

Hospitals & Asylums

Permanent Relocation Appeal of Train Derailment Chemical Spill in East Palestine HA-18-2-23

By Anthony J. Sanders

An eastbound Norfolk Southern train bound for Conway, Pennsylvania, derailed in East Palestine, Ohio, population 5,000, on Friday, February 3, 2023 at 8:55PM. About 50 cars derailed, due to a broken axle; of those, 20 contained hazardous materials and four contained vinyl chloride. While no injuries were apparent from the immediate derailment, the fire spanned the length of the rail cars and continued for several days. At least one vinyl chloride car was intermittently leaking contents through a pressure release device. An evacuation order was in effect within a mile of the train crossing, and the town set up barricades to deter residents from returning. The EPA and Norfolk Southern are monitoring air quality. Vinyl chloride was slowly released into the air from five of those cars before crews ignited it on February 6, 2023 to get rid of the highly flammable, toxic chemicals in a controlled environment, creating a dark plume of smoke. The controlled burn reportedly worked and the evacuation order for East Palestine residents was officially lifted on February 8, 2023 after authorities claimed real-time air and water monitoring did not find any contaminant levels above screening limits.

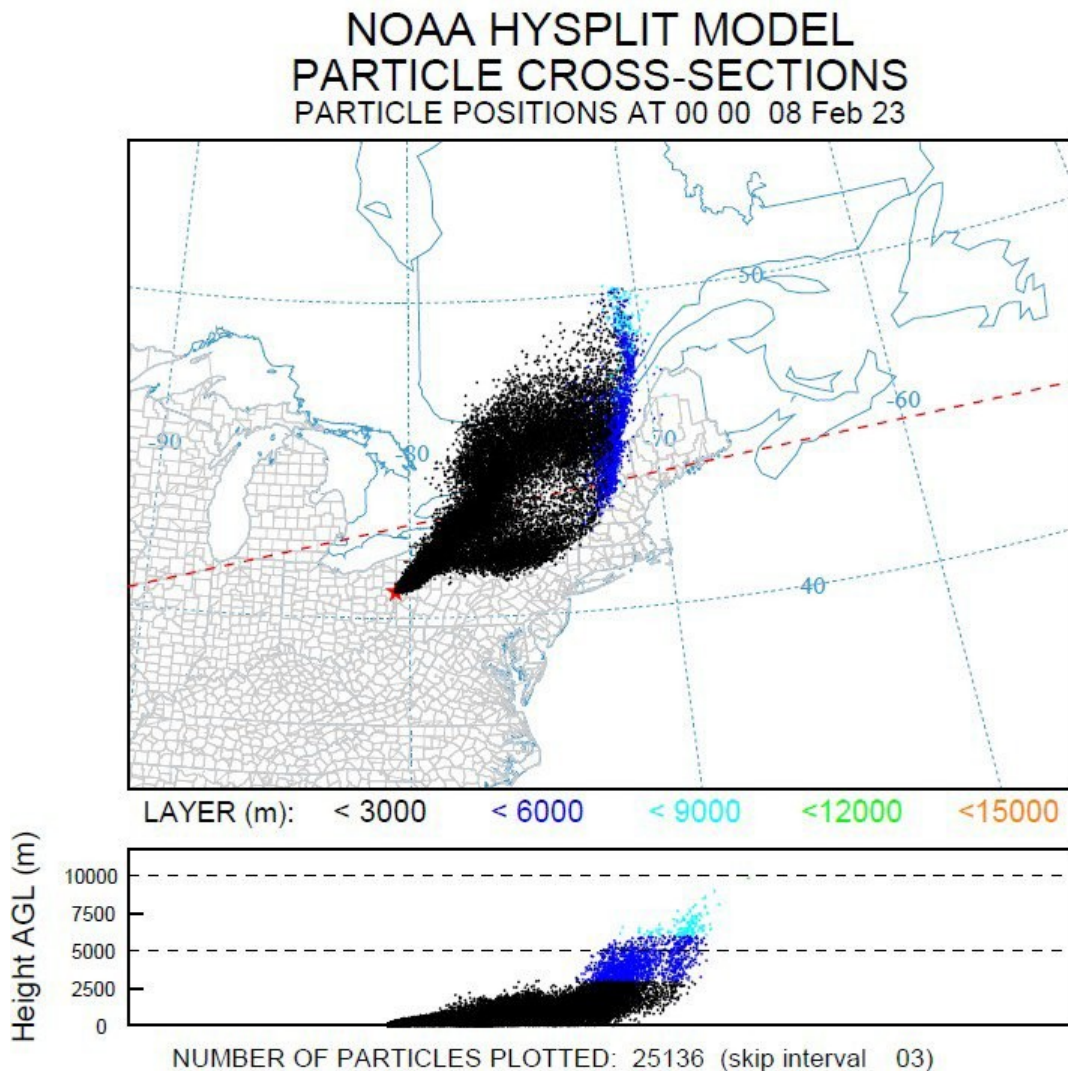


Source: Google Images

According to the National Library of Medicine, the Wireless Information System for Emergency Responders (WISER) of which was discontinued on February 28, 2023, posting on Vinyl Chloride CAS RN: 75-01-4 the proper response to vinyl chloride spills is that leaks should be stopped as soon as possible. All sources of ignition must be eliminated. Vinyl chloride vapor can travel to an ignition source and flash back causing a flash fire. Because of the explosive hazard, fire at a leak must not be extinguished unless the leak is simultaneously closed. In the event of a spillage, liquid should be contained and discharges to streams or sewer system prevented. People performing the clean-up should have full protective equipment and positive-pressure breathing apparatus. Evacuate and restrict persons not wearing protective equipment from area of spill or leak until cleanup is complete. Remove all ignition sources. Establish forced ventilation to keep levels below explosive limit. Ventilate area of leak to disperse the gas. Stop the flow of gas if it can be done safely. If source of leak is a cylinder and the leak cannot be stopped in place, remove leaking cylinder to empty. Keep this chemical out of confined space, such as a sewer, because of the possibility of explosion, unless the sewer is designed to prevent the buildup of explosive concentrations. It may be necessary to contain and dispose of this

chemical as a hazardous waste. Land Spill: Construct barriers to contain spill Absorb small amounts of spill with natural or synthetic sorbents, shovel into containers with covers. Water Spill: Contain contaminated water with dams or natural barriers. Eliminate all ignition sources. Stop or control the leak, if this can be done without undue risk. Use water spray to disperse vapors and protect personnel. Control runoff and isolate discharged material for proper disposal.

