

STB

FD-33388

2-22-02

C-206

32589

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. 206

Decided: February 22, 2002

In CSX Corp. et al.—Control—Conrail Inc. et al., 3 S.T.B. 196 (1998) (Merger Dec. No. 89),¹ Environmental Condition No. 11 of Appendix Q² requires Applicants, with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that the specific requirements of this condition "shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns." Environmental Condition No. 11 requires compliance with this provision within 2 years of the effective date of Decision No. 89, or by August 22, 2000. The Board granted, at the request of NS, an extension of the compliance date until August 22, 2001, and most recently to February 22, 2002 (with respect to rail line segments N-079 and N-085 in Ohio), and to May 22, 2002 (with respect to rail line segments N-100 in Virginia and N-111 in West Virginia). See Decision No. 167, served on August 22, 2000, and Decision No. 196, served on August 21, 2001, respectively.

By letter received at the Board on February 19, 2002, NS has requested a further 1-year extension to complete compliance with Environmental Condition No. 11. Specifically, NS requests an extension until February 22, 2003, for rail line segments N-079 (Oak Harbor to Bellevue, OH) and N-085 (Bellevue to Sandusky Dock, OH), and an extension until May 22, 2003, for rail line segments N-100 (Riverton Junction to Roanoke, VA) and N-111 (Fola Mine to Deepwater, WV).

¹ In Merger Dec. No. 89, the Board 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 their 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 collectively as Applicants.

² 3 S.T.B. at 588-90.

NS states that it has worked diligently to implement the requirements of Environmental Condition No. 11, and has obtained either Negotiated Agreements with the responsible local governments in the relevant communities or has settled its obligations under Environmental Condition No. 11 with the majority of the individual property owners determined by the Board to be eligible for noise mitigation. NS notes that it has completed all of its obligations under Environmental Condition No. 11 in Indiana through Negotiated Agreements with two responsible local governments. These Negotiated Agreements have been submitted to the Board and have been added to Environmental Condition No. 51.

With respect to Ohio, NS states that the responsible local governments of the five relevant communities with eligible noise-sensitive receptors located along the Ohio rail line segments N-079 and N-085 informed NS that, in lieu of entering into community Negotiated Agreements, they wished NS to contact the owners of the structures eligible for noise mitigation in their communities. NS has done so, and indicates that it has settled its obligations under Environmental Condition No. 11 with the owners of 93 eligible structures in those Ohio communities, and that only owners of 5 eligible structures have opted not to accept the settlement offers made by NS. For those 5 remaining structures in Ohio, NS states that it will offer to install sound insulation in satisfaction of its Environmental Condition No. 11 obligations.

With respect to Virginia, NS states that it has entered into Negotiated Agreements with eight responsible local governments. These Negotiated Agreements have been submitted to the Board, of which six have been added to Environmental Condition No. 51 and two are awaiting Board action. NS states that seven responsible local governments along N-100 informed NS that they wished NS to contact the owners of the structures verified to be eligible for noise mitigation. NS had discussions with the individual property owners, and, to date, has settled its obligations under Environmental Condition No. 11 with the owners of 26 eligible structures along N-100. NS states that it is currently engaged in settlement discussions with the owners of 11 remaining eligible structures along N-100 and hopes to complete that work in a few weeks. If, however, at the conclusion of those discussions, any owners opt not to accept the NS settlement offers, NS states that it will offer to install sound insulation in those structures.

With respect to West Virginia, NS states that it has entered into Negotiated Agreements with the responsible local governments of two communities along N-111. These Negotiated Agreements have been submitted to the Board and have been added to Environmental Condition No. 51. NS states that the local government of a third community along N-111 has not yet indicated its final preference for either a community Negotiated Agreement with NS or a request that NS contact the individual owners of any eligible structures. NS states that it has advised the remaining local government that the Board's Section of Environmental Analysis (SEA) and its third-party consultant will conduct a field survey in the next several weeks to verify the location of any eligible structures along N-111. According to NS, once the results of the SEA field survey are available, the responsible local government will advise NS whether it wishes to enter into a Negotiated Agreement or prefers that NS contact the owners of the eligible structures in

the community. If the local government selects the latter option, NS states that it will promptly initiate contacts with the individual property owners to make settlement offers, and if any property owners opt not to accept NS' settlement offers, NS will offer to install sound insulation in those structures determined by the SEA survey to be eligible for noise mitigation.

