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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Louis Stokes
U.S. House of Representatives
Washington, DC 20515-3511

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Stokes:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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If you have any questions, please feel free to contact Mike Dalton, SEA's Program Manager for the Proposed Conrail Acquisition, at (202) 565-1530 or me at (202) 565-1538.

Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Jack Quinn
U.S. House of Representatives
Washington, DC 20515-3230

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Quinn:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Edward A. Pease
U.S. House of Representatives
Washington, DC 20515-1407

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Pease:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Robert Menendez
U.S. House of Representatives
Washington, DC 20515-3013

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Menendez:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable David M. McIntosh
U.S. House of Representatives
Washington, DC 20515-1402

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative McIntosh:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Ron Klink
U.S. House of Representatives
Washington, DC 20515-3804

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Klink:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Eleanor Holmes Norton
U.S. House of Representatives
Washington, DC 20515-5101

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and Acquisition
- Conrail: Draft Environmental Impact Statement

Dear Representative Norton:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Luis V. Gutierrez
U.S. House of Representatives
Washington, DC 20515-1304

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Gutierrez:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Paul E. Gillmor
U.S. House of Representatives
Washington, DC 20515-3505

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Gillmor:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Barney Frank
U.S. House of Representatives
Washington, DC 20515-2104

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Frank:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Philip English
U.S. House of Representatives
Washington, DC 20515-3821

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative English:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 23, 1997

The Honorable Michael N. Castle
U.S. House of Representatives
Washington, DC 20515-0801

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: Draft Environmental Impact Statement

Dear Representative Castle:

As you may know, on June 23, 1997 CSX Corporation (CSX) and Norfolk Southern Corporation (NS) jointly applied to the Surface Transportation Board (Board) for authority to acquire Conrail Inc. and subsequently divide Conrail's assets. The Board's Section of Environmental Analysis (SEA) has prepared a Draft Environmental Impact Statement (Draft EIS) to evaluate and consider the potential environmental impacts of the Proposed Conrail Acquisition. The Board served the Draft EIS on December 12, 1997, and public comments are due to the Board by February 2, 1998.

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Sincerely,

Elaine K. Kaiser
Chief
Section of Environmental Analysis

STB

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12-18-97

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CITIES

Seneca Regional Planning Commission

Seneca County Courthouse
103 S. Washington Street
Tiffin, Ohio 44883

ENVIRONMENTAL
DOCUMENT

http://www/bpsom.com/regional
e-mail srpc@bpsom.com
Phone/Fax (419)443-7936

December 10, 1997

Office of the Secretary
Case Control Unit
Finance Docket No. 33388
Surface Transportation Board
1925 K Street, NW, Room 500
Washington DC 20423-0001



Attn: Elaine K. Kaiser
Chief, Section of Environmental Analysis
Environmental Filing

Dear Elaine:

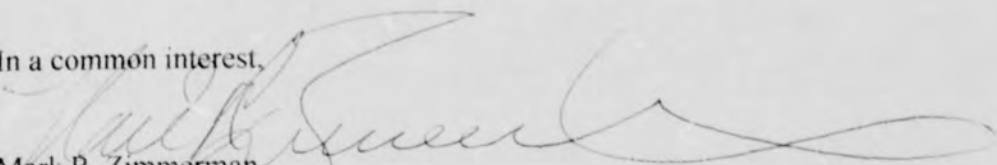
I am writing in regard to the proposed merger of CSXC and Conrail, and specifically regarding the impact to safety of Fostoria, Ohio.

Many numbers have been quoted as to the increase of train traffic on the E-W corridor through Fostoria and Seneca County, regardless of the actual numbers that we are to expect, CSX will add to an already life threatening safety situation in Fostoria. Although the impact of this increase will be felt county wide, it is our main concern that Fostoria be given special attention to improve safety and preserve the fluid flow of traffic through the City.

The Planning Commission supports rail related development as it is our most viable industrial based transportation system out of or into Seneca County. We do however have concerns over the safety hazard this proposed merger will bring to Fostoria.

We urge you to consider the requests of Fostoria to have two overpasses constructed at locations that are mutually beneficial to Fostoria, the surrounding townships, and CSXC.

In a common interest,


Mark R. Zimmerman
Executive Director of Planning

c: City of Fostoria
Loudon Township Trustees
Jackson Township Trustees

STB

FD

33388

12-16-97

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CITIES



**SMTC ENVIRONMENTAL
DOCUMENT**

Syracuse Metropolitan Transportation Council

100 Clinton Square
126 N. Salina Street, Suite 100
Syracuse, New York 13202
Phone (315) 422-5716
Fax (315) 422-7753



December 8, 1997

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

RE: Proposed CSX, NS and Conrail Transaction; STB Finance Docket No. 33388

Dear Secretary Williams:

The Syracuse Metropolitan Transportation Council (SMTC) sincerely appreciates the opportunity to address the Surface Transportation Board on the pending joint acquisition of Conrail by CSX and Norfolk Southern Corporation. The SMTC is the Metropolitan Planning Organization for the Syracuse and Onondaga County area. We wish to offer our support for the proposed acquisition of Conrail by CSX and Norfolk Southern with the following reservations:

First, under the terms of the acquisition agreement, CSX will acquire Conrail's assets in Central New York. Although we recognize the benefits this merger will have on freight mobility and economic growth in our region, we also view passenger rail service as a critical part of the overall multi-modal transportation system in Central New York. Recently the Vice Chairman of SMTC initiated a statewide Empire Corridor Task Force to examine and develop strategies to implement incremental higher speeds in the Corridor. There is nothing in the published Operating Plan concerning any plan CSX has to work with the State of New York or anyone else in developing higher passenger train speeds in the New York-Albany-Buffalo corridor. Historically, CSX has opposed improved passenger traffic on its lines, and has a poor on-time performance record in moving Amtrak trains.

It has long been the desire of the State of New York to incrementally increase speeds along the highly populated Empire Corridor west of Albany. CSX in its Operating Plan states only that it will honor existing contracts and is silent on the issue of working with the State or Amtrak to improve passenger service. To date, New York State does not have an adopted high-speed rail plan for CSX to review; however, it is anticipated that the State will develop such a plan in the future. In anticipation of improved rail passenger service, SMTC has endorsed \$20 million of federal and state funds for the development of a new intermodal Transportation Center facility which will serve as the new terminal for Amtrak, Greyhound and Trailways. This facility is now under construction with a scheduled completion of Fall 1998. The investment of these public funds makes it imperative that CSX agree not only to continue existing rail passenger service contracts, but to also pledge its affirmative support for the improvement of such service in the

The Metropolitan Planning Organization

Office of the Mayor • Syracuse Common Council • Syracuse Planning Commission • Metropolitan Development Association • New York State Department of Transportation • New York State Department of Environmental Conservation • New York State Department of Economic Development • New York State Thruway Authority • Office of the County Executive • Onondaga County Legislature • Onondaga County Planning Board • Central New York Regional Transportation Authority • Central New York Regional Planning and Development Board • Federal Transit Administration • Federal Highway Administration

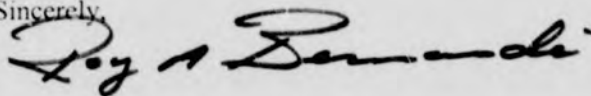
future. It is also equally important for CSX to commit to running Amtrak Empire Corridor trains on-time.

Secondly, the Operations Plan submitted to the Surface Transportation Board makes no mention of interaction between the expanded-CSX and the shortline and regional railroads. The success and strength of the shortline industry is critical to freight movements throughout Central New York. In years past, as Conrail shed itself of marginal lines, the short line railroads stepped in and became key developers of local traffic, and in many cases reversed the loss of traffic trend. We are confident that CSX recognizes the importance of their shortline connections, but nevertheless we would appreciate a thorough review of the impact this merger will have on these lines and have CSX commit to enhancing traffic development with their shortline partners. It is important that the public investment in transportation infrastructure be protected.

Finally, as the two expanded-railroads create a competitive market in some areas of the east, resulting in smaller market shares for each in those areas, we are concerned that an effort will be made to balance (or offset lost) revenues by increasing the cost of service to the shippers in areas like Syracuse where no such railroad competition will exist after the merger. Increases to the cost of shipping goods from and through the Syracuse market could have negative impacts on Central New York's fragile economy. Assurances, "on the record" from CSX, that their Operating Plan does not encourage such a scenario would be most comforting.

Recognizing the importance of these issues to Central New York, SMTC requests that these matters be further explored and addressed during the review process. SMTC looks forward to working closely with CSX in the future to help build a strong and healthy rail industry in Central New York.

Sincerely,



Roy A. Bernardi, SMTC Policy Committee Chairman, Mayor of Syracuse

William E. Sanford, SMTC Policy Committee Vice Chairman, Chairman Onondaga County Legislature

Nicholas J. Pirro, Onondaga County Executive

Vincent Cook, Chairman, Central New York Regional Transportation Authority

Joseph H. Boardman, Commissioner, New York State Department of Transportation

John R. Platt, Executive Director, New York State Thruway Authority

Susan H. Panek, President, Syracuse Common Council

Royden Parratt, Chairman, Onondaga County Planning Board

Irwin Davis, President, Metropolitan Development Association

Bruce Trexler, Chairman, Central New York Regional Planning & Development Board

John P. Cahill, Commissioner, New York State Department of Environmental Conservation

Charles Gargano, Commissioner, Empire State Development

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12-9-97

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North Carolina Department of Administration

James B. Hunt Jr., Governor

December 2, 1997



Katie G. Dorsett, Secretary

Ms. Elaine K. Kaiser, Chief
Office of the Secretary
Case Control Unit
STB Finance Docket No. 33388
1925 K Street, N.W.
Washington, D.C. 20423-0001

**ENVIRONMENTAL
DOCUMENT**

Dear Ms. Kaiser:

Re: Finance Docket No. 33388-CSX and Northern Southern-Control and Acquisition-
Conrail: Distribution List of Environmental Documents

Thank you for your letter regarding the distribution of the Draft Environmental Impact Statement within North Carolina of the above referenced Impact Statement. The North Carolina State Clearinghouse serves to coordinate environmental document reviews carried out under the National (and State) Environmental Policy Acts. It would simplify matters if your office would send twenty (20) copies of this document directly to this office and we will distribute the document to the appropriate state agencies which would include those agencies indicated on your list.

In order to insure that all affected parties have the opportunity to review this document, it is requested that, in addition to the 20 copies requested above, a copy of the document be included for the county managers in those counties affected by this action. Please include a listing of these counties and this office will transmit the document to the managers through the Regional Clearinghouses serving those counties.

Thank you for your attention and cooperation in this matter. Should you have any additional questions please call me at (919)733-7232.

Sincerely,

Ms. Chrys Baggett, Director
N.C. State Clearinghouse

/cb



STB

FD

33388

11-23-97

K

CITIES



PLANNING DEPARTMENT

CITY OF NEWARK

220 Elkton Road / P.O. Box 390 / Newark, Delaware 19715-0390 / 302-366-7030 / Fax 302-366-7160

November 7, 1997



Elaine K. Kaiser, Chief
Section of Environmental Analysis
Surface Transportation Board
1201 Constitution Avenue, NW
Room 3219
Washington, D.C. 20423-0001

ENVIRONMENTAL
DOCUMENT

Dear Ms. Kaiser:

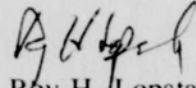
I have enclosed for your information a copy of a Resolution unanimously approved by the City of Newark, Delaware Council at its meeting of October 27, 1997, concerning the proposed reorganization of the CSX/Norfolk Southern and CONRAIL railroads.

As you can see, Council has in this Resolution urged the Surface Transportation Board to require as part of any final ruling the following conditions:

1. If at any time the daily total average trains carried on the CSX line, regardless of the operating railroad, exceeds a 1.9 train daily increase over the number of trains now operated on the CSX, the Surface Transportation Board will require an environmental impact study; and
2. Because of the current significant impact on Newark resulting from CSX rail traffic, the Board will require that prior to completion of the rail reorganization the Newark at-grade rail crossings will be upgraded to the best available technology.

Thank you for your assistance with this matter. If you have any questions concerning this Resolution please do not hesitate to contact me.

Sincerely,



Roy H. Lopata
Planning Director

RHL:mc

Enclosure

cc: U.S. Senator William V. Roth, Jr.
U.S. Senator Joseph R. Biden
U.S. Representative Michael Castle
Secretary Anne Camby, DelDOT
Carl F. Luft, City Manager

**CITY OF NEWARK
DELAWARE**

RESOLUTION NO. 97-S

RAIL REORGANIZATION

WHEREAS, the United States Surface Transportation Board has issued its Final Scope of the Environmental Impact Statement for the proposed CSX, Norfolk Southern, and Conrail Rail Reorganization; and,

WHEREAS, the Surface Transportation Board has indicated that the Environmental Impact Statement, to be prepared by the Board's Section of Environmental Analysis, will include analysis of the environmental impact on safety, transportation systems, land use, energy, air quality, noise, socioeconomic effects, historic buildings, and related environmental areas; and,

WHEREAS, the Surface Transportation Board has established a threshold of an increase of 50% in freight rail or three trains daily for the required environmental analysis; and

WHEREAS, the applicant railroads have submitted a plan indicating that the maximum increase in daily trains through the City of Newark on the CSX rail line will not exceed an average increase of 1.9 total trains daily during the three-year period covered by their submitted plan, and, thereby not exceeding the threshold requiring an Environmental Analysis; and

WHEREAS, the Mayor and City Council, area State Legislators, U.S. Senators William Roth and Joseph Biden, and U.S. Representative Michael Castle, Secretary of Transportation Anne Canby, the City's Western Newark Traffic Relief Committee, WILMAPCO, other City Officials, representatives from local businesses, community groups and organizations, the University of Delaware, and interested citizens have expressed in writing their concerns about the significant environmental impact any increase in rail freight traffic will have on the three CSX at-grade crossings in the heart of Newark--at-grade crossings that handle thousands of vehicles and pedestrians daily;

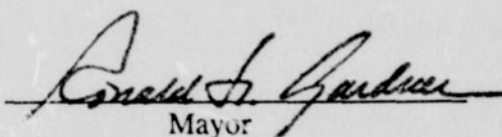
NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Newark urges the Surface Transportation Board to require as part of its final ruling on the proposed rail reorganization the following conditions:

- 1) If at any time the daily total average trains carried on the CSX line, regardless of the operating railroad, exceeds a 1.9 train daily increase over the number of trains now operated on the CSX, the Surface Transportation Board will require an environmental impact study; and

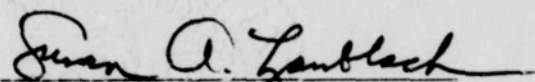
- 2) Because of the current significant impact on Newark resulting from CSX rail traffic, the Surface Transportation Board will require that prior to the completion of the rail reorganization the Newark at-grade crossings will be upgraded to the best available technology.

RESOLVED at a Regular Meeting of Council on October 27, 1997.

VOTE: 7 to 0.


Mayor

Attest:


City Secretary

STB

FD

33388

11-21-97

K

PRES



CENTRAL ADMINISTRATIVE UNIT

REC'D: 11/21/97

DOCUMENT # 11-1-157-1-2-19-11

SURFACE TRANSPORTATION BOARD

Office of Congressional
and Public Services

(202) 565-1592

November 14, 1997

Ms. Ann Petrus Baker
1010 Elmwood Road
Rocky River OH 44116

**ENVIRONMENTAL
DOCUMENT**

Re: Finance Docket No. 33388

Dear Ms. Baker:

President Clinton has forwarded your letter to him dated October 1, 1997 to me for reply. Your comments will be forwarded to our environmental section to become part of the record in this docket that pertains to environmental review.

Let me assure you that the Board is very concerned about all of the safety aspects of this proposed acquisition of Conrail by CSX and Norfolk Southern. In response to a request from the U.S. Department of Transportation's Federal Railroad Administration, we have extended the time for review of the proposed acquisition and required the applicants to submit a safety impact plan to address issues such as increased traffic in your area. The final decision on the acquisition has therefore been postponed to July 23, 1998.

We have received many pleadings and comments about the increase in traffic in your area, not only from concerned citizens, but also from the city attorneys for many of the communities involved and from the elected officials who represent your interests. Your concerns will not be ignored.

I hope you find this information helpful. If you have any questions, please do not hesitate to call me.

Sincerely,

Nancy R. Beiter

Ann Baker (STB)
stop

Ann Petrus Baker
1010 Elmwood Rd.
Rocky River, OH 44116

October 1, 1997

President William J. Clinton
The White House
1600 Pennsylvania Ave
Washington DC 20500

Dear President Clinton,

In June of 1998 the Surface Transportation Board will make a decision regarding the merger of Norfolk Southern and CSX Railroads with Conrail railroad. As written in the railroad companies proposal, this merger will result in a tripling of train traffic through our town (Cleveland- West shore communities) from 12 to 38 trains per day, all day, every day. I have contacted our mayor and our Representative Dennis Kucinich who are both fighting to prevent this from happening. I am also encouraging my neighbors and friends to write letters of protest as well.

I am concerned however about where the interests of the STB lie and what good a letter writing campaign will do. I have information that a representative from one of the railroad companies is wining and dining members of the STB. I thought that the STB represented the people's interest - not multibillion dollar corporations. I've enclosed an article from our local newspaper with quotes from a STB lawyer that seem awfully sympathetic with the railroad's profits. This is very disturbing.

Throughout your terms as president I have remained a Democrat and although I am more cynical about government, I still believe that you are a defender of people's interests and rights to a decent quality of life. Please help us win this battle. There are alternative routes their trains could go - please encourage them to use those in areas that are less populated than ours.

Enclosed are documents that explain why our community is unique in that the effect of increased train traffic would be devastating. You are a parent - you wouldn't want to see anything increasing the risk of injury to your child.

PLEASE HELP OUR COMMUNITIES!!! THOUSANDS OF LIVES ARE AT RISK!

Thank you for your time. Sincerely,

Ann P. Baker
Ann P. Baker

Ann Petrus Baker
1010 Elmwood
Rocky River, OH 44116

September 10, 1997

Linda Morgan
Chairwoman, Surface Transportation Board
1925 K Street, NW
Washington DC 20403

Dear Chairwoman Morgan,

This letter is in reference to FD#33388, the proposed merger of Conrail and Norfolk Southern Railroads and the resulting tripling of train traffic through several communities in Northeastern US including my area (Rocky River, Lakewood, W. Cleveland and Bay Village). Our Congressman, Dennis Kucinich has asked the STB to conduct local hearings on this proposal. In response to this request, Rudy St. Louis replied, "it would impractical for the board to hold hearings in the multitude of communities .. that could seek them because of increased train traffic in densely populated areas. Everyone would have an argument for density." He also said, "The railroads need to increase traffic to make money to pay off the merger." Please see enclosed newspaper clipping.

Has your board already made their decision?

What happened to the hearing scheduled for June, 1998 in which you would hear the people's case about the detrimental effects of this traffic?

I misunderstood that the Surface Transportation Board was to represent the people's interest. Since it appears that NS and Conrail have been more successful in winning your sympathies, let me describe the situation in terms that you may understand. Imagine that your neighbor 4 houses away from you stole \$50,000 from you (home equity), held a loaded gun against your child's head (instead of bullets it is sulfuric acid that would melt and burn your child's skin off), woke you up every 45 minutes every night, and blocked your driveway so you couldn't drive your father who is having a heart attack to the hospital until it was too late.

If it was a neighbor I could call my local police department and have them arrested. Since it is the railroad company, I was misled to think I could turn to you. But we are only people, thousands of people whose lives will be endangered, whose life savings will be destroyed (which would take decades to make up - unlike a multibillion dollar company), whose day to day existence would be made miserable. We are not a powerful multibillion dollar corporation. Since I question where the STB's interests lie, I intend to send this letter to Secretary of Transportation Pena and President Clinton. Do not underestimate the power of

citizens or the "multitude of communities throughout the northeastern US".

Sincerely,

Ann Petrus Baker

c: President William J. Clinton
Secretary of Transportation Pena
The Washington Post

Kucinich seeks local hearings on train traffic

By THOMAS J. QUINN
PLAIN DEALER REPORTER

Rep. Dennis Kucinich has asked the federal government to schedule local hearings on a controversial proposal to triple the number of daily freight trains through Cleveland's northwestern suburbs.

While no decision has been made on Kucinich's request, a federal official said yesterday that local hearings conducted by the federal government would be unlikely.

In letters this week to the Federal Surface Transportation Board and the Federal Railroad Administration, Kucinich wrote that the hearings would allow residents to testify on the plan to increase the number of freight trains from 14 to 38 a day.

Kucinich told the federal agencies that the proposal "would wreak havoc on these residential communities."

Kucinich is spearheading efforts by the suburbs to defeat the proposal submitted by Norfolk Southern Railroad as part of its plan to acquire and divide Conrail's assets with CSX Transportation.

The proposed merger must be approved by the transportation board, which is to hold public hearings next year in Washington, D.C. The suburbs have begun gearing up for those hearings.

Thomas Jelepis, Bay Village mayor and chairman of a suburbs steering committee fighting the eight traffic expansion, said at holding local hearings would play a huge role in building our case."

Rudy St. Louis, a staff attorney with the transportation board, said Linda Morgan, transportation board chairwoman, could defer on Kucinich's request as early as next week.

But St. Louis said it would be practical for the board to hold hearings in the multitude of communities throughout the northeastern United States that could ask them because of increased train traffic in densely populated areas.

"Everyone would have an argument for density," he said.

On the other hand, he said, the roads "need to increase traffic to make money to pay off the

If Kucinich's request is denied, St. Louis said, Kucinich could conduct his own local hearings and submit the testimony to the board.

In addition, he said, the Federal Railroad Administration, which reviews safety issues, can submit information to the board on the local impact of the merger.

In his letters, Kucinich detailed the impact of the increased freight trains on Lakewood, Rocky River, Bay Village and Westlake.

He said Lakewood, the most densely populated city between New York and Chicago, has only one north-south underpass where vehicles would not be stopped by train. The city has 27 railroad crossings.

"This could have a devastating impact on the city's ability to provide emergency services, particularly firefighting, policing and medical emergency transportation," Kucinich said.

He said the other suburbs would face a similar situation. "And this is to say nothing of the noise, dirt, increase in hazardous materials being transported through the communities, and devaluation of property near the tracks," Kucinich wrote.

ON THIS DATE 20 YEARS AGO

The Ford Motor Co. fired a fifth employee, who was also a United Auto Workers official, in connection with a job-buying scandal at its Brook Park complex. Three days earlier, UAW Local 1250 had removed the individual from its Joint Apprenticeship Council. Three Ford personnel executives and an hourly worker had been fired previously after an undercover security officer unearthed a scheme in which jobs were being sold for \$300 to \$500 each.

DENNIS J. KUCINICH

10TH DISTRICT, OHIO

1730 LONGWORTH OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225 - 5871

14400 DETROIT AVENUE
LAKEWOOD, OHIO 44107



Committees:
Government Oversight
Education and Labor

Congress of the United States **House of Representatives**

Fighting Train Traffic **-- A Time Line --**

- Early August, 1997 --** Norfolk Southern announces a proposal to nearly triple the number of trains, from 13 to 38 trains per day, through Cleveland and the West Shore area, including Lakewood, Rocky River, Bay Village and Westlake. Norfolk Southern is attempting to increase train traffic as a result of its proposed merger with Conrail.
- Early August, 1997 --** Several mayors and representatives of West Shore area meet to begin to organize opposition to Norfolk Southern proposal.
- August 25, 1997 --** Congressman Dennis J. Kucinich sends a letter in opposition to Norfolk Southern's proposal to the federal Surface Transportation Board and the Federal Railroad Administration (FRA). Kucinich calls for local hearings to be held in the 10th Congressional District to allow for testimony from local residents.
- September 5, 1997 --** Federal Railroad Administrator Jolene Molitoris replies to Kucinich's request, agreeing to come to the West Shore area to hear residents' testimony.
- September 13, 1997 --** Kucinich, working with West Shore mayors, begins petition drive against Norfolk Southern's train traffic proposal.
- September 20, 1997 --** Local residents, serving as "train monitors," reveal data which indicates that Norfolk Southern has already begun increasing train traffic.
- September 21, 1997 --** Local residents, West Shore mayors and other elected officials, police and fire chiefs, hospital and emergency medical officials, and local business representatives testify before Federal Railroad Administrator Molitoris and Congressman Kucinich. The FRA and Kucinich will submit testimony for the official record to the Surface Transportation Board, the agency which will oversee the train merger proposal.



TUESDAY, AUGUST 12, 1997

Lawmakers fight train plan

By GREGORY KORTE
Morning Journal Writer

Two area congressmen said they will try to derail Norfolk Southern Railroad's attempts to triple traffic along its route from Cleveland to Vermilion.

Just two months ago, Norfolk Southern was willing to abandon the line, raising hopes of communities along the tracks that the right-of-way might someday be used for a commuter rail line linking Lorain, Avon Lake, Bay Village and Westlake with downtown Cleveland.

Now, the railroad says, it will have to triple the

traffic on the line — its main corridor for east-west train traffic.

"If they're serious, it raises questions about their competency. If they're not, it raises questions about their agenda," said U.S. Rep. Dennis Kucinich, D-Lakewood. "What a way to run a railroad."

The congressman who made his name going after Cleveland's utilities accused the railroad of "heavy-handed" tactics, and promised a full-scale probe into the railroad's plans. The proposal is part of a major railroad realignment that must be approved by the Surface Transportation Board by next June.

Norfolk Southern, which is asking federal regulators for permission to carve up Conrail with rival CSX, denies any hidden agenda. It says the increased traffic will be necessary because CSX will get the Water Level Route from Cleveland to Willard, leaving Norfolk Southern to rely on a 35-mile stretch of the Penn Route to carry all its traffic.

"Our plan is based on operational soundness," said Norfolk Southern spokeswoman Susan Terpay. "We have no hidden agendas. Everything we do is out in the open. We don't engage in activities which would endanger the public's health, safety or welfare."

Kucinich — flanked by mayors, fire chiefs and other officials from three lakefront communities — held a news conference in Bay Village yesterday to voice their objections to the plan.

- Police, fire and other emergency vehicles could get tied up at rail crossings more often.
- More traffic means more rail cars carrying hazardous materials through densely populated areas, making a derailment more likely.
- An increased risk of collisions between trains and cars, trucks and pedestrians.
- Diminishing quality of life for people living by

See **TRAIN**, page D4

☞ From page D1

the tracks — with the nuisance causing decreased property values.

U.S. Rep. Sherrod Brown, who represents the Lorain County portion of the railroad's path, added one more objection:

"I'm real concerned about what that ultimately means for passenger service into Lorain

County," said Brown. "There's a real need for commuter service as the area gets more and more populated, especially in the eastern part of Lorain County, and this will weaken our chances of getting commuter rail."

U.S. Rep. Paul Gillmor, R-Port Clinton, did not return a phone call seeking comment yesterday.

Towns cringe as train firms' plan changes

By KEN PRENDERGAST
Staff Writer

An anticipated tripling of freight train traffic on the Norfolk Southern Railroad line west of Cleveland would derail more than some recent plans to start commuter rail service.

It also would derail the serenity of some suburbs, their housing values and public safety, according to officials in those communities. And those same officials are looking at banding together to do their own derailling.

Originally, Norfolk Southern Corp. considered vacating its tracks through Cleveland's West Side, Lakewood, Rocky River, Bay Village and Avon Lake as part of a deal to split up a competing railroad company. NS and CSX Transportation seek to divide Conrail Corp. in a \$12 billion transaction.

