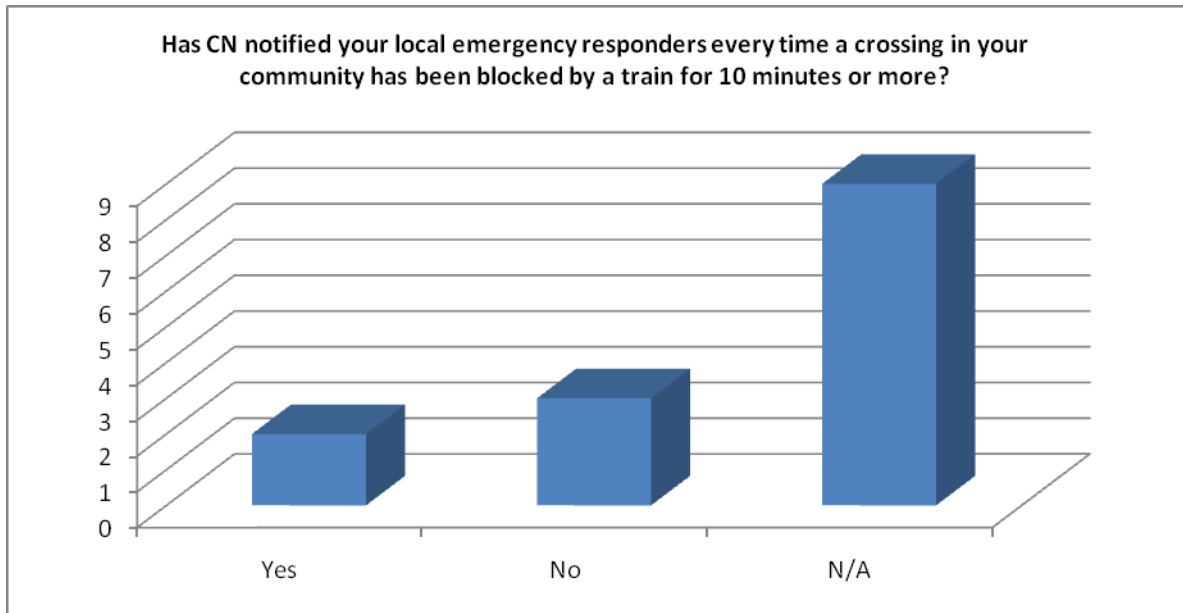
Ten out of 13 of the communities indicated that one or more personnel have been sent to CN-sponsored hazardous materials response training. Only Elgin stated that it had not attended hazardous material training, nor had it been offered or discussed with CN. Warrenville and West Chicago indicated they had not sent representatives to the training, but said it had been discussed with CN. In follow up telephone conversations, the responders from Elgin and West Chicago indicated they had not consulted with emergency service personnel who were shown in CN's quarterly environmental reports as attending the training.

Emergency Response Training



Only two out of the five communities that responded to the question had been notified by CN every time a crossing in the community had been blocked by a train for 10 minutes or more. As noted

above, CN has not provided information on notification of blockages in its previous quarterly environmental reports.



Comments focused mainly on coordination efforts with CN and noise and vibration issues. Based on the survey comments, communities with a VMA are generally pleased with the coordination and implementation efforts CN has undertaken.

Survey Results

Full survey results compiled by community can be viewed in Attachment #4².

V. Conclusions and Recommendations

CN has initiated extensive communication with the affected communities. The surveyed responses indicate that in most instances, the communication has been consistent with the Board's Conditions. There are reported instances, however, where emergency response plans have been discussed with the communities but no copy of the plan has been provided. CN should provide documentation in future quarterly environmental reports filed pursuant to STB Condition 9 and VM 101 on how it has complied the requirement to provide emergency response plans in VM 16 and VM 23. On compliance with VM 5 which requires cooperation in the creation of quiet zones, CN should provide more detail on a community by community basis on the status of compliance with this condition in future quarterly environmental reports. On compliance with VM 42 which requires CN to notify emergency service dispatchers when crossings will be blocked for substantial periods of time and install dispatching monitors when requested, CN should provide additional detailed information in future quarterly environmental reports on how this condition is being met.

² Results are only posted for communities that did not request confidentiality of their responses.

CN Acquisition of EJ&E - STB Finance Docket 35087

Affected Cities

Communities without Voluntary Mitigation Agreements

Village of Lynwood, Illinois

Village of Ford Heights, Illinois

Village of Sauk Village, Illinois

Village of New Lenox, Illinois

City of Aurora, Illinois

City of Naperville, Illinois

Village of Wayne, Illinois

Village of Bartlett, Illinois

Village of Barrington Hills, Illinois

Village of Barrington, Illinois

Village of Deer Park, Illinois

Village of Long Grove, Illinois

Will County

Communities with Voluntary Mitigation Agreements

City of Crest Hill, Illinois

City of Chicago Heights, Illinois

Town of Dyer, Indiana

City of Elgin, Illinois

Village of Frankfort, Illinois

City of Gary, Indiana

Town of Griffith, Indiana

Attachment #1

Village of Hoffman Estates, Illinois

City of Joliet, Illinois

Village of Matteson, Illinois

Village of Mokena, Illinois

Village of Mundelein, Illinois

Village of Richton Park, Illinois

Town of Schererville, Indiana

Village of Vernon Hills, Illinois

City of West Chicago, Illinois

City of Warrenville, Illinois

Village of Hawthorn Woods, Illinois

Village of Park Forest, Illinois

Village of Lake Zurich, Illinois

Village of Plainfield, Illinois



CN | EJ&E

Compliance & Monitoring

Surface Transportation Board's Oversight and Monitoring of the Canadian National Railway Company Acquisition of the Elgin, Joliet and Eastern Railway Company

CN EJ&E Community Questionnaire

The specific conditions of the Board's Decision #16 are listed in parentheses:

* Indicates required fields

- VM = Voluntary Mitigation Measure
- Condition = Board-imposed Mitigation Condition

Name*

Title*

Representing* (If you don't see your community in the dropdown, a response has already been submitted)

Phone*

Email*

	Yes	No	N/A or Don't Know
1. Since the effective date of the Board's approval of CN's acquisition of the EJ&E of January 23, 2009, has CN contacted your community regarding:			
a. Noise	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Safety (vehicle safety, pedestrian safety, fencing, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Hazardous Materials (response training, drills, response plans, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Emergency Response (emergency communications, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Has CN provided your community with the name and phone number of CN's community liaison? (VM 64 and Condition 3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Has an emergency response representative from your community attended CN-sponsored hazardous materials response training? (VM 22)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
a. If yes, how many responders from your community have attended? <input type="text"/>			
b. If no, was the training discussed with or offered by CN?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Has CN provided the emergency response agencies in your community with CN's dedicated toll-free number for train accidents and hazardous materials release emergencies? (VM 24)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Did CN provide an emergency response plan to your emergency response organization (e.g., police or fire department or district)? (VM 23)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Has CN notified your Emergency Services Dispatching Center every time a crossing in your community has been blocked by a train for 10 minutes or more? (VM 35, VM 42 and Condition 3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Has CN offered to provide your Emergency Services Dispatching Center with a dispatching monitor that allows your dispatching personnel to see real-time train locations? (VM 42)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Have you or a representative of your community requested consultation with CN on noise-related issues in your community? (VM 77, VM 80, Condition 26 and Condition 28)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Has your community requested CN's assistance with the establishment of a quiet zone? (VM 4, VM 5, VM 77 and Condition 8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If yes, has CN cooperated with your request?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. Have you or a representative of your community been contacted by CN about fencing and other pedestrian safety issues? (VM 10 and Condition 11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide any comments or clarification to your responses (limited to 350 characters)

The number of remaining characters appears to the right.

