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SERVICE DATE - SEPTEMBER 16, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33388 (Sub-No. 1)

CSX TRANSPORTATION, INC.--CONSTRUCTION AND OPERATION EXEMPTION--
CONNECTION TRACK AT CRESTLINE, OH

Decided: September 12, 1997

On June 23, 1997, CSX Transportation, Inc. (CSXT) and Consolidated Rail Corporation (CRC) filed a notice of exemption under 49 CFR 1150.36 to construct a connection track between two CRC main lines crossing at Crestline, OH. The connection will extend approximately 1,507 feet between approximately milepost 75.4 on CRC's North-South main line between Greenwich, OH, and Indianapolis, IN, and approximately milepost 188.8 on CRC's East-West main line between Pittsburgh and Ft. Wayne, IN.¹ Notice of the exemption was served on July 11, 1997, and published that day in the Federal Register (62 FR 37331). The exemption is scheduled to become effective September 19, 1997.

In addition to the Environmental Report, which includes the proposed construction and operation of the connection track at Crestline, filed with the Board in the Primary Control Application in STB Finance Docket No. 33388, CSXT submitted its preliminary draft environmental assessment (PDEA) on September 5, 1997, as directed by the Board in STB Finance Docket No. 33388, Decision No. 9, served June 12, 1997.

As part of the environmental review process, the Board's Section of Environmental Analysis (SEA) will independently verify the information contained in the PDEA, conduct further independent analysis, as necessary, and develop appropriate environmental mitigation measures. SEA plans to prepare an environmental assessment (EA), which will be served on the public for its review and comment. The public will have 20 days to comment on the EA, including the proposed environmental mitigation measures. After the close of the public comment period, SEA will prepare a Post Environmental Assessment containing SEA's final recommendations, including appropriate environmental mitigation.

Additional time is needed to enable SEA to consider the full environmental record and complete the environmental process. Accordingly, this exemption will be stayed pending completion of the environmental process. The petition to stay and consider this notice of exemption in conjunction with the primary application, filed by Allied Rail Unions on August 22, 1997 (ARU-13), will be addressed in a later decision.

It is ordered:

¹ This proceeding is related to STB Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company--Control and Operating Leases/Agreements--Conrail, Inc. and Consolidated Rail Corporation.

1. The effectiveness of the exemption in this proceeding is stayed pending further action of the Board.

2. This decision is effective on its service date.

By the Board, Linda J. Morgan, Chairman.

Vernon A. Williams
Secretary