Earlier plans to remove all freight trains on the line west of Cleveland bolstered the Regional Transit Authority's longstanding desire to put commuter trains on those tracks.

But that plan appears to have

been reversed, according to a 15,000-page operations proposal submitted by NS and CSX to the Surface Transportation Board, a federal regulatory body.

In that plan, NS instead expects to increase traffic on its line, from 14 freight trains a day to 38.

The NS operations plan proposes rerouting 24 trains a day from a Conrail route through Berea. While that line has two main tracks, the NS West Shore line has just one, in most places, though it used to have two tracks as recently as 1993. Both lines continue west to Chicago.

The change is due to the desire of NS officials to assign different freight traffic to different routes. The NS line is slated to receive slow, heavy freight, such as coal trains, while the Conrail route would see lighter, 70 mph trains carrying loaded truck trailers and ocean-shipping containers.

"We realize it's a terrible inconvenience to these communities," said Patrick McCune, vice president for the Ohio-Pennsylvania region. "It's just a proposal. We're running the added trains between the East Coast and Chicago on the NS line because of the lack of a good (track) connection on the east side (of Cleveland). We continue to look at places where we can make connections."

He said NS has identified about five trains that can be detoured from the NS line to a Conrail route through Canton. Further, the total number of trains is based on optimistic freight traffic projections from East Coast markets.

RTA has been discussing alternatives with NS officials, including a proposal to put all freight traffic on the Conrail line through Berea, which NS will acquire as part of the deal with CSX. That would require building a track connection in Cleveland to permit as many as a dozen commuter trains between downtown Cleveland and Lorain.

"We're looking for some creative rerouting proposals," said Rich Enty, a long-range planner for RTA. "It could mean the railroads, the state of Ohio and communities would work together to reroute the freight trains."

"RTA would have been an obvious successor, had we abandoned that line," McCune said. "But Berea is such a congested focal point right now."

No cost estimates for the Cleveland/Lorain track connection have been determined. Also, no sources of funding have been identified, either.

"NS is aware of this (proposal) and we're beginning to discuss this with them," Enty said. "The other side of it is, if there is no other way, we may look at expanding capacity (of the NS line). There's a tremendous amount of interest locally and at the state level in this."

"I'm not upset — I'm livid," Bay Village Tom Jelepis said. "We will do everything possible to stop this. There's no way we're going to accept triple the number of freight trains. This isn't just a safety issue, in terms of moving trains. It's a

See TRAIN, page A7

Train

from page A1

health issue, with coal dust coming off the trains, and it's an economic issue, because of long trains blocking traffic and the noise affecting property values."

He said residents and businesses in each community should work together and with RTA to "trade" the freight trains for commuter trains. Jelepis said he wants the commuter trains to link up with Bay's commercial district at Dover Center Road.

McCune said he has been visiting most mayors along the route to inform them of NS's proposal.

"I did appreciate them stopping by, but I don't appreciate the additional trains," Rocky River Mayor Don Umerley said. "Our council will want us to do something to find a solution. It would make sense that we do it in concert with the other cities (on the NS line)."

Rocky River, Lakewood and Bay Village are taking steps to participate in STB hearings this winter in Washington, D.C. The board intends to issue a decision June 8, 1998, but the deadline for filing an intent to participate is today.

"We're concerned with the increased volume of trains coming through the community, the quality of life, and any environmental implications," said Stephen FitzGerald, Lakewood's community relations coordinator.

Yet, FitzGerald said he recognizes it will be difficult for a city having only 60,000 residents to turn back not just one large company — Norfolk Southern — but two, which includes CSX Transportation.

"We've got two multi-billion-dollar corporations here," he said. "We're the David against two Goliaths. We're looking at ways to leverage our efforts and mobilize the residents."

Avon Lake Mayor Vince Urbin has not been notified by NS about its plans to increase freight traffic. He said the additional trains would block busy roads into Avon.

NEWS FROM

LAKWOOD CITY HALL • 12650 DETROIT AVENUE
MADELINE A. CAIN, MAYOR



September 12, 1997

NOACA AND CLEVELAND JOIN WESTSHORE COALITION'S FIGHT AGAINST PLAN TO TRIPLE FREIGHT TRAINS REGIONAL CONCERN IS ABILITY TO RESPOND TO EMERGENCIES

Lakewood, the most densely populated city between New York and Chicago, and other Westshore suburbs are fighting Norfolk Southern Railroad's plan to triple the number of freight trains that pass through and divide Lakewood and other cities virtually in half.

Today, the Westshore coalition's concerns were reviewed and endorsed by the Northeast Ohio Areawide Coordinating Agency (NOACA), which represents the interests of 2.1 million residents in five counties of Northeast Ohio, the 20th largest metropolitan area in the U.S.

At this morning's meeting of NOACA's Governing Board, the agency unanimously adopted Resolution 97-073 to register concerns regarding the railroad's plans and the impact it will have on communities' abilities to respond to police, fire and medical emergencies. During the same meeting, the City of Cleveland joined the coalition's fight, requesting and receiving status in the resolution as a concerned party.

"We welcome this strong support from NOACA and the City of Cleveland," announced Lakewood Mayor Madeline A. Cain. "If we're to be successful in fighting the railroad's unsafe plan and protecting our communities, then we must leverage every local, regional and state resource adversely impacted. The final decision on this plan will be made in Washington, so our voices must be highly credible, clear and many, if we are to be heard." Mayor Cain chairs the coalition's Safety Committee.

The railroad's plan will be approved by the U.S. Surface Transportation Board. NOACA's Governing Board has 37 members.

Media contacts: Lakewood Director of Planning & Development Paul Wingenfeld, Assistant Director Christine Nelson, or Community Relations Coordinator Steve FitzGerald; all can be reached at 521-7580.

###

NEED MORE INFORMATION? CALL COMMUNITY RELATIONS AT (216) 529-6652/6650.

**ADVERSE IMPACTS OF THE NS-CSX PROPOSAL, NOW BEFORE
THE FEDERAL SURFACE TRANSPORTATION BOARD IN
WASHINGTON, ON LAKEWOOD, OHIO**

The joint application filed by Norfolk Southern (NS) and CSX with the US Surface Transportation Board includes a proposed near-tripling of the daily number of NS train runs through the westside of Cleveland and its westshore suburbs, which include Lakewood, Bay Village, Rocky River, and Avon Lake. The most immediate and adverse impacts of NS' plan for its Cleveland-Vermilion Line on Lakewood's 66,000 residents, employers and employees will be:

- Any increase of freight trains will interfere with the ability of Lakewood's police and fire safety forces to directly and timely respond to fires, crime and natural disasters.
- Any increase of freight trains will significantly interfere with the ability of Lakewood Hospital, its ambulances and paramedic squads to directly and timely respond to medical emergencies from any and all causes -- a matter of life and death, whereby minutes in response time can often mean the difference.
- Any increase of freight trains will adversely impact the ability of all types of coordinated emergency response teams between Lakewood and other westshore communities to best use each others' medical facilities and fire and police forces and equipment in a predictable and timely fashion.
- Any increase of freight trains will increase the likelihood of derailments and the risk that hazardous materials will be released. This would also increase the likelihood for evacuating residents within two to four miles of the tracks (an evacuation range that encompasses *all* of Lakewood's residents) for safety and health reasons.
- Lakewood is a community of neighborhood schools. There is no bussing in Lakewood: the vast majority of Lakewood's 9,000 pre-school and school aged children walk to their schools using system-planned and comprehensive walking patterns based upon the safety and security considerations of parents and children. Any increase of freight trains increases the risk to our school children.

*Prepared by the City of Lakewood, Planning & Development Department and
Community Relations Office*

- The potential dismissal of RTA's recent proposal to run commuter trains on the rail line through Lakewood and the westshore suburbs means a loss of potential economic development in Lakewood, especially with regard to future plans for the growth and development of downtown Lakewood.
 - Lakewood is primarily a residential community that is highly dependent on north-south traffic patterns across the NS tracks. Aside from the safety, pollution and noise concerns, any increase in freight trains will severely restrict traffic movements in our community and back up traffic on numerous residential streets. Additional freight trains will also isolate the northern residential areas from Lakewood's southern commercial areas and downtown.
 - For Lakewood (the most densely populated community between New York City and Chicago), any increase of freight trains will negatively affect property values, increase vehicular and pedestrian congestion, increase levels of emitted pollutants, strangle its commercial health, and generally lower the quality of life in our community.
- Lakewood has the most highway crossings per mile in the United States; 27 crossings in three miles.
 - Lakewood has only one underpass whereby travelers may cross the city in a north-south direction without rail interruption.
 - The already NS-owned and operated Cleveland-Vermilion Line bisects the heart of Lakewood's residential neighborhoods.

CENTRAL ADMINISTRATIVE UNIT
REC'D: 11/17/97
DOCUMENT # 1377-2-23711



SURFACE TRANSPORTATION BOARD

Office of Congressional
and Public Services

(202) 565-1592

November 14, 1997

Ms. Tracey Canale
1281 Brockley Avenue
Lakewood OH 44107

Re: Finance Docket No. 33388

Dear Ms. Canale:

President Clinton has forwarded your letter to him dated October 8, 1997 to me for reply. Your comments will be forwarded to our environmental section to become part of the record in this docket that pertains to environmental review.

Let me assure you that the Board is very concerned about all of the safety aspects of the proposed acquisition of Conrail by CSX and Norfolk Southern. In response to a request from the U.S. Department of Transportation's Federal Railroad Administration, we have extended the time for review of the proposed acquisition and required the applicants to submit a safety impact plan to address issues such as increased traffic in your area. The final decision on the acquisition has therefore been postponed to July 23, 1998.

We have received many pleadings and comments about the increase in traffic in your area, not only from concerned citizens, but also from the city attorneys for many of the communities involved and from the elected officials who represent your interests. Your concerns will not be ignored.

I hope you find this information helpful. If you have any questions, please do not hesitate to call me.

Sincerely,

Nancy R. Beiter

Bill Clinton
10/07
ASL/10/07
10/07

Bill Clinton
10/07

October 8, 1997

President Bill Clinton
1600 Pennsylvania Avenue
Washington D.C., 20500

Dear Mr. President:

I am writing you with the hopes that you can help my community. I think, perhaps, you are the only person in this country who can and your time to read this letter would be appreciated. Not only by me, but by the 66,000 other persons who call Lakewood, Ohio their home.

You visited the perimeter of our Cleveland, Ohio suburb during the last election, but I am not aware that you ever came into Lakewood. Mrs. Clinton did and spoke at Lakewood Hospital regarding health care management. I stood with my one year old just to see her. By virtue of where she was, she has seen Lakewood, and perhaps remembers what a great looking community we have.

I realize you are a very busy person and cannot read all of your mail. However, I am hoping that your staff who does will bring this letter to your attention.

Our city, and the other West Shore communities of Cleveland, are in jeopardy of being destroyed by the merger of Norfolk Southern Railroad and CSX Railroad. They, Norfolk Southern, have a proposal now before the Surface Transportation Board to split up Conrail between themselves and CSX. Lakewood would also be split up. NS has proposed to increase rail traffic through our city by at least three times. I say "at least" because one of their lobbyists told me personally that it could be **more** than three times. We are talking at least 36 freight trains per day. Freight trains carrying hazardous waste and even nuclear waste not 320 feet from my house. I live eight houses from the tracks. Some people live right next to the tracks and the only distance span from the tracks and trains is the width of their driveway. Perhaps you can now begin to see why I am writing to you sir.

Lakewood is a suburb of Cleveland, OH. It is the most densely populated community between New York City and Chicago. Lakewood has the most highway(sidestreet) crossings per mile in the U.S. There are 27 sidestreet crossings in three miles. Norfolk Southern tracks completely bisect the city of Lakewood. The tracks cut off those of us that live north of the tracks from emergency services from our hospital, fire equipment and police services. There are two elementary schools and one middle school north of the tracks. These schools would be cut off from the above mentioned services. That means there would be children's lives in danger. My child, Mr. Clinton.

Safety is the key issue here, sir. Lakewood children, 9,000 pre-school and school aged, walk to school. We are a community without school buses. The children walk to school and many of them must cross the railroad tracks to get to and from school. Especially the middle school and high school children. Any increase in rail traffic puts every single one of these children in danger. They would also be at risk from other things like increase in air pollution, possible hazardous materials spills with no way to evacuate the schools, and a general decline in our community.

I grew up here, this is my hometown and I have chosen to raise my children here. This issue means a great deal to me. Everyone I have spoken to from the railroad to city officials tell me that we don't have a chance to stop this increase in freight traffic. They have said that the STB rubber stamps its okay on every proposed merger that has come before it. I have to believe this will not happen this time. You can appoint another member to the Surface Transportation Board who is truly concerned with the public interest and safety as the STB is suppose to do. You can help Madam Chairwoman Linda Morgan see the importance of her decision regarding this merger. Please ask Ms. Morgan to come to Lakewood and see for herself what our city is and wants to remain being. Ask her to conduct public interest hearings in our city and others that would be affected by her decision. The people of this community want to be heard as should be done in a democracy.

Mr. Clinton, I am but one person and realize that Norfolk Southern is a HUGE corporation with alot of money, lobbyists and influence. However, I believe in the ideas of our democracy. I believe that through my one voice and the voice of others in this town, we can make this large corporation find alternatives to plowing down the place we call home.

This is a very grassroots efforts to make Norfolk Southern understand they cannot do what ever they want to our city. I beg you to help us. I have enclosed a letter that we sent home to all of the children in the two elementary schools north of the tracks and many were returned signed with family photos. These letters were sent to Ms. Morgan by our congressman, Dennis Kucinich. He has promised to help us fight this increase in rail traffic. Mr. President, I hope you will help us too.

I have always believed, Mr. Clinton, that you were the type of President who cared about the little people in this country. You convinced be of that two times and I voted for you. I feel grateful you are the person to whom I am writing this letter. I know you are very busy and have things like world peace and the Congress to deal with. But I - all of us living on the Norfolk Southern train tracks - appreciate any time you can give this matter.

Sincerely,

Tracey Canale

Tracey Canale

1281 Brockley Avenue
Lakewood, OH 44107

September 24, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

Dear Sirs:

My child(ren), _____, attend McKinley Elementary School in Lakewood, Ohio. Some of the children attending McKinley must cross the tracks at least two times a day to get to and from school.

I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

Following are the reasons we, as a community, **cannot** allowed this to occur.

- 1) Safety - for our children who cross the tracks daily to go to school, the library, and parks.
- 2) Carrying of hazardous waste - including nuclear waste- would theoretically increase from the present number of 254,834 cars per year (already too high of a number through our community) to over 764,000 cars per year. Each car a potential threat to our children. A study done by the Agency for Nuclear Projects, Nuclear Waste Office, Nevada based numbers from the U.S. Department of Energy and compiled the following statistic for the state of Ohio: 2,733 shipments of high level nuclear waste from nuclear plants and nuclear weapon disarmament will travel through Ohio- **2,063 of those shipments are likely to go through Lakewood and the West Shore area of Cleveland.** Norfolk Southern has a pre-agreement with the Federal Government to carry the above nuclear waste. There are two routes through northern Ohio. One being through our community.
- 3) A tripling of trains through Lakewood would increase air pollution 800 tons per year. Most of the pollutant being nitrogen oxide.

Other issues of strong concern are:

Evacuation of the schools north of the tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

STB

FD

33388

11-91-97

K

PUBLIC



Office of the Chairman

Surface Transportation Board
Washington, D.C. 20423-0001

*File in
Docket
FD-33388
(Environmental)*

November 19, 1997

Edward Rose
1212 Hathaway
Lakewood, OH 44107

ENVIR
DOC

Re: Finance Docket No. 33388, CSX and Norfolk Southern -- Control and Acquisition --
Conrail

Dear Mr. Rose:

Thank you for your recent correspondence concerning the potential safety effects of the proposed changes in train traffic in Lakewood resulting from the proposal by Norfolk Southern (NS) and CSX to acquire Conrail.

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of the potential environmental impacts associated with the proposed Conrail acquisition and will prepare an Environmental Impact Statement (EIS). As part of its environmental review, SEA will address several environmental impact areas, including safety, transportation systems, land use, energy, air quality, noise, biological resources, water resources, environmental justice, and cultural and historic resources. In analyzing potential safety impacts, SEA will consider accident risk and vehicular delay at grade crossings.

The EIS also will present an analysis of the increased probability of derailments and releases of hazardous materials due to increased train traffic. Further, SEA will examine local truck traffic increases attributable to increased intermodal activities, and safety issues associated with the integration of differing rail operating systems and procedures. In addition, SEA will address potential impacts on emergency response capability because of vehicular delays at rail grade crossings due to increases in rail-related operations as a result of the proposed Conrail acquisition.

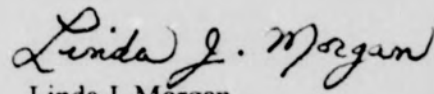
SEA is fully aware that these issues are of major concern to the residents of the west side of Cleveland and its western suburbs. A representative of SEA attended the public meeting held in Lakewood on September 21, 1997, in order to hear those concerns first hand, and also conducted an inspection of the NS route through Lakewood as well as neighboring communities. While the Board and SEA do not expect to conduct any additional public hearings, you can be assured that your views will be carefully considered along with all other comments that have been received in this matter.

Under the revised procedural schedule adopted by the Board, SEA plans to issue the Draft EIS in late December 1997, with a 45-day public review and comment period. After conducting an independent environmental analysis, reviewing all environmental information available to date, consulting with appropriate agencies, and fully considering all public comments, SEA plans to issue in May 1998 a Final EIS for consideration by the Board. In its final decision, the Board will consider the entire environmental record, including all public comments, the Draft EIS, and the Final EIS. The Board will issue its final written decision in July 1998.

SEA has established a toll-free environmental Hotline (1-888-869-1997) for interested parties to call to obtain information about the proposed Conrail acquisition and the Board's environmental review process. Information is also available on the Internet on SEA's "Conrail Acquisition Web Site" at www.conrailmerger.com.

I have made your letter a part of the public docket for this proceeding. If you have additional questions concerning the EIS process, please contact Elaine K. Kaiser, Chief, SEA, or Mike Dalton, SEA's Project Manager for this transaction, at (202) 565-1530.

Sincerely,


Linda J. Morgan

October, 1997

Ms. Linda J. Morgan, Chairwoman
U.S. Surface Transportation Board
1925 K Street N.W., Room 820
Washington, DC 20423

Mr. Gus A. Owen, Vice Chair
U.S. Surface Transportation Board
1925 K Street N.W., Room 850
Washington, DC 20423

Re: Increase of Train Traffic through Lakewood, Ohio

Dear Madame Chairwoman and Mr. Owen:

This letter is being written in response to Norfolk Southern's proposal to increase train traffic through Lakewood and the West Shore area of Cleveland to an average of 38 trains per day. Because we take pride in our city and are interested in preserving the health and safety of our citizens, we ask that the Surface Transportation Board consider the following requests:

- 1) Visit Lakewood to conduct an on-site inspection of Norfolk Southern tracks that are routed through our community; and,
- 2) Conduct a public interest hearing to address our safety concerns.

With a population of approximately 60,000, Lakewood is the most densely populated city between Manhattan and St. Louis, with the tracks dividing the north and south sides of the city. Our community is opposed to an increase in rail traffic for the following reasons:

Safety Concerns

1) Travel to and from Schools, Parks, Library

We are particularly concerned about the safety of our children. Many school-age children cross the tracks daily to go to school, the library and the parks.

2) Access to Hospitals, Fire, and Police Departments

An increase in train traffic will severely limit access to emergency service to individuals who are located on the north side of the tracks. The closest and largest fire department, the police department, and the only hospital in Lakewood are located south of the tracks. A stopped or slow-moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child or loved one his or her life.

3) Carrying of Hazardous Waste

Additional train traffic will increase the number of trains carrying hazardous waste from 254,834 cars per year to over 764,000 cars per year. Each car is a potential threat to our safety. The Agency for Nuclear Projects, Nuclear Waste Office in Nevada conducted a study using data from the U.S. Department of Energy. The Agency compiled the following statistic for the state of Ohio:

2,733 shipments of high-level nuclear waste from nuclear plants and nuclear weapon disarmament will travel through Ohio. Of those 2,733 shipments, **2,063 shipments are likely to travel through Lakewood and the West Shore area of Cleveland.**

4) Evacuation from Schools

There are no school buses in Lakewood. Should a train derail and spill hazardous cargo or another disaster occur, there is no easy way for our children to get out of the city.

Other Issues of Major Concern

1) Continued Increase of Rail Traffic

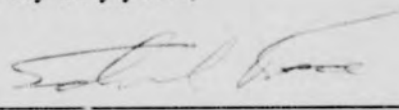
Mr. Pat McCune, V.P., Public Affairs for Norfolk Southern Corporation said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 38 trains per day. As Norfolk's business increases, it is more likely than not that the number of trains through Lakewood will continue to rise.

2) Property Values

An increase in rail traffic will decrease property values and the tax base for our schools. An eventual flight of families from Lakewood will result in a general decline for our community.

This issue is one of great concern to all of us who live, work, or have children attending school in Lakewood. Please consider visiting our community so we can share with you our concerns.

Very truly yours,



cc: The Honorable Madeline Cain, Mayor, City of Lakewood
Congressman Dennis Kucinich

STB

FD

33388

11-19-97

K

CITIES



CITY OF ABERDEEN

P.O. BOX 70, ABERDEEN, MARYLAND 21001

410-272-1600 / 410-575-6569

FAX 410-273-7402

CHARLES R. BOUTIN, *Mayor*

MARY LOU THOMPSON
Council President

FRANKLIN M. BRADLEY
RONALD KUPFERMAN
MACON L. TUCKER
City Council

November 17, 1997

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33388
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

**ENVIRONMENTAL
DOCUMENT**



Attention: Elaine K. Kaiser, Chief
Section of Environmental Analysis
Environmental Filing

RE: Notice of Intent to Prepare an Environmental Impact Statement and
Request for Comments on Proposed EIS Scope.

Dear Ms. Kaiser:

The city of Aberdeen was notified of the above referenced subject through Harford County Government. Since the city has CSX and Amtrak rail line running through our boundaries, it is appropriate that we comment on both the existing and potential impact of additional rail traffic.

Presently, CSX is operating in a manner that is conducive to traditional business and community patterns by concentrating its train schedules during the late evening hours and early morning hours. The at-grade crossings on West Bel Air Avenue and Farm Road have been operating well and there have been no accidents that I'm aware of for at least the past eleven years. There is a very offensive noise when the trains approach the crossing and



1997

Page 2
Ms. Kaiser
November 17, 1997

sound their warning (horn) systems. In the quiet of the night (11:00 P.M. and 3:30 a.m.) a very loud noise is heard for at least a half mile distance. Some residential homes are within fifty feet of the rail line; while a string of homes line the rail line the entire length of the line through the city. There needs to be some type of noise elimination or drastic reduction through improved technology development, operating methods or operating policies.

Naturally, the city is concerned about certain types of materials and products being transported through the city and the potential for an accident/derailment. While no well fields are located along the CSX rail line, a water recharge area is located along the rail lines. There are wells located along the Amtrak line. At times, freight lines use the Amtrak lines for certain industries in Harford County. While Harford County Government and the City have Emergency Operations Plans, we are unsure of CSX's plans.

CSX operates a "maintenance yard" in the heart of the City along West Bel Air Avenue. This property is poorly managed and presents an unsightly appearance to residents and travelers along a major transportation artery - West Bel Air Avenue. A historic train depot building is unkept and is in a dilapidated condition. The "yard" contains supplies, debris and trash that is haphazardly stockpiled. There is environmental problems with soil contamination on the site. A Phase I environmental study was performed in the early 1990's and identified soil contamination. Monitoring wells have been installed and we presume are being monitored. We have not received any information on the status of soil contamination. Our water field recharge area is located in this area and we have concerns with potential contamination. Water test have revealed trace amounts of chloroform, benzene, bromodichloromethane, dibromochloromethane and bromoform that is leaking into our well sources. While we can't pinpoint the location of the entry of these chemicals, we have to be on guard for known historical uses that had or have the potential to contribute contaminated products into the recharge area.

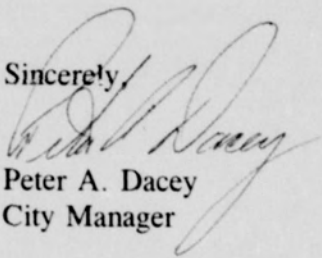
The city has been negotiating with CSX for the purchase of the maintenance yard and to date we have been unsuccessful in acquiring the property. The historic train depot is of significant historic value to the community and we would like to preserve it as part of our heritage.

I would like to request that the city be included in the review process of the Environmental Impact Statement and any regulatory requirement involving the future use of both the CSX rail line and CSX property within the city.

Page 3
Ms. Kaiser
November 17, 1997

Should you require additional information or wish to speak to me please contact me at the above number.

Sincerely,



Peter A. Dacey
City Manager

PAD/do

cc: Mayor and Council
Ms. Phyllis Brock, Director of Planning

STB

FD

33388

11-18-97

K

GOV



COMMONWEALTH of VIRGINIA

H. Alexander Wise, Jr., Director

Department of Historic Resources

221 Governor Street
Richmond, Virginia 23219

November 4, 1997

Elaine K. Kaiser
Chief, Section of Environmental Analysis
Surface Transportation Board
Washington, D.C. 20423



Re: Finance Docket No. 33388
CSX and Norfolk Southern - Control and Acquisition - Conrail
DHR File No. 97-0190-F

Dear Ms. Kaiser:

Thank you for your letter of October 23, 1997 concerning the referenced project. Based on the information provided, we are unable to concur that the project will have no effect on historic resources. We understand that the decision as to whether the Glade Spring passing track is to be included in the project has not yet been made. If the passing track is expanded, the project may have an effect on the Glade Spring Historic District and the prehistoric site described in your letter. Once the project has been defined and the nature of the improvements in the area of the two historic properties is known, it will be possible to determine what the effect of the project on historic resources is likely to be.

We look forward to working with you further on this project. Please contact Cara Metz at (804) 786-4517 if you have any questions.

Sincerely,

David H. Dutton
Director, Division of Project Review

ENVIRONMENTAL
DOCUMENT

STB

FD

33388

11-18-97

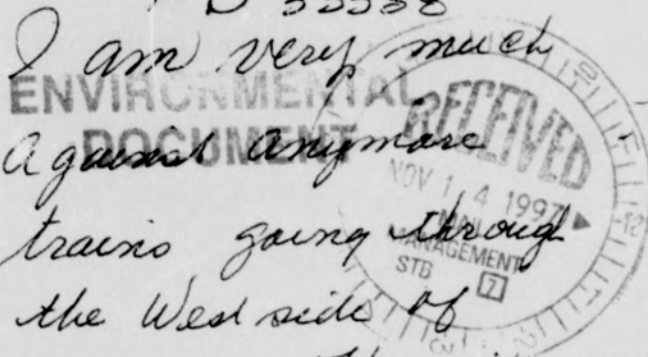
K

PUBLIC

FD 33388

I am very much
aggravated by
trains going through
the West side of
Cleveland. The night
time blasting of their
whistles are completely
out of order every night
at 3:30 they think they
have to give us a wake up
call.

Marlyn P. Rhein
21695 Kenwood Ave
Rocky River, Ohio 44116
440-331-8052



September 24, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

ENVIRONMENTAL DOCUMENT



Dear Sirs:

My child(ren), Adria, attend McKinley Elementary School in Lakewood, Ohio. Some of the children attending McKinley must cross the tracks at least two times a day to get to and from school.

