



**Board of Commissioners of Cook County
Minutes of the Environment and Sustainability Committee**

11:00 AM

Wednesday, April 26, 2023

**Cook County Building, Board Room,
118 North Clark Street, Chicago, Illinois**

ATTENDANCE

Present: Degnen, Morita, Britton, Miller, K. Morrison, Quezada and Trevor (7)

A motion was made by Vice Chairwoman Morita, seconded by Commissioner Trevor, to allow for remote participation in meeting. The motion carried by the following vote:

Ayes: Degnen, Morita, Britton, Miller, K. Morrison, Quezada and Trevor (7)

PUBLIC TESTIMONY

Chairman Degnen asked the Secretary to the Board to call upon the registered public speakers, in Accordance with Cook County Code.

1. Mark Armstrong - Concerned Citizen

23-2385

COMMITTEE MINUTES

Approval of the minutes from the meeting of 02/08/2023

A motion was made by Vice Chairwoman Morita, seconded by Commissioner Quezada, to approve 23-2385. The motion carried by the following vote:

Ayes: Degnen, Morita, Britton, Miller, K. Morrison, Quezada and Trevor (7)

23-1939

Sponsored by: ANTHONY J. QUEZADA, ALMA E. ANAYA, BRIDGET DEGNEN, FRANK J. AGUILAR, SCOTT R. BRITTON, JOHN P. DALEY, DENNIS DEER, BRIDGET GAINER, MONICA GORDON, BRANDON JOHNSON, BILL LOWRY, DONNA MILLER, STANLEY MOORE, JOSINA MORITA, KEVIN B. MORRISON and MAGGIE TREVOR, Cook County Board Of Commissioners

PROPOSED RESOLUTION

A RESOLUTION CALLING FOR FURTHER FEDERAL ACTION AND ACCOUNTABILITY TOWARDS THE NORFOLK SOUTHERN CORPORATION

WHEREAS, on the 3rd day of February 2022, a Norfolk Southern freight train carrying toxic chemicals derailed in the municipality of East Palestine, State of Ohio - bordering the Commonwealth of Pennsylvania, igniting a fire that covered the town in smoke; and

WHEREAS, in fear of a major explosion, authorities have created an evacuation zone near the crash and carried out a controlled release of toxic fumes to neutralize burning cargo inside some of the train cars; and

WHEREAS, five of the aforementioned train cars are carrying vinyl chloride, an industrial chemical used to make hard plastic that is classified by the National Cancer Institute as a “cancer-causing substance;” and

WHEREAS, according to the United States Environmental Protection Agency, hazardous materials such as butyl acrylate, ethylhexyl acrylate, and ethylene glycol monobutyl ethers, were inside the train cars, and may have been released to the air, surface soil, and surface waters; and

WHEREAS, after being permitted to return to their homes by the local authorities, residents of the area have reported feeling sick, complaining of headaches and sore throat, and smelling chemical odor; and

WHEREAS, Governor Josh Shapiro of the Commonwealth of Pennsylvania has denounced Norfolk Southern Corporation for its failure to report to the proper authorities within the state, and instead learned of the derailment independently in the first few hours after it occurred, creating confusion within the state’s emergency management system and risking the safety of first-responders; and

WHEREAS, two federal lawsuits have been filed against Norfolk Southern Corporation in the State of Ohio and the Commonwealth of Pennsylvania for negligence; and

WHEREAS, dozens of Norfolk Southern employees have been warning the company on the safety hazards brought about by the corporation’s Precision Scheduled Railroading (PSR) management approach since its implementation in February 2019, which prioritizes moving trains as quickly as possible out of terminals and rail yards and scaling back safety inspection times and personnel to move more freight at a lower cost; and

WHEREAS, personnel cuts and pressure from management have forced employees to not report safety defects they discover, since fixing said defects will hurt PSR metrics; and

WHEREAS, Norfolk Southern reported record profits of \$4.8 billion from operations in 2022; and

WHEREAS, the National Transportation Safety Board (NTSB) released its preliminary report on the investigation of the derailment and found that the workers were not at fault, and that this disaster could have been prevented; and

WHEREAS, since the date of the derailment, there have been multiple derailments across the United States of America, and the most recent happened again in the State of Ohio by another Norfolk Southern train.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County President and Board of Commissioners does hereby request the United States Department of Transportation to investigate its regulatory approach to our national rail system; and

BE IT FURTHER RESOLVED, that the Cook County President and Board of Commissioners does hereby call for the Norfolk Southern Corporation to cooperate with the appropriate agencies on improving their safety standards for workers and preventing further derailments; and

BE IT FURTHER RESOLVED, suitable copies of this resolution will be sent to the United States Department of Transportation in Washington, D.C. and to the Norfolk Southern Corporation in the City of Atlanta, State of Georgia.