In February 2023, there has been quite a bit of abnormal activity in the skies of the United States. Unidentified balloons are penetrating our airspace, and hazardous smoke has been spewing from a horrific railroad accident in Ohio. The National Oceanic and Atmospheric Administration (NOAA) HYSPLIT model has been used to assess both (Global Times '23). The final ruling on the balloon incidents is that US Air Force aircraft no longer possess guns and the use of \$400,000 explosive missiles constitutes excessive use of force to down a balloon in violation of airspace leaving only unsalvageable wreckage for under-informative FBI forensics to turn into a contagious disease of rampage shootings, industrial sabotage in East Palestine to a nuclear fault in Türkiye. Military aircraft involved in downing balloons and other unidentified flying objects in violation of national airspace need to be equipped with normal guns to shoot down the object, with minimum damage (Sanders '23).



Several Chinese students located an hour or two drive from the affected area witnessed the event. Peng Yingdeng, an expert from China's central government supervision center for environmental protection and emergency management, said that the chemical leak constitutes a serious safety accident, and may impose “long-term” health threat to populations nearby. Vinyl chloride is highly inflammable, if the vinyl chloride is not burnt completely, it will release more dioxins and phosgene. Dioxin is very difficult to degrade naturally, and once it permeates into soil, may remain there for decades. The grains produced from this soil will cause cancer and mutation inside human bodies. Ding, Xuejia, a professor from Beijing University of Chemical Technology, said controlled burn is a wrong way to deal with vinyl chloride, noting that after being burnt, the vinyl chloride will release substances that are many times more toxic as the gas itself. These toxic substances can enter human bodies, go into water body and air, and cause serious damage to people and the environment. He predicted without further interference, the aftermath of the incident will linger for at least 20 years or even longer, and probably will lead to a surge in the number of cancer patients (Global Times '23).

The head of Ohio's National Guard is under scrutiny after the release of a video that appears to show him pushing a reporter during a broadcast of a speech regarding the vinyl chloride leak at an elementary school in East Palestine by Gov. Mike DeWine, contradicting a statement the general made about the altercation. Army Maj. Gen. John Harris, Ohio's adjutant general, had claimed that he put his hands up to avoid the reporter bumping into him, but the video aired Thursday by NewsNation appears to show Harris initiating the altercation. Ohio State Highway Patrol body camera footage released by the cable television network shows Harris moving toward Lambert as he records his report, poking his left hand into Lambert's chest and pushing him backward. An Ohio law enforcement officer then proceeds to separate Harris, apparently to try to deescalate the situation. Harris's full-time Guard status puts him under direct command of the state's governor. Harris took over as the adjutant general in 2019, after eight years as the assistant adjutant general (Myers '23). The Dewine Administration has not said he will take any action against the head of the Ohio National Guard for arguing with and pushing a reporter who was arrested soon afterward at a news conference on the East Palestine train derailment (Pelzer '23).

