



AAR Career Railroad Environmental Achievement Award

Nominee's personal information

Nominee's Name	Rick Verkler
Nominee's Title	Counsel, U.S. Environment
Name to be used on award if different from above	
Department	Law
Years of Service	30
Other relevant information (100 word limit)	

Rick recently retired from CN (October of 2023) and lives in Dyer, Indiana with his wife Marianne. Rick has three adult children and recently became a grandparent to grandson Ollie. Over the next few years he plans on spending time in his garage restoring his 1963 Studebaker Avanti and 1989 Mustang GT and at the golf course resurrecting a passion that has lain dormant from the day he was sworn into the bar.

Nomination criteria (to be included in the body of the 2-page write-up)

1. Is a Pioneer: Had early involvement in railroad environmental activity, particularly on a full-time basis. An approximate cut-off appears to be about 1975. As time progresses, it is unlikely any new candidates will come from this era.
2. Had a long tenure in the field, +30 years and strongly involved in the railroad environmental field.
3. Has demonstrated leadership in the field as a chairman of AREMA Committee 13 and/or the AAR Environmental & Climate Committee.
4. Has demonstrated significant leadership and accomplishments on behalf of their railroad and/or the railroad industry. Played a major leadership role on an important environmental issue, either at their own railroad, or on behalf of the entire industry that significantly contributed to the advancement of an important aspect of railroad environmental performance.

Rick Verkler is a highly regarded AV-rated lawyer, who specializes in environmental law. For 30 years, he served as Environmental Counsel for CN in the U.S..

Rick has played a crucial role as CN's foremost legal authority on environmental affairs. When he first joined the company in 1993, he was instrumental in shaping Illinois Central's (IC) environmental vision and strategy from a compliance perspective. Throughout his tenure, Rick has been an active participant in the ongoing discussions about managing environmental risks, working closely with the company's 7-19 member environmental department.



As part of his responsibilities, Rick managed and oversaw all aspects of state and federal environmental law, including air and water pollution, hazardous waste treatment, storage and disposal, site cleanup, and wetlands protection. He has also been responsible for handling all railroad-related environmental litigation, negotiating site cleanup orders, defending and prosecuting private cost recovery and contributing actions, and performing environmental compliance audits. His efforts led to minimizing It's fair to say that Rick has been an integral part of CN's environmental efforts and a key contributor to the company's success in this area.

Over his career, Rick has successfully negotiated dozens of cleanup orders with state and federal environmental authorities and has represented the railroad's interests in numerous cost recovery and contribution matters. Whether Rick was working directly with the decision-makers or behind the scenes, he was instrumental at moving many contaminated site files to closure, through his perspective and approach to resolve issues.

The Rockwood Transload Facility was the first railroad waste transfer facility in the United States to withstand legal challenges and to operate as a profit center. As the legal architect of this facility, Rick devised a strategy to make it eligible for federal pre-emption status and crafted agreements with the shipper, transload contractor, and consignee necessary to construct and operate the facility free from local zoning, permitting, and environmental requirements.

The Rockwood Transload Facility was an unqualified success. Rick helped CN secure an injunction prohibiting the city and county from shutting the facility down, enabling CN to earn substantial line-haul revenue on the thousands of cars that were shipped there during its existence. CN has since used Rockwood as a blueprint for other transload facilities on both sides of the border.

Rick has also worked closely with CN's environmental team and management to maintain operating facilities in sixteen states in compliance with applicable environmental laws and regulations. He has headed environmental due diligence teams in connection with proposed mergers, authored



amendments to the Illinois Environmental Protection Act, and authored OSHA respiratory protection, lead exposure, and other program documents.

At Tamaroa, Rick helped resolve a three-day stalemate between IEPA and CN over the cleanup of and restoration of rail service on the mainline right-of-way severed during a vinyl chloride derailment. He defended lawsuits filed by the Illinois Attorney General's Office and Perry County State's Attorney and negotiated court orders governing emergency and long-term cleanup activities on terms favorable to IC.

The Rockwood Transload Facility and many related projects were all successful while adhering to all legal and environmental requirements, thanks to Rick.

Furthermore, Rick played an active role in the railroad industry by participating in the AAR Pre-emption Committee and the AAR Environmental Matters Working Group (a lawyer-only committee) back in 1994 and served continuously on that committee until his retirement.

His dedication to the company is celebrated with great admiration and respect.