NS states that NS, CSX and Conrail have worked together with noise mitigation consultants to develop a protocol for a sound insulation program for the remaining eligible receptors, and that, once a protocol has been approved by SEA, NS expects to move expeditiously to implement the installation program. NS further states that, because there are many timing factors tied to the implementation and completion of a sound insulation program which will be applied to those eligible structures remaining at the conclusion of the community and individual property owner settlement processes, NS believes that a 1-year extension of the current deadlines for satisfaction of Environmental Condition No. 11 is reasonable and necessary and would serve the public interest by providing adequate time for consideration of the noise mitigation offered by NS and for the installation of the sound insulation treatments.

In light of the representations made by NS indicating substantial progress in compliance with Environmental Condition No. 11, and development of the protocol designed to complete compliance with Environmental Condition No. 11 expeditiously, the request for a 1-year extension of the current deadlines to February 22, 2003, and May 22, 2003, is reasonable and will be granted. The Board expects parties to complete their negotiations and conclude this process within the respective 1-year periods so that no further extensions would be necessary.

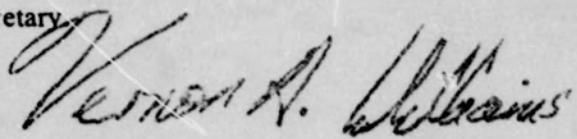
This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The compliance deadline for NS in Environmental Condition No. 11 of Appendix Q of Merger Dec. No. 89 is extended 1 year until February 22, 2003, with respect to rail line segments N-079 (Oak Harbor to Bellevue, OH) and N-085 (Bellevue to Sandusky Dock, OH), and is extended 1 year until May 22, 2003, with respect to rail line segments N-100 (Riverton Junction to Roanoke, VA) and N-111 (Fola Mine to Deepwater, WV).

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

By the Board, Vernon A. Williams, Secretary



Vernon A. Williams
Secretary

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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. 205

Decided: February 22, 2002

In CSX Corp. et al.—Control—Conrail Inc. et al., 3 S.T.B. 196 (1998) (Merger Dec. No. 89),¹ Environmental Condition No. 11 of Appendix Q² requires Applicants (including CR, which administers the CSX/NS Shared Assets Areas), with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that the specific requirements of this condition "shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns." Environmental Condition No. 11 requires compliance with this provision within 2 years of the effective date of Decision No. 89, or by August 22, 2000. The Board granted, at the request of CSX and CR, an extension of the compliance date to August 22, 2001, and then to February 22, 2002. See Decision No. 166, served on August 22, 2000, and Decision No. 195, served on August 21, 2001, respectively. By letter received at the Board on February 19, 2002, CSX, on behalf of CSX and CR, has requested a further 1-year extension to complete compliance with Environmental Condition No. 11, until February 22, 2003.

CSX states that it has worked diligently to implement Environmental Condition No. 11, and has submitted to the Board 31 Negotiated Agreements under Environmental Condition No. 11 that have been added to Environmental Condition No. 51 of Appendix Q of Merger Dec. No. 89. According to CSX, these Negotiated Agreements cover all of the eligible receptors

¹ In Merger Dec. No. 89, the Board approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc. and Consolidated Rail Corporation (CR), and the division of their assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX, NS, and CR are referred to collectively as Applicants for purposes of this decision.

² 3 S.T.B. at 588-90.

identified in Environmental Condition No. 11 that are located in Indiana and Ohio. CSX states that it also has entered into Negotiated Agreements with nine responsible local governments in Pennsylvania, and that only Elizabeth Township and Rostraver Township informed CSX that they wish for CSX to contact individual property owners. According to CSX, it contacted the individual property owners as requested, and, to date, it has entered into agreements covering 24 of the 28 structures eligible for noise mitigation in these townships. CSX advises that it has not yet satisfied Environmental Condition No. 11 with respect to only 4 structures on the CSX system, and thus has satisfied Environmental Condition No. 11 with respect to over 99% of the structures eligible for noise mitigation under this condition.

CSX also advises that CR has worked diligently to comply with Environmental Condition No. 11 with respect to eligible receptors in the Detroit Shared Assets Area. According to CSX, CR has entered into Negotiated Agreements with two responsible local governments in the Detroit Shared Assets Area. These Negotiated Agreements have been submitted to the Board and have been added to Environmental Condition No. 51. CSX further states that Allen Park, Ash Township, and Lincoln Park, MI, informed CR that they wished CR to contact individual property owners; that CR has contacted them; and that, to date, CR has entered into agreements covering 5 of the 10 eligible structures and is in the process of finalizing one additional settlement. CSX advises that CR has not yet satisfied Environmental Condition No. 11 with respect to only 4 structures in the Detroit Shared Assets Area.