I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

Following are the reasons we, as a community, **cannot** allowed this to occur.

- 1) Safety - for our children who cross the tracks daily to go to school, the library, and parks.
- 2) Carrying of hazardous waste - including nuclear waste- would theoretically increase from the present number of 254,834 cars per year (already too high of a number through our community) to over 764,000 cars per year. Each car a potential threat to our children. A study done by the Agency for Nuclear Projects, Nuclear Waste Office, Nevada based numbers from the U.S. Department of Energy and compiled the following statistic for the state of Ohio: 2,733 shipments of high level nuclear waste from nuclear plants and nuclear weapon disarmament will travel through Ohio- **2,063 of those shipments are likely to go through Lakewood and the West Shore area of Cleveland.** Norfolk Southern has a pre-agreement with the Federal Government to carry the above nuclear waste. There are two routes through northern Ohio. One being through our community.
- 3) A tripling of trains through Lakewood would increase air pollution 800 tons per year. Most of the pollutant being nitrogen oxide.

Other issues of strong concern are:

Evacuation of the schools south of tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

A handwritten signature in cursive script that reads "Paul Hughes".

PAUL HUGHES
ADRIA HUGHES
1334 CRANFORD
LAKEWOOD, OH 44107

September 24, 1997

ENVIRONMENTAL
DOCUMENT



U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

Dear Sirs:

My child(ren), *Austin & Evan Bishop*, attend McKinley Elementary School in Lakewood, Ohio. Some of the children attending McKinley must cross the tracks at least two times a day to get to and from school.

I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

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- 1) Safety - for our children who cross the tracks daily to go to school, the library, and parks.
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Evacuation of the schools south of tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

A handwritten signature in cursive script that reads "Patte Bishop".

STB

FD

33388

11-14-97

K

PUBLIC

I am writing regarding
the number of trains?

that are going thru L.Kd.

I understand they want to
increase them



I protest ~~the~~ action,

**ENVIRONMENTAL
DOCUMENT**

1. Noise
2. Safety - emergency (fires & health)

I do hope you will listen
to the citizens of L.Kd

Thank you

Florance Wetala

1418 Cordova

L.Kd, Chio 44107

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997



Surface Transportation Bd.
1925 K St. N.W.
Washington, D.C. 20423

Attn: SEA-Finance Docket 3388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9000 children to hold a public interest hearing. Norfolk & Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried.

Here are some problems:

There are about 60,000 people in a 6 sq. mile area. Out of all the 60,000 people 1/2 of the children in Lakewood need to cross the tracks on their way to school. We can walk everywhere. The bad

thing is there is only one underpass on the west end of town which limits accessibility of emergency vehicles to the south of the tracks including Gold Coast high-rise condominiums. toxic spills can cause difficulties during evacuation procedures.

Thank you for taking your time to read my letter.

Sincerely,
Danielle Ringler

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44116
October 8, 1997



Surface Transportation Bd.
1925 K St. N.W.
Washington, D.C. 20423

Attn: SEA - Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9000 children to hold a public interest hearing. Norfolk and Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried.

Here are some problems involved. 60,000 people in a 6 sq. mile area means if there was a toxic spill many people could get hurt. Most people cross the tracks to go somewhere.

1/2 of the children cross these tracks to get to school. If there was a fire by the Gold Coast it would take too long for the fire truck to get there.

Thank you for your time! Please help us out.

Sincerely,
Laura Hoopengardner

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997



Surface Transportation Bd.
1925 K St. N.W.
Washington D.C. 20423

Attn: SEA-Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the the unique situation we have in this unique community of approximately 9,000 children to hold a public interest hearing. Norfolk & Southern Railroad planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried. Here are some of the problems involved.

ENVIRONMENTAL DOCUMENT

60,000 people in 6 sq. mile area are getting killed because of those noisy, dangerous, trains! Walking up and down every street is hard because they are always coming and going. Most of the children in Lakewood must cross the tracks to go to school. There is only one underpass on the west end of town. How are paramedics, and fireman supposed to reach people. Gold coast high-rise condominiums are south of the tracks. So it would be very hard to get there. If there is ever a toxic spill how would we evacuate children and adults in Lakewood, that would be difficult.

Thank you for your time. Please help us out.

Sincerely,
Alexa Feckanin

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997



Surface Transportation Bd.
1925 K St. N.W.
Washington, D.C. 20423

Attn: Sea-Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9000 children to hold a public interest hearing. Norfolk and Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried.
Here are some of the problems

involved, 112 of the children cross the tracks to go to school. Toxic spill - evacuation procedures would be difficult. If a train fell off the tracks you would have to get out of Lakewood as fast as you could. If we walked to the library we would have to wait for the trains to go by. There are 60,000 people in 6 sq. mile area.

Sincerely,
Amanda Dobrowolski

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997



Surface Transportation Bd.
1926 K St. N.W.
Washington, D.C. 20423

Attn: Sea - Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9,000 children to hold a public interest hearing. Norfolk and Southern Railroads is planning to add about 341 more trains per day that will run through our densely populated city on Lake Erie. We are worried.

Here are some problems involved. Our city of Lakewood is very dense. We have over

60,000 people in 6 sq. miles
More than half of the
kids have to cross the
tracks to go to school.

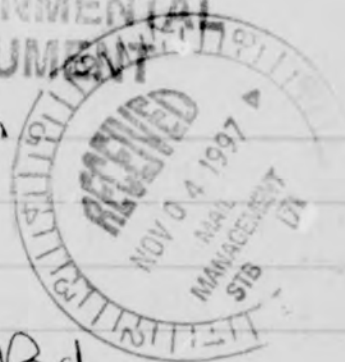
Our city is unique, we
can walk everywhere, but
now it won't be as safe
to. We only have one under-
pass which means if someone
on Lake Road is having
a heart attack it wouldn't
be good. We have many
old people who live in
Gold Coast high rise condom-
iniums and if one has a
breathing problem and there
is a train there may be
no hope. If there is a toxic
spill it will be difficult,
because of so many people
trying to get out of Lake-
Wood.

Thank you for your time.
Please help us.

Sincerely
Cherie Lally

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997

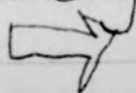


Surface Transportation Bd.
1925 K St. N.W.
Washington, D.C. 20423

Attn: SEA - Finance Pocket 33388

We as six graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9000 children to hold a public interest hearing. Norfolk & Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried.

Here are some of the problems involved. There are 60,000 people in a 6 sq. mile area. Lakewood is very unique, because



Most people walk every where.
1/2 of the children in Lakewood
have to cross the tracks to get to
School. One underpass on the
West end of town limits
accessibility of emergency
vehicles to the hospital south
of the tracks from the gold
Coast. If a toxic spill should
occur the evacuation procedures
are difficult

Thank You for your time

Sincerely
Morgan Masett

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997



Surface Transportation Bd.
1925 K St. N.W.
Washington, D.C. 20423

Attn: SEA-Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9000 children to hold a public interest hearing. Norfolk & Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried.

Here are some of the problems involved. We have a

crowded town, there are
60,000 people in the
6 sq. mile area. Our city
is also very unique,
because we can walk
everywhere. We have 10
elementary schools and
1/2 of our children cross the
tracks to get to school.

We only have 1 underpass
on the west end of town.
It limits accessibility of
emergency vehicles getting
to the hospital south of
the tracks from the Gold
Coast high-rise condominiums.
If there was a toxic spill
we wouldn't be able to
evacuate quickly.

Thank you for your
time. Please help us out.

Sincerely,

Elizabeth A. Hayes

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997



Surface Transportation Bd.
1925 K St. N.W.
Washington, D.C. 20423

Attn: Sea-Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9,000 children to hold a public interest hearing. Norfolk and Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried.

Here are some of the problems involved. There are 60,000 people in 6 square miles. We are unique, because we can walk everywhere. Half of the children in Lakewood cross the tracks to go to school. When emergency vehicles need to get to the hospital they have a better chance of getting stuck by a

train. If a train falls off the tracks and is carrying oil, the oil might get in peoples lungs and they could die.

Thank you for your time. Please help us out.

Sincerely,
Jeremy Wise

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997



Surface Transportation Bd.
1925 K St. N.W.
Washington, D.C. 20423

Attn: SEA-Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9000 children to hold a public interest hearing. Norfolk & Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried.

Here are some of the problems involved. 60,000 people in a 6 sq. mile area do not like the trains because they are very loud. 1/2 of the children have to cross the tracks just to get to school which is very bad, because if you have more trains coming through Lakewood there would be

more accidents involving children. More trains coming through Lakewood would be worse for emergency vehicles, because they would have to wait longer to get to the hurt or the fire. If we have more trains, we could have a toxic spill. That would be bad, because we have so many people, it would be hard to evacuate everyone in time. Lakewood is unique right now, because we can walk anywhere. It won't be if more trains come through Lakewood.

Thank you for your time. Please help us out.

Sincerely,
Megan L. Krumreig

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Oh. 44107
October 8, 1997



Surface Transportation Bd.
1925 K St. N.W.
Washington D. C. 2043

~~Attor~~ Sea Finance Docket 33388

We sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation in an unique in approximately 9,000 children to hold a public interest hearing. Norfolk and Southern Railroad is planning to add about 34 trains a day that will run through our densely populated city on Lake Erie. We are worried.

Here are some of the problems involved. For instant, there are 60,000 people in a 6 square mile area. Also, we are quite unique, because we can walk everywhere. It would be dangerous for a large number, 42 trains a day, for

children to walk to school. Most of our concerns are on the next two problems. If there were a toxic spill, since we are so densely packed, it would be a huge mess trying to evacuate. Last, we only have one under pass in Lanewood and it is only two lanes. If there were an emergency at the Gold Coast High Rise Condominiums, the fire station and hospital are on the other side of the tracks. You see, more trains could stop an ambulance or fire truck in an emergency and it is just too risky.

Thank you for your time. Please help us out.

Sincerely,

Rachel Gross

ENVIRONMENTAL
DOCUMENT

1215 W. Cifton Blvd.
Lakewood, Ohio
October 8, 1997

Surface Transportation Bd.
1925 K St. N.W.
Washington, D.C. 20423

Attn: SEA-Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9,000 children to hold a public interest hearing. Norfolk & Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried.

Here are some of the problems involved. There are 60,000 people in a 6 sq. mile area. $\frac{1}{2}$ of the children in our town cross the tracks to go to school. IF there was a toxic spill then

the evacuation procedures would be difficult. There is only one underpass in Lakewood. It is on the west end of town which limits our accessibility. If there was an emergency vehicle to the hospital south of the tracks from the Gold Coast high-rise condominiums and a train was crossing then they wouldn't be able to get across. Lakewood is a very unique city because everybody walks around town instead of driving. That makes it very difficult for people to cross. Those are my reasons.

Thank you for your time. Please help us out.



Sincerely, Laura Warsinskey

September 24, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

ENVIRONMENTAL
DOCUMENT



Dear Sirs:

My child(ren), Amenda Pittman, attend McKinley Elementary School in Lakewood, Ohio. Some of the children attending McKinley must cross the tracks at least two times a day to get to and from school.

I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

Following are the reasons we, as a community, **cannot** allowed this to occur.

- 1) Safety - for our children who cross the tracks daily to go to school, the library, and parks.
- 2) Carrying of hazardous waste - including nuclear waste- would theoretically increase from the present number of 254,834 cars per year (already too high of a number through our community) to over 764,000 cars per year. Each car a potential threat to our children. A study done by the Agency for Nuclear Projects, Nuclear Waste Office, Nevada based numbers from the U.S. Department of Energy and compiled the following statistic for the state of Ohio: 2,733 shipments of high level nuclear waste from nuclear plants and nuclear weapon disarmament will travel through Ohio- **2,063 of those shipments are likely to go through Lakewood and the West Shore area of Cleveland.** Norfolk Southern has a pre-agreement with the Federal Government to carry the above nuclear waste. There are two routes through northern Ohio. One being through our community.
- 3) A tripling of trains through Lakewood would increase air pollution 800 tons per year. Most of the pollutant being nitrogen oxide.

Other issues of strong concern are:

Evacuation of the schools south of tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

Joan P. Pittman

ENVIRONMENTAL
DOCUMENT

1215 W. Clifton Blvd.
Lakewood, Ohio 44107
October 8, 1997



Surface Transportation Bd.
Washington DC. 20423

ATTN: Sea-Finance Docket 33388

We as sixth graders at Horace Mann Middle School request that the Surface Transportation Board come to Lakewood to review the unique situation we have in this unique community of approximately 9,000 children to hold a public interest hearing. Norfolk & Southern Railroad is planning to add about 34 more trains per day that will run through our densely populated city on Lake Erie. We are worried. Here are some of the problems involved.

About 60,000 people in a 1/2 sq. mile area and 1/2 of the children cross these tracks to go to school every day. Lakewood is unique because we can walk everywhere. Toxic spill evacuation procedures would be difficult because it would be like a circus. One underpass on the west end of town limits accessibility of emergency vehicles to the hospital south of the tracks from Gold Coast high-rise condominiums.

A toxic spill would be very bad.

Thank You For Your Time

Sincerely,
Mike Jones

Tracy A. Carroll
1220 Cranford Avenue
Lakewood, OH 44107

ENVIRONMENTAL
DOCUMENT



October 28, 1997

U.S. Surface Transportation Board
Attn.: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

Dear Sir or Madam,

I am a resident of the city of Lakewood, Ohio. I live in a rental duplex on a quiet, tree lined street filled with children, pets, and people of all ages. About a quarter of a mile down, there are a set of railroad tracks that carry the Norfolk Southern Corporation's rail traffic. I am writing because of my concern about Norfolk Southern's plan to triple traffic on these tracks.

I must cross these tracks several times daily on my way to work, where I am a first grade teacher, on my way to graduate school, and to run errands in the community. The travel inconveniences are obvious. Looking deeper, however, there are many serious concerns.

Because I live so close to the tracks, I hear them at all hours of the day and night. Whenever I hear the trains, I always wonder: what if I needed to get to the hospital, across the tracks, or if I had another type of emergency? What would happen if my elderly neighbor needed an ambulance, which could not get across the tracks? I live in an older home. What would happen if a fire started, and the trucks could not get across the tracks in time?

As a teacher of young children, I am aware of the risks which railroad tracks pose. The lure of the sounds and sights can be powerful. Tripling the traffic would assert that much more of a risk to the many children on my street.

I hope the Surface Transportation Board takes into account the safety concerns when deciding on Norfolk Southern's expansion plans.

Thank You,

A handwritten signature in cursive script that reads "Tracy A. Carroll". The ink is dark and the signature is fluid.

Tracy A. Carroll

CC: Madeline Cain, Mayor, City of Lakewood; Dennis Kucinich, Congressman

September 23, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423



ENVIRONMENTAL
DOCUMENT

Dear Sirs:

My child(ren) *Sean + Deserae* attend Lincoln Elementary School in Lakewood, Ohio. Lincoln is north of the Norfolk Southern railroad tracks. Some of the children attending Lincoln must cross the tracks at least two times a day to get to and from school. There are 450 children that attend Lincoln Elementary.

Lakewood Hospital, the closest and largest fire department and the Police station are all located south of the tracks. Thus, a stopped or slow moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child their life. It could be my child. This is why I feel strongly against NS increasing rail traffic by three times or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

The only way around the tracks is 10 miles away by I-90 West Cuyahoga + Detroit by 117th

Following are the reasons we, as a community, cannot allow this to occur.

- 1) Safety - for our children who cross the tracks daily to go to school, the library, and parks.
- 2) Carrying of hazardous waste - including nuclear waste- would theoretically increase from the present number of 254,834 cars per year (already too high of a number through our community) to over 764,000 cars per year. Each car a potential threat to our children. A study done by the Agency for Nuclear Projects, Nuclear Waste Office, Nevada based numbers from the U.S. Department of Energy and compiled the following statistic for the state of Ohio: 2,733 shipments of high level nuclear waste from nuclear plants and nuclear weapon disarmament will travel through Ohio- **2,063 of those shipments are likely to go through Lakewood and the West Shore area of Cleveland.** Norfolk Southern has a pre-agreement with the Federal Government to carry the above nuclear waste. There are two routes through northern Ohio. One being through our community.
- 3) A tripling of trains through Lakewood would increase air pollution 800 tons per year. Most of the pollutant being nitrogen oxide.

Other issues of strong concern are:

Evacuation of the schools north of the tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

*The and Mrs. Wm. Hagan
1249 Belle
Lkwd.*

September 23, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423



ENVIRONMENTAL
DOCUMENT

Dear Sirs:

Kevin Shanahan, Kelsey Shanahan
My child(ren), *Quinn Shanahan*, attend Lincoln Elementary School in Lakewood, Ohio. Lincoln is north of the Norfolk Southern railroad tracks. Some of the children attending Lincoln must cross the tracks at least two times a day to get to and from school. There are 450 children that attend Lincoln Elementary.

Lakewood Hospital, the closest and largest fire department and the Police station are all located south of the tracks. Thus, a stopped or slow moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child their life. It could be my child. This is why I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

Following are the reasons we, as a community, **cannot** allowed this to occur

- 1) Safety - for our children who cross the tracks daily to go to school, the library, and parks.
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- 3) A tripling of trains through Lakewood would increase air pollution 800 tons per year. Most of the pollutant being nitrogen oxide.

Other issues of strong concern are:

Evacuation of the schools north of the tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

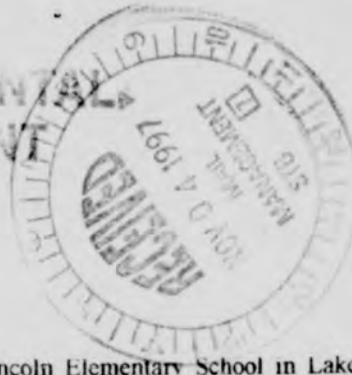
Sincerely,

Shirley Shanahan

September 23, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

ENVIRONMENTAL
DOCUMENT



Dear Sirs:

My child(ren), RYAN UNSWORTH, attend Lincoln Elementary School in Lakewood, Ohio. Lincoln is north of the Norfolk Southern railroad tracks. Some of the children attending Lincoln must cross the tracks at least two times a day to get to and from school. There are 450 children that attend Lincoln Elementary.

Lakewood Hospital, the closest and largest fire department and the Police station are all located south of the tracks. Thus, a stopped or slow moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child their life. It could be my child. This is why I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

Following are the reasons we, as a community, **cannot** allowed this to occur.

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- 3) A tripling of trains through Lakewood would increase air pollution 800 tons per year. Most of the pollutant being nitrogen oxide.

Other issues of strong concern are:

Evacuation of the schools north of the tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

Mr & Mrs Samuel Unsworth

ENVIRONMENTAL
DOCUMENT



September 23, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

Dear Sirs:

My child(ren), ALEX PARKI, attend Lincoln Elementary School in Lakewood, Ohio. Lincoln is north of the Norfolk Southern railroad tracks. Some of the children attending Lincoln must cross the tracks at least two times a day to get to and from school. There are 450 children that attend Lincoln Elementary.

Lakewood Hospital, the closest and largest fire department and the Police station are all located south of the tracks. Thus, a stopped or slow moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child their life. It could be my child. This is why I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

Following are the reasons we, as a community, **cannot** allowed this to occur.

- 1) Safety - for our children who cross the tracks daily to go to school, the library, and parks.
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- 3) A tripling of trains through Lakewood would increase air pollution 800 tons per year. Most of the pollutant being nitrogen oxide.

Other issues of strong concern are:

Evacuation of the schools north of the tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

Name fake

My daughter Caitlin goes to middle school and must cross the tracks.

My youngest child Nicole is in preschool. I need your help with keeping Lakewood as a nice place to raise a family.

September 23, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

ENVIRONMENT
DOCUMENT



Dear Sirs:

My child(ren), CODY + ASHLEE, attend Lincoln Elementary School in Lakewood, Ohio. Lincoln is north of the Norfolk Southern railroad tracks. Some of the children attending Lincoln must cross the tracks at least two times a day to get to and from school. There are 450 children that attend Lincoln Elementary.

Lakewood Hospital, the closest and largest fire department and the Police station are all located south of the tracks. Thus, a stopped or slow moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child their life. It could be my child. This is why I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

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This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

Richard F. Saxton Jr.
Sheryl Saxton

September 23, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

ENVIRONMENTAL
DOCUMENT



Dear Sirs:

My child(ren), Kevin, Maggie, Kelly attend Lincoln Elementary School in Lakewood, Ohio. Lincoln is north of the Norfolk Southern railroad tracks. Some of the children attending Lincoln must cross the tracks at least two times a day to get to and from school. There are 450 children that attend Lincoln Elementary.

Lakewood Hospital, the closest and largest fire department and the Police station are all located south of the tracks. Thus, a stopped or slow moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child their life. It could be my child. This is why I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

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Sincerely,

Jill Orris

STB

FD

33388

11-13-97

K

GOV

EXHIBIT DOCUMENT



WEST VIRGINIA DIVISION OF
CULTURE AND HISTORY



November 3, 1997

Elaine K. Kaiser
Chief
Section of Environmental Analysis
Surface Transportation Board
Washington, DC 20423

RE: Railroad Control Application, Finance Docket No. 33388
Norfolk Southern/CSX/Conrail Railroad Acquisition
FR# 97-302-MULTI

Dear Ms. Kaiser,

We have received the above referenced project for review as required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties."

Your letter dated August 8, 1997 states that acquisition related activities are limited in West Virginia to increased railroad traffic along the Point of Rocks, MD to Harpers Ferry, WV (CSX), WD Tower to Rivesville (CSX), Elmore to Deepwater (NS), Fola Mine to Deepwater (CR) and Harrisburg, PA to Riverton, VA (NS) rail line segments. The increased traffic is limited to existing trackage except for the possible addition of a siding within the Elmore to Deepwater right of way. No other ground disturbance or physical alterations to existing buildings or structures would be required for Acquisition-related activities.

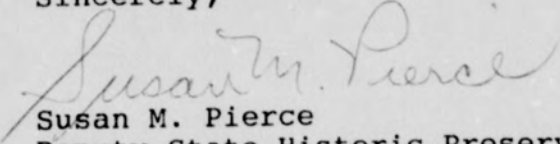
Based upon our review of Volume 6B, Part 2, Section 23.0, the project will cross or be adjacent to several historic districts located in Mullens, Shepherdstown and Harpers Ferry. However, no direct impact will occur. Should the referenced siding be built, it is unlikely that it will impact previously undisturbed archaeological resources within the railroad right of way. Therefore, we concur that the proposed acquisition as described will have no effect on cultural resources listed on or eligible to the National Register of Historic Places. You may wish to contact Donald Campbell, Superintendent of the Harpers Ferry National Historic Park, regarding the increased traffic through this historic district.

Page 2
Elaine Kaiser
November 3, 1997

The October 1, 1997 notice regarding the final Scope of the Environmental Impact Statement requests notification if you do not wish to receive the DEIS or FEIS. In an effort to conserve resources, please limit further correspondence with our office to the minimum to document compliance. It is not necessary to provide our office with the DEIS or the FEIS unless the scope of activity changes within our state.

We appreciate the opportunity to be of service. If you have any questions, please contact me.

Sincerely,


Susan M. Pierce
Deputy State Historic Preservation
Officer for Resource Protection

cc: Carole Peter, Dames and Moore

STB

FD

33388

11-13-97

K

PUBLIC

11-6-97

ENVIRONMENTAL

DOCUMENT

To whom it may concern,

This picture says
it all. Please try to
find another route



A Lakewood Hospital
Paramedic Unit is delayed by
a train at Summit Avenue.



Sincerely,

(Mrs) Mary Alice Cuck
2072 Elmwood
Lakewood, OH

ENVIRONMENTAL
DOCUMENT

To Hon. H. Roy Brown



The proposal to increase train traffic through Cleveland's Western Suburbs is of great concern to all of us whose daily lives will be greatly affected by such an increase of crossing closings due to passing trains. Norfolk Southern Corporation's decisions are predicated on only one thing, profit, with no consideration to the safety and convenience of those people unfortunate enough to have their daily lives disrupted by the proposed increase in traffic.

The Lane always had trains in Lakewood. They are used by them, but

police, fire and E.M.S. services will be far more difficult to receive for our residents if the vehicles are unable to perform with the necessary urgency these agencies require.

Please also consider that thousands of children will be crossing the tracks daily on their way to and from school.

There must be another way!

Hoping for the best for the residents of the west shore area, we are

Mr. & Mrs. Donald Kelly
18156 Clifton Road
Lakewood, Ohio 44107

ENVIRONMENTAL
DOCUMENT

2094 Warren Road
Lakewood, OH 44107

November 7, 1997



U. S. Surface Transportation Board
1925 "K" Street, N.W.
Washington, D.C. 20423

Attention: SEA - Finance Docket 33388

Gentlemen/Ladies:

As a 32-year resident of the City of Lakewood, I am deeply concerned about a proposal before you from Norfolk Southern and CSX that would significantly increase train traffic through heavily residential west shore communities bordering the City of Cleveland.

Is it possible that the business advantage gained by such action is worth the loss of human life or permanent impairment due to delayed treatment? Surely that will be the result.

In Lakewood, many of our elderly residents live **north** of the railroad tracks. Many of our young children walk to schools **north** of the tracks. Our local emergency medical service system is based **south** of the tracks at Lakewood Hospital. The conclusion is obvious.

Imagine your loved one in a life-threatening situation waiting for the ambulance, police car or fire truck halted--sirens muted--by yet another thundering train at a railroad crossing. I pray it won't be my grandchild.

Please do not put our health and safety at further risk by sanctioning more trains slicing our community apart.

Sincerely,

Irene Madasz
(Mrs. Gerald Madasz)

ENVIRONMENTAL DOCUMENT

Nov. 4, 1997



U.S. Surface Transportation Board

SEA Finance Docket 33368

1925 K St. N.W.

Washington D.C. 20423

I write to express my opposition to the proposed increase in the number of trains scheduled on the Norfolk-Southern tracks through Lakewood, Rocky River, Bay Village, and Avon Ohio.

The newspapers suggest that the number of trains per day will increase from less than 20 to 38 or 40. That would result in one train every 30-40 minutes.

I live about 200 yards from the tracks. About 3:00 AM a week or so ago I was awakened by an enthusiastic train engineer blowing his horn almost continuously from one end of Lakewood to the other. This happens fairly often. Increasing traffic, of course, would increase the number of late night trains hooting and rattling through our cities.

My great concern, however, is for the effect of so many trains on the deployment of Police, Fire, Medical, and other safety forces. Many of the trains presently using the tracks are very long, and they block many streets for considerable periods of time.

Also, we do not know if hazardous cargoes are carried through these towns, but if they are, increasing the number of trains would increase the hazard.

Another unknown is the effect of a large increase in traffic on real estate values in the area. I believe the effect would be detrimental.

There must be alternate options to such a drastic increase in traffic along the North Shore.

Thank you for your consideration,

A handwritten signature in cursive script that reads 'Robert M. Welty'.

Robert M. Welty
1233 Overlook Rd.
Lakewood, Ohio 44107

ENVIRONMENTAL
DOCUMENT



436 Pellett Drive
Bay Village OH 44140
November 1, 1997

Federal Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW
Washington D.C. 20423

Gentlemen:

P L E A S E!! NO INCREASE IN NORFOLK SOUTHERN RAIL TRAFFIC THROUGH OUR WEST
SHCRE COMMUNITIES OF LAKEWOOD, ROCKY RIVER, BAY VILLAGE, ETC.!!! It would create
TERRIBLE problems for the whole area.