Supplemental information

Richard Verkler

Environmental Counsel - Homewood, IL USA



Service at CN: 30 years

CN Experience

- Environmental Counsel
- Various positions in Legal

Jan 2001 – Current
 Nov 1993 – Dec 2000

External Experience

Illinois Attorney General's Office

- Assistant Attorney General,

1989 – 1993

Illinois Bedrava, Lyman and Van Epps

- Associate

1986 – 1989 |

Thompson & Thompson

- Solo Practitioner

1984 – 1986

Education

Doctor of Law, *Creighton University*

1984

Bachelor in Economics, *University of Illinois at Urbana*

1981

Professional Designations / Development / Awards

Certified Juris Doctor

1984

**2023 Association of American Railroads
Career Environmental Achievement Award
Nomination Form**

Nomination criteria:

The nomination form should be limited to a total of 4 pages (3 pages plus one page of **supplemental information such as photographs**), using a template with default Microsoft Word line spacing, margins (1" all around) and 11-point Calibri font. Clearly define which contributions occurred in the nominee's career.

1. Is a Pioneer: Had early involvement in railroad environmental activity, particularly on a full-time basis. The approximate cut-off appears to be about 1975. As time progresses, it is unlikely any new candidates will come from this era.
2. Had a long tenure in the field (+20 years) and strongly involved w/ railroad environmental field.
3. Has demonstrated leadership in the field as a chairman of AREA/AREMA Committee 13 and/or the AAR Environmental Affairs Committee (or these committee's successors),
4. Has demonstrated significant leadership and accomplishments on behalf of their railroad and/or the railroad industry. Played a major leadership role on an important environmental issue, either at their own railroad, or on behalf of the entire industry that significantly contributed to the advancement of an important aspect of railroad environmental performance.

Submitted By: Bryan Naranjo Date Submitted: October 13, 2023

Return By: **October 16, 2023, to Devin Sprinkle, Assistant Vice President, Environment, Hazardous Materials and Climate Change, Association of American Railroads, 425 Third St., SW, Suite 1000 | Washington, DC 20024 | (312) 765-3180 (c), dsprinkle@aar.org**

All nomination forms should be submitted to: Devin Sprinkle, at the address listed below.

Nominee's Name (First, MI, Last): Mark M. Dudle

Railroad: Norfolk Southern

Department: Safety Department (formally S&E)

Years of service: 31 Title: Occupational Safety Director

Other information about the candidate to mention during award ceremony including the name of the candidates' spouse or significant other, # of children, etc. (limit to 100 words).

Mark Dudle's 30 plus year railroad career has been devoted to protecting the health and safety of NS employees, contractors, and residents in the communities we serve. He has expertise in the fields of railroad industrial hygiene, safety, environmental protection, emergency response, and regulatory compliance. He has a long and dedicated career with the railroad industry and contributed to many rail industry innovations. He is a graduate of Auburn University at Montgomery with a BS degree in Biology and the University of Alabama Birmingham with a Master of Science Public Health degree in Industrial Hygiene. Mark is a Certified Industrial Hygienist (CIH) and a rail industry leader in the Environmental, Health and Safety (EHS) field.

Mark has been married to his wife Louise for almost 30 years. They have three adult children, Matthew (28), Hannah (26) and Sam (24). Mark loves family activities and events. Mark is also an active and avid outdoor enthusiast and enjoys hiking and backpacking, fishing, snow skiing, running, tennis, and many other outdoor activities.

In 31 years of service at Norfolk Southern, Mark Dudle has served in a variety of roles and positions of increasing responsibility. Mark has led the NS Industrial Hygiene Group for over 20 years and is currently longest tenured employee in the NS Safety Department. As the Occupational Safety Director, he manages Norfolk Southern's Health and Safety Programs and corresponding projects across the demanding NS 22 state system. Mark has built his career on the fundamental principles of identification, evaluation, and control of hazardous exposures. He has played a key role in industry group of railroad industrial hygienists and other safety and environmental professionals, many of whom he worked closely with for much of his career and counts as close friends.

Mark has played an integral role in the development and administration of the NS Health and Safety Programs including Hazard Communication, Respiratory Protection, Hearing Conservation, Confined Space, Asbestos, Respirable Crystalline Silica, Lead, Hot Work, and Lock Out Tag Out procedures. Because these programs were either not yet developed or in their infancy, Mark has authored, re-written, or revised each of them. His efforts have improved the knowledge and directly prevented employee exposures in these areas among all NS's 21,000 employees.

The Norfolk Southern Hazard Communication Program provides the mechanism to communicate chemical hazards to employees. This information is critical for the health and safety of employees that use or handle chemical containing products. This review and approval of products ensures that all chemical constituents can be handled safely thereby protecting the long-term health of employee users. He also evaluated chemicals as potential pollutants and limited ones, such as chlorinated compounds, on the NS system. This reduced potential long-term pollutants which protected NS property and the environment. Early in his NS career, Mark led NS from hard copy file cabinets full of manufacturer product Material Safety Data Sheets to the current online system accessed by all employees. Current Safety Data Sheets provide information on appropriate personal protective equipment (PPE), spill containment, clean-up, and disposal.