Vinyl chloride is a colorless, flammable gas that is associated with an increased cancer risk in those exposed to it. It is used to make hard plastic resin such as polyvinyl chloride (PVC) pipes, wire coatings, vehicle upholstery, and plastic kitchen ware. Vinyl chloride is the essential building block of PVC plastic. There is no way to safely manufacture, use, or dispose of PVC products. Vinyl chloride is generated from ethane, which is obtained through fracking natural gas, a process that's significantly grown since 2013 and when done, emits the greenhouse gas methane – a major driver of climate change. PVC, according to a 2020 study, has a "high potential in global warming than other plastics" due to its high energy consumption and CO₂ emissions. The U.S. Energy Information Administration said ethane production hit a monthly record last year of more than 2.4 million barrels per day. They expect production will hit 2.7 million barrels per day this year, as the global PVC market is expected to become a \$56.1 billion industry within the next 3 years. A 2022 study also found that U.S. PVC production emitted roughly 18 million metric tons of CO₂ in 2020.

According to the EPA's Toxics Release Inventory (TRI), which "tracks the management of certain toxic chemicals that may pose a threat to human health and the environment," there are 38 TRI facilities in 15 states – mostly around the Gulf of Mexico and the eastern U.S. – that use vinyl chloride, emitting about half a million pounds of the substance every year. In 2021, there were 428,523 pounds of the substance released, according to the EPA. As of 2021, vinyl chloride ranks as the 117th most released

chemicals in the U.S. out of 531 chemicals reported to the agency. The emissions are known to have contributed to health issues in nearby communities. Mossville, Louisiana, a tiny town just west of Lake Charles that was founded by people who were formerly enslaved, has been historically plagued by manufacturing pollution. The area is surrounded by more than a dozen industrial facilities, including at least one working with vinyl chloride that has a history of violations and scores far above national and industry levels for factors contributing to health issues. In 2021, the site was fined more than \$447,000 for violations for failure to ensure performance, management safety, mechanical integrity and record keeping, among other things. On Jan. 2, 2023, the U.S. Department of Health and Human Services published a draft toxicological profile for the substance. In it, experts say that the volatile compound, "used almost exclusively by the plastics industry," has "leached into groundwater from spills, landfills, and industrial sources," and that people who live around plastic manufacturing facilities "may be exposed to vinyl chloride by inhalation of contaminated air." (Cohen '23).

Norfolk Southern Corporation (NYSE: NSC) today provided an update on its assistance efforts to the community of East Palestine, Ohio. These include direct support for residents through Norfolk Southern's Family Assistance Center, equipment for first responders, and continued environmental testing and monitoring, which is being done in coordination with the Ohio and U.S. Environmental Protection Agencies (EPA), and other environmental agencies. To date, more than 700 families and a number of businesses have been helped by the Family Assistance Center. In total, more than \$1 million has been distributed directly to families to cover costs related to the evacuation. Those include reimbursements and cash advancements for lodging, travel, food, clothes, and other related items. Norfolk Southern is in the process of contacting and meeting with affected local businesses to provide aid. Norfolk Southern Donated \$220,000 to the East Palestine Fire Department to replace Self-Contained Breathing Apparatus (SCBA) air packs, which allow firefighters to breathe compressed air when responding to fires. Provided more than 100 air purifiers for residents to use in their homes. Air purifiers are also being purchased for the East Palestine municipal building in coordination with the City Manager. Coordinated and funded cleaning and air monitoring services for the East Palestine Elementary and High Schools. Developing a charitable fund to support the East Palestine community. This goes well beyond an initial contribution of \$25,000 to the Ohio Red Cross to support the shelter established at East Palestine High School. Completed more than 340 in-home air tests in conjunction with U.S. EPA, with more than 100 additional tests scheduled. In-home air monitoring has not shown any detections of substances related to the incident and does not indicate a health risk. Sampled the Village of East Palestine's drinking water supply wells, drinking water system, and private wells in areas potentially impacted by the incident. Contacting residents on well water in the vicinity of the derailment to conduct water testing, which encompasses 38 wells (Norfolk Southern '23).