Very truly yours,

Judith A. Bulloch
Judith A. Bulloch

STB

FD

33388

11-13-97

K

GOV



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission

Bureau for Historic Preservation
Post Office Box 1026
Harrisburg, Pennsylvania 17108-1026

**ENVIRONMENTAL
DOCUMENT**

November 5, 1997



Elaine K. Kaiser
Surface Transportation Board
Office of the Secretary, Cast Control Unit
Finance Docket No. 33388
1925 K Street, N.W.
Washington, DC 20423-0001

TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER

Re: ER 97-0776-042-K
STB Docket No. 33388: CSX Corporation and CSX
Transportation, Inc., Norfolk Southern Corporation and
Norfolk Southern Railway Company--Control and Operation
Leases/Agreements-Conrail, Inc. and Consolidated Rail
Corporation: Final Scope of the Environment Impact
Statement

Dear Ms. Kaiser:

The Bureau for Historic Preservation (the State Historic Preservation Office) is reviewing the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

We are in receipt of your letter of October 1, 1997 concerning the development of the final Environmental Impact Statement for the above listed project. The Bureau for Historic Preservation is the office of the State Historic Preservation Officer in the Commonwealth of Pennsylvania. We are not an "interested party". We have written to your agency concerning this project numerous times concerning the lack of adequate consultation on this project. The mainline of the Conrail track through Pennsylvania involved in this project has been determined eligible for the National Register of Historic Places as the former Pennsylvania Railroad Main Line. This and other National Register resources included in this project have not been adequately addressed in any of the documentation received to date by our office. Unless the final EIS is expanded to address these resources, it is our opinion that Section 106 review in Pennsylvania is not complete.

Page 2
E. Kaiser
Nov. 5, 1997

If you need further information in this matter please
consult Susan Zacher at (717) 783-9920.

Sincerely,

K. W. Carr

Kurt W. Carr, Chief
Division of Archaeology
and Protection

cc: Advisory Council on Historic Preservation
KWC/smz

STB

FD

33388

11-13-97

K

PUBLIC



Office of the Chairman

Surface Transportation Board
Washington, D.C. 20423-0001

File in Docket
FD-33388

November 13, 1997

Mr. Arlyce Ryan
1280, Hathaway
Lakewood, OH 44107

Re: Finance Docket No. 33388, CSX and Norfolk Southern -- Control and Acquisition --
Conrail

Dear Mr. Ryan:

Thank you for your recent correspondence concerning the potential safety effects of the proposed changes in train traffic in Lakewood resulting from the proposal by Norfolk Southern (NS) and CSX to acquire Conrail.

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of the potential environmental impacts associated with the proposed Conrail acquisition and will prepare an Environmental Impact Statement (EIS). As part of its environmental review, SEA will address several environmental impact areas, including safety, transportation systems, land use, energy, air quality, noise, biological resources, water resources, environmental justice, and cultural and historic resources. In analyzing potential safety impacts, SEA will consider accident risk and vehicular delay at grade crossings.

The EIS also will present an analysis of the increased probability of derailments and releases of hazardous materials due to increased train traffic. Further, SEA will examine local truck traffic increases attributable to increased intermodal activities, and safety issues associated with the integration of differing rail operating systems and procedures. In addition, SEA will address potential impacts on emergency response capability because of vehicular delays at rail grade crossings due to increases in rail-related operations as a result of the proposed Conrail acquisition.

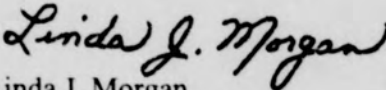
SEA is fully aware that these issues are of major concern to the residents of the west side of Cleveland and its western suburbs. A representative of SEA attended the public meeting held in Lakewood on September 21, 1997, in order to hear those concerns first hand, and also conducted an inspection of the NS route through Lakewood as well as neighboring communities. While the Board and SEA do not expect to conduct any additional public hearings, you can be assured that your views will be carefully considered along with all other comments that have been received in this matter.

Under the revised procedural schedule adopted by the Board, SEA plans to issue the Draft EIS in late December 1997, with a 45-day public review and comment period. After conducting an independent environmental analysis, reviewing all environmental information available to date, consulting with appropriate agencies, and fully considering all public comments, SEA plans to issue in May 1998 a Final EIS for consideration by the Board. In its final decision, the Board will consider the entire environmental record, including all public comments, the Draft EIS, and the Final EIS. The Board will issue its final written decision in July 1998.

SEA has established a toll-free environmental Hotline (1-888-869-1997) for interested parties to call to obtain information about the proposed Conrail acquisition and the Board's environmental review process. Information is also available on the Internet on SEA's "Conrail Acquisition Web Site" at www.conrailmerger.com.

I have made your letter a part of the public docket for this proceeding. If you have additional questions concerning the EIS process, please contact Elaine K. Kaiser, Chief, SEA, or Mike Dalton, SEA's Project Manager for this transaction, at (202) 565-1530.

Sincerely,


Linda J. Morgan

Chairwoman Linda J. Morgan
Surface Transportation Board
1925 K St. North West, Rm. 820
Washington, D.C., 20423

RECEIVED
SURFACE TRANSPORTATION
BOARD
OCT 6 4 56 PM '97
OFFICE OF
CHAIRMAN MORGAN

Dear Madam Chairwoman:

This letter is to request that the Surface Transportation Board come to Lakewood to inspect Norfolk Southern Railroad's route in my community.

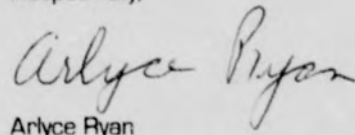
I am also requesting the Surface Transportation Board to conduct a public safety hearing in Lakewood.

The reasons for this are as follows:

1. Any increase of freight trains will interfere with the ability of Lakewood's police and fire safety to directly and timely respond to fires, crime and natural disasters.
2. Any increase of freight trains will significantly interfere with the ability of Lakewood Hospital, it's ambulances and paramedic squads to directly and timely respond to medical emergencies from any and all causes - a matter of life and death, whereby minutes in response time can often mean the difference.
3. Any increase of freight trains will adversely impact the ability of all types of coordinated emergency response teams between Lakewood and other westshore communities to best use each others medical facilities and fire and police forces and equipment in a predictable and timely fashion.
4. Any increase of freight trains will increase the likelihood of derailments and the risk that hazardous material will be released. This would also increase the likelihood for evacuating residents within two to four miles of the tracks (an evacuation range that encompasses *all* of Lakewood's) for safety and health reasons.

Please advise me of your decision in writing.

Respectfully,


Arlyce Ryan

1280 Hathaway
Lakewood, Ohio 44107

STB

FD

32388

11-13-97

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STATELEG



Office of the Chairman

Surface Transportation Board
Washington, D.C. 20423-0001

*File in
Docket
ID-33388*

November 13, 1997

The Honorable Dan Brady
Ohio House of Representatives
3466 Bosworth Road
Cleveland, OH 44111

Re: Finance Docket No. 33388, CSX and Norfolk Southern -- Control and Acquisition --
Conrail

Dear Representative Brady:

Thank you for your recent correspondence outlining your concerns and those of your constituents regarding the potential safety effects of the proposed changes in train traffic in Lakewood resulting from the proposal by Norfolk Southern (NS) and CSX to acquire Conrail.

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of the potential environmental impacts associated with the proposed Conrail acquisition and will prepare an Environmental Impact Statement (EIS). As part of its environmental review, SEA will address several environmental impact areas, including safety, transportation systems, land use, energy, air quality, noise, biological resources, water resources, environmental justice, and cultural and historic resources. In analyzing potential safety impacts, SEA will consider accident risk and vehicular delay at grade crossings.

The EIS also will present an analysis of the increased probability of derailments and releases of hazardous materials due to increased train traffic. Further, SEA will examine local truck traffic increases attributable to increased intermodal activities, and safety issues associated with the integration of differing rail operating systems and procedures. In addition, SEA will address potential impacts on emergency response capability because of vehicular delays at rail grade crossings due to increases in rail-related operations as a result of the proposed Conrail acquisition.

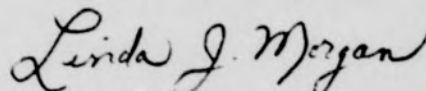
SEA is fully aware that these issues are of major concern to the residents of the west side of Cleveland and its western suburbs. A representative of SEA attended the public meeting held in Lakewood on September 21, 1997, in order to hear those concerns first hand, and also conducted an inspection of the NS route through Lakewood as well as neighboring communities. While the Board and SEA do not expect to conduct any additional public hearings, you can be assured that your views will be carefully considered along with all other comments that have been received in this matter.

Under the revised procedural schedule adopted by the Board, SEA plans to issue the Draft EIS in late December 1997, with a 45-day public review and comment period. After conducting an independent environmental analysis, reviewing all environmental information available to date, consulting with appropriate agencies, and fully considering all public comments, SEA plans to issue in May 1998 a Final EIS for consideration by the Board. In its final decision, the Board will consider the entire environmental record, including all public comments, the Draft EIS, and the Final EIS. The Board will issue its final written decision in July 1998.

SEA has established a toll-free environmental Hotline (1-888-869-1997) for interested parties to call to obtain information about the proposed Conrail acquisition and the Board's environmental review process. Information is also available on the Internet on SEA's "Conrail Acquisition Web Site" at www.conrailmerger.com.

Thank you for your interest in this matter. I will have your letter made a part of the public docket for this proceeding. If you have additional questions concerning the EIS process, please contact Elaine K. Kaiser, Chief, SEA, or Mike Dalton, SEA's Project Manager for this transaction, at (202) 565-1530. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,


Linda J. Morgan

Ohio House of Representatives



3466 Bosworth Road
Cleveland, Ohio 44111
(216) 252-1718 - Home
(614) 466-3454 - Office
1-800-252-0253 - Toll Free
(614) 644-9494 - Fax

DAN BRADY
STATE REPRESENTATIVE
17th House District
Cuyahoga County (part)

October 5, 1997

COMMITTEES:
Judiciary and Criminal Justice
Economic Development and Small
Business

Ms. Linda J. Morgan, Chairwoman
U. S. Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

RE: Finance Docket 33388

Dear Ms. Morgan

I am the elected State Representative for the 17th Ohio House District. The 17th District, is composed of the entire city of Lakewood, as well as neighborhoods on Cleveland's west side. The district is the most densely populated of all 99 house districts in the State of Ohio.

The increase in rail traffic anticipated as a result of the proposal by Norfolk-Southern Corporation would create inconvenient and potentially dangerous conditions for thousands of citizens in both Lakewood and Cleveland. In both communities, street after street feature railroad crossings. In fact, Lakewood has the most railroad crossings per mile of any community in the entire country.

The City of Lakewood is one of the finest communities in Ohio. People choose to raise their families in Lakewood because it has a reputation for providing a high quality of life for its residents. Our citizens have invested their life savings in this community, and we have a responsibility to do all we can to protect their interests.

More importantly, however, I am concerned about the impact of this proposal on safety. The ability of police, fire and emergency medical service to reach their destination in time is critical. As you are aware, a few minutes may make the difference between life and death in an emergency situation.

During the school year thousands of children walk to school in Lakewood; during the summer many of these same children are playing and riding bicycles in their neighborhoods. It would be a mistake to minimize the risk to these children that may be caused by increased rail traffic.

I am pleading to you and the Surface Transportation Board to conduct a public hearing on this vital issue in our community. I am begging you to do all you can to protect us from the impact of this proposal. Please work with us to seek alternatives that will not upset the delicate balance that exists in this congested urban setting.

Sincerely,

A handwritten signature in cursive script that reads "Dan Brady".

Dan Brady, State Representative

cc: Mayor Madeline Cain, Lakewood
United States Senator, John Glenn

STB

FD

33388

11-12-97

K

GOV

STATE OF SOUTH CAROLINA
State Budget and Control Board
OFFICE OF STATE BUDGET

DAVID M. BEASLEY, CHAIRMAN
GOVERNOR

RICHARD A. ECKSTROM
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



122 LADY STREET, 12TH FLOOR
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-2280

GEORGE N. DORN, JR.
DIRECTOR

JOHN DRUMMOND
CHAIRMAN, SENATE FINANCE COMMITTEE

HENRY E. BROWN, JR.
CHAIRMAN, WAYS AND MEANS COMMITTEE

LUTHER P. CARTER
EXECUTIVE DIRECTOR



November 5, 1997

Ms. Elaine K. Kaiser
Chief, Section of Environmental Analysis
Case Control Unit, STB Finance Docket No.33388
Surface Transportation Board
1925 K. Street, N. W.
Washington, D. C. 20423-0001

Project Name: CSX Corporation & CSX Transportation, Inc. Norfolk Southern
-Corporation & Norfolk Southern Railway Company control and Operating
Leases/Agreements- Conrail Inc.

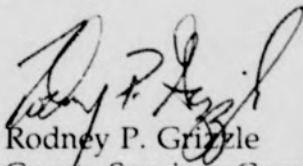
Project Number: SC970811-172

Dear Ms. Kaiser,

The Office of State Budget, has conducted an intergovernmental review on the
above referenced activity as provided by Presidential Executive Order 12372. All
comments received as a result of the review are enclosed for your use.

The State Application Identifier number indicated above should be used in any future
correspondence with this office. If you have any questions call me at (803) 734-0485.

Sincerely,


Rodney P. Grizzle
Grants Services Coordinator

Budget & Control Board: Office of State Budget

South Carolina Project Notification and Review System
1122 Lady Street, 12th floor
Columbia, SC 29201

State Application Identifier
SC970811-172

Suspense Date
9/27/97

**Dr. James A. Timmerman, Jr.
South Carolina Wildlife and Marine Resources Department**

The Office of State Budget is authorized to operate the South Carolina Project Notification and Review System (SCPNRS). Through the system the appropriate state and local officials are given the opportunity to review, comment, and be involved in efforts to obtain and use federal assistance, and to assess the relationship of proposals to their plans and programs.

Please review the attached information, mindful of the impact it may have on your agency's goals and objectives. Document the results of your review in the space provided. Return your response to us by the suspense date indicated above. Your comments will be reviewed and utilized in making the official state recommendation concerning the project. The recommendation will be forwarded to the cognizant federal agency.

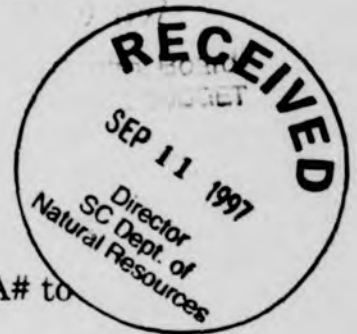
Should you have no comment, please return the form signed and dated.

If you have any questions, call me at (803) 734-0494.

RECEIVED
Rodney Grizzle

- Project is consistent with our goals and objectives.
- Request a conference to discuss comments.
- Please discontinue sending projects with this CFDA# to our office for review.
- Comments on proposed Application is as follows:

no comment at this time



Signature: Danny Johnson for Robert E. Duncan

Date: 9/19/97

Title: Env. Programs Director

Phone: 737-0800

Budget & Control Board: Office of State Budget

South Carolina Project Notification and Review System
1122 Lady Street, 12th floor
Columbia, SC 29201

State Application Identifier
SC970811-172

Suspense Date
9/27/97

**Joel T. Cassidy
South Carolina Employment Security Commission**

The Office of State Budget is authorized to operate the South Carolina Project Notification and Review System (SCPNSRS). Through the system the appropriate state and local officials are given the opportunity to review, comment, and be involved in efforts to obtain and use federal assistance, and to assess the relationship of proposals to their plans and programs.

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Should you have no comment, please return the form signed and dated.

If you have any questions, call me at (803) 734-0494.

RECEIVED
Robbey Grizzle

SEP 23 1997

Budget & Control Board
OFFICE OF STATE BUDGET

- Project is consistent with our goals and objectives.
- Request a conference to discuss comments.
- Please discontinue sending projects with this CFDA# to our office for review.
- Comments on proposed Application is as follows:

Signature: Joel T. Cassidy

Date: 9/22/97

Title: Executive Director

Phone: 803-737-2617

Budget & Control Board: Office of State Budget

South Carolina Project Notification and Review System
1122 Lady Street, 12th floor
Columbia, SC 29201

State Application Identifier
SC970811-172

Suspense Date
9/27/97

Earl F. Brown, Jr
South Carolina Human Affairs Commission

The Office of State Budget is authorized to operate the South Carolina Project Notification and Review System (SCPNRS). Through the system the appropriate state and local officials are given the opportunity to review, comment, and be involved in efforts to obtain and use federal assistance, and to assess the relationship of proposals to their plans and programs.

Please review the attached information, mindful of the impact it may have on your agency's goals and objectives. Document the results of your review in the space provided. Return your response to us by the suspense date indicated above. Your comments will be reviewed and utilized in making the official state recommendation concerning the project. The recommendation will be forwarded to the cognizant federal agency.

Should you have no comment, please return the form signed and dated.

If you have any questions, call me at (803) 734-0494.

Rodney Grizzle
Rodney Grizzle

Budget & Control Board
OFFICE OF STATE BUDGET

Project is consistent with our goals and objectives.

Request a conference to discuss comments.

Please discontinue sending projects with this CFDA# to our office for review.

Comments on proposed Application is as follows:

Signature

Earl F. Brown, Jr.

Date:

9-12-97

Title:

Executive Assistant, External Affairs

Phone:

737-7821

Budget & Control Board: Office of State Budget

South Carolina Project Notification and Review System
1122 Lady Street, 12th floor
Columbia, SC 29201

State Application Identifier SC970811-172
Suspense Date 9/27/97

**Steve Davis
S.C. Department of Health and Environmental Control**

The Office of State Budget is authorized to operate the South Carolina Project Notification and Review System (SCPNRS). Through the system the appropriate state and local officials are given the opportunity to review, comment, and be involved in efforts to obtain and use federal assistance, and to assess the relationship of proposals to their plans and programs.

Please review the attached information, mindful of the impact it may have on your agency's goals and objectives. Document the results of your review in the space provided. Return your response to us by the suspense date indicated above. Your comments will be reviewed and utilized in making the official state recommendation concerning the project. The recommendation will be forwarded to the cognizant federal agency.

Should you have no comment, please return the form signed and dated.

If you have any questions, call me at (803) 734-0494.

RECEIVED
Rodney Grizzle

SEP 15 1997

Budget & Control Board
OFFICE OF STATE BUDGET

Project is consistent with our goals and objectives

Request a conference to discuss comments.

Please discontinue sending projects with this CFDA# to our office for review.

Comments on proposed Application is as follows:

Signature: _____

Date: 9/12/97

Title: _____

Phone: _____

Budget & Control Board: Office of State Budget

South Carolina Project Notification and Review System
1122 Lady Street, 12th floor
Columbia, SC 29201

State Application Identifier
SC970811-172

Suspense Date
9/27/97

**George Bistany
South Carolina Department of Commerce**

The Office of State Budget is authorized to operate the South Carolina Project Notification and Review System (SCPNRS). Through the system the appropriate state and local officials are given the opportunity to review, comment, and be involved in efforts to obtain and use federal assistance, and to assess the relationship of proposals to their plans and programs.

Please review the attached information, mindful of the impact it may have on your agency's goals and objectives. Document the results of your review in the space provided. Return your response to us by the suspense date indicated above. Your comments will be reviewed and utilized in making the official state recommendation concerning the project. The recommendation will be forwarded to the cognizant federal agency.

Should you have no comment, please return the form signed and dated.

If you have any questions, call me at (803) 734-0494. Rodney Grizzle

- Project is consistent with our goals and objectives.
- Request a conference to discuss comments.
- Please discontinue sending projects with this CFDA# to our office for review.
- Comments on proposed Application is as follows:

Signature: <u>George Bistany</u>	Date: <u>9-12-97</u>
Title: <u>Asst. Manager</u>	Phone: <u>734-0666</u>

SEP 11 1997

Budget & Control Board: Office of State Budget

South Carolina Project Notification and Review System
1122 Lady Street, 12th floor
Columbia, SC 29201

RECEIVED

SEP 11 1997

State Application Identifier
SC970811-172

Suspense Date
9/27/97

SC DEPT. OF COMMERCE
DIV. OF AERONAUTICS

**William Carlisle
South Carolina Dept. of Commerce- Division of Aeronautics**

The Office of State Budget is authorized to operate the South Carolina Project Notification and Review System (SCPNRS). Through the system the appropriate state and local officials are given the opportunity to review, comment, and be involved in efforts to obtain and use federal assistance, and to assess the relationship of proposals to their plans and programs.

Please review the attached information, mindful of the impact it may have on your agency's goals and objectives. Document the results of your review in the space provided. Return your response to us by the suspense date indicated above. Your comments will be reviewed and utilized in making the official state recommendation concerning the project. The recommendation will be forwarded to the cognizant federal agency.

Should you have no comment, please return the form signed and dated.

If you have any questions, call me at (803) 734-0494. Rodney Grizzle

- Project is consistent with our goals and objectives.
- Request a conference to discuss comments.
- Please discontinue sending projects with this CFDA# to our office for review.
- Comments on proposed Application is as follows:

not applicable to airports

RECEIVED
SEP 11 1997
Budget & Control Board
OFFICE OF STATE BUDGET

Signature: William A. Walls

Date: 9/11/97

Title: Dir. of Airports

Phone: 822-5400 x 222

September 10, 1997

Ms. Elaine K. Kaiser
Chief, Section of Environmental Analysis
Case Control Unit, STB Finance Docket No.33388
Surface Transportation Board
1925 K. Street, N. W.
Washington, D. C. 20423-0001

Project Name: CSX Corporation & CSX Transportation, Inc. Norfolk Southern
-Corporation & Norfolk Southern Railway Company control and Operating
Leases/Agreements- Conrail Inc.

Project Number: SC970811-172

Dear Ms. Kaiser,

The Office of State Budget, has conducted an intergovernmental review on the above referenced activity as provided by Presidential Executive Order 12372. All comments received as a result of the review are enclosed for your use.

The State Application Identifier number indicated above should be used in any future correspondence with this office. If you have any questions call me at (803) 734-0485.

Sincerely,

Rodney P. Grizzle
Grants Services Coordinator

Budget & Control Board: Office of State Budget

South Carolina Project Notification and Review System
1122 Lady Street, 12th floor
Columbia, SC 29201

State Application Identifier
SC970811-172

Suspense Date
9/27/97

**L. Chriswell Bickley, Jr
Lowcountry Council of Governments**

The Office of State Budget is authorized to operate the South Carolina Project Notification and Review System (SCPNRS). Through the system the appropriate state and local officials are given the opportunity to review, comment, and be involved in efforts to obtain and use federal assistance, and to assess the relationship of proposals to their plans and programs.

Please review the attached information, mindful of the impact it may have on your agency's goals and objectives. Document the results of your review in the space provided. Return your response to us by the suspense date indicated above. Your comments will be reviewed and utilized in making the official state recommendation concerning the project. The recommendation will be forwarded to the cognizant federal agency.

Should you have no comment, please return the form signed and dated.

If you have any questions, call me at (803) 734-0494. Rodney Grizzle

- Project is consistent with our goals and objectives.
- Request a conference to discuss comments.
- Please discontinue sending projects with this CFDA# to our office for review.
- Comments on proposed Application is as follows:

Signature: _____

Date: _____

Title: _____

Phone: _____

STB

FD

33288

11-7-97

K

CITIES

Lakewood

CHAMBER OF COMMERCE

October 28, 1997



U.S. Surface Transportation Board
ATTN: sea - Finance Docket 33388
1925 K Street, N.W.
Washington, D. C. 20423

ORIGINAL
DOCUMENT

Dear Board Members:

On behalf of the Lakewood, Ohio, Chamber of Commerce, I am writing to express our strong opposition to the currently proposed acquisition and allocation of the assets of Conrail, Inc. by Norfolk Southern and CSX Corporation. Under the proposal, Norfolk Southern plans to divert as many as twenty-five (25) trains or more to its currently owned westshore line that runs through Lakewood.

This proposal is totally unacceptable to our Community and poses a serious threat to the safety and health of the residents and businesses of Lakewood. Specifically, the current proposal fails to recognize the following critical factors unique to Lakewood:

- Lakewood has twenty-seven (27) crossing in three miles and only one underpass on the far west side of town whereby travelers may cross the City in a north-south direction without rail interruption;
- Lakewood is the most densely populated community between New York and Chicago, and any increase in daily freight train traffic would create serious health and safety risks by interfering with the ability of Lakewood Hospital, its ambulances and paramedic squads, to directly and timely respond to medical emergencies for any and all causes, whereby minutes in response time can often mean the difference between life and death;
- Any increase in daily freight trains will interfere with the ability of Lakewood's police and fire safety forces to directly and timely respond to fires, crime and natural disasters;
- Any increase in daily freight trains will adversely impact the ability of all types of coordinated emergency response teams between Lakewood and other Westshore Communities to best use each others' medical facilities and fire and police forces and equipment in a predictable and timely fashion;
- The potential increases in the transporting of hazardous materials raises grave concerns for health and safety in the event of a derailment, which would necessitate the evacuation of residents of Lakewood within 2 to 4 miles of the train tracks, an area then encompasses the entire City of Lakewood;
- As a community of neighborhood schools in which the majority of Lakewood's 9,000 pre-school and school-aged children walk to their school, any increase of freight trains increases the risk to our school children;
- Any increase in freight trains will increase vehicular and pedestrian congestion, strangle the commercial health and generally lower the quality of life in our City;

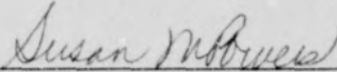
LOCATED IN THE INA BUILDING
14701 DETROIT AVENUE, SUITE 130 • LAKEWOOD, OHIO 44107-4109
PHONE (216) 226-2900 • FAX (216) 226-1340

October 28, 1997
Page Two

- Any increase in freight trains will severely restrict traffic movements and congest traffic on numerous residential streets, thereby isolating the northern residential areas from Lakewood's southern commercial areas and downtown;
- The present proposal before the STB means the abandonment of plans to introduce commuter rail service to Lakewood and communities further west, a great loss to Lakewood in terms of positive economic development and improved regional transportation;
- An increase in daily freight trains would create environmental concerns due to significantly elevated levels of noise and air pollution; and
- The Norfolk-owned and operated Cleveland-Vermilion line bisects the heart of Lakewood's densely populated residential neighborhoods.

For these and other reasons, we respectfully request you reject the present proposal that would triple the number of trains through Lakewood, Ohio and direct Norfolk Southern and CSX Corporation to develop alternatives that full consider and reflect the unique position of our community.

Very truly yours,
Lakewood Chamber of Commerce



Susan Powers, President

Cc: Mayor Madeline Cain
Congressman Dennis J. Kucinich

STB

FD

33388

11-7-97

K

GOV

Ohio Historic Preservation Office

567 East Hudson Street
Columbus, Ohio 43211-1030
614/297-2470
Fax: 297-2496



OHIO
HISTORICAL
SOCIETY
SINCE 1885

ENVIRONMENTAL
DOCUMENT

October 31, 1997

Elaine K. Kaiser
Chief, Section of Environmental Analysis
Surface Transportation Board
Washington, D.C. 20423

Re: Finance Docket No. 33388 -- CSX and Norfolk Southern -- Control and Acquisition --
CSX Connector Projects, Huron, and Shelby Counties, Ohio

Dear Ms. Kaiser,

This is in response to correspondence from your office dated October 2, 1997 (received October 8) providing the Environmental Assessment documentation for the four Ohio connector projects with additional information received October 20, 1997, regarding the above referenced Conrail acquisition project, with additional information provided during a meeting on October 17, 1997. The correspondence provides a compilation of information and reports of identification level survey, evaluation, and assessment of effects for the Conrail acquisition project. The comments of the Ohio Historic Preservation Office (OHPO) are submitted in accordance with provisions of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 [36 CFR 800]); the Surface Transportation Board (STB) serves as the lead federal agency.

