

28978

SERVICE DATE - LATE RELEASE FEBRUARY 27, 1998

SURFACE TRANSPORTATION BOARD

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

Decision No. 69

Dated: February 27, 1998

NOTICE TO THE PARTIES:

On December 12, 1997, the Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) issued a Draft Environmental Impact Statement (Draft EIS) for the Proposed Acquisition of Conrail by Norfolk Southern (NS) and CSX. Comments on the Draft EIS were due February 2, 1998. In its continuing process of evaluation, SEA has identified some additional potential hazardous materials transportation safety, noise, and highway/rail at-grade crossing safety and delay impacts of the Proposed Acquisition. This information was not included in the Draft EIS and is based in part on updated data that was not received until after the Draft EIS was issued. Specifically, (1) on November 24, 1997, CSX advised SEA that it would revise its calculation of the transportation of hazardous materials due to an error in methodology; (2) on December 23, 1997 and February 20, 1998, CSX provided SEA with the revised hazardous materials transportation safety data; and (3) SEA identified sensitive receptors within noise contours using aerial photographs and more precise analytical tools, such as geographic information systems (GIS), that were not available prior to SEA completing the Draft EIS.

SEA's additional analysis has identified four rail line segments with potential hazardous materials transportation safety impacts that SEA did not identify as such in the Draft EIS. In addition, SEA has identified eight rail line segments that now may warrant noise mitigation. Although SEA had identified these segments in the Draft EIS as being potentially affected by noise, SEA did not

recommend noise mitigation for them in the Draft EIS. As a result of the refined analysis described above, SEA has also concluded that 12 additional rail line segments may have high, adverse and disproportionate effects on certain minority or low-income communities as a result of potential effects of hazardous materials transportation safety, noise, and/or highway/rail at-grade crossing safety and delay. A list of affected rail line segments and communities is included with this notice. This new information does not change or alter SEA's prior analysis, results, or preliminary mitigation recommendations in other impact areas, nor does it affect the integrity of the information contained in the Draft EIS.

To ensure that anyone affected by the new information described above has the opportunity to review and comment on it, through this notice SEA is providing an additional 45-day comment period. During this period, affected parties may submit written comments to SEA on the potential environmental effects noted above on their community. Written comments must be submitted to SEA no later than April 15, 1998. SEA will consider any timely comments received in the Final EIS, which is scheduled to be issued in late May 1998. The Board will then consider the entire environmental record, including all public comments, the Draft EIS, and the Final EIS in making its final decision on the Proposed Conrail Acquisition. The Board will hold an open voting conference on June 8, 1998 and intends to issue its final written decision on July 23, 1998.

Information about the Proposed Acquisition and Draft EIS can be found at the Internet web site <<http://www.conrailmerger.com>> and SEA's toll-free Environmental Hotline at (888) 869-1997.

Vernon A. Williams
Secretary

**Surface Transportation Board
Section of Environmental Analysis**

**Draft Environmental Impact Statement
Proposed Conrail Acquisition**

ADDITIONAL ENVIRONMENTAL INFORMATION

In its continuing process of evaluation, the Surface Transportation Board's Section of Environmental Analysis (SEA) has identified some additional potential hazardous materials transportation safety, noise, and highway/rail at-grade crossing safety and delay impacts associated with the Proposed Conrail Acquisition. SEA has also identified additional minority and low-income populations that may be affected by potential environmental impacts. This information was not available when SEA issued the Draft Environmental Impact Statement (Draft EIS) on December 12, 1997.

- This page directs the reader to the appropriate sections of the Draft EIS that more completely explains SEA's analysis.
- Page 2 of this document includes a table that summarizes the new rail line segments potentially affected by hazardous materials transportation.
- Page 3 of this document includes a table that summarizes the new rail line segments that may warrant noise mitigation.
- Page 4 of the document includes a table that summarizes the new rail line segments with potential impacts on minority and low-income populations.

HELPFUL REFERENCES TO THE DRAFT EIS

New Hazardous Materials Transportation Safety Rail Line Segments

- SEA's hazardous materials transportation analysis and methodology are documented in Chapter 3, Section 3.5 of the Draft EIS, pages 3-12 through 3-14.
- System-wide safety effects of increased hazardous materials transport are documented in Chapter 4, Section 4.5 of the Draft EIS, pages 4-14 through 4-21.
- State-specific hazardous materials transport safety effects are documented in Chapter 5 of the Draft EIS, presented on a state-by-state basis.
- SEA's recommended hazardous materials transportation safety mitigation is presented in Chapter 7 of the Draft EIS on pages 7-12 through 7-14. The new hazardous materials transportation safety rail line segments listed in the table below on Page 2 are new "Key Routes" subject to Recommended Mitigation Nos. 3 (A-C) and 5.