In conclusion, the controlled burn of vinyl chloride was a flagrant violation of spill procedure for which the decision-makers should be fired to "Remove all ignition sources" pursuant to commanding officer non-judicial punishment under 24USC§419(a)(4) and Art. 15 of the Uniform Code of Military Justice 10USC§815. Scott Deutsche of Norfolk Southern said the flames were lit in the pit area near the rail cars of the derailed train at 4:35 p.m. and at 4:38 p.m., Monday, January 6, 2023, the same day Biden and Blinken are accused of

nuking the East Anatolian Fault in Türkiye, they detonated the small charges to make small holes in the cars to release the chemical. The lifting of the evacuation order on February 8, 2023 after authorities claimed real-time air and water monitoring did not find any contaminant levels above screening limits, is also evidently in error, whereas residents are presenting with the warned headaches, as well as sore throats, nose and eye irritation, rashes and other health problems. For instance Ayla Antoniazzi's 4-year-old daughter developed a rash after going back to school in East Palestine. The community is now exposed to a mixture of numerous petroleum-based volatile organic compounds (Goodman & Alvarado '23). Vinyl chloride is highly inflammable, if the vinyl chloride is not burnt completely, it will release more dioxins and phosgene. Dioxin is very difficult to degrade naturally, and once it permeates into soil, may remain there for decades. The grains produced from this soil will cause cancer and mutation inside human bodies. It is believed that the large plume of black smoke caused by intentionally igniting the vinyl chloride released far more dioxin and phosgene than if the fire had been allowed to burn off or been simultaneously sealed and chemically extinguished according to procedure.

Roughly 17 miles west of East Palestine, Ohio, the Columbiana County Humane Society has been fielding a rush of calls. Residents have reported chickens dying, cats coughing, and lethargic dogs throwing up. Some animals have discolored feces; others are unable to use their hind legs. The humane society typically deals with cases of abandonment and neglect, but executive director and kennel manager Teresa McGuire said they've now sent adoptable animals to other facilities to make room for East Palestine pets (Mitchell '23). Mary Mertz, director of the Ohio Department of Natural Resources, said they estimate around 3,500 fish have died across streams and tributaries impacted by the chemical spill in East Palestine. Mertz said the deaths involve 12 species of fish, none are threatened or endangered. The release of chemicals is believed to have killed about 3,500 fish across 7.5 miles of streams. A new federal lawsuit claims fish and wild animals are dying as far as 20 miles away from the site of a train derailment and controlled burn of chemicals in East Palestine (Byer '23).

The decision to terminate the evacuation seems to have been premature and it seems medically necessary for the Secretary of the Department of Transportation, "lead agency", to pay for the permanent relocation of residents from the Superfund cleanup site at East Palestine pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act 42USC§4601 and its implementing regulations 49CFR§241 (Cook '03). The Interim Policy on the Use of Permanent Relocations as Part of Superfund Remedial Actions inquires, what engineering solutions are considered acceptable when a permanent relocation is not conducted? Are these engineering solutions unproven, educated guesses or tried and true? The premature termination of evacuation after the unlawful controlled burn off of vinyl chloride and other hazardous chemicals, has proven to pose a health hazard to residents. Permanent relocation should be considered whenever the site has a negative influence on the resident's quality of life. Relocation should be considered whenever cleanups result in dust emissions (soot) or heavy equipment in residential areas. People, hoping to remain in the area near work, should be relocated westward to minimize exposure to the exact same toxin that was blown eastward from the East Palestine accident site. Property values should be estimated as if waste was not there (Office of Solid Waste and Emergency Response '00). Federal government payments are limited and will need to supplement Norfolk Southern compensation and home and business insurance.

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Sanders, Tony J. Hospitals & Asylums; In the Congress of the United States; A Prospectus. Hospitals & Asylums HA-4-1-23

Sanders, Tony J. Recycling Oceanic Heating and Cooling Pumps Thermally Polluting the Weather. Hospitals & Asylums HA-12-2-23

February 19, 2023 Letter to Mr. Alan Shaw President and Chief Executive Officer Norfolk Southern 650 West Peachtree Street NE Atlanta, GA 30308 from Pete Buttigieg. Reported: Knutson, Jacob. Buttigieg urges Norfolk Southern to support Ohio town after train derailment. Axios. February 20, 2023