In our review of the correspondence submitted with your cover letter dated October 15, 1997, we will provide a series of response letters because of the extreme schedule pressure for this undertaking, and especially for the four advance construction projects. Additional efforts will be needed from all parties to bring together all of the review comments for the undertaking and avoid segmenting the undertaking into several discrete projects. In this letter we specifically address the information on two of the three CSX projects: (1) Greenwich, Huron County; and (2) Sidney, Shelby County. The correspondence documents an intensive survey to identify any archaeological sites and architectural properties in these three project areas. The results of the survey include the identification of properties in all three areas.

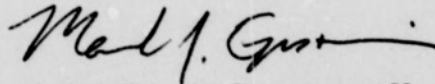
Based on the information presented in the correspondence, we concur with your assessment that no property eligible for inclusion or included in the National Register of Historic Places will be affected by the proposed Greenwich project, and it is our opinion that the proposed construction in Sidney will have No Effect on the Big Four Bridge, the B & O Bridge over the Great Miami River, and the bridge over the Miami & Erie Canal, three properties eligible for inclusion in the National Register of Historic Places. If there is an agreement on the finding of No Effect and if any interested party concerns have been resolved, then the Section

Ms. Elaine K. Kaiser
October 31, 1997
Page 2

106 consultation is complete for these two projects. Otherwise, documentation supporting the finding of No Adverse Effect for the Sidney project should be sent to the Advisory Council on Historic Preservation [36 CFR 800.8(a)] and additional coordination with this office may be necessary to resolve concerns.

Any questions concerning this matter should be addressed to David Snyder at (614) 297-2470, between the hours of 8 am. to 5 pm. Thank you for your cooperation.

Sincerely,



Mark J. Epstein, Department Head
Resource Protection and Review

MJE:DMS/ds

xc: Carole W. Peter, Dames and Moore
Barbara J. Harris, CSX
Barry Wharton, HDR Engineering, Inc.
Richard Starzak, Myra L. Frank & Associates, Inc.
Laura Henley Dean, ACHP

STB

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33388

11-6-97

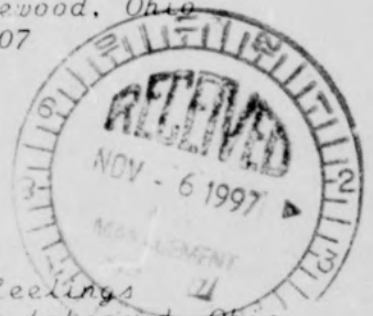
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PUBLIC

FD3386

Patricia Stewart
1409 mariowe #1
Lakewood, Ohio
44107

Attention: Financial STA Dock



To Whom it May Concern

I am writing to let you know my honest opinion and feelings regarding the Rail traffic on the RR running through Lakewood, Ohio. First, my mother lives in the Westerly Apartments. This is an Independent Living Apt for more mature people. As it is, the noise is very annoying and always disturbs sleep. Sleep affects health. Many people in the apartment complain about this for good reason.

Secondly, speaking of health, any increase of traffic would increase risk toward efficient life saving efforts which the Emergency Squad is so dedicated toward.

To say it breilly...PEOPLE COULD DIE WAITING FOR TRAINS.

I have a friend who lives in Lakewood and a few years ago had a radical azthma attack. It was then said if he would have been treated at the Hospital a few minutes later he would have died. This is just one example.

Stand in our shoes for one moment. Would you like a loved one? -wife-husband-child- to wait for a train while he was being transported to the Hospital for Emergency treatment??

Or be woken up at 2 or three every am with the train whistle blasting by your building??

These are some things to seriously consider. I am sure I speak on behalf of many more Lakewood Citizens.

People count.

Life is life-once it is gone you cannot redeem it.

Sincerely,

Patricia Stewart

Patricia Stewart

Lakewood resident and employee

ENVIRONMENTAL
DOCUMENT

September 23, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

ENVIRONMENTAL
DOCUMENT



Dear Sirs:

My child(ren), EMILY J. DAVID, attend Lincoln Elementary School in Lakewood, Ohio. Lincoln is north of the Norfolk Southern railroad tracks. Some of the children attending Lincoln must cross the tracks at least two times a day to get to and from school. There are 450 children that attend Lincoln Elementary.

Lakewood Hospital, the closest and largest fire department and the Police station are all located south of the tracks. Thus, a stopped or slow moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child their life. It could be my child. This is why I feel strongly against NS increasing rail traffic by three times or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

Following are the reasons we, as a community, cannot allow this to occur.

- 1) Safety - for our children who cross the tracks daily to go to school, the library, and parks.
- 2) Carrying of hazardous waste - including nuclear waste- would theoretically increase from the present number of 254,834 cars per year (already too high of a number through our community) to over 764,000 cars per year. Each car a potential threat to our children. A study done by the Agency for Nuclear Projects, Nuclear Waste Office, Nevada based numbers from the U.S. Department of Energy and compiled the following statistic for the state of Ohio: 2,733 shipments of high level nuclear waste from nuclear plants and nuclear weapon disarmament will travel through Ohio- **2,063 of those shipments are likely to go through Lakewood and the West Shore area of Cleveland.** Norfolk Southern has a pre-agreement with the Federal Government to carry the above nuclear waste. There are two routes through northern Ohio. One being through our community.
- 3) A tripling of trains through Lakewood would increase air pollution 800 tons per year. Most of the pollutant being nitrogen oxide.

Other issues of strong concern are:

Evacuation of the schools north of the tracks should a train derail and spill hazardous cargo. There are no school buses in Lakewood, therefore, there would be no way for the children to get out of the city. A decrease of property value which would also be a decrease tax base for our schools. And a flight of families from Lakewood which would mean a general decline for our community.

This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

Michelle Taylor-David

September 23, 1997

U.S. Surface Transportation Board
ATTN: SEA-Finance Docket 33388
1925 K Street NW
Washington, DC 20423

ENVIRONMENTAL
DOCUMENT



Dear Sirs:

My child(ren), Matthew & Katherine, attend Lincoln Elementary School in Lakewood, Ohio. Lincoln is north of the Norfolk Southern railroad tracks. Some of the children attending Lincoln must cross the tracks at least two times a day to get to and from school. There are 450 children that attend Lincoln Elementary.

Lakewood Hospital, the closest and largest fire department and the Police station are all located south of the tracks. Thus, a stopped or slow moving freight train could prevent emergency services from reaching our children in an acceptable length of time. This delay could cost a child their life. It could be my child. This is why I feel strongly against NS increasing rail traffic by three time or more. It may be more. Mr. Pat McCune, VP, Public Affairs for NS Corporation, said he could not guarantee that rail traffic would not exceed the railroad's proposed average of 31 to 36 trains per day. As NS's business increases it is more than likely the above numbers of trains through Lakewood and the West Shore area will increase also. This is not acceptable.

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This issue is one of great concern to all of us that live in Lakewood. Please be assured the citizens of the West Shore area are closely monitoring the STB proceedings. I am concerned about the safety issues and how my child (ren) will be affected.

Sincerely,

STB

FD

33388

11-5-97

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FEDS



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

November 5, 1997

Mr. Larry Morrin
Area Director (Acting)
U.S. Department of the Interior
Bureau of Indian Affairs
Minneapolis Area Office
331 Second Avenue South
Minneapolis, MN 55401

ENVIRONMENTAL
DOCUMENT

Re: Finance Docket No. 33388 -- CSX and Norfolk Southern Control and Acquisition --
Conrail: Agency Consultation on Constructions and Abandonments

Dear Mr. Morrin:

On June 23, 1997, CSX Corporation and CSX Transportation, Inc. (CSX); Norfolk Southern Corporation and Norfolk Southern Railway Company (NS); and Conrail, Inc. and Consolidated Rail Corporation (Conrail) filed a consolidated Railroad Control Application with the U.S. Surface Transportation Board (Board) under 49 U.S.C. 11323-25. NS, CSX, and Conrail (collectively, the Railroads) are jointly seeking authority for NS and CSX to acquire control of Conrail, and for the subsequent division of Conrail's assets (the Acquisition). The Board's Section of Environmental Analysis (SEA) has initiated the environmental review process to carefully investigate environmental issues associated with the proposed acquisition and its related actions, such as abandonments, constructions, and increased rail traffic over existing rail lines.

The purpose of this letter is to begin consultation with your office under the Board regulations at 49 CFR Parts 1105.7(e)(3) and 1105.9, which require an assessment of any proposed rail line abandonments and constructions to determine the potential environmental impacts. This effort is being coordinated with SEA's preparation of an Environmental Impact Statement to comply with the National Environmental Policy Act. The Board requests your review of the enclosed Fact Sheet and maps that depict the location and extent of the proposed constructions or abandonments located in Michigan. The text and maps are accompanied by a brief description of the proposed abandonment and the existing land use environment.

Attachment 1

Description of the Proposed Action and Existing Land Use Environment

ECORSE JUNCTION (DETROIT) (NS)

The Ecorse Junction upgrade and construction is located in south Detroit, MI in Wayne County. Existing rail lines in the project area include a Conrail single-track connection between Conrail's River Rouge and Lincoln Yards which parallels NS's Oakwood yard on its south side. A Grand Trunk Western (GTW) double-track line crosses the existing Conrail single-track and connects with NS's rail lines northeast of Oakwood, before crossing the Rouge River.

The proposed construction site at Ecorse Junction encompasses an area approximately 400 by 200 feet (1.8 acres). The new connection would occupy an area approximately 100 by 400 feet (0.9 acre). In addition to the connection construction, approximately 6,000 feet of existing track would be upgraded. The proposed new connection is located at the northeast end of Oakwood Yard. The proposed construction of the #10 right-hand turnout crossover would begin just south of Conrail milepost 136. The crossover would extend west adjacent to the existing Conrail line leading to Lincoln Yard and the NS third rail in Oakwood Yard. The site is primarily gravel covered with dense patches of grass, weedy annuals and scrub saplings.

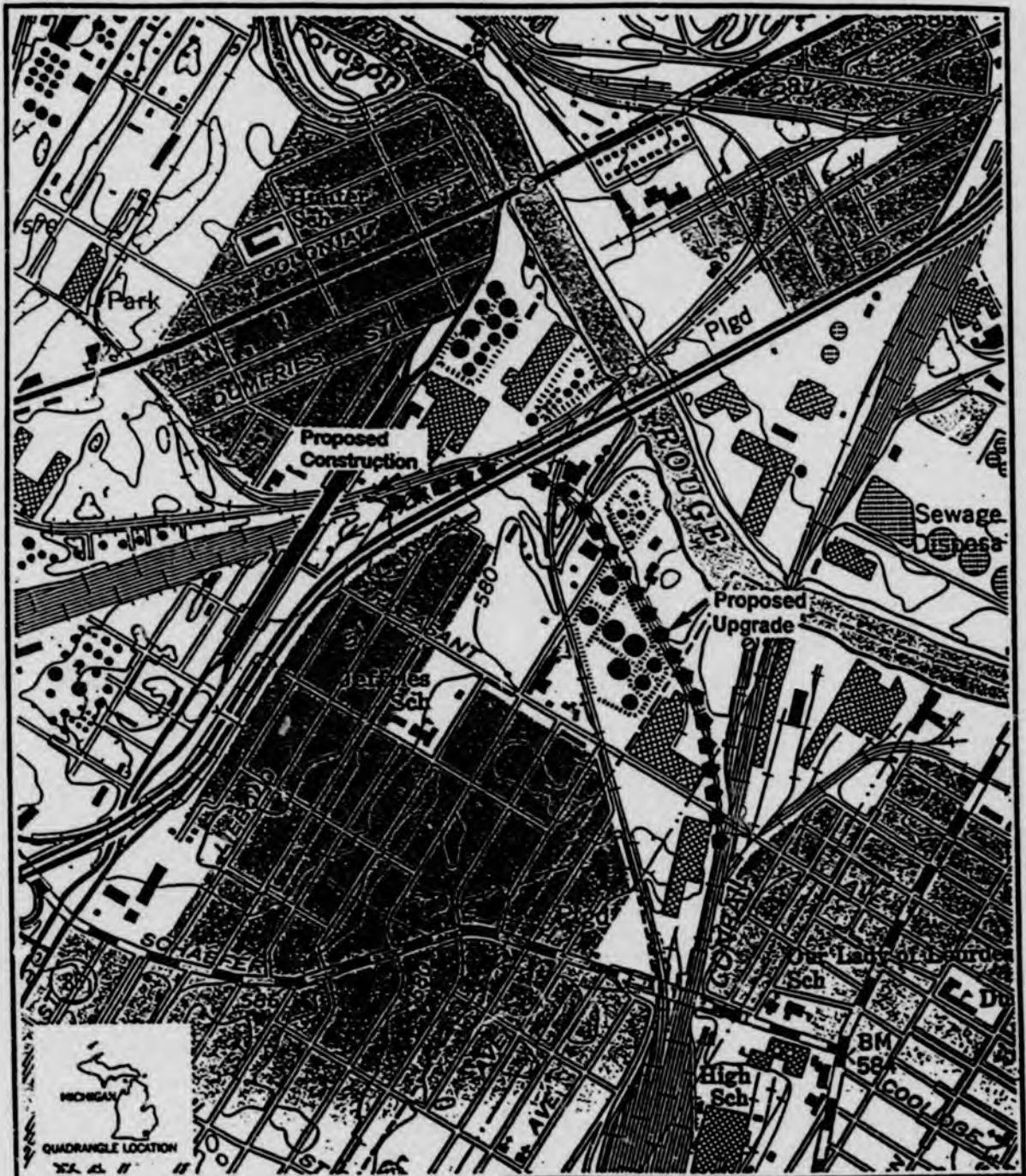
Proposed Action

The proposed action at Ecorse Junction would involve upgrading an existing Conrail track from Oakwood Yard to River Rouge Yard and the construction and operation of a #10 right-hand turnout crossover. The design includes approximately 6,000 linear feet (1.1 miles) in upgrades to existing rail line and approximately 400 linear feet of new rail line constructions. The upgrade and construction would not require the acquisition of new right-of-way. Upgrading would consist of adding ballast, replacing ties where necessary, and upgrading the rails. The proposed construction of the new #10 right-hand turnout crossover would be in the northeast end of Oakwood Yard. This new connection would permit efficient train movement between Conrail's River Rouge Yard and NS's Oakwood Yard via Junction Yard Secondary by avoiding the current need to make reverse train movements through the existing connection. This would improve efficiency and consistency of service between Oakwood Yard in Detroit and Toledo.

Construction Requirements

The exact labor force and duration of construction are not available, but are expected to require 10-15 people and three to six months. Material for the project would be obtained from local sources and hauled to the construction site by rail or truck.

ENCLOSURE 2
 MAP OF PROPOSED ACTION



Legend:
 W = Wetland Areas
 ▲ Proposed Historical Resource Sites
 MP = Milepost



Approximate
 Scale 1" = 1,100'

Burns
 &
 McDonnell

Figure 4-14
 NS PROPOSED CONSTRUCTION
 ECORSE JUNCTION
 DETROIT, WAYNE
 COUNTY, MICHIGAN

STB

FD

###88

11-4-97

K

GOV



MARYLAND DEPARTMENT OF THE ENVIRONMENT
2500 Broening Highway • Baltimore, Maryland 21224
(410) 631-3000

Parris N. Glendening
Governor

Jane T. Nishida
Secretary

October 28, 1997



ENVIRONMENTAL
DOCUMENT

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33388
Surface Transportation Board
1925 K Street, NW
Washington DC 20423-0001

Attention: Elaine K. Kaiser, Chief
Section of Environmental Analysis
Environmental Filing

RE: MDE Identification Number: ES971010-0049
Project: CSX - Final Scope of the Environmental Impact Statement

Dear Ms. Kaiser:

Thank you for the opportunity to review the above referenced project. Copies of the documents were circulated throughout MDE for review, and it has been determined that this project is consistent with MDE's plans, programs and objectives.

Again, thank you for giving MDE the opportunity to review this project. If you have any questions, please feel free to call me at (410) 631-3656.

Sincerely,

Steven Bieber
Clearinghouse Coordinator

cc: Robert Summers, TARSA

STB

FD

33388

10-29-97

K

CITIES

ORIGINAL

ENVIRONMENTAL
DOCUMENT

LAW OFFICES

McCARTHY, SWEENEY & HARKAWAY, P. C.

1750 PENNSYLVANIA AVE., N. W.

WASHINGTON, D. C. 20006

TELEPHONE (202) 393-5710

TELECOPIER (202) 393-5721

DOUGLAS M. CANTER
JOHN M. CUTLER, JR.
WILLIAM I. HARKAWAY
STEVEN J. KALISH
KATHLEEN L. MAZURE
HARVEY L. REITER
DANIEL J. SWEENEY

BRL-3

ANDREW P. GOLDSTEIN
Counsel

October 28, 1997



Elaine K. Kaiser
Chief, Section of Environmental Analysis
Surface Transportation Board
Room 504
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Finance Docket No. 33388, CSX Corp./Norfolk
Southern Corp. -- Control and Operating
Leases/Agreement -- Conrail

Dear Ms. Kaiser:

On October 15, 1997, I submitted an original and ten copies of the Preliminary Environmental Comments of City of Bay Village, City of Rocky River, and City of Lakewood (BRL-2). Those comments included, as exhibits, verified statements from the following individuals:

For Lakewood, Ohio:

- 1) Police Chief Matthew N. Biscotti;
- 2) School Superintendent Joseph P. Madak;
- 3) Paramedic Michael J. Monahan;
- 4) Building Commissioner Brian F. Moran; and
- 5) Fire Chief Lawrence E. Mroz.

For Rocky River, Ohio:

- 1) Director of Public Safety James R. Linden;
- 2) Fire Chief Christopher M. Flynn;
- 3) Director of Community Development and City Engineer Robert J. Alban, P.E.;
- 4) Police Chief Donald L. Wagner; and
- 5) Building Commissioner Kevin F. Beirne.

For Bay Village, Ohio:

- 1) Fire Chief Gregory Jackson; and
- 2) Police Lieutenant Edward Lewis.

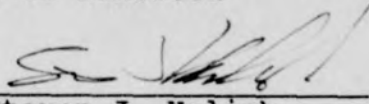
In further support of the requests made in BRL-2, I am enclosing herewith the original and 10 copies of three additional verified statements for Bay Village, Ohio, to wit:

- 3) Director of Building Engineering and Inspections Farrel J. Cleary;
- 4) Chief Administrator, Bradley Road Nursing Home, John T. O'Neill; and
- 5) School Superintendent Dennis C. Woods.

While these verified statements speak for themselves, I would draw your particular attention to page 2 of Mr. Cleary's statement in which he addresses a new topic, i.e. safety issues other than those traditionally contemplated by STB environmental analyses and impact statements. Mr. Cleary reports that miscellaneous items are frequently falling off Norfolk Southern trains. He also reports that a fire caused by a train burned down two detached garages and several fences. Bay Village, Rocky River, and Lakewood request that the SEA consider such events in the draft environmental impact statement.

Finally, you will recall that I served BRL-2 only upon the Norfolk Southern, but that I served a cover letter on all parties of record offering to provide copies of BRL-2 to anyone so requesting. Three parties of record made such a request and they are being served with this document as well. Should other parties request copies of either BRL-2 or the verified statements enclosed with this BRL-3, I will provide such copies.

Respectfully submitted,
City of Bay Village
City of Rocky River
City of Lakewood

By: 
Steven J. Kalish

cc: Richard A. Allen (with enclosure)
Michael Loftus (with enclosure)
Jamie Rennert (with enclosure)
Paul S. Smith (with enclosure)
All Parties (without enclosure)

VERIFIED STATEMENT

OF

FARREL J. CLEARY

My name is Farrel J. Cleary, Director of Building Engineering and Inspections, City of Bay Village, Bay Village, Ohio. My mailing address is 350 Dover Center Road, Bay Village, Ohio, 44140. I was appointed to my present position in 1994, and previously worked as a detective for the Bay Village Police Department.

By making this statement, it is my hope that the Surface Transportation Board will recognize that an increase in rail traffic in Bay Village is unwise and significantly raises safety concerns. Of particular concern to me is how our homes, schools, medical institutions, and places of worship will be impacted. Page 107 of the Supplemental Environmental Report indicates that, by Norfolk Southern's estimation, there are 2,276 homes, 0 schools, 1 church, and 0 hospitals that can be classified as Sensitive Receptors on the Vermillion, OH to Cleveland, OH Line Segment. Yet these numbers do not reflect the true impact that an increase in rail traffic would have on Bay Village and its residents.

As noted above, one concern is the well being of Bay Village's residential neighborhoods. There are 5.5 miles of railroad track which run through Bay Village. Several residential streets are located near these tracks. On streets that do not have railroad crossings there are 336 dwelling units within 250

ft. of the tracks. On these same streets there are 1311 dwelling units within 650 ft. of the tracks. On streets that do have railroad crossings there are 441 dwelling units within 650 ft. of the tracks. It is without doubt that the quality of life for those who live on these streets would be greatly reduced by the increase of noise and air pollution that Norfolk Southern's plan would create. Also, it is highly probable that property values would be reduced. Disclosing that over thirty freight trains per day will pass within 250 ft. of a home is not a favored selling point of real estate agents.

In the past there have been several incidents which have been cause for concern to those who live close to the tracks. On one occasion metal debris sailed off the back of a rail car and flew over a stopped vehicle at an intersection before landing. In fact, miscellaneous items are frequently falling off trains. This is very distressing, as children are often attracted to the area as they look to see what has recently been deposited by passing trains. In another incident a fire, created by grease in a rail car's wheel hub, burned down two detached garages and several fences of homes adjacent to the tracks before being put out. By increasing rail traffic, the chances of a serious safety problems only increase.

An example of how the Environmental Report fails to reveal the true impact of increased rail traffic on Bay Village is Clague Park. As can be seen from the attached map, labeled BC-1, this park is located within 650 ft. of the railroad intersection with Clague Road. This is of particular concern

because the park is popular with residents of all ages who engage in numerous activities in the park. It is my belief that an increase of noise and air pollution would greatly reduce our residents' enjoyment of the park. What is of even greater concern, however, is **safety**. As can be seen from the map, the park is not only in close proximity to the railroad tracks, but is also close to the major intersection of Clague Road and Interstate 90. This intersection is used by many of our residents as they travel to and from work in Cleveland, Ohio, and already experiences rush hour delays. An increase in rail traffic will without doubt cause traffic to back up to the point where it would be running adjacent to the park. It is not hard to imagine the various tragedies that may be made possible by this change in traffic patterns so near to a park utilized by both young and old.

Another example of how the Environmental Report does not assess the true impact of an increase on rail traffic can be found with the St. Raphael School and Church. This church and school, while not mentioned in the Report, is located within approximately 900 ft. of the railroad tracks. What is more, they are approximately the same distance from the intersection of Dover Center Road and Interstate 90. Again, while noise and air pollution are of concern, it is **safety** that weighs most heavily on my mind. When one examines the attached map, it can be seen that an addition of over twenty trains per day could be the final ingredient to a recipe for disaster. A change in traffic patterns, caused by trains crossing at Dover Center Road, would

increase risk to both students and worshipers as they play, wait for rides, and walk to or from church and school.

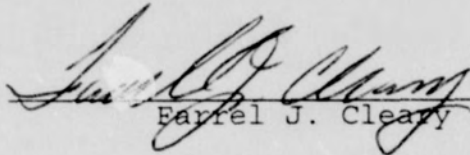
A final example of how the Environmental Report fails to accurately depict the problems an increase in rail traffic would cause is the impact of increased rail traffic on the Bay Village Baptist Church. As is clearly shown on the map, **this church is located within 200 ft. of the railroad tracks.** Also, it is close to Basset Road's intersection with Interstate 90. Thus, as with St. Raphael's and Clague Park, safety issues are of great concern. Like many churches, Bay Village Baptist sponsors activities throughout the week. An increase in rail traffic and the subsequent delays of automobile traffic would greatly increase the risks of accidents in this area. Aside from safety, the issue of noise pollution is of special importance for this church. I can think of few other places where the need for a peaceful atmosphere is more important. Clearly the thought of having prayer disrupted by the blasting whistle of a passing freight train is not one that is cherished by the members of the Bay Village Baptist Church.

It is for the reasons stated above that I respectfully ask the Surface Transportation Board to condition the proposed Norfolk Southern / CSX acquisition of Conrail on the requirement that rail traffic on the Vermillion, OH to Cleveland, OH Line Segment not be increased. Bay Village is a community of families. Imposing this condition on the railroads would help to preserve the character of our city.

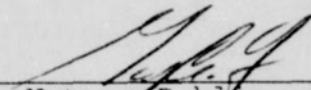
VERIFICATION

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

I, Farrel J. Cleary, being duly sworn, depose and say that I have read the foregoing, know the contents thereof, and the same is true and correct.


Farrel J. Cleary

Subscribed and sworn to before me this 9th day of October, 1997.


Notary Public
GARY A. EBERT, Attorney
NOTARY PUBLIC-STATE OF OHIO
My Comm. Has No Expiration Date
Section 147.03 R.C.

