

BNSF'S PROMISES

BNSF Railway Company has proposed building a massive new rail yard called the "Southern California International Gateway" (SCIG)

*It will be the "greenest intermodal facility in the U.S."
"Significant moment for green growth in America."*

- Claims by BNSF CEO Matthew K. Rose¹

It will improve air quality, and bring new jobs.

- Claims by BNSF Railroad²

**GREAT CLAIMS –
BUT LOOK AT BNSF'S RECORD!**

BNSF SCIG environmental documents say the rail yard will be in an all "industrial area."³ The aerial photo



above shows a community with homes and schools. Does this look like an industrial area to you?

If allowed to be built, this BNSF rail yard would:

- NOT relieve traffic from the I-710 Freeway as claimed
- Add thousands of diesel trucks every day going back and forth to the Ports of L.A. and Long Beach
- Handle products destined for the Midwest and East Coast, not for Californians
- Operate within 700 feet of schools, daycare centers, and facilities for homeless children,⁴ and near hundreds of homes and a housing complex for veterans
- Impact the ethnically diverse, lower income and long-standing community of West Long Beach
- Add more pollution to an area with some of the highest levels of diesel ever measured in Southern California⁵

BNSF'S BAD RECORD

*on community, environment, &
worker safety*

Diesel emissions are harmful and cancer risks from BNSF's existing rail yards are extremely high^{6 7}

- #1 Highest Emissions: BNSF Barstow
- #2 Highest Emissions: BNSF Hobart (Commerce)
- Highest diesel cancer risk in the state: BNSF San Bernardino rail yard
- Source: comparison of 17 largest rail yards in California 2008 by the California Air Resources Board⁸

BNSF leaves behind rail sites that are contaminated

BNSF's own Annual Reports state that the company has more than 250 alleged contaminated sites around the country, left behind after it abandoned railroad operations.⁹

BNSF discriminates against workers

- BNSF retaliated against a female forklift operator for filing a lawsuit alleging sexual harassment. In 2011, the U.S. Supreme Court affirmed a jury award for the woman.¹⁰
- BNSF conducted workplace genetic testing without the knowledge or consent of employees. In a landmark case in 2001, the U.S. Equal Employment Opportunity Commission settled its first court action challenging this testing.¹¹

BNSF hides worker safety concerns

In the past several years, several BNSF employees have won whistleblower cases after successfully showing that BNSF retaliated against them when they complained about safety concerns or were injured on the job.¹²

BNSF evades environmental laws

BNSF tried to open a new rail yard in Bell without getting a proper environmental review. East Yard Communities for Environmental Justice sued – and won¹³.

¹ BSNF News Release, September 23, 2011.

<http://www.bnsf.com/media/news-releases/2011/september/2011-09-23a.html>

² Same as above.

³ SCIG EIR, page ES-3. Draft EIR available at:

http://www.portoflosangeles.org/EIR/SCIG/DEIR/_Executive_Summary.pdf

⁴http://www.lbusd.k12.ca.us/main_offices/superintendent/public_information/newsroom/articleDetails_NEW.cfm?articleID=630.

⁵ South Coast AQMD, based on years of monitoring at Hudson School for elemental carbon, compared to other schools in the Port area and other measurements across the South Coast Air Basin.

⁶<http://www.arb.ca.gov/railyard/hra/hra.htm>

⁷ See list of measures that could be taken at existing rail yards to reduce health risks, according to comments from the South Coast AQMD to the California Air Resources Board:

http://www.arb.ca.gov/lists/railyard2010/9-carb_re_scaqmd_cmt_on_rr_reductions_062210.pdf

⁸ See Table II-1 in California Air Resources Board Health Risk Assessment for BNSF Barstow. *Note: Union Pacific Roseville yard had high levels of emissions but the estimates were based on emissions for 1999-2000 so are not included here*

http://www.arb.ca.gov/railyard/hra/bnsf_barstow_final.pdf

⁹ BNSF Annual Report, 2010.

¹⁰ Sheila White v Burlington Northern Santa Fe. 548 U.S. 53; 126 S. Ct. 2405; 165 L. Ed. 2d 345; LEXIS 4895; (Supreme Court of the United States 2006)

¹¹ "EEOC and BNSF Settle Genetic Testing Case Under Americans with Disabilities Act." Press Release. *United States Equal Opportunity Commission*. 2002. <http://www.eeoc.gov/eeoc/newsroom/release/5-8-02.cfm>

¹² U.S. Department of Labor, Occupational Safety and Health Administration.

¹³ East Yard Communities for Environmental Justice v. Bell Public Financing Authority, Los Angeles County Superior Court No. BS 111726