CSX states that, during the past 6 months, both CSX and CR have entered into a number of agreements with individual property owners. CSX states that it has worked with CR, NS, and noise consultants to develop a noise mitigation program protocol (protocol). CSX appears to indicate that the protocol could be used for compliance by CSX, NS, and CR of noise mitigation requirements under Environmental Condition No. 11.³

In light of the representations made by CSX indicating substantial progress in compliance with Environmental Condition No. 11, and development of the protocol to complete compliance with Environmental Condition No. 11 expeditiously, the request for a 1-year extension to February 22, 2003, is reasonable and will be granted. The Board expects parties to complete their negotiations and conclude this process within the year so that no further extensions would be necessary.

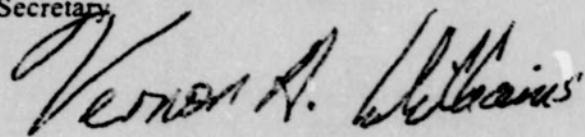
³ CSX states that the protocol sets forth the railroads' plan for implementing Environmental Condition No. 11 so that all affected parties would understand the railroads' intended process for how the noise mitigation should proceed. CSX states that the protocol contemplates that each property owner will be offered the choice of a monetary settlement agreement or a structural insulation agreement.

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 CSX and CR in Environmental Condition No. 11 of Appendix Q of Merger Dec. No. 89 is extended 1 year until February 22, 2003.
2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary



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SERVICE DATE - FEBRUARY 8, 2002

This decision will be printed in the bound volumes of
the STB at a later date.

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. 204

Decided: February 7, 2002

In CSX Corp. et al.—Control—Conrail Inc. et al., 3 S.T.B. 196 (1998) (Merger Dec. No. 89),¹ Environmental Condition No. 11 of Appendix Q of Merger Decision No. 89² requires Applicants, with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that: "Applicants shall certify compliance with this condition within 2 years of the effective date of the Board's final

¹ In Merger Dec. No. 89, 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 by Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

² 3 S.T.B. at 588-90.

decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."³

On January 4, 2002, NS provided us with a copy of a Negotiated Agreement between NS and the City of Waynesboro, VA, dated October 23, 2001, and accepted by the City of Waynesboro on November 14, 2001. According to NS, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Merger Dec. No. 89.⁴ NS requests that Environmental Condition No. 11 be amended to reflect the parties' Negotiated Agreement by deleting the City of Waynesboro receptors from the receptors identified on the Riverton Junction, VA, to Roanoke, VA line segment (N-100), and that the Negotiated Agreement between NS and the City of Waynesboro be added to the NS Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires NS to comply with the terms of all Negotiated Agreements developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Merger Dec. No. 89.⁵ The City of Waynesboro concurs with the request.

In view of the Negotiated Agreement between NS and the City of Waynesboro, VA, we will: (1) add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Merger Dec. No. 89; and (2) amend Environmental Condition No. 11 of Appendix Q of Merger Dec. No. 89 to delete the receptors in the City of Waynesboro from the receptors identified on the Riverton Junction, VA, to Roanoke, VA line segment because the noise mitigation for that community has been superseded by the NS/City of Waynesboro Negotiated Agreement.

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

³ Environmental Condition No. 11 required compliance with this provision within 2 years of the effective date of Merger Dec. No. 89, or by August 22, 2000. At the request of NS, by decision served on August 22, 2000, this compliance date was extended to August 22, 2001. At the further request of NS, by decision served on August 21, 2001, the compliance deadline was extended to February 22, 2002, for rail line segments N-079 (Oak Harbor to Bellevue, OH) and N-085 (Bellevue to Sandusky Dock, OH), and was extended to May 22, 2002, for rail line segments N-100 (Riverton Junction to Roanoke, VA) and N-111 (Fola Mine to Deepwater, WV), to allow NS to complete implementation of the condition through additional negotiated solutions with the remaining communities and alternative arrangements with individual property owners to satisfy Environmental Condition No. 11 where appropriate.

⁴ 3 S.T.B. at 357.

⁵ 3 S.T.B. at 607-08.