S T R E E T G U I D E

CHATHAM POINT C 1	FARWIN A 2	KNICKERBOCKER 23717-24305 L 1	NAIGLE A 1	SADDLER C 3
CLAGUE M 1	FLORENCE C 3	26414-2716 H 1	NANTUCKET A 4	SALEM B 3
CLAREWOOD A 2	FOOTE 2901-2925 D 2	27807-28719 F 1	NARJAGANSETT A 4	SANDALWOOD N 1
CLIFF M 2	29402-2982 C 2		NOR OAK D 1	SHERWOOD C 2
CLINTON A 1	FORDHAM M 1		NORMANDY H 2	SITES F 2
COLUMBIA J 2	FOREST F 1		NORTHFIELD E 3	SUNSET K 2
COLUMBIA COURT J 1	FORESTVIEW K 1	LAKE 22901-23700 N 1		SUTCLIFFE F 1
CONOVER J 2	FORESTVIEW COURT K 1	23700-24600 L 2		SHEPPARDS POINT N 2
CRESTVIEW C 1		24600-25500 K 2	OAK CLIFF L 2	TANGLEWOOD B 3
CLAGUE PARKWAY M 1	GLENDENNING F 2	25500-26500 J 2	OAKLAND-EAST 23706-24929 L 1	TIMBER LANE B 3
COMLES D 2	GLEN PARK I 2	26500-27200 H 3	OAKLAND-WEST 27803-28037 F 2	TURNBRIDGE E 2
	GLEN PARK-WEST I 2	27200-28900 F 3	2807-28733 E 2	TUTTLE A 2
DEBBINGTON D 1	GOULDERS GREEN D 3	28900-29900 D 3	29427-29807 D 2	
DEVONSHIRE N 1		29900-30800 C 4	OAKMOOR J 1	UPLAND L 1
DONALD G 1	HENRY H 1	30800-31692 A 5	OSBORN 25500-25900 J 1	VINELAND L 1
DOUGLAS 259-283 H 2	HUMISTON N 1	LAKE FOREST J 1	26100-2714 H 1	
392-540 H 1	HUNTINGTON BLVD E 2	LAKE PARK L 2	27800-29900 E 1	WALKER A 3
DOVER CENTER H 2	HUNTINGTON WOODS PARKWAY A 5	LAKEVIEW K 2		WALMAR A 2
DRAKE A 2	HUNTLEY N 1	LANE A 2	OVATT-EAST H 1	WAYSIDE E 2
DWIGHT E 1	HUNTMERE J 1	LINCOLN 27816-28413 F 1	OVATT-WEST F 1	WEBSTER B 4
DARBY'S RUN N 2	HURST A 2	28505-29728 D 1		WELLFLEET B 1
		LINCOLN-NORTH E 1	PARK DRIVE M 2	WELSHIRE D 1
EAGLE CLIFF A 5		LINCOLNSHIRE N 1	PARK LANE E 2	WESTLAWN C 2
EAST OAKLAND L 1	INVERNESS D 2	LINDFORD C 1	PARKSIDE I 1	WESTWOOD E 2
EAST OVATT H 1		LISAVIEW D 1	PELLETT B 2	
EATON WAY J 1		LONGBEACH F 2	PERRY B 1	WILDBROOK C 1
EDENWOOD D 2	JEFFERSON H 2		PHI WOOD E 3	WILLOWAY B 1
EDINBOROUGH N 1	JUNEWAY J 1	MANCHESTER A 4	PLYMOUTH A 3-4	WINSOR C 3
EDNIL C 2	JONATHAN A 1	MAPLE S 1	PORTER B 1	WINSTON B 3
ELECTRIC 24317-24913 L 1		MARVIS A 1	PORTER CREEK DR E 2	WOLF 23700-24600 M 1
29603-29809 C 3	KENILWORTH I 1	MARYGATE C 1	QUEENSWOOD N 1	24600-25500 K 1
ELMWOOD I 1	KENMORE K 2	MEADOWLANE C 2	REVERE E 1	25500-26500 J 2
	KIMBERLY A 1	MILLARD E 1	REXFORD G 1	26500-27200 H 2
	KENSINGTON CIRCLE A 5		ROCKLEDGE K 2	27200-28900 F 2
			ROUSSELL 23706-24232 M 1	28900-29900 D 2
			26501-27119 H 2	29900-3129 B 2
			ROBERTS RUN N 2	
				WOODLANE K 1
				WOODPARK F 2
				YARMOUTH C 1

DIRECTORY MAP

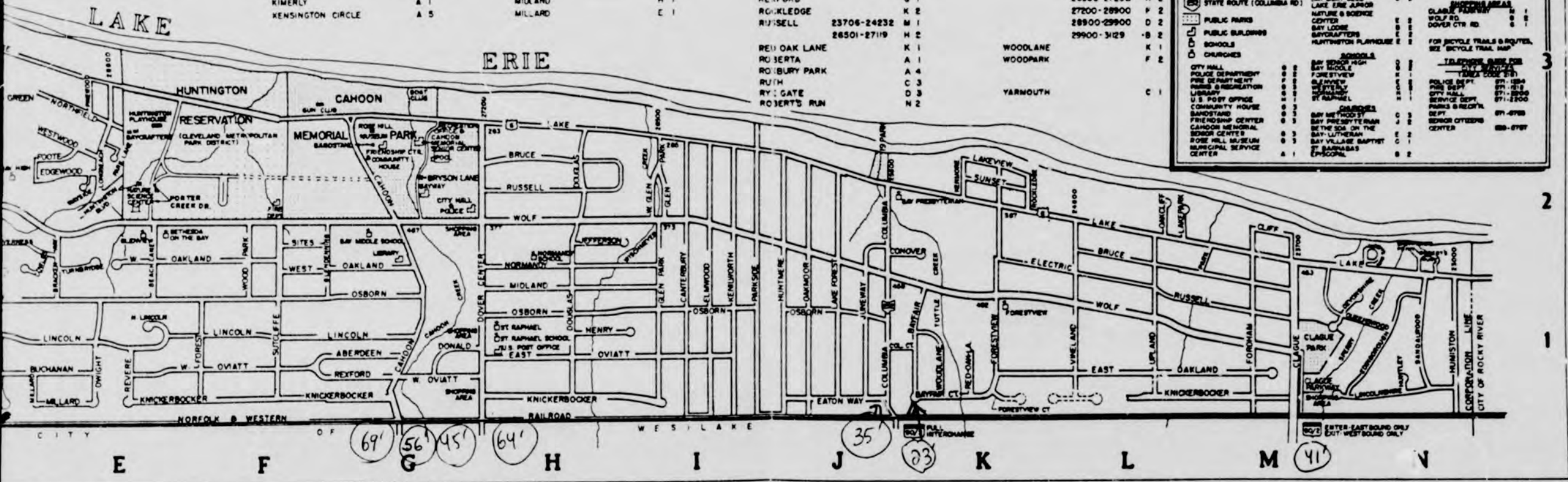
Thomas J. Jelen
MAYOR

THE HAMLET OF BAY WAS INCORPORATED ON OCTOBER 14, 1802. SAID HAMLET WAS PROCLAIMED THE CITY OF BAY VILLAGE BY THE SECRETARY OF THE STATE OF OHIO ON SEPTEMBER 4, 1891.

SCALE IN FEET
0 800 1600 2400 3200

LEGEND AND GUIDE

INTERSTATE INTERCHANGE	MUNICIPAL BUILDING	ST. RAPHAEL CATHOLIC
U.S. HIGHWAY (LANE ROAD)	POOL	SHOPPING AREAS
STATE ROUTE (COLUMBIA RD.)	BAY BOAT CLUB	CLAGUE PARK
PUBLIC PARKS	LAKE ERIE APRON	WOLF RD.
PUBLIC BUILDINGS	NATURE & SCIENCE CENTER	DOVER CTR. RD.
SCHOOLS	BAY LODGE	FOR BICYCLE TRAILS & ROUTES, SEE BICYCLE TRAIL MAP
CHURCHES	BAY CLUB	TELEPHONE AREA MAP (AREA CODE 513)
CITY HALL	BAY MIDDLE SCHOOL	POLICE DEPT. 871-1884
POLICE DEPARTMENT	FORESTVIEW	FIRE DEPT. 871-2118
FIRE DEPARTMENT	GLENVIEW	CITY HALL 871-2999
RECREATION & LIBRARY	HUNTINGTON	SERVICE DEPT. 871-2200
U.S. POST OFFICE	ST. RAPHAEL	PUBLIC WORKS 871-2700
COMMUNITY HOUSE	BAY WOOD HIGH SCHOOL	DEPT. 871-2700
BANDSTAND	BAY PRESBYTERY	SENIOR CITIZENS CENTER 888-8787
FRIENDSHIP CENTER	BAY PRESBYTERY (AT THE S.W. ON THE BAY-LAKEVIEW)	
CANNON MEMORIAL SENIOR CENTER	BAY VILLAGE BAPTIST	
ROSE HILL MUSEUM	ST. BARNABAS EPISCOPAL	
MUNICIPAL SERVICE CENTER		



All measurements are approximately from the c/l of the Northern track

Verified Statement

of

John T. O'Neill

My name is John T. O'Neill, Owner and Chief Administrator, Bradley Road Nursing Home, Bay Village, Ohio. My mailing address is 605 Bradley Road, Bay Village, Ohio, 44140.

I am writing this statement so that I may express my extreme concern over the proposed increase of rail traffic through Bay Village. It is my opinion that an increase of over twenty trains per day would have a detrimental impact on the health and well-being of the home's residents.

The mission of the Bradley Road Nursing Home is to provide the highest quality of life to each resident utilizing a holistic approach which involves family and community while encouraging active participation in a progressive rehabilitation plan in a caring, supportive, and homelike atmosphere. We presently employ 160 people, 40 of whom are nurses. There are 28 doctors with privileges at the Nursing Home. There are presently 126 residents living in the Home.

As can be imagined, we are mainly concerned with the health of our patients. The average age of our residents is 88 years. The most common health problems our residents experience come through Alzheimer's disease, fractures, heart problems, and cancer. In light of our patients' age and afflictions it is imperative that ambulances be able to respond to calls in the shortest possible time. Many of residents experience health

emergencies, such as heart attacks, in which a single minute can be the difference between life and death. Although the location of where responding ambulances originate from varies, their destination is usually the St. John Westshore Hospital. This hospital is on the south side of the tracks while we are on the north. Thus responding ambulances will most often have to cross the tracks in order to deliver a resident to the hospital.

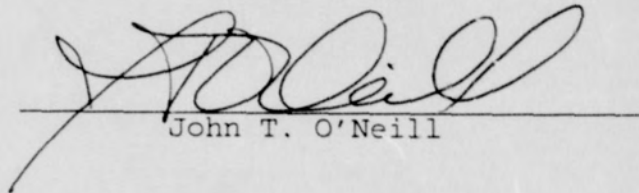
The Home's close proximity to the railroad tracks is also a concern when considering noise and air pollution. The Nursing Home is located only 500 ft. from the railroad tracks. Our patients require an homelike atmosphere to maintain good health. Clearly, the passing of over thirty trains a day would not be conducive to this atmosphere.

I believe that any approval of the Norfolk Southern / CSX acquisition of Conrail should be conditioned on the requirement that there be no increase in rail traffic through Bay Village. Both myself and the residents of the Bradley Road Nursing Home appreciate your attention in this matter.

VERIFICATION

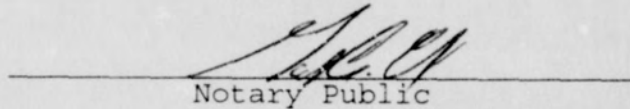
STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

I, John T. O'Neill, being duly sworn, depose and say that I have read the foregoing, know the contents thereof, and the same is true and correct.



John T. O'Neill

Subscribed and sworn to before me this 9th day of October, 1997.



Notary Public

GARY A. EBERT, Attorney
NOTARY PUBLIC STATE OF OHIO
My Comm. Has No Expiration Date
Section 147.03 R.C.

John T. O'Neill, L.N.H.A.
596 Crestview Drive
Bay Village, OH 44140

Experience and Qualifications:

John O'Neill has been associated with the health care industry most of his life. His parents built Bradley Road Nursing Home in 1962 and John was involved with the facility's operations at an early age. In 1979, after attending college and sitting for the state board examination, he earned his nursing home administrator's license. During that year, John was responsible for completing construction and opening a new family-built facility. Over the last eighteen years, John has taken charge of every aspect of planning, development, construction and daily operations of the following skilled nursing facilities:

Center Ridge Nursing Home, North Ridgeville, Lorain County

150 bed nursing facility opened in 1986. The facility offers Medicaid and Medicare coverage, hospice and managed care services and complete rehabilitation services seven days a week.

Bradley Road Nursing Home, Bay Village, Cuyahoga County

126 bed nursing facility opened in 1962. The facility offers Medicare coverage, sub-acute, hospice and managed care services and complete rehabilitation services seven days a week.

Delaware Park Care Center, Delaware, Delaware County

100 bed nursing facility offering Medicaid and Medicare coverage. The facility was sold by the O'Neill family in 1984.

Other accomplishments:

John has written and received approval of three Certificate of Need Applications for Long Term Care Facilities from the Ohio Department of Health.

The facilities have received Perfect State Survey results.

The facilities have opened specialized service wings, such as an Alzheimer's Unit, Hospice Unit and a Sub-Acute Unit.

Licenses:

Licensed Nursing Home Administrator in the state of Ohio

Education:

Bowling Green State University 1975-1978

Ohio State University, Core of Knowledge, 1978

References:

Bill Huffman, Attorney
Huffman, Isaac & Fischer
24441 Detroit Road
Westlake, OH 44145
216-871-8111

John J. Wolf, D.O.
29325 Health Campus Dr.
Westlake, OH 44145
216-835-6142

Lynn C. Khrismer, M.D.
125 E. Broad Street
Elyria, OH 44035
216-329-7344

VERIFIED STATEMENT

OF

DENNIS C. WOODS

My name is Dennis C. Woods, Superintendent of Bay Village City Schools, Bay Village, Ohio. My mailing address is 377 Dover Center Road, Bay Village, Ohio, 44140. I have been the Superintendent of Bay Village Schools since 1996. Previously, I was Superintendent of Sandy Valley Schools in Stark County, and a Principal for the Akron City School District. I have a BA from Brown University and a Masters Degree from the University of Akron.

The purpose of this statement is to convey to the Surface Transportation Board my concerns regarding the proposed increase of over twenty trains a day running through Bay Village. It is my view that this increase would present significant risks of harm to the students of this community. As can be seen from the attached map, labeled BC-1, there are schools scattered throughout the city.

Presently, over 3,000 students attend over 7 assorted public and private schools in Bay Village. This year, the public schools' budget was 17 million dollars. My greatest concern in this matter is one of safety. As with any school district, we have children who are prone to both accidents and illness. In fact, the ambulance has already been called several times this year in response to illness and injury to students. A delay in ambulance response time could have unfortunate consequences for

those who need immediate aid. In this respect I can think of two classes of students for whom this issue is especially important. The first group is made up of those students who are susceptible to extreme allergic reactions. For some, a difference of one or two minutes in ambulance response time can be the difference between life and death. This is also true for the second class of students, which is made up of physically disabled students. Both Bay Village Public Schools and St. Raphael's School offer programs for physically disabled students and immediate ambulance response time is a must. When ambulances do respond to a school emergency they most often continue on to St. John West Shore Hospital, which is located on the south side of the railroad tracks (all of our schools are located to the north). Clearly, an increase of over twenty trains a day could cause a delay to ambulances as they try to transport students to the hospital.

Aside from safety concerns, I am also troubled by the change in traffic patterns that an increase in rail traffic would create. There are many students who are required to cross the rail tracks on a daily basis while going to or from school. Although they are most often in a car or bus, an increase in rail traffic could impact their timely arrival at school. This could have an especially negative effect on the day to day operations of the private schools, as a greater percentage of their students come from outside Bay Village.

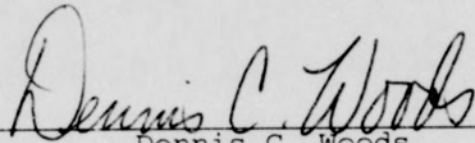
In closing, I request that any approval of the Norfolk Southern / CSX acquisition of Conrail be conditioned on a

requirement that present levels of rail traffic through Bay Village be maintained. This requirement would promote the safety of our students, as well as the efficient operation of our schools.

VERIFICATION

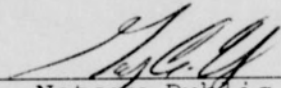
STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

I, Dennis C. Woods, being duly sworn, depose and say that I have read the foregoing, know the contents thereof, and the same is true and correct.



Dennis C. Woods

Subscribed and sworn to before me this 9th day of October, 1997.



Notary Public
GARY A. EBERT, Attorney
NOTARY PUBLIC-STATE OF OHIO
My Comm. Has No Expiration Date
Section 147.03 R.C.

STB

FD

33388

10-28-97

K

CITIES

ENVIRONMENTAL
DOCUMENT



BUCYRUS HISTORICAL SOCIETY

202 S. WALNUT ST. - BUCYRUS, OHIO 44820

Oct. 19, 1997

Elaine K. Kaiser
Chief, Environmental Filing
Office of the Secretary
Case Control Branch
Finance Docket 33388
Surface Transportation Board
1925 K Street
Washington, DC 20423-0001

Re: Finance Docket No. 33388 -
CSX and Norfolk Southern -
Control and Acquisition of
Conrail: Section 106 of the
National Historic Preserva-
tion Process in Ohio

Dear Ms. Kaiser:

At the suggestion in your letter of Oct. 9, 1997, we have written to Mr. David Snyder, Review and Compliance Dept. of the Ohio Preservation Office. A copy of this letter (and attachments) is enclosed for your information.

In the matter of "other environmental aspects of the proposed Conrail acquisition", we believe the proposed spur line here in Bucyrus, along with our efforts to restore the historic (NRHP) T. & O.C. Railroad Depot nearby, will have a very positive effect on what has been a much neglected area of our city, and thus on our total community as well.

The T. & O.C. Freight Station, located across the street from our depot, will apparently be torn down in the spur line construction process. We would like to apply, for the record, for first refusal on any elements taken from that freight building in the demolition process. The depot was built in 1892, the freight building in 1894, and we feel sure some construction elements would be common to both buildings. For sure, we are interested in slate from the freight building roof, for possible use in depot roof repair. We are told this is a practical transfer process.

We are also interested in any funding that might be available through your office. Funding, of course, is our greatest need, since the depot building, however historical it might be, is in a sadly neglected condition.

Our thanks for your interest in this matter.

Sincerely,

Ben Anslow, Jr., Committee Chrmn.
BUCYRUS HISTORICAL SOCIETY STATION FUND

cc: Dr. John Kurtz, Pres.
Atty. Richard Cory, Treas.

Reply: Ben Anslow, Jr.
1090 Mary Ann La.
Bucyrus, Ohio 44820



BUCYRUS HISTORICAL SOCIETY

202 S. WALNUT ST. - BUCYRUS, OHIO 44820

Oct. 18, 1977

Mr. David Snyder
Review and Compliance Dept.
Ohio Historic Preservation Office
567 E. Hudson St.
Columbus, Ohio 43211-1031

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and Acquisition of Conrail: Section 106 of the National Preservation Act Process in Ohio

Dear Mr. Snyder:

We are in receipt of correspondence from Ms. Elaine K. Kaiser, Chief, Section of Environmental Analysis of the ~~SURFACE TRANSPORTATION BOARD~~, Washington, D.C. The subject is the National Register structure known as the T. & O.C. Railroad Depot, located at 715 E. Rensselaer St. here in Bucyrus. We, the Bucyrus Historical Society, are owners of the building, while the ground beneath is currently owned by Conrail.

We are writing to you at the suggestion of Ms. Kaiser, since we are intensely interested in rehabilitation and possible restoration of this historic structure, which we understand boasts unique construction as far as R.R. stations are concerned. We have established a special BUCYRUS HISTORICAL SOCIETY STATION FUND to help launch our efforts toward stabilization of the structure (now in deplorable condition) and to further resurrect it for the appreciation of the public. We have no plans for commercialization of the building.

We estimate the stabilization effort (i.e. roof, spouting and drainage restoration) will require approx. \$25,000. Some estimates for meaningful (total?) restoration run from \$250,000 to \$500,000, but we feel these figures are based on complete work by restoration experts and, at least at this time, we do not feel this is a realistic goal.

We do, however, have numerous offers of assistance, both from professional people and local "do-it-yourselfers", all of whom are eager to get inside and do their thing. After a review of the qualifications of those involved, I believe we can actually rehabilitate the building and make it available for Historical Society and community use ... after we get the basic roof/gutter/drainage stabilization completed ... for well under the high-end restoration estimates. I believe \$100,000 (above the initial \$25,000), along with our volunteer force, would go a long way toward

(page 2)

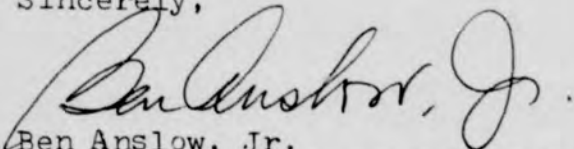
bringing this historic building back to a condition of respectability. And since the station is located in a rather neglected area of our community, we feel an added advantage connected with restoration would be an automatic upgrading of the area, to our entire community's benefit. Some people in the area have already expressed enthusiastic approval of our announced efforts.

We are enclosing a copy of a rather lengthy proposal we have just submitted to our local Bucyrus Area Community Foundation, on the possibility they might be able to financially support our efforts. We have also contacted local industries and financial institutions, as well as private individuals. In the face of numerous fund drives now going on in Bucyrus, our efforts have not met with great success.

A verbal discussion with a representative of Norfolk & Southern, here in Bucyrus for survey work regarding the proposed spur line from the north-south N&S to the east-west line nearby, made it clear that they, too, appreciated the historic value of the depot building, and assured us their tentative plans for the spur would not affect our property. They also indicated a possibility that grading and landscape work for the building might be included in their activities, and even a further possibility that the firm might make some restoration funds available.

We are soliciting your attention to this project, and offer our assistance in bringing you up-to-date on any information we might have.

Sincerely,



Ben Anslow, Jr.

Chrmn, BUCYRUS HISTORICAL SOCIETY STATION FUND

enc. (3 pgs.)

cc: Elaine K. Kaiser, SURFACE TRANSPORTATION BOARD
Dr. John Kurtz, Pres., BUCYRUS HISTORICAL SOCIETY
Atty. Richard Cory, Treas., BUCYRUS HISTORICAL SOCIETY

Please direct any reply to: Ben Anslow, Jr.
1090 Mary Ann Lane
Bucyrus, Ohio 44820
Tel. (419) 562-8057



BUCYRUS HISTORICAL SOCIETY

202 S. WALNUT ST. - BUCYRUS, OHIO 44820

Oct. 17, 1997

BUCYRUS AREA COMMUNITY FOUNDATION
231 S. Poplar St., P.O. Box 387
Bucyrus, Ohio 44820

Att: Mr. John Bridges, Exec. Secy.

This is in response to your letter of March 14, 1997, with which you enclosed guidelines and miscellaneous details regarding application for a grant in 1998.

Following is a recap of our project, present status, short-term and long-term needs, as best we can ascertain at the present:

PROJECT: Restoration of the Bucyrus T. & O.C. Railroad Depot on E. Rensselaer St. Built in 1892, the building is of brick-and-stone construction, and stands on ground currently owned by Conrail. We are assuming the surviving owner will be Norfolk and Southern, not CSX. The Historical Society owns the building, and we have just received real estate tax exempt status from the State of Ohio. The building is on the National Register of Historic Places, and we believe it merits the sincere efforts, not only by our Society, but the Bucyrus community as a whole, to stabilize the property and work toward rehabilitation of this historic landmark.

FINANCE: Estimates for complete restoration (in our minds not a practical aim) run between \$250,000 and \$500,000. Our immediate aim is for stabilization as quickly as possible. This means repair of the slate roof (not replacement) and complete replacement of the spouting and drainage arrangement. Our estimate for this necessary work is \$20,000 to \$25,000.

We currently have a bank account of \$1,800. We have written to a number of local industries and the five financial institutions for help to achieve this immediate goal, and any assistance from the Community Foundation, however small, would be of great help. We hope to make this a local effort if at all possible, at least in our immediate stabilization program, since we feel immediacy is extremely important.

BUILDING
STATUS:

The structure is in admittedly deplorable condition, not having been meaningfully maintained since having been acquired by the Telegraph Forum in approx. 1952. It was donated to the Historical Society by Richard Hord, who took possession in the 1960's.

We have been advised by a restoration expert from Marion, Ohio, however, that the building is definitely restorable and, in his words, "should be restored."

We have also received great encouragement from the Bucyrus City Council, the Ohio Historical Society, Congressman Michael Oxley and, just this week, the United States Surface Transportation Board.

The latter, incidentally, has acknowledged the historic significance of the building. A planned spur line from the north-south Norfolk and SouthernLine to the east-west (CSX?) line would deliberately bypass the depot building while taking out the T. & O.C. freight depot across Rensselaer St. There is even a good possibility N&S will supply landscape and grading to enhance the property, and have even suggested the possibility of some funds for the restoration project.

We would be happy to share with you our correspondence from these various sources, and walk you through the facility if you like.

The building once contained a number of fine stained glass windows, three of which remain. Five additional ones have been promised, and we feel some others will be available.

WORK
STATUS:

We have been offered assistance by a number of individuals and groups, including the Bucyrus Jaycees, garden clubs, railroad clubs, several artisans (stained glass and wood restoration), an electrician and several others experienced in building repair

Until the building is stabilized, however (roof and spouting/drainage), we are reluctant to turn anyone loose inside regardless of their enthusiasm for the project. Quite frankly, unless we can reach our stabilization goal (\$25,000), we will not proceed on the project. Much to the loss of our community, we believe. The stabilization work would be done on a contract basis with qualified builders.

We are confident that, once these important preliminary repairs are accomplished, we can successfully follow through with rehabilitation of both the exterior and interior with our volunteer work force and a figure well under the high-end estimate for total restoration. While a qualified quotation would be hard to obtain, our "qualified guess" would be under \$100,000, to make the structure habitable and useful for the community.

USES:

We find it difficult to put a finger on specific uses for a rehabilitated T. & O.C. Railroad Station. We have no intention to put it to a commercial use (i.e. restaurant, shops, etc.). We see it as an ideal place for community involvement, historical events and activities, railroad club headquarters (there are two such clubs in Bucyrus), garden club functions, youth meetings and activities, etc.

The important thing now, as we see it, is to "stop the rot" as quickly as possible and to make this community prize something we will be able to point to with pride, both to our own citizens

and to visitors as well.

MISC.

Be advised that, although the Bucyrus Historical Society now owns this building, funds for restoration will not be taken from society funds, since the society itself is barely self-supporting. All restoration monies must be raised from outside efforts.

The Bucyrus Historical Society was founded in 1969, and operates in the Scroggs House at 202 S. Walnut St., Bucyrus, Ohio 44820. The telephone number is (419) 562-6386.

Below is a listing of current officers and some board members:

Dr. John Kurtz, Pres., 714 S. Walnut St., Bucyrus, Ohio 44820
Atty. Richard Cory, Treas., 1080 Mary Ann La., " " "
Richard Zahn, V. Pres., 811 Rogers St., " " "
Martha Ann Lown, 1006 Woodlawn Ave. (Secy.) " " "
Ben Anslow, Jr., 1090 Mary Ann La. (Committee Chairman, Bucyrus
Historical Society STATION FUND)
James Starner, Board Mmbr., 4338 Stetzer Rd., " " "
Joan Carver, 1100 Mary Ann La. (Board Mmbr.), " " "

The Bucyrus Historical Society board is made up of approx. 24 local men and women.

NOTE:

The Bucyrus Historical Station Fund is a separately established committee with responsibility for funding and direction of the rehabilitation efforts connected to the T. & O.C. Depot. No funds may come directly from the society itself, since the Bucyrus Historical Society is itself barely self supporting. The society does, however, hold ownership of the depot building, and it is covered on the society's all-inclusive liability insurance policy.

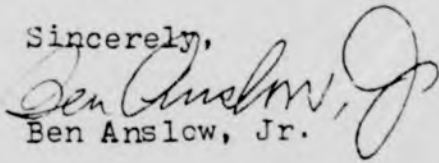
The Station Fund Committee is, of course, responsible to the Historical Society, and society board members vote on any major decisions regarding the depot project.

The BUCYRUS HISTORICAL SOCIETY STATION FUND carries a separate deposit and checking account at First Federal Savings & Loan in Bucyrus, Acct. No. 241270233 - 016023969400 - 9996. It is administered by Richard Cory, Treas. and Ben Anslow, Jr., Station Fund Committee Chairman. Present balance is approx. \$1,800.

The Bucyrus Historical Society, a tax-exempt organization, carries a Federal I.D. No. 23-7032428.

We will be most happy to supply you with any additional information you may require to aid you in making a favorable decision regarding this most worthwhile community project. We can also walk any of your representatives through the facility, if you so desire.

Sincerely,


Ben Anslow, Jr.

cc: Richard Cory, Treas.
John Kurtz, Pres.

STB

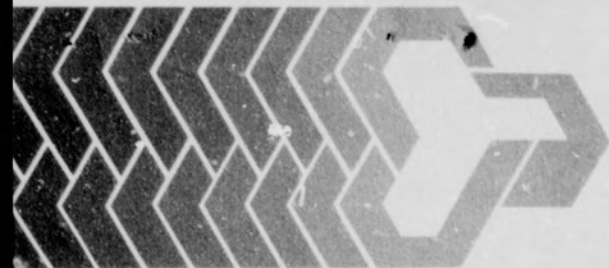
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10-28-97

K

BUSINESS



Institute for Policy Research

NORTHWESTERN UNIVERSITY

(Formerly the Center for Urban Affairs and Policy Research)

October 14, 1997

Dana White
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001



Dear Ms. White,

Please send me the Environmental Assessments for three Norfolk Southern Railway Company rail line constructions and the four CSX Transportation, Inc. rail line constructions.