A motion was made by Vice Chairwoman Morita, seconded by Commissioner Quezada, to accept as substituted 23-1939. The motion carried by the following vote:

Ayes: Degnen, Morita, Britton, Miller, K. Morrison, Quezada and Trevor (7)

23-1939

Sponsored by: ANTHONY J. QUEZADA, ALMA E. ANAYA, BRIDGET DEGNEN, FRANK J. AGUILAR, SCOTT R. BRITTON, JOHN P. DALEY, DENNIS DEER, BRIDGET GAINER, MONICA GORDON, BRANDON JOHNSON, BILL LOWRY, DONNA MILLER, STANLEY MOORE, JOSINA MORITA, KEVIN B. MORRISON and MAGGIE TREVOR, Cook County Board Of Commissioners

PROPOSED SUBSTITUTE TO FILE 23-1939

PROPOSED RESOLUTION

A RESOLUTION CALLING FOR FURTHER FEDERAL ACTION AND ACCOUNTABILITY IN CONNECTION WITH NORFOLK SOUTHERN CORPORATION'S OPERATIONS

WHEREAS, on the 3rd day of February 2022, a Norfolk Southern freight train carrying toxic chemicals derailed in the municipality of East Palestine, State of Ohio, in a residential area bordering the Commonwealth of Pennsylvania. The catastrophic incident ignited a fire that covered the town in toxic smoke; and

WHEREAS, in fear of a major explosion, authorities created an evacuation zone near the crash and carried out a controlled release of toxic chemicals to neutralize burning cargo inside some of the train cars; and

WHEREAS, five of the aforementioned train cars were carrying vinyl chloride, an industrial chemical used to make hard plastic that is classified by the National Cancer Institute as a “cancer-causing substance;” and

WHEREAS, according to the United States Environmental Protection Agency, hazardous materials including butyl acrylate, ethylhexyl acrylate, and ethylene glycol monobutyl ethers, were transported inside the train cars, and were likely released into the air, surface soil, and surface waters; and

WHEREAS, after being permitted to return to their homes by the local authorities, residents in the crash zone reported feeling sick with including but not limited to headaches and sore throats while continuing to smell a strong chemical odor; and

WHEREAS, the collateral damage from this incident to the environment, the local ecosystem and both the human and animal populations will not be known for some time; and

WHEREAS, Governor Josh Shapiro of the Commonwealth of Pennsylvania denounced Norfolk Southern Corporation for its failure to report the crash to the state authorities as was required by law, and instead learned of the derailment independently in the hours after it occurred. This created confusion within the state’s emergency management system, risking the health and safety of first-responders; and

WHEREAS, two federal lawsuits have been filed against Norfolk Southern Corporation in the State of Ohio and the Commonwealth of Pennsylvania for negligence; and

WHEREAS, dozens of Norfolk Southern employees have reportedly warned the company of possible safety hazards influenced by the corporation’s recently adopted Precision Scheduled Railroading (PSR) management approach. According to press accounts of the recent United States Senate hearing on the derailment, since approximately February 2019, Norfolk Southern has prioritized the movement of trains on fixed schedules out of terminals and rail yards while arguably scaling back on safety inspection times and personnel to move more freight at a lower cost; and

WHEREAS, some experts contend that PSR and staffing are proximate issues to be assessed in railway safety nationwide; and

WHEREAS, Norfolk Southern reported record profits of \$4.8 billion from operations in 2022; and

WHEREAS, the National Transportation Safety Board (NTSB) released its preliminary report on the investigation of the derailment and found that the workers were not at fault, and that this accident could have been prevented; and

WHEREAS, since the date of the derailment, there have been multiple train derailments across the United States of America, and the most recent happened again in Ohio by another Norfolk Southern train.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County President and Board of Commissioners does hereby request the United States Department of Transportation investigate its regulatory approach to our national rail system; and

BE IT FURTHER RESOLVED, that the Cook County President and Board of Commissioners does hereby call for the Norfolk Southern Corporation to cooperate with the appropriate state and federal agencies to improve their safety standards for workers, residents living along the rail lines and incorporate policies and procedures that focus on prevention of future derailments; and

BE IT FURTHER RESOLVED, suitable copies of this resolution will be sent to the United States Department of Transportation in Washington, D.C. and to the Norfolk Southern Corporation in the City of Atlanta, State of Georgia.

A motion was made by Vice Chairwoman Morita, seconded by Commissioner Quezada, to recommend for approval as substituted 23-1939. The motion carried by the following vote:

Ayes: Degnen, Morita, Britton, Miller, K. Morrison, Quezada and Trevor (7)

ADJOURNMENT

A motion was made by Commissioner Britton, seconded by Commissioner Miller, to adjourn the meeting. The motion carried by the following vote:

Ayes: Degnen, Morita, Britton, Miller, K. Morrison, Quezada and Trevor (7)

Respectfully submitted,

Bridget M. Degnen

Lynne M. Surer

Chairman

Secretary

A complete record of this meeting is available at <https://cook-county.legistar.com>.