It is ordered:

1. This proceeding is reopened.

2. In accordance with the Negotiated Agreement between NS and the City of Waynesboro, VA, dated October 23, 2001, and accepted by the City of Waynesboro on November 14, 2001, the following is added to the NS Subsection of Environmental Condition No. 51 of Appendix Q of Merger Dec. No. 89:

31. City of Waynesboro, Virginia, Negotiated Agreement dated October 23, 2001, and accepted by the City of Waynesboro on November 14, 2001.

3. In addition, Environmental Condition No. 11 of Appendix Q of Merger Dec. No. 89 is amended to delete the receptors in the City of Waynesboro from the receptors identified on the Riverton Junction, VA, to Roanoke, VA line segment because the noise mitigation for that community has been superseded by the Negotiated Agreement.

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

By the Board, Chairman Morgan and Vice Chairman Burkes.



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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. 180

Decided: February 08, 2001

Environmental Condition No. 28 of Appendix Q of Decision No. 89¹ (Decision No. 89 slip op. at 410), provides that: "With the concurrence of the City of Conneaut, Ohio, NS shall provide, install, and maintain a real-time train location monitoring system to improve local emergency response vehicle dispatching. At a minimum, the system shall use appropriate technology to detect trains approaching the city on NS rail line segment N-070 and shall display the train locations at an emergency response center to be specified by the City."

On January 5, 2001, NS provided us with a copy of a Negotiated Agreement between NS and the City of Conneaut, OH, dated November 15, 2000, and accepted by the City of Conneaut on December 28, 2000. According to NS, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. NS requests that the Board issue an order providing that Environmental Condition No. 28 be superseded by the Negotiated Agreement and that Environmental Condition No. 51 be amended to add this Negotiated Agreement between NS and the City of Conneaut to the NS Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires NS to comply with the terms of all Negotiated Agreements developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Decision No. 89, slip op. at 420-21. The City of Conneaut concurs with the request.

In view of the Negotiated Agreement between NS and the City of Conneaut, OH, we will add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89.

¹ 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 by Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

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

It is ordered:

1. This proceeding is reopened.
2. In accordance with the Negotiated Agreement between NS and the City of Conneaut, OH, dated November 15, 2000, and accepted by the City of Conneaut on December 28, 2000, the following is added to the NS Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

24. City of Conneaut, Ohio, Negotiated Agreement dated November 15, 2000, and accepted by the City of Conneaut on December 28, 2000.

3. In addition, Environmental Condition No. 28 of Appendix Q of Decision No. 89 requiring NS to provide, install, and maintain a real-time train location monitoring system to improve local emergency response vehicle dispatching has been superseded by the NS/City of Conneaut Negotiated Agreement.
4. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams
Secretary

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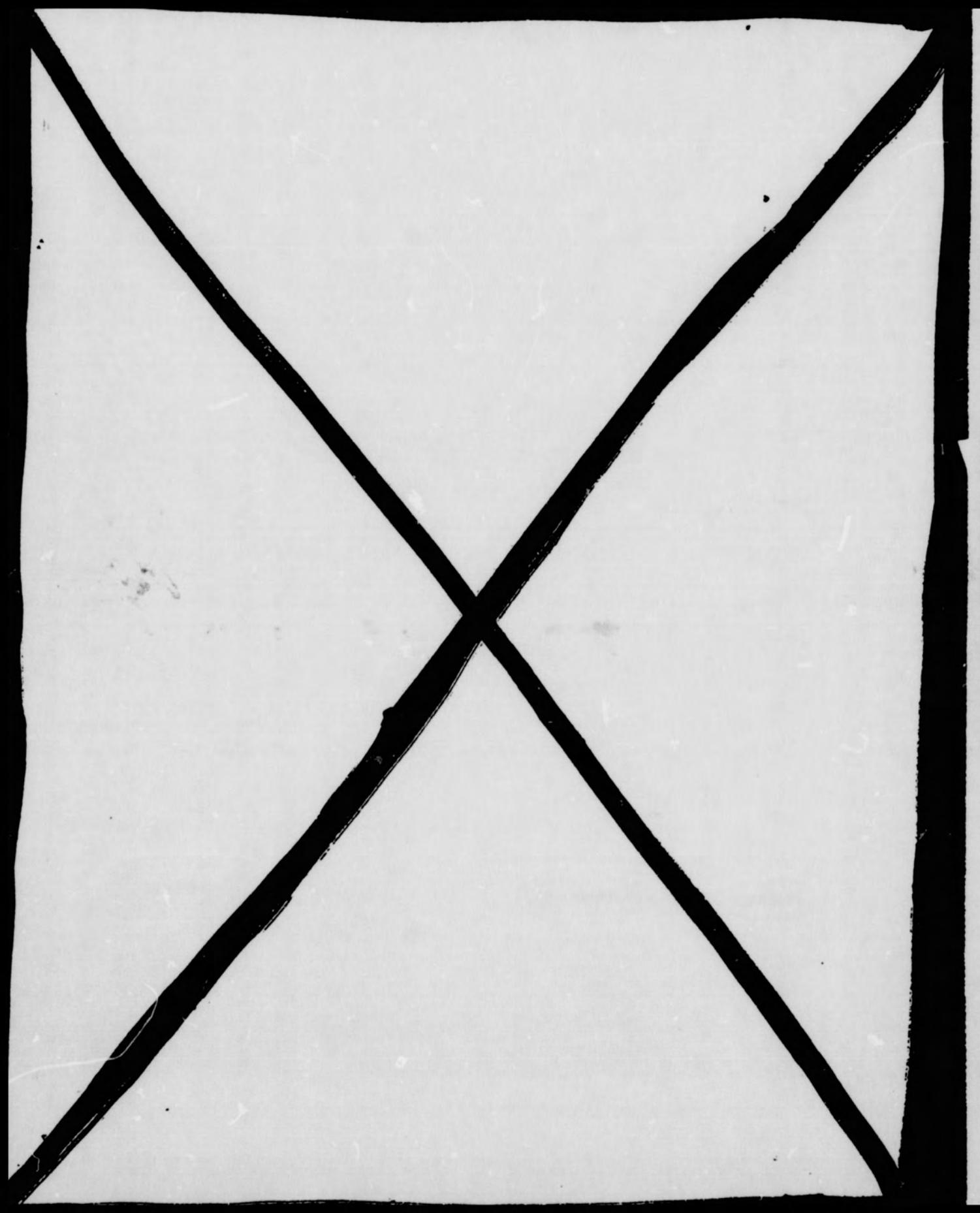
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SURFACE TRANSPORTATION BOARD

