

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. 155

Decided: May 24, 2000

Environmental Condition No. 8(A) of Appendix Q of Decision No. 89<sup>1</sup> (Decision No. 89, slip op. at 393-94), requires Applicants, in order to address potential safety impacts at highway/rail at-grade crossings, to upgrade existing warning devices at 86 public highway/rail at-grade crossings as listed in the decision. As pertinent here, NS is required to install “Flashing Lights” at the at-grade crossing at Guilford Springs Road, located in Guilford Township, Franklin County, Guilford Springs, PA. See Decision No. 89, slip op. at 398. Alternatively, as provided in Environmental Condition No. 8(A), NS may satisfy this requirement by entering into a negotiated agreement with the affected local jurisdiction and the state department of transportation to provide for alternative safety improvements in the vicinity of the identified highway/rail at-grade crossing that achieve at least an equivalent level of safety enhancement. Environmental Condition No. 8(A) requires compliance with this provision within 2 years of the effective date of Decision No. 89, or by August 22, 2000.

By letter received April 28, 2000, NS has advised the Board that it has recently been apprised by the Guilford Township Supervisors that Guilford Township intends within a year to relocate Guilford Springs Road, including the existing grade crossing.<sup>2</sup> NS advises that, when the new road and grade crossing have been completed, NS will work with the Guilford Township Supervisors and the Pennsylvania Department of Transportation to install flashing lights at the

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<sup>1</sup> In Decision No. 89, served July 23, 1998, we approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc., and Consolidated Rail Corporation (collectively, Conrail) and the division of Conrail’s assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

<sup>2</sup> NS enclosed a copy of a letter dated February 23, 2000, from Gregory L. Cook, Chairman of the Guilford Township Supervisors advising of the relocation and requesting NS to seek a 1-year extension of the compliance deadline.

relocated Guilford Springs Road grade crossing. NS states that it is seeking an extension of time for 1 year in which to install flashing lights at the Guilford Springs Road grade crossing, with that date based on the expected completed construction of the relocated road and grade crossing by February 23, 2001. Should construction of the relocated road and grade crossing not be completed by February 23, 2001, NS seeks an extension until 6 months after completion of such construction to install flashing lights at the relocated Guilford Springs Road grade crossing.

The extension requests are reasonable, and the revised deadline will therefore be adopted.

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

It is ordered:

1. The compliance deadline for NS in Environmental Condition No. 8(A) of Appendix Q of Decision No. 89 with respect to the Guilford Springs Road grade crossing in Guilford Township, Franklin County, Guilford Springs, PA, is extended until August 22, 2001, or until 6 months following completion of the construction of the relocated Guilford Springs Road and the NS grade crossing, if the construction is not completed by February 23, 2001.

2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary