In CSX Corp. et al.—Control—Conrail Inc. et al., 3 S.T.B. 196 (1998) (Merger Dec. No. 89), Environmental Condition No. 11 of Appendix Q 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).

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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.
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<td>HONORABLE ROBERT BYRD</td>
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P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US
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<tr>
<td>THOMAS M O'LEARY</td>
<td>OHIO RAIL DEVELOPMENT COMMISSION 50 W BROAD STREET 15TH FLOOR COLUMBUS OH 43215 US</td>
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<td>DOREEN C JOHNSON, CHIEF ANTI-TRUST SECTION</td>
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<td>MAYOR VINCENT M URBIN</td>
<td>150 AVON Belden RD AVON LAKE OH 44012 US</td>
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<td>CLARENCE MONIN INTERNATIONAL PRES</td>
<td>BROTHERHOOD OF LOCOMOTIVE ENGINEERS MEZZANINE 1370 ONTARIO STREET CLEVELAND OH 44113 US</td>
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<td>CUDELL IMPROVEMENT INC</td>
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<td>DANIEL R ELLIOTT III</td>
<td>ASST GENERAL COUNSEL UNITED TRANSPORTATION UN 14600 DETROIT AVENUE CLEVELAND OH 44107-4250 US</td>
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<td>CLINTON J MILLER III</td>
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75 EAST MARKET STREET
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 02/25/2002
In **CSX Corp. et al.—Control—Conrail Inc. et al.**, 3 S.T.B. 196 (1998) (Merger Dec. No. 89), Environmental Condition No. 11 of Appendix Q 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.

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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.

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.

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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.

Vernon A. Williams
Secretary
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Records: 337
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), Environmental Condition No. 11 of Appendix Q of Merger Decision No. 89 requires Applicants, with the concurrence of the responsible local governments, to mitigate train wayside noise (locornotive 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

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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 588-96.
decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."

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. 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. 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.

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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:


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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02/07/2002  Standing selected: 'ALJ','GOV','MOC','POR'  Page 6
SERVICE LIST FOR: 07-feb-2002 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US
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02/07/2002 Standing selected: 'ALJ', 'GOV', 'MOC', 'POR'
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<td>HONORABLE Paul E. Patton, Governor 700 Capitol Avenue, Ste. 100 Frankfort KY 40601 US</td>
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<tr>
<td>R A Grice</td>
<td>General Chairperson UTU</td>
<td>817 Kilbourne St</td>
<td>Belleve, OH</td>
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<td>44811-9431</td>
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<tr>
<td>Richard E Kerth</td>
<td>Champion International Corporation</td>
<td>101 Knightsbridge Drive</td>
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<td>801 Plum St</td>
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<td>Robert Edwards</td>
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<td>Thomas R Rydman</td>
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<td>3905 W 600 North</td>
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<td>J Patrick Latz</td>
<td>Heavy Lift Cargo System</td>
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<td>Carl Feller</td>
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<td>William A Bon, General Counsel</td>
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<tr>
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<td>Gerald J. Vinci</td>
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<td>180 N Stetson Ave Ste 3125 Two Prudential Plaza</td>
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02/07/2002 Standing selected: 'ALJ', 'GOV', 'MOC', 'POR' Page 13
SERVICE LIST FOR: 07-feb-2002 STB FD 33388 0

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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

Environmental Condition No. 28 of Appendix Q of Decision No. 89 (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.

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.

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HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
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CLARENCE MONIN INTERNATIONAL PRES
BROTHERHOOD OF LOCOMOTIVE ENGINEERS MEZZANINE
1370 ONTARIO STREET
CLEVELAND OH 44113 US

02/09/2001 Page 13
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<td>CHRISTOPHER J BURGER, PRESIDENT</td>
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<td>C D WINEBRENNER</td>
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<td>27801 Euclid Avenue Suite RM 200</td>
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<td>THOMAS R RYDMAN</td>
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<td>Indian Creek Railroad Company</td>
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<td>Heavy Lift Cargo System</td>
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<td>HAMILTON L CARMOUCHE,</td>
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<td>Southfield MI 48076 US</td>
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</thead>
<tbody>
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Records: 343
Environmental Condition No. 25 of Appendix Q of Decision No. 89 (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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<td>JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS</td>
<td>FEDERAL ENERGY REGULATORY COMMISSION 888 - 1ST ST, N.E. STE 11P WASHINGTON DC 20426 US</td>
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<tr>
<td>RICHARD E SANDERSON</td>
<td>OFFICE OF FEDERAL ACTIVITIES US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON DC 20460 US</td>
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<td>HON DANIEL PATRICK MOYNIHAN</td>
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<td>HONORABLE JOHN BREAUX</td>
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<td>HON. JOSEPH BIDEN, JR.</td>
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<td>HON. CHARLES ROBB</td>
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<td>HON. JOHN W. WARNER</td>
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<td>HONORABLE DANIEL P. MOYNIHAN</td>
<td>UNITED STATE SENATE WASHINGTON DC 20510-0903 US</td>
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SERVICES LISTED FOR: 09-FEB-2001 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