Mark is the lead for the Norfolk Southern Respiratory Protection Program that governs all respirator usage for employees and ER responders. He has taken this program from the developmental stages through many iterations. All respiratory protection products are reviewed and approved prior to employee use to ensure they are appropriate for railroad work operations and tasks. Currently approved respiratory protection ranges from basic N95 filtering facepiece respirators up to Self-Contained Breathing Apparatus (SCBA) used in railroad emergency responses. Mark has also been the NS lead in addressing Federal Railroad Administration (FRA) regulatory guidance for Emergency Escape Breathing

Apparatus (EEBA).

During the COVID-19 pandemic, Mark led initiatives to protect the health and safety of NS employees on a system-wide basis. He worked with his Occupational Safety team to approve and secure and provide corresponding guidance for N95 and alternative respiratory protection and other face coverings, approve new cleaning and disinfecting products, draft cleaning, disinfecting, and inspection protocols for NS facilities, locomotives, and other equipment, draft COVID-specific NS Operating Bulletins, and respond to employee questions and concerns. He also met regularly with other railroad health and safety professionals to ensure consistency in COVID response throughout the industry.

In his EHS role, Mark has been instrumental in improving preparedness at NS and within the rail industry. He has served as a guest lecturer/instructor for the air monitoring module at the AAR SERTC Hazwoper training for NS personnel, contractors, and emergency responders. His experience at major railroad emergency responses combined with his expertise in the field is critical to sharing knowledge with first responders.

Mark has a long history of managing emergency responses for the railroad and is a tested expert in his field. His specific areas of expertise under the environmental, health and safety (EHS) umbrella include air monitoring, toxicology support and site safety. Some of the more significant incidents he has responded to in his career included: Danville, KY (1995), Sweetwater, TN (1996); Farragut, TN (2002); Graniteville, SC; Creighton, PA; and Hurricane Katrina (2005); Lincoln, AL (2007); Bugaboo Wildfire (2007); Bartow, GA (2019); and East Palestine, OH (2023). His efforts on each one of these responses deserve its own write-up and his contribution to these responses are hard to understate and directly lead to better outcomes for NS, the communities affected and the environment.

Mark was instrumental in launching Operation Home Safely a program that provides in-home air and surface testing to residents who are returning to their homes following evacuations resulting from rail incidents. This program confirms that any impacts from the incident have dissipated and provides peace of mind to the returning residents. His management and overall oversight of all air monitoring done on behalf of NS during the Graniteville, SC response set the modern-day standard for large scale chemical responses in the railroad industry. We believe this was the first widespread utilization of this type of program during railroad emergency response which has become an industry standard.

The February 3, 2023 NS derailment in East Palestine (EP) , Ohio is unquestionably the largest scale response in rail industry history. Mark has led a massive health and safety effort working collaboratively, professionally, and tirelessly with all EP stakeholders including Unified Command, EPA, OSHA, state and local emergency management agencies and health departments, and more. His EHS response expertise has been acknowledged throughout the industry and was on full display on this response. He recently spoke regarding the NS East Palestine response at the recent AAR Safety Meeting hosted by Canadian Pacific Kansas City Southern in Calgary.

It is with great admiration and deep appreciation that we honor Mark Dudle with this nomination. His remarkable journey in Safety and Environmental has not only left an indelible mark on NS but has also set an inspiring example to others. As we look back on his incredible accomplishments, we cannot help but feel grateful for the dedication, passion, and excellence he has consistently brought to the table.

Some of Mark's other notable accomplishments throughout his career include:

- Riding in the lead NS locomotive on the historic first freight train over the Lake Pontchartrain Bridge into the City of New Orleans as rail service was restored after Hurricane Katrina in 2005.
- Responding and leading air monitoring and safety efforts during the massive Bugaboo Wildfires in South Georgia and Florida in 2007. Train operations through the fire affected areas were directly dependent on continuous monitoring results and corresponding guidance.
- Conducting and managing exposure assessments on almost every major NS facility and location across the system.
- Leading and ultimately centralizing the NS Government Reporting Office responsible for all FRA accident/incident reporting.
- Representing NS on the FRA Rail Safety Advisory Committee Locomotive Cab Noise Working Group responsible for drafting Occupational Noise Exposure for Railroad Operating Employees 49 CFR Part 227 and Locomotive Cab Noise Standard 49 CFR Part 229.121.
- Representing NS on the initial FRA Rail Safety Advisory Committee for FRA Part 225 revision.

