

STB

FD

33388

(Sub 63)

10-1-97

K

182268

OPPENHEIMER WOLFF & DONNELLY

1020 Nineteenth Street N.W.
Suite 400
Washington, D.C. 20036-6105

(202) 293-6300
FAX (202) 293-6200

Direct Dial: 202-496-4906

182268

- Brussels
- Chicago
- Detroit
- Geneva
- Irvine
- Los Angeles
- Minneapolis
- New York
- Paris
- Saint Paul
- San Jose
- Washington, D.C.



October 1, 1997

VIA HAND DELIVERY

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, D.C. 20423-0001

SUB 63

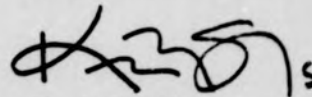
Re: Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company -- Control and Operating Leases/Agreements -- Conrail Inc. and Consolidated Rail Corporation -- Transfer of Railroad Line by Norfolk Southern Railway Company to CSX Transportation, Inc.

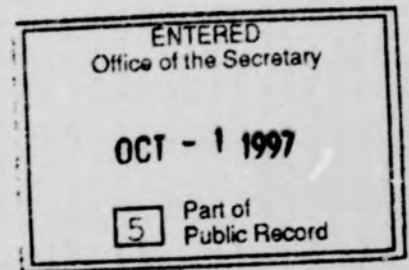
Dear Secretary Williams:

Enclosed you will find the original and 25 copies of the Verified Statement of M. W. Grubb, Jr. (RJC-5), regarding environmental matters in connection with the anticipated Responsive Application of R.J. Corman Parties. Also enclosed is a 3.5 inch diskette containing the filing in WordPerfect 5.1.

Please stamp the extra copy of the foregoing and return it with our messenger.

Respectfully submitted,

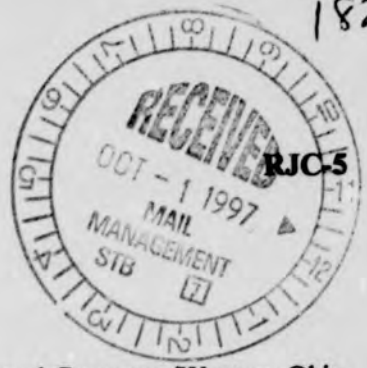

Kevin M. Sheys



Enclosures

cc: All Parties Referenced in Certificate of Service

182268



VERIFIED STATEMENT OF
M.W. GRUBB, JR.

I am M.W. ("Pat") Grubb, Jr., President of R.J. Corman Railroad Company/Western Ohio Line ("RJCW"). I am submitting this Verified Statement to explain why an Environmental Report is not required in connection with RJCW's anticipated Responsive Application in STB Finance Docket No. 33388. RJCW seeks acquisition of ownership of, or trackage rights on, an approximately 2.3 route mile segment of Conrail rail line (the "Subject Line") which would not result in any appreciable increase in railroad traffic. As is explained below, if RJCW's Responsive Application and the Primary Application are granted, the environmental thresholds established in 49 C.F.R. § 1105.8 will not be exceeded, and there will be no significant environmental impact.

RJCW operates 51.5 miles of line between Lima and Glenmore, Ohio pursuant to a modified certificate of public convenience and necessity. Presently, RJCW interchanges with Conrail near the eastern end of the Lima-Glenmore line and with Norfolk Southern Railway Company ("NSR") and CSX Transportation, Inc. ("CSXT") in a yard owned by British Petroleum ("BP Yard"), about two miles east of the Lima-Glenmore line. Conrail performs an intermediate switch of the RJCW traffic to or from NSR and CSXT.

RJCW believes that control of Conrail by CSXT and NSR, the division of Conrail's assets and the associated operating changes will adversely impact shippers served by RJCW on the Lima-Glenmore line. Therefore, RJCW seeks, as a condition to Board approval of the Primary Application, to acquire ownership of, or trackage rights on, Conrail's line of railroad between approximately milepost 54.4 and approximately milepost 52.1 in Lima, Ohio. Under the proposed acquisition RJCW will use the existing Conrail trackage and will serve in the same capacity as

Conrail at the point of the interchange of traffic to CSXT. There will be no resultant increase in traffic flow.

The acquisition will not cause the diversion of any rail carloads per year or per mile per year to motor carriers. The proposed transaction might increase traffic, but the traffic increase is unlikely to exceed 1,000 carloads per year and therefore will not result in (A) an appreciable percentage increase in the annual gross ton miles or an appreciable increase in the average number of trains per day on any segment of rail line, (B) an increase in rail yard activity or (C) an increase in truck traffic on any road segment. Accordingly, there will be no significant impact on the environment, and submission of an environmental report is not required.

VERIFICATION

STATE OF KENTUCKY)

) ss.

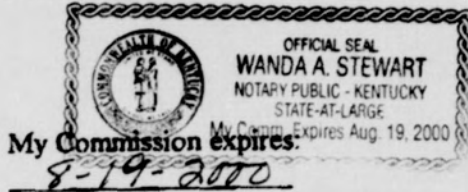
COUNTY OF JESSAMINE)

M.W. Grubb, Jr., being duly sworn, deposed and says that he has read the foregoing Verified Statement, that he knows the contents thereof, and that the factual statements contained therein are true and correct to the best of his knowledge, information and belief.

M.W. Grubb, Jr.
M.W. Grubb, Jr.


Subscribed and sworn to before me by M.W. Grubb, Jr. this 26th day of September, 1997.

Wanda A. Stewart
Notary Signature



CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of October, 1997, a copy of the foregoing **Verified Statement of M. W. Grubb, Jr. (RJC-5)** was served by first class mail, postage prepaid, upon **Administrative Law Judge Jacob Leventhal**, all Parties of Record on the Service List and all parties required to be served with environmental documentation pursuant to 49 C.F.R. § 1105.7(b).



Kevin M. Sheys