350

Survey results will be posted at www.stbfinancedocket35087.com on or about February 15, 2010. If you do not want your responses published, please check here:



CN | EJ&E

Compliance & Monitoring

Surface Transportation Board's Oversight and Monitoring of the Canadian National Railway Company Acquisition of the Elgin, Joliet and Eastern Railway Company

CN EJ&E Community Questionnaire

The specific conditions of the Board's Decision #16 are listed in parentheses:

* Indicates required fields

- VM = Voluntary Mitigation Measure
- Condition = Board-imposed Mitigation Condition

Name*

Title*

Representing* (If you don't see your community in the dropdown, a response has already been submitted)

Phone*

Email*

	Yes	No	N/A or Don't Know
1. Since executing your negotiated agreement, has CN been in contact with your community concerning implementation pertaining to:			
a. Noise	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Safety (vehicle safety, pedestrian safety, fencing, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Hazardous Materials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Emergency Response (emergency communications, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Other (please specify) <input type="text"/>			
2. Has your community made progress with CN toward implementaing the terms of your negotiated agreement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Have CN personnel responded to any inquiries you may have made regarding specific items in your negotiated agreement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Do you have any unresolved disputes with CN concerning implementation or interpretation of your negotiated agreement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Has it been necessary for either party to resort to formal dispute resolution (e.g., arbitration or litigation) regarding your negotiated agreement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Has CN provided your community with the name and phone number of CN's community liaison? (VM 64 and Condition 3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Has an emergency response representative from your community attended CN-sponsored hazardous materials response training? (VM 22)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
a. If yes, how many responders from your community have attended? <input type="text"/>			
b. If no, was the training discussed with or offered by CN?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Has CN notified your Emergency Services Dispatching Center every time a crossing in your community has been blocked by a train for 10 minutes or more? (VM 35, VM 42 and Condition 3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Do you believe that CN has violated the terms of your negotiated agreement?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If yes, have you informed CN?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide any comments or clarification to your responses (limited to 350 characters)

The number of remaining characters appears to the right.

350

Survey results will be posted at www.stbfinancedocket35087.com on or about February 15, 2010. If you do not want your responses published, please check here:

Letter to communities without Voluntary Mitigation Agreements:

SURFACE TRANSPORTATION BOARD

Washington, DC 20423-0001



*Office of Public Assistance, Governmental Affairs,
and Compliance*

January 20, 2010

Re: STB Finance Docket No. 35087, Canadian National Railway Company and Grand Trunk Corporation – Control – EJ&E West Company

Dear Elected Official:

The Surface Transportation Board (Board) is seeking your assistance to help verify the compliance reports that have been filed by Canadian National Railway (CN) in response to the Board's Decision No. 16 in Finance Docket 35087, which was served by the Board on December 24, 2008, and became effective on January 23, 2009. Decision 16 approved the acquisition of the Elgin, Joliet and Eastern Railway (EJ&E) by CN subject to a number of environmental and other conditions, including monitoring, oversight and reporting requirements. As required by Decision 16, CN has been submitting monthly operations reports and quarterly environmental reports to show its progress towards compliance with the conditions.

The Board has developed a questionnaire as part of its efforts to determine whether CN's compliance reports are accurate and complete. The Board will also use the responses to the questionnaire in examining complaints the Board has received concerning train noise and vibration, train volumes and street blockages, vehicle delays and traffic congestion at certain rail/highway at-grade crossings, operational accidents, and identification signs at rail/highway at-grade crossings.

Your questionnaire is available on-line at www.35087compliance.com/survey. Please provide only one consolidated response to the questionnaire from your community. Please complete the questionnaire by January 29, 2010. If you or anyone else from your community wishes to submit additional comments on this matter, please submit your comments to the Board at www.stb.dot.gov, by clicking on the "E-Filing" link, or by calling 1-800-347-0689.

Attachment #3

The responses to the questionnaires will be posted at www.stbfinancedocket35087.com in mid-February 2010, unless you select the box that asks us not to post your response. Please contact me at (202) 245-0238 if you have questions about completing the questionnaire.