Thank you.
Sincerely,

H. Paul Friesema
Professor

[Federal Register: October 7, 1997 (Volume 62, Number 194)]
[Notices]
[Page 52373]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr07oc97-109]

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board
[Finance Docket No. 33388 (Sub-Nos. 1-7)]

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

AGENCY: Surface Transportation Board.

ACTION: Notice of Availability of the **Environmental** Assessments for Three Norfolk Southern Railway Company (NS) Rail Line Constructions and Four CSX Transportation, Inc. (CSX) Rail Line Constructions Prior to the Surface Transportation Board's Decision on the Acquisition and Division of the Consolidated Rail Corporation (Conrail).

Chen 3 5/10

SUMMARY: The Surface Transportation Board (Board) gives notice of the availability of the **environmental** assessments (EA) and public comment period for three NS rail line constructions and four CSX rail line constructions. Although the EAs recommend several mitigation measures to off-set specific **environmental** effects, the EAs generally conclude that there will be no significant **environmental** impacts associated with the construction of these rail lines.

DATES: Written comments on the **environmental** impacts of Finance Docket No. 33388 (Sub-Nos. 1-7) are due October 27, 1997.

ADDRESSES: If you wish to file comments on the EAs, send an original and 10 copies to: Vernon A. Williams, Secretary, Surface Transportation Board, 1925 K Street, NW, Suite 700, Washington, DC 20423-0001. Mark the lower left corner of the envelope: Attention: Dana White, **Environmental** Comments, Finance Docket No. 33388 (Sub-Nos. 1-7).

FOR FURTHER INFORMATION CONTACT: Dana White, Section of **Environmental** Analysis, Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423-0001; (202) 565-1552. TDD for the hearing impaired: (202) 565-1695. Copies of the EAs may also be obtained by contacting Ms. White.

SUPPLEMENTARY INFORMATION: On April 10, 1997, CSX, NS and Conrail filed their notice of intent to file an application seeking the Board's authorization for: (1) The acquisition by CSX and NS of control of Conrail, and (2) the division of Conrail's assets. Shortly afterwards, NS and CSX requested and received approval from the Board to seek the

STB

FD

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10-27-97

K

BUSINESS

SIDLEY & AUSTIN
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

CHICAGO
DALLAS
LOS ANGELES

1722 EYE STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202 736 8000
FACSIMILE 202 736 8711

FOUNDED 1866

WRITER'S DIRECT NUMBER
(202) 736-8071

October 27, 1997



BY HAND

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

**ENVIRONMENTAL
DOCUMENT**

Re: Finance Docket No. 33388: CSX and NS — Control and Acquisition of Conrail
Subject: STB Decision ID#s 28333, 28334 and 28335: Norfolk Southern Comments on the
October 7, 1997 SEA Environmental Assessments

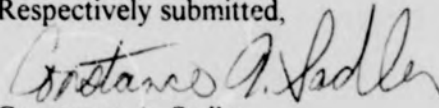
Dear Mr. Williams:

Norfolk Southern (NS) has reviewed the three above-referenced Environmental Assessments (EAs) prepared by the Board's Section on Environmental Analysis (SEA) for the proposed NS rail connection projects at Sidney, Illinois, Alexandria, Indiana and Bucyrus, Ohio. NS supports the analysis and conclusions set forth by SEA in each of those EAs.

In addition, NS has noted a few instances in the EAs where clarification or correction of certain included facts may be appropriate. Thus, on behalf of NS, enclosed please find NS's comments to clarify certain facts included in the October 7, 1997 SEA Environmental Assessments for Norfolk Southern's Rail Connections at Sidney, Illinois, Alexandria, Indiana and Bucyrus, Ohio.

Please contact me if you have any questions on this submittal.

Respectively submitted,


Constance A. Sadler

enclosure

cc: Elaine K. Kaiser John Morton Bruno Maestri Mary Gabrielle Sprague
Michael Dalton Bill Novak Andrew Plump Carl Gerhardstein

**Comments of Norfolk Southern on the
October 7, 1997 SEA Environmental Assessments
for Norfolk Southern's Rail Connections at
Sidney, Illinois, Alexandria, Indiana and Bucyrus, Ohio**

Sidney, Illinois

- Page 2-3 Table 2-1 states that Alternative A would cross 500 feet of residential land. No residential land, however, would be crossed by Alternative A.
- Page 3-4 In Section 3.3.1, at line 6, the total number of trains per day presently using the NS main line is 22. At line 7, the number of trains per day presently operating over the UP line is 19.
- Page 4-1 In the first sentence, the North/South line referenced is a UP line.

Alexandria, Indiana

- Page 3-2 Section 3.2 states that no school bus routes would cross the new connection. Table 2-1 at page 2-4 states that, according to the Mayor of Alexandria, an estimated 4 buses per day would cross the connection.
- Page 4-4 Section 4.1.3.2 states that the probability of a train accident on the proposed connection is approximately 1 in 4 million. On September 19, 1997, a line segment-specific probability figure was provided by NS's consultant to John Lazarra for each of the three NS rail connections for which EAs were being prepared. As indicated by NS's consultant, the probability statistic for the line segment that would include the Alexandria connection is approximately 0.0009 accidents per year (equal to one accident every 1000 years). (In the Sidney, Illinois EA, the relevant line segment-specific probability statistic was included.)

Bucyrus, Ohio

- Page 4-5 Section 4.1.4.2 states that the probability of a train accident on the proposed connection is approximately 1.93 accidents per million train-miles, which is the system-wide probability statistic. On September 19, 1997, a line segment-specific probability figure was provided by NS's consultant to John Lazarra for each of the three NS rail connections for which EAs were being prepared. As indicated by NS's consultant, the probability statistic for the line segment that would include the Bucyrus connection is approximately 0.003 accidents per year (equal to one accident every 300 years). (In the Sidney, Illinois EA, the relevant line segment-specific probability statistic was included.)

STB

FD

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

October 23, 1997

**ENVIRONMENTAL
DOCUMENT**

Mr. J. Rodney Little
State Historic Preservation Officer
Maryland Historical Trust
100 Community Place, Third Floor
Crownsville, MD 21032-2023

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and Acquisition - Conrail: National Historic Preservation Act, Section 106; Maryland SHPO Reference No. MD970114-0021

Dear Mr. Little:

On June 23, 1997, CSX Corporation and CSX Transportation, Inc. (CSX); Norfolk Southern Corporation, and Norfolk Southern Railway Company (NS); and Conrail Inc. and Consolidated Rail Corporation (Conrail) filed a consolidated Railroad Control Application (RCA) with the Surface Transportation Board (STB) under 49 U.S.C. 11323-25. CSX, NS and Conrail (collectively the Railroads) are jointly seeking authority for CSX and NS to acquire control of Conrail, and for the subsequent division of Conrail's assets (the Acquisition). The RCA is the action that formally initiates this proposed undertaking and our role as the Federal lead agency.

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act as amended (Section 106, 16 U.S.C. 470f) and its implementing guidelines (36 CFR Part 800). Consequently, the Section of Environmental Analysis (SEA) is seeking your comment regarding those projects within our jurisdiction that may have the potential to affect historic properties.¹ This effort is being coordinated with preparation of an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act (NEPA).

¹ STB may impose conditions on rail line abandonments and new construction, but has limited jurisdiction over the acquisition-related activities. See 49 CFR Part 1105.8.

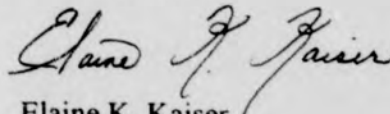
A copy of the Environmental Report (ER) submitted with the RCA was sent to your office by the railroads. SEA has received copies of the following letters from you:

- February 10, 1997, to Dames & Moore requesting detailed information and maps of all projects in the state and noting a wide variety of historic resources in the project areas.
- February 14, 1997, to Dames & Moore repeating comments of February 10, 1997.
- February 14, 1997, to Burns & McDonnell requesting detailed information and maps of all projects in the state and noting the possibility of a wide variety of historic resources in the project areas.

SEA's review of the ER indicates that acquisition-related activities in the State of Maryland are limited to two NS construction projects in Baltimore: (1) expansion of the Conrail Intermodal Facility and the construction of a new Triple Crown Services Facility on existing railroad property, and (2) construction of 800 feet of connecting track on existing railroad property at the NS/CR intersection in Hagerstown. The Baltimore project is unlikely to effect historic resources. SEA has determined that the Hagerstown project is located immediately adjacent to the **Hagerstown City Park Historic District**, which is a historic district listed in National Register of Historic Places, and on land previously used for railroad activity.

SEA has requested NS to clarify the above projects so that an area of potential effect can be established and a determination of effect on any potential historic resources can be defined. SEA looks forward to continuing our Section 106 consultation as soon as the above information can be developed. If you have any questions, please call SEA's cultural resources technical team leader for the acquisition, Barry Wharton of HDR Engineering, Inc., at (813) 287-1960 for assistance.

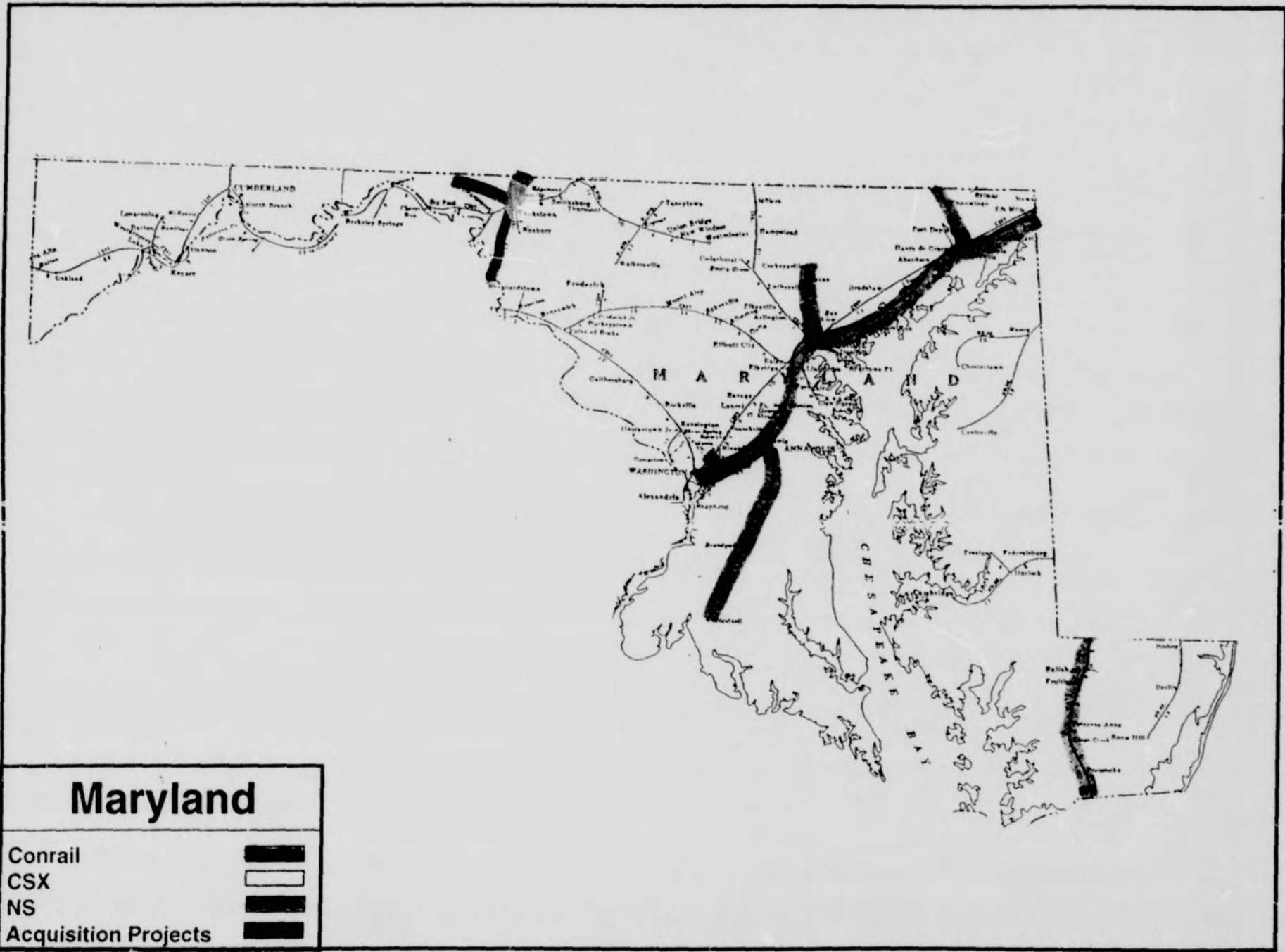
Sincerely yours,



Elaine K. Kaiser
Chief
Section of Environmental Analysis

Enclosure: Maryland Railroad Map

cc: Paul McGinley, MHA
John Morton, HDR
William Novak, DCCO
Barry Wharton, HDR



Maryland

- Conrail
- CSX
- NS
- Acquisition Projects



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

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Section of Environmental Analysis

October 23, 1997

ENVIRONMENTAL
DOCUMENT

Ms. Anne Haaker
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, IL 62701-1512

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: National Historic Preservation Act, Section 106
Illinois SHPO Reference No. 12062497, 970107004P-S

Dear Ms. Haaker:

The purpose of this letter is to continue consultation with your office in accordance with Section 106 of the National Historic Preservation Act as amended (Section 106, 16 U.S.C. 470f) and its implementing guidelines (36 CFR Part 800). This effort is being coordinated with preparation of an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act (NEPA).

A copy of the Environmental Report (ER) submitted with the Railroad Control Application (RCA) was sent to your office by the railroads. The Section of Environmental Analysis (SEA) has received copies of the following letters from:

- January 14, 1997 requesting photos of standing structures in rail yards and intermodal facilities.
- January 29, 1997 stating requirement of Phase I archaeological survey at Exermont.
- February 4, 1997 stating no effect for rail line traffic increases.
- February 21, 1997 stating requirement of Phase I archaeological survey along abandonment from Paris to Danville.
- May 28, 1997 stating no effect for construction at Sidney.

- July 16, 1997 requesting map, description and photos of bridge at MP 144.59. Indicates possibility of cultural resources near projects in Tolono and Kankakee. Repeats request for Phase I archaeological survey at Exermont.

SEA and its independent historical consultants, together with a representative of CSX, met with your staff on August 5, 1997 to present the requested information and to review our identification of historic resources and our assessment of effects. A summary of this meeting was transmitted to Ms. Tracey Sculle of your staff on August 15, 1997. Two issues remain outstanding in the State of Illinois:

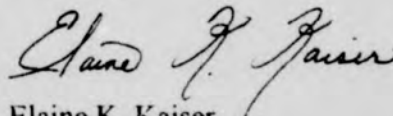
- The potential archaeological effects of the proposed railroad connection near the Cahokia Mounds historic site at Exermont in Caseyville.
- The potential effect on the interlocking tower at the CSX 75th Street Rail Yard in Chicago.

In accordance with the results of the August 5, 1997 consultation meeting, SEA has authorized a Phase 1 Archaeological Survey of the general alignment of the proposed Exermont Connection in Caseyville. This survey is being undertaken under the direction of Dr. John E. Kelly of the Central Mississippi Valley Archaeological Research Institute. As soon as preliminary results are available, we will contact you to arrange a consultation meeting for your review and input.

SEA has requested additional information from the railroad on the project that may affect the interlocking tower at the 75th Street Rail Yard. We are awaiting additional information from the railroad on this project to determine if it is part of the Conrail acquisition so that any potential historic resources can be identified and evaluated for a determination of effect.

SEA appreciates the assistance and cooperation of your staff and looks forward to continuing our Section 106 consultation as soon as the above information is developed. If you have any questions, please call SEA's cultural resources technical team leader for the Conrail acquisition, Barry Wharton of HDR Engineering, Inc., at (813) 287-1960 for assistance.

Sincerely,



Elaine K. Kaiser
Chief
Section of Environmental Analysis

cc: Paul McGinley, MHA
John Morton, HDR
William Novak, DCCO
Barry Wharton, HDR

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

October 23, 1997

**ENVIRONMENTAL
DOCUMENT**

Dr. Brent D. Glass
State Historic Preservation Officer
Pennsylvania Historical & Museum Commission
3rd & North Streets
Harrisburg, PA 17108

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and Acquisition - Conrail: National Historic Preservation Act, Section 106; Pennsylvania SHPO Reference Numbers: ER 97-0776-042-I, ER 92-1607-003-A, ER 97-1017-101-A, ER 97-0776-042-D, ER 97-0776-042-B, ER 97-0776-042-A, ER 97-0837-007-A

Dear Dr. Glass:

On June 23, 1997, CSX Corporation and CSX Transportation, Inc. (CSX); Norfolk Southern Corporation, and Norfolk Southern Railway Company (NS); and Conrail Inc. and Consolidated Rail Corporation (Conrail) filed a consolidated Railroad Control Application (RCA) with the Surface Transportation Board (STB) under 49 U.S.C. 11323-25. CSX, NS and Conrail (collectively the Railroads) are jointly seeking authority for CSX and NS to acquire control of Conrail, and for the subsequent division of Conrail's assets (the Acquisition). The RCA is the action that formally initiates this proposed undertaking and our role as the Federal lead agency.

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act as amended (Section 106, 16 U.S.C. 470f) and its implementing guidelines (36 CFR Part 800). Consequently, the Section of Environmental Analysis (SEA) is seeking your comment regarding those projects within our jurisdiction that may have the potential to affect historic properties.¹ This effort is being coordinated with preparation of an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act (NEPA).

¹ STB may impose conditions on rail line abandonments and new construction, but has limited jurisdiction over the acquisition-related activities. See 49 CFR Part 1105.8.

A copy of the Environmental Report (ER) submitted with the RCA was sent to your office by the railroads. SEA has received copies of the following letters from you:

- January 22, 1997 requesting information on boundaries and scope for increases in traffic in rail yards in Beaver County northwest of Pittsburgh.
- January 24, 1997 requesting survey of historic structures adjacent to new rail line connections in Philadelphia and Pittsburgh.
- January 31, 1997 suggesting likelihood of historic resources adjacent to rail line segments expected to experience traffic increases.
- February 13, 1997 suggesting likelihood of historic resources adjacent to projects in Allegheny, Dauphin, Lehigh and Philadelphia Counties.
- February 24, 1997 stating adjacency of National Register properties to J & L Tunnel construction projects in Pittsburgh.
- March 24, 1997 stating adjacency of National Register properties to Greenwich Intermodal Facility in Philadelphia and to the Enola Yard in Harrisburg.
- July 31, 1997 stating ER fails to account for National Register listed properties including the Pennsylvania Main Line and the Rutherford Yard which are potentially affected by the merger.

SEA's review of the ER indicates that only two of the proposed acquisition-related activities in the Commonwealth of Pennsylvania may impact historic structures or sites. The first project is the proposed expansion of the existing intermodal facility at the yard in **Allentown** (CR to NS). The other project is the expansion of the Enola Yard in **Harrisburg** (CR to NS). SEA has requested additional detailed information from NS regarding the proposed work at these two yards so that a final determination of potential impacts can be made.

In addition, NS is considering a proposed 6.25 mile realignment of its right-of-way through Erie. At the present time, it is unclear whether this proposed realignment is part of the acquisition. The present Conrail and NS main lines run close and nearly parallel to each other from Cleveland, OH to Buffalo, NY, and separate for a few miles through Erie. The Conrail mainline runs through Erie on an elevated right-of-way constructed as part of a grade separation project completed in the late 1920's. The NS (former Nickel Plate) mainline runs down the middle of Nineteenth Street on an alignment dating to March 1882. Under the proposed realignment, NS trackage would cross over onto the Conrail (future CSX) right-of-way within the shared rights-of-way at each end of the realignment. This would eliminate the slow and

hazardous train movements running on Nineteenth Street for NS.

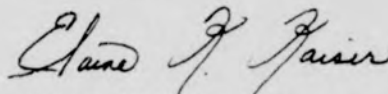
The existing Conrail right-of-way originally contained four to nine parallel tracks and now contains only three tracks, so it can easily accommodate another single line where the former track has been removed. There are no impacts to cultural resources along the existing Conrail right-of-way. If NS ultimately abandoned the Nineteenth Street line, the historic crossing guard shanties and traffic control systems along the street would be the only potentially historic resources under STB jurisdiction. If it is determined that this proposed realignment is part of the acquisition, STB will make a determination of effect and consult with you.

CSX has also proposed the construction of a new 4,900-foot connection at Grays Ferry Bridge and the 25th Street Viaduct in Philadelphia called the Eastwick Connection that may be a component of the acquisition. If it is determined that this proposed connection is a part of the acquisition, STB will make a determination of effect and continue consultation with you.

SEA requests your concurrence with its finding that the acquisition will have no effect on historic resources in the Commonwealth of Pennsylvania except for the expansion of the intermodal facility at Allentown, expansion of the Enola Yard in Harrisburg, and the two above-described projects which may become part of the acquisition.

We look forward to your response on this matter as rapidly as your schedule will allow. If you have any questions, please call SEA's cultural resources technical team leader for the acquisition, Barry Wharton of HDR Engineering, Inc., at (813) 287-1960 for assistance.

Sincerely yours,



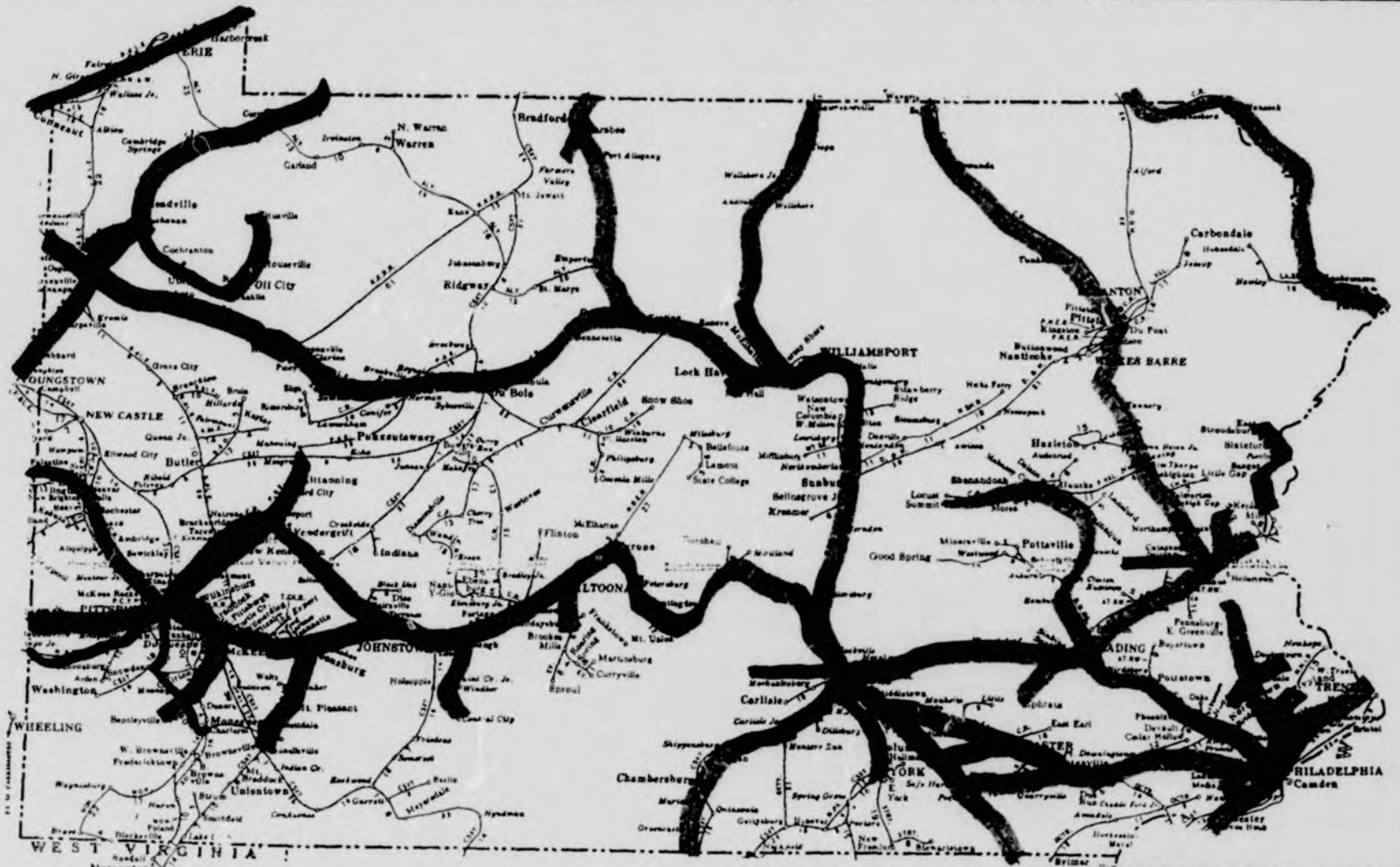
Elaine K. Kaiser

Chief

Section of Environmental Analysis

Enclosure: Pennsylvania Railroad Map

cc: Paul McGinley, MHA
John Morton, HDR
William Novak, DCCO
Barry Wharton, HDR



Pennsylvania

Conrail	
CSX	
NS	
Acquisition Projects	

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

October 23, 1997

ENVIRONMENTAL
DOCUMENT

Mr. David A. Shorr
State Historic Preservation Officer
State Department of Natural Resources
205 Jefferson, P. O. Box 176
Jefferson City, MO 65102

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: National Historic Preservation Act, Section 106

Dear Mr. Shorr:

On June 23, 1997, CSX Corporation and CSX Transportation, Inc. (CSX); Norfolk Southern Corporation, and Norfolk Southern Railway Company (NS); and Conrail Inc. and Consolidated Rail Corporation (Conrail) filed a consolidated Railroad Control Application (RCA) with the Surface Transportation Board (STB) under 49 U.S.C. 11323-25. CSX, NS and Conrail (collectively the Railroads) are jointly seeking authority for CSX and NS to acquire control of Conrail, and for the subsequent division of Conrail's assets (the Acquisition). The RCA is the action that formally initiates this proposed undertaking and our role as the Federal lead agency.

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act as amended (Section 106, 16 U.S.C. 470f) and its implementing guidelines (36 CFR Part 800). Consequently, the Section of Environmental Analysis (SEA) is seeking your comment regarding those projects within our jurisdiction that may have the potential to affect historic properties.¹ This effort is being coordinated with preparation of an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act (NEPA).

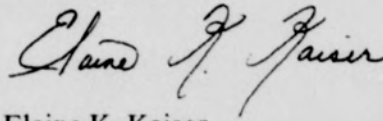
A copy of the Environmental Report (ER) submitted with the Railroad Control Application (RCA) was sent to your office by the Railroads. SEA's review of the ER indicates that in the State of Missouri there are no proposed changes to rail line segments, rail yards, or

¹ STB may impose conditions on rail line abandonments and new construction, but has limited jurisdiction over the acquisition-related activities. See 49 CFR Part 1105.8.

intermodal facilities, and no new construction projects. No rail lines are proposed to be abandoned, and no other acquisition-related activities are proposed.

Based on this information and in accordance with the rules and regulations found in 36 CFR Part 800.5(b), SEA requests your concurrence with its finding that the Acquisition would have no effect on historic resources in the State of Missouri and that Section 106 consultation with your office has been completed. We look forward to your response on this matter as rapidly as your schedule will allow. If you have any questions, please call SEA's cultural resources technical team leader for the acquisition, Barry Wharton of HDR Engineering, Inc., at (813) 287-1960 for assistance.