New Rail Line Segments That May Warrant Noise Mitigation

- SEA's noise analysis and methodology are documented in Chapter 3, Section 3.12 of the Draft EIS, pages 3-30 through 3-37.
- State-specific noise effects are documented in Chapter 5 of the Draft EIS.
- SEA's recommended noise mitigation is presented in Chapter 7 of the Draft EIS, page 7-17.

New Rail Line Segments With Potential Impacts on Minority and Low-Income Populations

- SEA's environmental justice analysis and methodology are documented in Chapter 3, Section 3.17 of the Draft EIS, pages 3-48 through 3-52.
- SEA's recommended environmental justice mitigation is presented in Chapter 7 of the Draft EIS, page 7-18.

New Hazardous Materials Transport Safety Segments

State	Site ID	Proposed Owner	Segment	Counties	Est. Annual Haz. Mat. Rail Carloads	
					Pre-Acq.	Post-Acq.
KY OH	C-230	CSX	NJ Cabin, KY to Columbus, OH	KY: Greenup; OH: Franklin, Pickaway, Pike, Ross, Scioto	4,000	10,000
PA	C-767	CSX	CP Newtown Jct., PA to CP Wood, PA	Bucks, Montgomery, Philadelphia	6,000	19,000
NJ PA	C-768	CSX	CP Wood, PA to Trenton, NJ	PA: Bucks; NJ: Mercer	6,000	18,000
OH	C-065	CSX	Deshler, OH to Toledo, OH	Henry, Wood	365	14,000

New Segments That May Warrant Noise Mitigation

State	Site ID	Proposed Owner	Segment	Counties	Receptors within 65 dBA Contour*	
					Pre-Acq.	Post-Acq.
IN	C-026	CSX	Warsaw, IN to Tolleston, IN	Kosciusko, La Porte, Lake, Marshall, Porter, Starke	14	1,129
IN	N-040	NS	Alexandria, IN to Muncie, IN	Delaware, Madison	83	506
NY	N-060	NS	Corning, NY to Geneva, NY	Chemung, Ontario, Schuyler, Steuben, Yates	0	117
OH	N-085	NS	Bellevue, OH to Sandusky Dock, OH	Erie, Huron	5	58
PA	C-085	CSX	Sinns, PA to Brownsville, PA	Allegheny, Fayette, Westmorland	194	781
VA	N-100	NS	Riverton Jct., VA to Roanoke, VA	Augusta, Botetourt, Buena Vista City, Clarke, Page, Roanoke, Roanoke City, Rockbridge, Rockingham, Warren, Waynesboro City	466	1,560
WV	N-110	NS	Elmore, WV to Deepwater, WV	Fayette, Raleigh, Wyoming	0	248
WV	N-111	NS	Deepwater, WV to Fola Mine, WV	Fayette, Nicholas	37	161

*includes receptors affected by highway/rail at-grade crossings.

New Segments With Potential Impacts on Minority and Low-Income Populations

State	Site ID	Proposed Owner	Segment	Counties	Potential Impact
GA	C-377	CSX	Manchester, GA to LaGrange, GA	Meriwether, Troup	Hazardous Materials Transport
IN	C-026	CSX	Warsaw, IN to Tolleston, IN	Kosciusko, La Porte, Lake, Marshall, Porter, Starke	Noise
IN	N-040	NS	Alexandria, IN to Muncie, IN	Delaware, Madison	Noise
NC TN	N-361	NS	Asheville, NC to Leadvale, TN	NC: Buncomb, Madison; TN: Cocke	Hazardous Materials Transport
NJ	S-032	CSX/NS	PN, NJ to Bayway, NJ	Essex, Union	Hazardous Materials Transport
OH PA NY	N-070	NS	Ashtabula, OH to Buffalo, NY	OH: Ashtabula; PA: Erie; NY: Chutaupua, Erie	Hazardous Materials Transport; Crossing Delay
PA	C-766	CSX	West Falls, PA to CP Newtown Jct., PA	Philadelphia	Hazardous Materials Transport
PA	N-203	NS	Bethlehem, PA to Allentown, PA	Lehigh, Northampton	Hazardous Materials Transport
PA	S-232	CSX/NS	Park Jct., PA to Frankford Jct., PA	Philadelphia	Hazardous Materials Transport
PA NJ	S-233	CSX/NS	Frankford Jct., PA to Camden, NJ	PA: Philadelphia; NJ: Camden	Hazardous Materials Transport
TN	N-406	NS	Frisco, TN to Kingsport, TN	Hawkins, Sullivan	Hazardous Materials Transport
VA	N-432	NS	Poe ML, VA to Petersburg, VA	Petersburg City	Hazardous Materials Transport