Sincerely,

A handwritten signature in black ink, appearing to read 'MTW', with a long horizontal flourish extending to the right.

Matthew T. Wallen

Director

Letter to communities with Voluntary Mitigation Agreements:

SURFACE TRANSPORTATION BOARD

Washington, DC 20423-0001



*Office of Public Assistance, Governmental Affairs,
and Compliance*

January 20, 2010

Re: STB Finance Docket No. 35087, Canadian National Railway Company and Grand Trunk Corporation – Control – EJ&E West Company

Dear Elected Official:

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Matthew T. Wallen

Director

Survey Responses for Communities without Voluntary Mitigation Agreements

Community	Barrington	Bartlett	Deer Park
	Noise:	Yes	Yes
1.) Since the effective date of the Board's approval of CN acquisition of the EJ&E of January 23, 2009, has CN contacted your community regarding:	Safety (vehicle safety, pedestrian safety, fencing, etc.):	Yes	Yes
	Hazardous Materials (response training, drills, response plans, etc.):	Yes	Yes
	Emergency Response (emergency communications, etc.):	Yes	Yes
2.) Has CN provided your community with the name and phone number of CN's community liaison?	Yes	Yes	Yes
3.) Has an emergency response representative from your community attended CN sponsored hazardous materials response training?	Yes	Yes	Yes
If Y – How many emergency responders from your community have attended?	2	1	1
If N – Was the training discussed with or offered by CN?			
4.) Has CN provided the emergency response agencies in your community with CN's dedicated toll-free number for train accidents and hazardous materials release emergencies?	Yes	Yes	Yes
5.) Did CN provide an emergency response plan to your emergency response organization (e.g., police or fire department or district)?	No	No	Yes
6.) Has CN notified your Emergency Services Dispatching Center every time a crossing in your community has been blocked by a train for 10 minutes or more?	Not Applicable	No	No
7.) Has CN offered to provide your Emergency Services Dispatching Center with a dispatching monitor that allows your dispatching personnel to see real-time train locations?	Yes	Yes	Yes
8.) Have you or a representative of your community requested consultation with CN on noise related issues in your community?	Yes	No	Yes
9.) Has your community requested CN's assistance with the establishment or maintenance of a quiet zone?	Yes	Yes	Yes
If yes, has CN cooperated with your request?	Not Applicable	Yes	Yes
10.) Have you or a representative of your community been contacted by CN about fencing and other pedestrian safety issues?	(No answer)	No	No
Comments	Talked about items with CN, but no action or results are seen in most instances. What does talked about or contacted mean without a documented commitment to implement what was discussed? See follow-up letter with suggested questions the STB should ask now or when 20 trains are operating daily to measure the efficacy of the STB ordered mitigation.	CN has not communicated well on crossing blockages. CN agreed to provide money for a quiet zone at Stearns Rd. if the Village signed a voluntary mitigation agreement. Hazmat training by CN required certification that no one in the police dept. has. Only members of the Bartlett Fire Protection District and neighboring departments attended.	Weekly, the train will block the crossing at Cuba Road at least once for at least 10 plus minutes. This was brought the attention of STB twice. Three blockages is common in a week. CN has never offered and/or planned a meeting with the Village of Deer Park. a

