

**Statement of Danny Simpson, Assistant Vice President – Safety & Environment, CN  
Before the  
STB Section of Environmental Analysis Hearing on the  
Draft Environmental Impact Statement  
STB Finance Docket No. 35087  
August 28, 2008  
Bartlett, IL**

My name is Danny Simpson and I am Assistant Vice President – Safety & Environment for CN. My job is to provide direct support to CN's Network Operations for safety matters. I do this by overseeing and coordinating the day-to-day operations of five departments: Operating Practices, Safety, Regulatory Affairs, Environment, and Dangerous Goods.

I appreciate the opportunity to present CN's perspective on safety and emergency response issues related to CN's proposed acquisition of the major portion of the Elgin, Joliet & Eastern Railway Company (EJ&E).

You have probably heard some people raise concerns about CN's corporate culture, saying that it would lead to a decrease in safety levels if this transaction were approved. These suggestions aren't supported by the facts. Safety is one of CN's core values and CN operates one of the safest railroads in North America, as can be seen by looking at, among other things, Federal Railroad Administration (FRA) statistics. As required by the Board's and FRA's regulations, CN prepared a Safety Integration Plan (SIP) for this transaction. Should the Board approve this transaction, CN is fully prepared to comply with the terms of the final SIP and to continue to coordinate with FRA during the integration of CN and EJ&E operations.

Unfortunately, despite best efforts, incidents do sometimes occur in the rail industry. However, CN's Emergency Response Plan is designed to allow seamless integration with

federal, state, and local governments before, during, and after emergencies. CN's Dangerous Goods, Police, and Environmental groups work with communities to ensure a high level of emergency preparedness. In addition, our System Protection Plan ensures distribution of resources aimed at prevention, preparedness, and emergency response capability. I have attached to my statement a copy of CN's Emergency Response System Protection map for your information.

Training is an important aspect of our efforts. CN's Dangerous Goods group conducts outreach training programs in communities across the system, resulting in better trained local responders able to work safely and efficiently with CN personnel should an emergency arise.

Some commenters have made much of findings in the Draft Environmental Impact Statement (DEIS) relating to increased frequency of train accidents or increased risk of accidents at highway/rail grade crossings that could result from the increase in train-miles on the EJ&E line following CN's acquisition. The possibility of any accidents is a serious matter, but what people seem to forget are the DEIS' findings that the likely number of rail accidents on CN's existing lines inside the EJ&E arc would decline 77 percent compared to current operations and that grade crossing accidents in the region overall would decrease by eight percent. Also, as the DEIS pointed out, while the number of "major key routes" for hazardous materials shipments (that is, routes carrying more than 20,000 carloads of hazardous materials a year) on the EJ&E line would increase from two to 14, the number of major key routes on CN's existing lines through downtown Chicago would fall from 23 to three. The DEIS shows that the risk of adverse safety impacts along the EJ&E line are more than offset by safety benefits for the communities located along CN's existing lines.

CN recognizes that potential adverse safety impacts along the EJ&E lines must be addressed. CN proposed a number of Voluntary Mitigation Measures related to safety, hazardous materials transportation, and emergency vehicle delay, which were included in the DEIS. In addition, as my colleagues have testified to you earlier this week, CN has been actively engaged in outreach efforts to communities along the EJ&E line in an effort to develop comprehensive voluntary mitigation agreements that will address reasonable community concerns about the environmental impacts of increased train traffic.

CN understands the importance of timely emergency response, and we are pleased to work with communities and local emergency responders to provide training as well as to develop communications systems to ensure that local emergency response centers are informed of train operations issues that could affect their activities. I have personally visited with officials in communities along the EJ&E line (including Gary, Griffith, Frankfort, Matteson, Joliet, Mokena, Mundelein, Lake Zurich) to discuss these and related initiatives, and I am happy to meet with any community that would like to work with CN on these important issues.

Thank you again for the opportunity to appear before you this evening.