HON. MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON. ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON. RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HON. JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON. ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HON. JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HON. ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J. LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TON BLILEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US
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<td>HON THOMAS C SAWYER</td>
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<tr>
<td>JOSEPH R POMFONIO</td>
<td>FEDERAL RAILROAD ADMIN</td>
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</tr>
<tr>
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<td>1120 VERMONT AVE NW RCC-20</td>
<td>WASHINGTON DC 20590 US</td>
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<tr>
<td>DAVID G ABRAHAM</td>
<td>SUITE 400W</td>
<td>7315 WISCONSIN AVENUE</td>
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<td>BETHESDA MD 20814 US</td>
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<td></td>
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</tr>
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<tr>
<td>WILLIAM W WHITEHURST JR</td>
<td>W W WHITEHURST &amp; ASSOCIATES INC</td>
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<td>12421 HAPPY HOLLOW RD</td>
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<tr>
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<td>GLEN BURNE MD 21060 US</td>
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<td>ROBERT J WILL</td>
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<td>4134 GRAVE RUN RD</td>
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<tr>
<td>LINDA A JANEY J D</td>
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<tr>
<td>CHARLES M CHADWICK</td>
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<tr>
<td>PETER Q NYCE JR</td>
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<tr>
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<tr>
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<td>ARLINGTON VA 22203 US</td>
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<tr>
<td>THOMAS E SCHICK</td>
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<td>WILLIAM P. JACKSON, JR.</td>
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<td>L P KING JR</td>
<td>GENERAL CHAIRPERSON UTU</td>
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<td>145 CAMPBELL AVE SW STE 207</td>
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<td>ROANOKE VA 24011 US</td>
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SERVICE LIST FOR: 09-feb-2001 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25261
1 S. WILINGTON STREET
RALEIGH NC 27611 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P.O. BOX 11369
COLUMBIA SC 29211 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

T J STEPHENSON
CSX TRANSPORTATION INC
500 WATER STREET (J407)
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J120)
JACKSONVILLE FL 32202 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

02/09/2001
<table>
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<tr>
<th>Name</th>
<th>Company/Association</th>
<th>Address</th>
<th>City</th>
<th>State</th>
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<tr>
<td>Christopher C. McCracken</td>
<td>CSX Transportation</td>
<td>1300 East Ninth Street Suite 900</td>
<td>Cleveland</td>
<td>OH</td>
<td>44114</td>
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<tr>
<td>David Roloﬀ</td>
<td>Goldstein &amp; Roloﬀ</td>
<td>526 Superior Avenue Suite 1440</td>
<td>Cleveland</td>
<td>OH</td>
<td>44114</td>
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<tr>
<td>Ina Jo Di. S. ChapPELL</td>
<td>CSX Transportation</td>
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<td>CSX Transportation</td>
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<td>Alliance</td>
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<tr>
<td>D G Strunk Jr</td>
<td>CSX Transportation</td>
<td>817 Kilbourne St</td>
<td>Bellevue</td>
<td>OH</td>
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<tr>
<td>Richard E. Kerth</td>
<td>Champion International Corporation</td>
<td>101 Knightsbridge Drive</td>
<td>Hamilton</td>
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<tr>
<td>Robert Edwards</td>
<td>Eastern Transport and Logistics</td>
<td>1109 Lanette Drive</td>
<td>Cincinnati</td>
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<tr>
<td>F Ronalds Walker</td>
<td>Citizens Gas &amp; Coke Utility</td>
<td>2020 N Meridian Street</td>
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<tr>
<td>Michael Connelly</td>
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<td>Honorabile Peter J. Visclosky</td>
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<td>215 West 35th Avenue</td>
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<tr>
<td>Christopher J. Burger</td>
<td>Central Railroad Company of Indianapolis</td>
<td>PO Box 554</td>
<td>Kokomo</td>
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<tr>
<td>Sylvia R. Chin-Levy</td>
<td>NEFCO</td>
<td>969 Copley Road</td>
<td>Akron</td>
<td>OH</td>
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<td>Thomas R. Rydman</td>
<td>President of Indiana Creek Railroad Company</td>
<td>3905 W 600 North</td>
<td>Anderson</td>
<td>IN</td>
<td>46011</td>
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<tr>
<td>J Patrick Latz</td>
<td>Heavy Lift Cargo System</td>
<td>PO Box 51451</td>
<td>Indianapolis</td>
<td>IN</td>
<td>46251-0451</td>
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<tr>
<td>Carl Feller</td>
<td>President of Brotherhood of Maintenance of Way Employees</td>
<td>PO Box 758</td>
<td>Waterloo</td>
<td>MI</td>
<td>46793-0758</td>
</tr>
<tr>
<td>William A. Bon, General Counsel</td>
<td>Brotherhood of Maintenance of Way Employees</td>
<td>26555 Evergreen Road Suite 200</td>
<td>Southfield</td>
<td>MI</td>
<td>48076</td>
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SERVICE LIST FOR: 09-feb-2001 STB FD 33388 0

CSX CORPORATION AND CSX TRANSPORTATION

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SUITE 4200
MINNEAPOLIS MN 55401-4302 US

GERALD J. VINCI
PRAIRIE GROUP
P. O. BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
FLETCHER & SIPPEL LLC
180 N STETSON AVE SUITE 3125
CHICAGO IL 60601-6721 US

RICHARD F FRIEDMAN ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET STE 1700
CHICAGO IL 60602-2766 US

ROGER A SERPE
INDIANA HARBOR BELT RAILROAD COMPANY
111 WEST JACKSON BOULEVARD, STE 2215
CHICAGO IL 60604 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE SUITE 1330
CHICAGO IL 60606-2902 US

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

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

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

LEO J WASESCHA
GOLD MEDAL DIVISION - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

THOMAS J LITWILER
FLETCHER & SIPPEL LLC
180 NORTH STETSON AVENUE SUITE 3125 TWO PRUD
CHICAGO IL 60601-6721 US

SANDRA J DEARDEN
MDCO TRANSPORTATION MANAGEMENT LTD
166 WEST WASHINGTON SUITE 700
CHICAGO IL 60602 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

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

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

02/09/2001
SERVICE LIST FOR: 09-feb-2001 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

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

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

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
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