Survey Responses for Communities without Voluntary Mitigation Agreements

Community	Lynwood	Naperville	New Lenox
	No	Yes	Yes
1.) Since the effective date of the Board's approval of CN acquisition of the EJ&E of January 23, 2009, has CN contacted your community regarding:	Noise:		
	Safety (vehicle safety, pedestrian safety, fencing, etc.):	No	No
	Hazardous Materials (response training, drills, response plans, etc.):	No	Yes
	Emergency Response (emergency communications, etc.):	No	Yes
2.) Has CN provided your community with the name and phone number of CN's community liaison?	Yes	Yes	Yes
3.) Has an emergency response representative from your community attended CN sponsored hazardous materials response training?	No	Yes	Yes
If Y – How many emergency responders from your community have attended?		2	2
If N – Was the training discussed with or offered by CN?	No		
4.) Has CN provided the emergency response agencies in your community with CN's dedicated toll-free number for train accidents and hazardous materials release emergencies?	No	Yes	No
5.) Did CN provide an emergency response plan to your emergency response organization (e.g., police or fire department or district)?	No	No	No
6.) Has CN notified your Emergency Services Dispatching Center every time a crossing in your community has been blocked by a train for 10 minutes or more?	No	Not Applicable	No
7.) Has CN offered to provide your Emergency Services Dispatching Center with a dispatching monitor that allows your dispatching personnel to see real-time train locations?	No	Yes	Yes
8.) Have you or a representative of your community requested consultation with CN on noise related issues in your community?	No	Yes	Yes
9.) Has your community requested CN's assistance with the establishment or maintenance of a quiet zone?	No	Yes	Yes
If yes, has CN cooperated with your request?		Yes	No
10.) Have you or a representative of your community been contacted by CN about fencing and other pedestrian safety issues?	No	No	Yes
Comments	Still waiting to hear from CN about their planned grade separation. I am aware that I can reach out to them; however, I did think someone from CN might contact me.	CN has worked with the city proactively in some areas such as hazmat training and establishing a quiet zone (which was already underway prior to the acquisition), it was only after we received this survey that CN contacted the city regarding train monitoring. CN has not been as proactive in many of the voluntary mitigation items as we would like.	Q.2 - Fire Department. Q.10 - Lincolnway West High School, area not in Village, but adjacent to Village, received fencing. Other: We did have an issue with loud squealing locomotive last summer, that issue was resolved. There is an increase in the track usage noise level due to heavier trains. New Lenox is still unaware when HazMat is scheduled

Survey Responses for Communities without Voluntary Mitigation Agreements

Community	Will County	
	No	
1.) Since the effective date of the Board's approval of CN acquisition of the EJ&E of January 23, 2009, has CN contacted your community regarding:	Noise:	
	Safety (vehicle safety, pedestrian safety, fencing, etc.):	No
	Hazardous Materials (response training, drills, response plans, etc.):	No
	Emergency Response (emergency communications, etc.):	Yes
2.) Has CN provided your community with the name and phone number of CN's community liaison?	Yes	
3.) Has an emergency response representative from your community attended CN sponsored hazardous materials response training?	Yes	
If Y – How many emergency responders from your community have attended?	2	
If N – Was the training discussed with or offered by CN?	Not Applicable	
4.) Has CN provided the emergency response agencies in your community with CN's dedicated toll-free number for train accidents and hazardous materials release emergencies?	Yes	
5.) Did CN provide an emergency response plan to your emergency response organization (e.g., police or fire department or district)?	No	
6.) Has CN notified your Emergency Services Dispatching Center every time a crossing in your community has been blocked by a train for 10 minutes or more?	Yes	
7.) Has CN offered to provide your Emergency Services Dispatching Center with a dispatching monitor that allows your dispatching personnel to see real-time train locations?	Yes	
8.) Have you or a representative of your community requested consultation with CN on noise related issues in your community?	Yes	
9.) Has your community requested CN's assistance with the establishment or maintenance of a quiet zone?	No	
If yes, has CN cooperated with your request?	Not Applicable	
10.) Have you or a representative of your community been contacted by CN about fencing and other pedestrian safety issues?	No	
Comments	Will County EMA is still unaware when HazMat is scheduled. No Will County employee has been contacted directly by CN regarding safety & hazard issues. We have only discussed quiet zones since Crest Hill & Joliet have signed agreements. There is also serious track usage noise and vibration issues due to heavier CN trains running on old EJ&E track.	