Norfolk Southern's operating income was an astonishing \$4.8 billion in 2022 – approaching a 37.8% operating margin (\$1.8 billion). The income is 8% higher, or \$362 million more in profit, compared to 2021. Meanwhile, the New York Times reports that over the past five years, Norfolk Southern paid shareholders nearly \$18 billion through stock buybacks and dividends -reportedly twice as much as the amount Norfolk Southern invested in its railways and operations. In 2011, a Norfolk Southern derailment in Arcadia, OH, resulted in 25 tanker cars loaded with ethanol that burned fewer than two miles from the community. About 20 families evacuated their homes up to 1.5 miles from your tracks. In 2012, 17 rail cars derailed on a Norfolk Southern train in Columbus, OH. Some of the hazardous cars were engulfed in a pool of fire and split open; one person near the derailment site sustained burns and about 100 people in a one-mile radius of the derailment were forced to evacuate. East Palestine and surrounding region. It seems fair to charge the >\$1.8 billion 2023 Norfolk Southern profit one billion dollars, enough to pay 10,000 residents in the vicinity of the 5,000 population East Palestine \$100,000, for three consecutive years - \$3 billion.

\$1 billion Norfolk Southern Pennsylvania Criminal Referral of John Harris ex rel v. Army Maj. Gen. Ohio Adjutant General United States Army National Guard In re: East Palestine; House Speaker Kevin McCarthy under Fire 24USC§419(a)(4).

Commanding Officer Non-Judicial Punishment Art. 15 of the Uniform Code of Military Justice 10USC§815 because Ohio Governor Dewine spans childhood stimulants, buys amphetamines, sells fake marijuana and really needs to pass cannabis legalization ASAP.

Unlawful Command Influence Art. 37 of the Uniform Code of Military Justice 10USC§837 In re: Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem. International Court of Justice. 19 January 2023

Conspiracy Art. 81 10USC§881, Arson 18USC§81.

Undisciplined attack and arrest of reporter is prejudicial to the employment of National Guard, current and disgruntled, by Norfolk Southern and other arsoned industries and territories, axle break sabotage?, failure to stop until derailling in populated East Palestine although it should have been detected by sensors, wrongful decision to use explosives on February 6, 2023 the same day as major 7.8 East Anatolian Fault earthquakes, retaliatory 6.4 earthquake, and metal plant fire and Prohibition on assisting nuclear proliferation through financing (Ohio National Guard nuclear weapon "borehole" drilling deployments to East Anatolian Fault vicinity of Incirlik US Air Force nuclear arsenal, perhaps called "'hospital construction" in the Caribbean' as in Utah 2010?) 22USC§6303

Semiconductor Sherrod Brown, Senator introduced (for himself – train, treasury and bank robber Truman) A Bill To enhance safety requirements for trains transporting hazardous materials, and for other purposes S.576 introduced March 1, 2023 seems to have treated flammable liquids, but requires more derailment prevention inspection under 49 CFR Appendix C to Part 215 - FRA Freight Car Standards Defect Code, \$10,000 per evacuee East Palestine toxic tort registration in post-heavy

machinery clean-up occupation life study pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act 42USC§4601, 49CFR§241 and 49CFR§1.81(29) or penniless and lawless Pete Buttigieg neglected to pay the toxic tort (22), needs assessment of DOT-111 tank car recycling program tentatively written in Sec. 8 of the Bill, found oceanic heating and cooling railcar loser identification reporting and freight car keeper refurbishing program, and freight car GPS locator (to recycle those nearly invisible black tracking devices capitol security puts in backpacks), before it is published by Congress or Statement from President Joe Biden on the Bipartisan Railway Safety Act of 2023 of March 2, 2023. Alan Shaw President and Chief Executive Officer Norfolk Southern has reportedly paid only \$20 million to Semiconductor Sherrod's train robbery. Although I have asked for \$1 billion for three years, Buttigieg's creative accounting, without any legal citation, suggests taking only the \$362 million growth. \$362 million would be more than enough to pay \$50 million for the cleanups and defect inspections and +/- \$200 million to provide +/-20,000 evacuees, exactly \$10,000 per capita initial settlement, anticipating \$40,000 per person from Norfolk Southern, pursuant to a Uniform Relocation Assistance and Real Property Acquisition Policies Act established life time health study of home insurance and toxic chemical industry liability. The Treasury should not need to lend to Norfolk Southern to pay their toxic tort liability for only the affordable \$362 million 2023 claim today, under 49CFR§1.81(21), 31USC§3711 and 31CFR IX.