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SERVICE DATE - LATE RELEASE APRIL 16, 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. 75

Decided: April 15, 1998

Decision Nos. 71 and 73 issued in this matter on March 17, 1998, and March 23, 1998, addressed certain ongoing environmental discussions between the railroads and various communities and appropriate parties in the Greater Cleveland area. Noting that the Board's practice is to encourage privately negotiated agreements to address environmental concerns, the decisions expressed concern that informal involvement by Board environmental staff at this time could impede independent discussions among the private parties. Therefore, the decisions instructed Board staff not to engage in any further informal discussions with the affected parties in the Greater Cleveland area at this time, and instructed those parties, should they reach a mutually acceptable agreement by April 15, 1998, to notify the Board's Section of Environmental Analysis (SEA) immediately.

The Board is aware that the parties remain in serious negotiations. To provide additional time for the parties to complete these important negotiations without Board involvement, the prohibition on further informal discussions by SEA and the consultants with the affected parties regarding any negotiated agreements will be extended to April 23, 1998. This prohibition does not extend to data collection and verification activities by SEA and the consultants.

This action will not significantly affect either the quality of the human environment or conservation of energy resources.

It is ordered:

1. SEA and the consultants are instructed not to engage in any further informal discussions with the affected parties regarding any negotiated agreements in the Greater Cleveland area until April 23, 1998.

2. This decision is effective on the date served.

By the Board, Chairman Morgan.

Vernon A. Williams  
Secretary