Survey Responses for Communities with Voluntary Mitigation Agreements

Community		Elgin	Griffith	Hawthorn Woods
1.) Since executing your negotiated agreement, has CN been in contact with your community concerning implementation pertain to:	Noise:	Yes	Yes	Yes
	Safety (vehicle safety, pedestrian safety, fencing, etc.):	Not Applicable	Yes	Yes
	Hazardous Materials:	Not Applicable	Yes	Yes
	Emergency Response (emergency communications, etc):	Not Applicable	Yes	Yes
	Other (list):		Economic Development	meeting with Jim Kzedaris to discuss these items
2.) Has your community made progress with CN toward implementing the terms of your negotiated agreement?:		Yes	Yes	Yes
3.) Have CN personnel responded to any inquiries you may have made regarding specific items in your negotiated agreement?:		Yes	Yes	Yes
4.) Do you have any unresolved disputes with CN concerning implementation or interpretation of your negotiated agreement?:		No	No	No
5.) Has it been necessary for either party to resort to formal dispute resolution (e.g., arbitration or litigation) regarding your negotiated agreement?:		No	No	No
6.) Has CN provided your community with the name and phone number of CN's community liaison?		Yes	Yes	Yes
7.) Has an emergency response representative from your community attend the hazardous materials training?		No	Yes	Yes
If Y – How many attendees			2	2
If N – Was the training discussed with or offered by CN?		No		Yes
8.) Has CN notified your local emergency responders every time a crossing in your community has been blocked by a train for 10 minutes or more?		Not Applicable	No	Not Applicable
9.) Do you believe that CN has violated the terms of your negotiated agreement? :		No	No	No
If Y – Have you informed CN?:		No		
Comments		(No comments)	(No comments)	We have had a transparent experience with CN and have had immediate response to inquiries when presented.

Survey Responses for Communities with Voluntary Mitigation Agreements

Community		Hoffman Estates	Lake Zurich	Mokena
1.) Since executing your negotiated agreement, has CN been in contact with your community concerning implementation pertain to:	Noise:	Yes	Yes	No
	Safety (vehicle safety, pedestrian safety, fencing, etc.):	Yes	Yes	No
	Hazardous Materials:	Yes	Yes	Not Applicable
	Emergency Response (emergency communications, etc):	Yes		Yes
	Other (list):	Median Barrier, Path crossing, Advance message sign		Volume of daily train traffic
2.) Has your community made progress with CN toward implementing the terms of your negotiated agreement?:		Yes	Yes	Yes
3.) Have CN personnel responded to any inquiries you may have made regarding specific items in your negotiated agreement?:		Yes	Not Applicable	Yes
4.) Do you have any unresolved disputes with CN concerning implementation or interpretation of your negotiated agreement?:		No	No	No
5.) Has it been necessary for either party to resort to formal dispute resolution (e.g., arbitration or litigation) regarding your negotiated agreement?:		No	No	No
6.) Has CN provided your community with the name and phone number of CN's community liaison?		Yes	Yes	Yes
7.) Has an emergency response representative from your community attend the hazardous materials training?		Yes	Yes	Yes
If Y – How many attendees		2	2	2
If N – Was the training discussed with or offered by CN?				
8.) Has CN notified your local emergency responders every time a crossing in your community has been blocked by a train for 10 minutes or more?		Not Applicable	No	Not Applicable
9.) Do you believe that CN has violated the terms of your negotiated agreement? :		No	No	No
If Y – Have you informed CN?:				
Comments		Soundwall concept designs underway by CN; present to public when complete. Plans for median barrier, path crossing, siding extension, and ped gate under development by CN. Advance message sign plan submitted to Cook County. Learned siding movements that block road crossing due to slow trains are not reportable to STB - Village feels it should be.	The agreements for live train monitoring were just received two days ago. CN was planning on building a communications tower in a retail area of our community. After discussions, CN agreed to build the tower in our industrial area. Received 2 complaints from residents regarding the noise and vibration of the trains along with whistleblowing.	CN's community liaison has generally been responsive to our community's inquiries, and CN has honored the terms/conditions contained in our community's VMA with CN.