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. 179

Decided: February 8, 2001

Environmental Condition No. 25 of Appendix Q of Decision No. 89¹ (Decision No. 89, slip op. at 407), provides that: "With the concurrence of the City of Ashtabula, Ohio, NS shall provide, install, and maintain a real-time train location monitoring system to improve local emergency response vehicle dispatching. At a minimum, the system shall use appropriate technology to detect trains approaching the city on NS rail line segments N-070, N-075, and N-082 and shall display the train locations at an emergency response center to be specified by the City."

On January 5, 2001, NS provided us with a copy of a Negotiated Agreement between NS and the City of Ashtabula, OH, dated November 15, 2000, and accepted by the City of Ashtabula on December 29, 2000. According to NS, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. NS requests that the Board issue an order providing that Environmental Condition No. 25 be superseded by the Negotiated Agreement and that Environmental Condition No. 51 be amended to add this Negotiated Agreement between NS and the City of Ashtabula to the NS Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires NS to comply with the terms of all Negotiated Agreements developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Decision No. 89, slip op. at 420-21. The City of Ashtabula concurs with the request.

¹ 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 by Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

In view of the Negotiated Agreement between NS and the City of Ashtabula, OH, we will add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89.

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

It is ordered:

1. This proceeding is reopened.
2. In accordance with the Negotiated Agreement between NS and the City of Ashtabula, OH, dated November 15, 2000, and accepted by the City of Ashtabula on December 29, 2000, the following is added to the NS Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

23. City of Ashtabula, Ohio, Negotiated Agreement dated November 15, 2000, and accepted by the City of Ashtabula on December 29, 2000.

3. In addition, Environmental Condition No. 25 of Appendix Q of Decision No. 89 requiring NS to provide, install, and maintain a real-time train location monitoring system to improve local emergency response vehicle dispatching has been superseded by the NS/City of Ashtabula Negotiated Agreement.

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

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams
Secretary

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CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

MR GEORGE VAN HAVER
2340 SOUTH 35TH STREET
OMAHA NE 68105 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
609 EAST GIBSON STREET
COVINGTON LA 70433 US

CHARLES R. CARR
ATOFINA PETROCHEMICALS, INC.
15710 JFK BLVD.
HOUSTON TX 77032 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

JEFFREY G DOWDELL
EXXONMOBIL GLOBAL SERVICES CO.
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER SR
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156-0911 US

BRAD F HUSTON
CYPRUS AMAX MINERALS
2600 N CENTRAL AVE STE 110
PHOENIX AZ 85004-3012 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
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