Survey Responses for Communities with Voluntary Mitigation Agreements

Community		Mundelein	Park Forest	Richton Park
1.) Since executing your negotiated agreement, has CN been in contact with your community concerning implementation pertain to:	Noise:	Yes	Yes	Yes
	Safety (vehicle safety, pedestrian safety, fencing, etc.):	Yes	Yes	Yes
	Hazardous Materials:	Yes	Yes	Yes
	Emergency Response (emergency communications, etc):	Yes	Yes	Yes
	Other (list):			
2.) Has your community made progress with CN toward implementing the terms of your negotiated agreement?:		Yes	Yes	Yes
3.) Have CN personnel responded to any inquiries you may have made regarding specific items in your negotiated agreement?:		Yes	Yes	Yes
4.) Do you have any unresolved disputes with CN concerning implementation or interpretation of your negotiated agreement?:		No	No	Not Applicable
5.) Has it been necessary for either party to resort to formal dispute resolution (e.g., arbitration or litigation) regarding your negotiated agreement?:		No	No	No
6.) Has CN provided your community with the name and phone number of CN's community liaison?		(Left blank)	Yes	Yes
7.) Has an emergency response representative from your community attend the hazardous materials training?		Yes	Yes	Yes
If Y – How many attendees		13	2	More than 2
If N – Was the training discussed with or offered by CN?				
8.) Has CN notified your local emergency responders every time a crossing in your community has been blocked by a train for 10 minutes or more?		Not Applicable	Yes	Not Applicable
9.) Do you believe that CN has violated the terms of your negotiated agreement? :		No	No	No
If Y – Have you informed CN?:				
Comments		(No comments)	The Village of Park Forest, to date, has been very pleased with its established relationship with CN. We hope this relationship continues to grow in a positive manner in the months ahead.	(No comments)

Survey Responses for Communities with Voluntary Mitigation Agreements

Community		Schereville	Warrenville	West Chicago
1.) Since executing your negotiated agreement, has CN been in contact with your community concerning implementation pertain to:	Noise:	Yes	Yes	Yes
	Safety (vehicle safety, pedestrian safety, fencing, etc.):	Yes	Yes	Yes
	Hazardous Materials:	Yes	Yes	Yes
	Emergency Response (emergency communications, etc):	Yes	Yes	Yes
	Other (list):	Quiet Crossings		
2.) Has your community made progress with CN toward implementing the terms of your negotiated agreement?:		Yes	Yes	Yes
3.) Have CN personnel responded to any inquiries you may have made regarding specific items in your negotiated agreement?:		Yes	Yes	Yes
4.) Do you have any unresolved disputes with CN concerning implementation or interpretation of your negotiated agreement?:		No	Yes	No
5.) Has it been necessary for either party to resort to formal dispute resolution (e.g., arbitration or litigation) regarding your negotiated agreement?:		No	No	No
6.) Has CN provided your community with the name and phone number of CN's community liaison?		Yes	Yes	Yes
7.) Has an emergency response representative from your community attend the hazardous materials training?		Yes	No	No
If Y – How many attendees		More than 2		
If N – Was the training discussed with or offered by CN?			Yes	Yes
8.) Has CN notified your local emergency responders every time a crossing in your community has been blocked by a train for 10 minutes or more?		No	Not Applicable	Not Applicable
9.) Do you believe that CN has violated the terms of your negotiated agreement? :		No	No	No
If Y – Have you informed CN?:				
Comments		We have received compliants from residents concernig noise and vibrations from passing trains, as I understand a study is underway to evaluate this issue. In a check with our dispatch center the CN has never called when a crossing was blocked over the 10 minute time period but was always responsive in correcting the blockage when notified.	While I don't believe they have violated the terms of the agreement, they have put up one roadblock that was never discussed during negotiations. I feel our community will be forced to purchase insurance to insure the crossing when this was never noted during negotiations. This is the only way CN will cooperate with the creation of a quiet zone.	The quite zone is my only issue. With the amount of train traffic that my Ward has now, the noise is the problem. We are in the process of getting the studies done, but it will never be soon enough.