Sincerely yours,







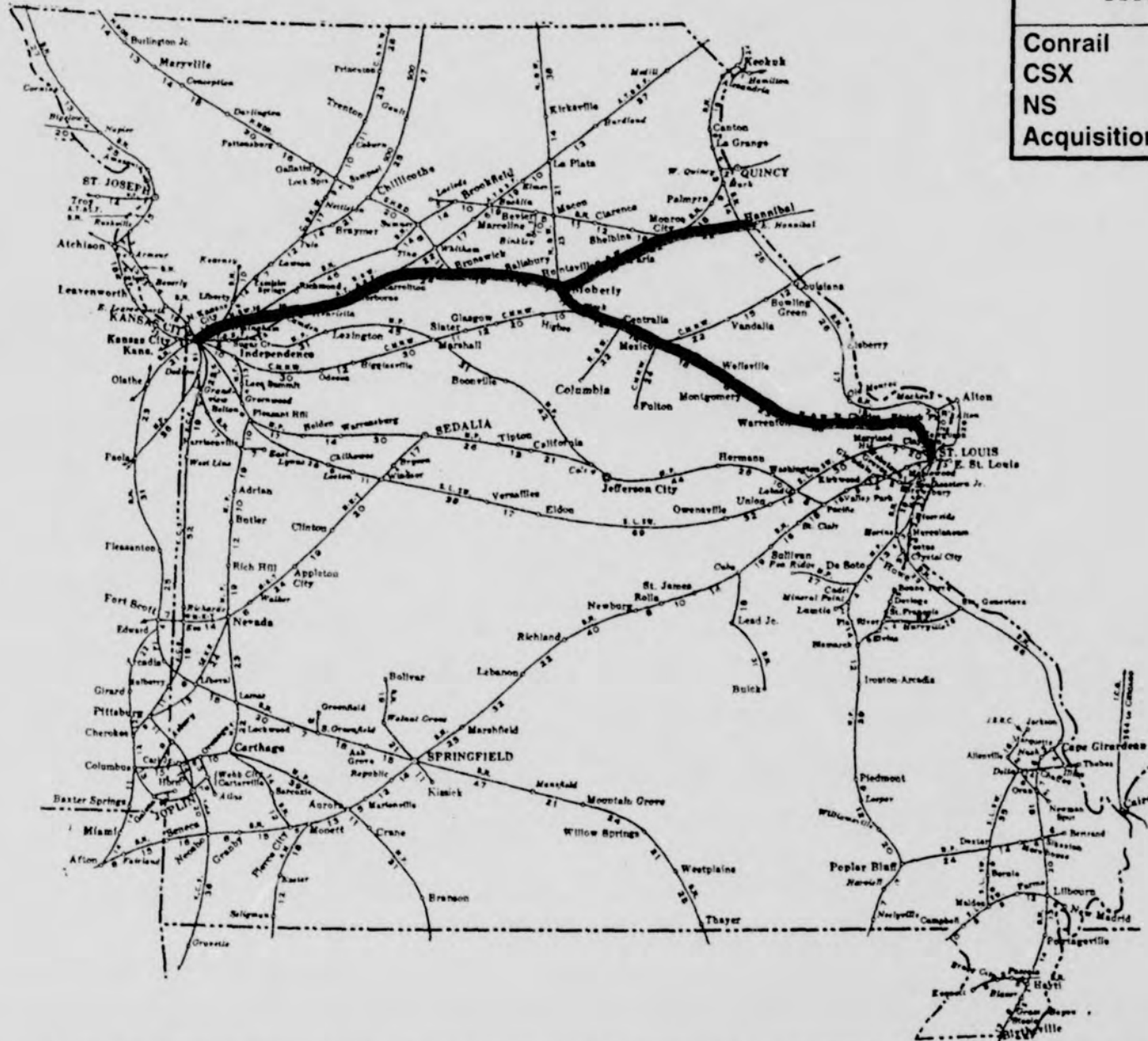
Elaine K. Kaiser
Chief
Section of Environmental Analysis

Enclosure: Missouri Railroad Map

cc. Paul McGinley, MHA
John Morton, HDR
William Novak, DCCO
Barry Wharton, HDR

Missouri

Conrail	
CSX	
NS	
Acquisition Projects	



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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

October 23, 1997

ENVIRONMENTAL
DOCUMENT

Mr. Robert Shinn
State Historic Preservation Officer
Department of Environmental Protection
CN-402, 401 East State Street
Trenton, NJ 08625

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and Acquisition - Conrail: National Historic Preservation Act, Section 106; New Jersey SHPO Reference Number: HPO-C97-33

Dear Mr. Shinn:

On June 23, 1997, CSX Corporation and CSX Transportation, Inc. (CSX); Norfolk Southern Corporation, and Norfolk Southern Railway Company (NS); and Conrail Inc. and Consolidated Rail Corporation (Conrail) filed a consolidated Railroad Control Application (RCA) with the Surface Transportation Board (STB) under 49 U.S.C. 11323-25. CSX, NS and Conrail (collectively the Railroads) are jointly seeking authority for CSX and NS to acquire control of Conrail, and for the subsequent division of Conrail's assets (the Acquisition). The RCA is the action that formally initiates this proposed undertaking and our role as the Federal lead agency.

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act as amended (Section 106, 16 U.S.C. 470f) and its implementing guidelines (36 CFR Part 800). Consequently, the Section of Environmental Analysis (SEA) is seeking your comment regarding those projects within our jurisdiction that may have the potential to affect historic properties.¹ This effort is being coordinated with preparation of an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act (NEPA).

¹ STB may impose conditions on rail line abandonments and new construction, but has limited jurisdiction over the acquisition-related activities. See 49 CFR Part 1105.8.

A copy of the Environmental Report (ER) submitted with the RCA was sent to your office by the railroads. SEA has received a copy of your letter of March 5, 1997 stating that it appears unlikely that the acquisition will directly affect historic properties.

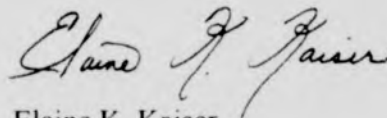
SEA's review of the ER indicates that acquisition-related activities in the State of New Jersey are limited to construction of 480-foot and 600-foot connections in Ridgefield (CR Shared Assets Area) and improvements within Conrail's E-Rail Intermodal Facility in Elizabeth. The shops of the former Central Railroad of New Jersey (CNJ) are located at E-Rail. There are no historic resources that will be affected by the two proposed connections at Little Ferry.

In addition, NS may be considering the construction of a 12,500-foot passing siding at Flemington Junction as part of the Conrail acquisition. This siding may impact an historic district, a depot and archaeological sites.

SEA has requested additional information from NS to clarify whether the proposed projects at Elizabeth and Flemington Junction are part of this acquisition and to define the nature of the proposed improvements. As soon as the requested information is received from NS, SEA will determine the area of potential effect on historic and cultural resources under Section 106 and will continue consultation with your office.

Except for the proposed projects at Elizabeth and Flemington Junction, SEA requests your concurrence with its finding that the acquisition would have no effect on historic resources in the State of New Jersey, and that Section 106 consultation with your office has been completed in accordance with the rules and regulations found in 36 CFR Part 800.5(b). We look forward to your response on this matter as rapidly as your schedule will allow. If you have any questions, please call SEA's cultural resources technical team leader for the acquisition, Barry Wharton of HDR Engineering, Inc., at (813) 287-1960 for assistance.

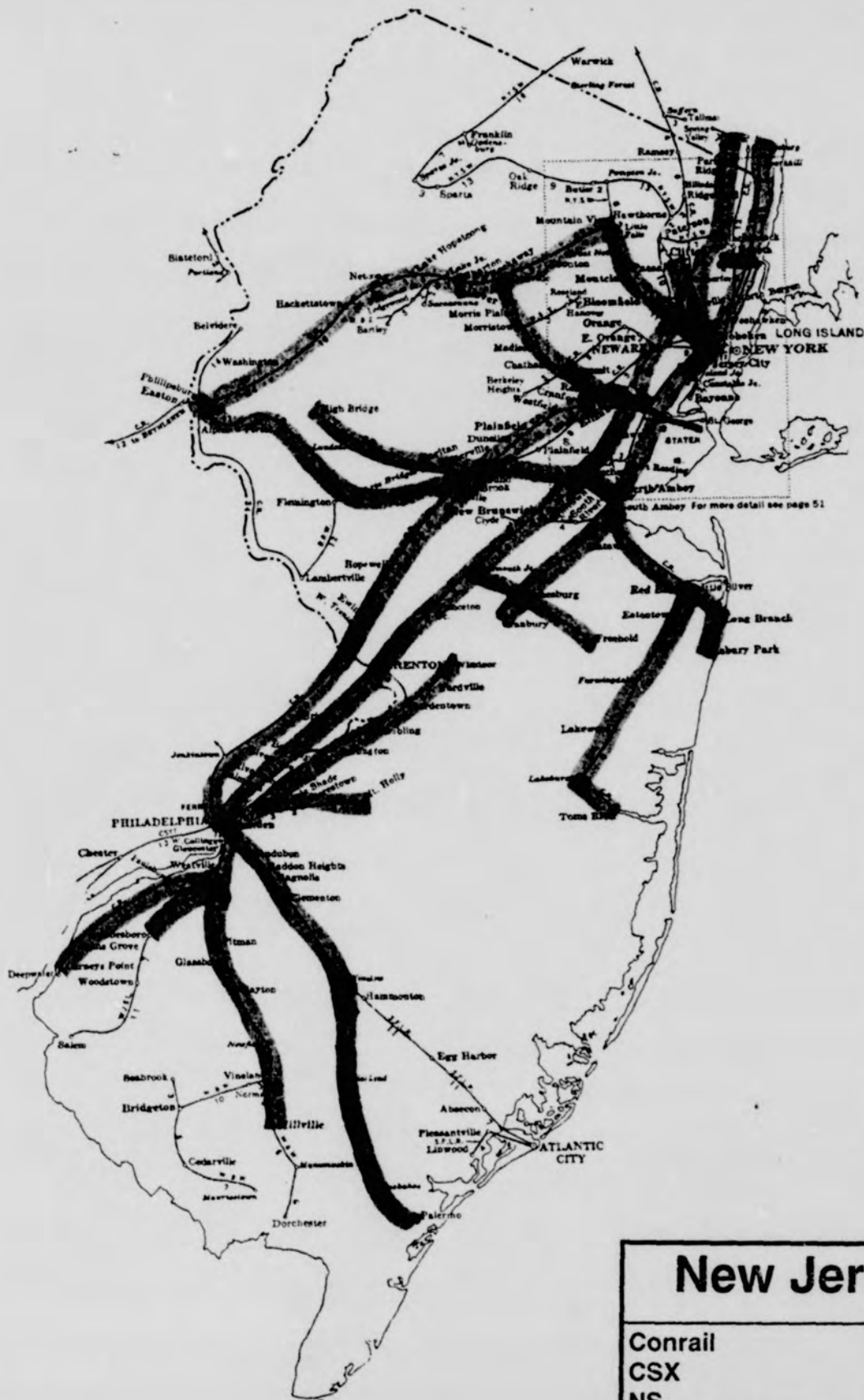
Sincerely yours,







Elaine K. Kaiser
Chief
Section of Environmental Analysis

Enclosure: New Jersey Railroad Map

cc: Paul McGinley, MHA
John Morton, HDR
William Novak, DCCO
Barry Wharton, HDR



New Jersey

Conrail	
CSX	
NS	
Acquisition Projects	

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

October 23, 1997

ENVIRONMENTAL
DOCUMENT

Ms. Bernadette Castro
State Historic Preservation Officer
Parks, Recreation & Historic Preservation
Agency Building #1, Empire State Plaza
Albany, NY 12238

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: National Historic Preservation Act, Section 106;
New York SHPO Reference Number: 97PR0090

Dear Ms. Castro:

On June 23, 1997, CSX Corporation and CSX Transportation, Inc. (CSX); Norfolk Southern Corporation, and Norfolk Southern Railway Company (NS); and Conrail Inc. and Consolidated Rail Corporation (Conrail) filed a consolidated Railroad Control Application (RCA) with the Surface Transportation Board (STB) under 49 U.S.C. 11323-25. CSX, NS and Conrail (collectively the Railroads) are jointly seeking authority for CSX and NS to acquire control of Conrail, and for the subsequent division of Conrail's assets (the Acquisition). The RCA is the action that formally initiates this proposed undertaking and our role as the Federal lead agency.

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act as amended (Section 106, 16 U.S.C. 470f) and its implementing guidelines (36 CFR Part 800). Consequently, the Section of Environmental Analysis (SEA) is seeking your comment regarding those projects within our jurisdiction that may have the potential to affect historic properties.¹ This effort is being coordinated with preparation of an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act (NEPA).

¹ STB may impose conditions on rail line abandonments and new construction, but has limited jurisdiction over the acquisition-related activities. See 49 CFR Part 1105.8.

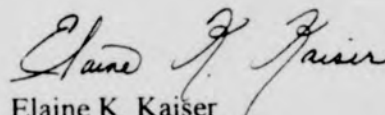
A copy of the Environmental Report (ER) submitted with the RCA was sent to your office by the railroads. SEA has received a copy of your March 11, 1997 letter stating that it is the SHPO's opinion that the project will have No Effect upon cultural resources eligible for inclusion in the National Register of Historic Places.

SEA's review of the ER indicates that acquisition-related activities in the State of New York are limited to: (1) construction of a 5,200-foot connection of the NS Erie Line from Gardenville Junction to the Conrail Main Line at Blasdell, New York (NS); (2) a 1,700-foot connection at Gardenville Junction from the Conrail Buffalo Line to the Conrail Ebenezer Secondary Line at West Seneca, New York; and (3) increased rail traffic at the Buffalo Junction Intermodal Yard (NS) in Cheektowaga, New York.

SEA's review of these three acquisition project sites indicates that there are no historic or cultural resources present except for an abandoned, two-span riveted Pratt through-truss bridge at the proposed connection at Blasdell, New York. The proposed connection is a re-establishment of a previously removed rail link and the existing bridge is in relatively good condition. The proposal will reactivate the use of this resource as a railroad bridge and ensure its preservation. In our opinion, the proposed action will have no effect on this resource.

Based on this information and in accordance with the rules and regulations found in 36 CFR Part 800.5b, SEA requests your concurrence with its finding that the acquisition would have no effect on historic resources in the State of New York and that Section 106 consultation with your office has been completed. We look forward to your response on this matter as rapidly as your schedule will allow. If you have any questions, please call SEA's cultural resources technical team leader for the acquisition, Barry Wharton of HDR Engineering, Inc., at (813) 287-1960 for assistance.

Sincerely yours,



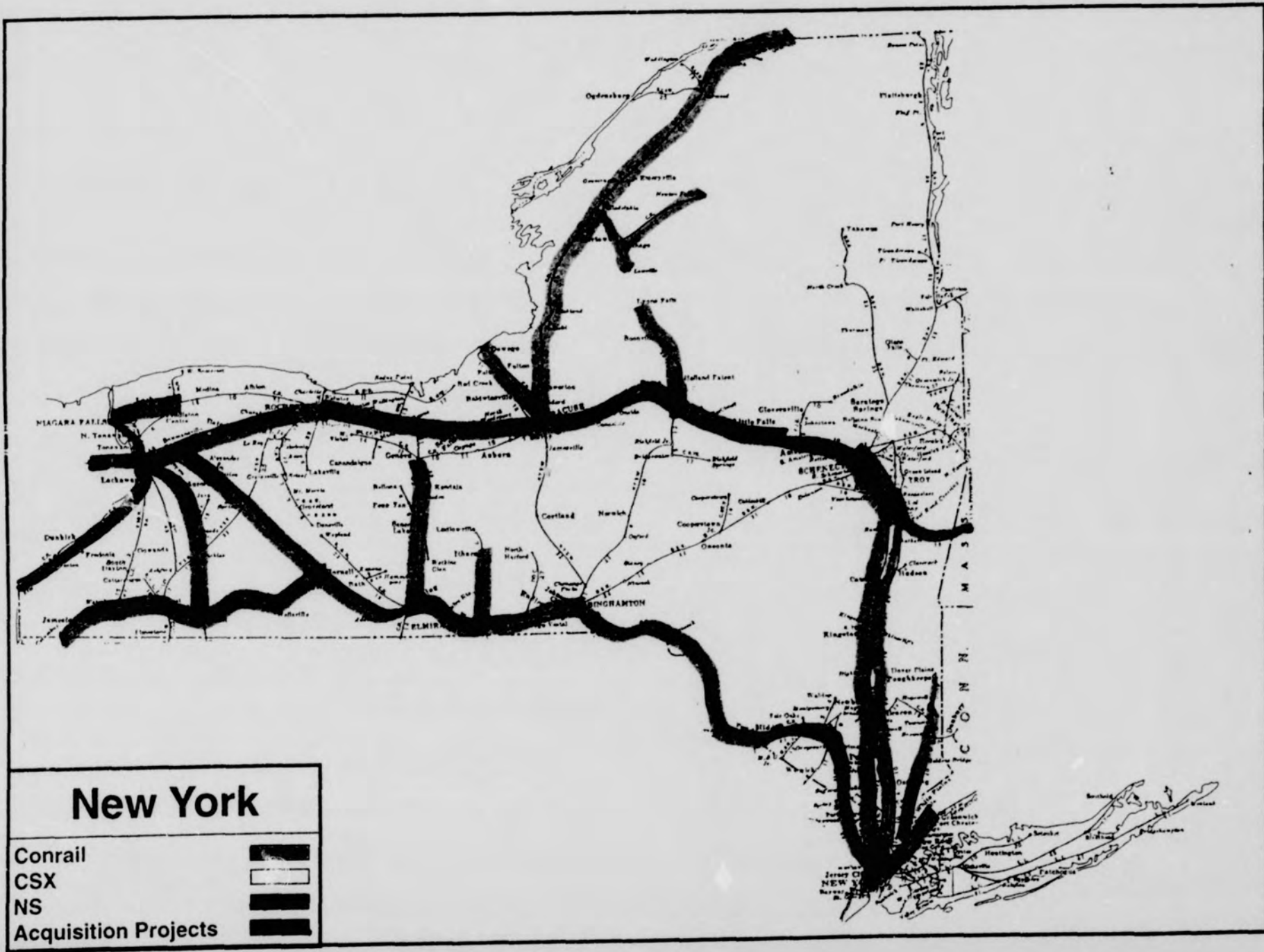
Elaine K. Kaiser

Chief

Section of Environmental Analysis

Enclosure: New York Railroad Map

cc: Paul McGinley, MHA
John Morton, HDR
William Novak, DCCO
Barry Wharton, HDR



New York

- Conrail
- CSX
- NS
- Acquisition Projects



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

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Section of Environmental Analysis

October 23, 1997

ENVIRONMENTAL
DOCUMENT

Mr. H. Alexander Wise, Jr.
State Historic Preservation Officer
Virginia Department of Historic Resources
221 Governor Street
Richmond, VA 23219

Re: Finance Docket No. 33388 - CSX and Norfolk Southern - Control and
Acquisition - Conrail: National Historic Preservation Act, Section 106
Virginia SHPO Reference Number: 97-0190-F

Dear Mr. Wise:

On June 23, 1997, CSX Corporation and CSX Transportation, Inc. (CSX); Norfolk Southern Corporation, and Norfolk Southern Railway Company (NS); and Conrail Inc. and Consolidated Rail Corporation (Conrail) filed a consolidated Railroad Control Application (RCA) with the Surface Transportation Board (STB) under 49 U.S.C. 11323-25. CSX, NS and Conrail (collectively the Railroads) are jointly seeking authority for CSX and NS to acquire control of Conrail, and for the subsequent division of Conrail's assets (the Acquisition). The RCA is the action that formally initiates this proposed undertaking and our role as the Federal lead agency.

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act as amended (Section 106, 16 U.S.C. 470f) and its implementing guidelines (36 CFR Part 800). Consequently, the Section of Environmental Analysis (SEA) is seeking your comment regarding those projects within our jurisdiction that may have the potential to affect historic properties.¹ This effort is being coordinated with preparation of an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act (NEPA).

¹ STB may impose conditions on rail line abandonments and new construction, but has limited jurisdiction over the acquisition-related activities. See 49 CFR Part 1105.8.

A copy of the Environmental Report (ER) submitted with the RCA was sent to your office by the railroads. SEA has received copies of the following letters from you:

- February 19, 1997, to Burns & McDonnell requesting maps with boundaries of projects in the Commonwealth of Virginia.
- February 19, 1997, to Dames & Moore requesting maps with boundaries of projects in The Commonwealth of Virginia.
- March 5, 1997, to Dames & Moore requesting maps locating projects along right of way from Richmond to Doswell.

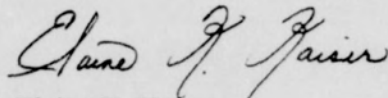
SEA's review of the ER indicates that acquisition-related activities are limited in the Commonwealth of Virginia to traffic increases on rail line segments between Riverton Junction and Randolph Street (Roanoke) and between Harrisburg, PA and Riverton Junction, VA. Increased traffic is limited to the moving and handling of more rail cars on the existing trackage. Increased traffic does not have the potential to affect historic or cultural resources since the railroad traffic is part of the historic setting and does not involve ground disturbance or physical alteration of the existing facilities.

No rail lines are proposed to be abandoned and no other acquisition-related activities are proposed except a potential expansion of a passing track of approximately 6,000 linear feet between mileposts 380.5 and 379.3 on the former Norfolk & Western main line in Glade Springs between Roanoke and Bristol, VA. Our review indicates the Glade Springs Historic District (NRHP Eligible) is bisected by this rail line and a prehistoric site and a NRHP structure abut the existing railroad right of way. SEA has requested additional information from NS to clarify whether this proposed project is part of the acquisition and to define the nature of the improvements. As soon as the railroad provides the requested information, SEA will determine whether the proposed passing track extension in Glade Springs is part of the acquisition and if so, will evaluate the potential for effect on historic and cultural resources under Section 106 and will continue consultation with your office.

Except for the proposed passing track extension in Glade Springs, SEA requests your concurrence with its finding that the acquisition would have no effect on historic resources in the Commonwealth of Virginia and that Section 106 consultation with your office has been

completed. We look forward to your response on this matter as rapidly as your schedule will allow. If you have any questions, please call SEA's cultural resources technical team leader for the acquisition, Barry Wharton of HDR Engineering, Inc., at (813) 287-1960 for assistance.

Sincerely yours,




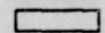
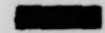
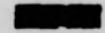
Elaine K. Kaiser
Chief
Section of Environmental Analysis

Enclosure: Virginia Railroad Map

cc: Paul McGinley, MHA
John Morton, HDR
William Novak, DCCO
Barry Wharton, HDR



Virginia

Conrail	
CSX	
NS	
Acquisition Projects	

STB

FD

33388

10-21-97

K

PUBLIC

Walter & Nancy Tatulinski
610 Yarmouth Lane
Bay Village, OH 44140



STB
Section of Environmental Analysis
1925 K St. N.W.
Washington, D.C. 20423

DOCKET FD33388

Dear Sir:

My wife and I are both steadfastly **OPPOSED** to the Norfolk Southern proposal to increase the amount of train traffic on their rail line passing thru the western suburbs of Bay Village, Westlake, Rocky River, and Lakewood. For us and our neighbors in Bay Village this would dangerously impede our access to emergency medical treatment at St. John Westshore Hospital. Ambulances would have to travel from our home, which is directly north of St John Westshore, all the way to the other end of our city to the Clague Road overpass and back again to reach the hospital in the event of heavy train traffic on the tracks. This unnecessary increase in travel time can mean the difference between life and death to a seriously ill person in transit.

Our home is two lots away from the railroad tracks and two blocks away from Bassett Road, one of the three major North-South sources of egress for the city of Bay Village. The current amount of train traffic during the morning and evening "rush hours" already creates a dense congestion of cars along Bassett Road at least twice a day. If a health emergency were to develop during one of these congestion periods an ambulance would have a very difficult time getting to and leaving from any house on our street. The proposed increase in train traffic will greatly exacerbate this dangerous situation.

This would also apply to fire emergency vehicles. Our community fire station is located on Wolf Road which is north of the tracks. However, if the railroad crossing gates were closed and the auto traffic backed up along Bassett and Bradley Roads there would be no way that a fire truck could promptly access our neighborhood. The increased traffic would effectively isolate our neighborhood from any emergency vehicles.

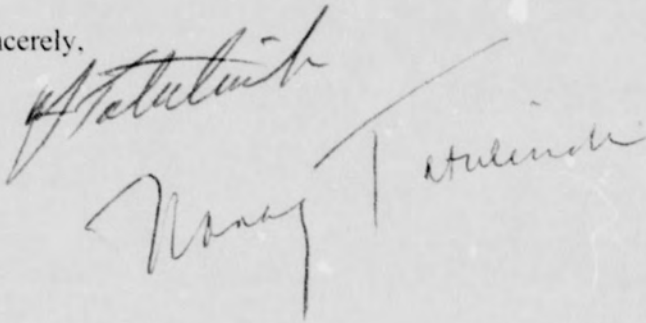
We chose to live in Bay Village and pay the price we did for our home because of the community's quiet surroundings and safe environment. Increased train traffic directly destroys the very reason we moved here. The noxious diesel exhaust gas from the passing trains is horrible. Over and above that, hazardous chemicals and raw materials which are carried on the trains pose a serious safety hazard to our home and community in the event of a train derailment. We are vehemently opposed to even the possibility of one child, in any community, having their lives endangered by toxins carried next to their homes by speeding trains. This possibility increases directly with increases in

train traffic.

By living so close to this intersection, we also experience trains blowing their whistles DAY and NIGHT. It is presently difficult to enjoy a lovely summer evening breeze through open windows as the trains are HOOOOOONNNNKKKING every time they approach the Bassett Road intersection, it would be intolerable if the frequency of these episodes increased. It shatters the peaceful quiet we and our neighbors came here to find.

Allow us to reiterate our opposition to this proposal. In summary, the Norfolk Southern proposal will create unsafe and unenjoyable neighborhoods in the safe and peaceful western suburbs exposed to their trains.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary T. Stulman". The signature is written in dark ink and is positioned below the word "Sincerely,".

STB

FD

33388

10-17-97

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PUBLIC

ENVIRONMENTAL
DOCUMENT

DOUG DIXON
1189 ELBUR AVE.
LAKEWOOD, OHIO 44107
(216) 221-9518



10/2/97

Office Of the Secretary Case Control Unit
STB Finance Docket No. 33388
Surface Transportation Board
Attn: Elaine K. Kaiser
Chief, Section of Environmental Analysis/Environmental Filing
1925 "K" Street, NW
Washington, DC 20423 -0001

Dear MS. Kaiser:

Imagine a nuclear bomb is about to go off in your neighborhood. Well, it is not a nuclear bomb I am writing to you about, but the catastrophic effects the proposed merger of Norfolk Southern Railroad will have the same effect on our city of Lakewood, Ohio (a suburb of Cleveland). Norfolk Southern plans to increase the number of trains running through our city from an average of 8 a day to a proposed 40 trains, one every 36 minutes or a 500% increase in train traffic. [8 trains was the average before the merger, since June or July it has grown to 14 a day] I believe they initially told us 40 so they could compromise and say 20 trains a day. However, 14 trains a day is already too many for our unique city let alone 20 or 40. Many cities say they are unique but Lakewood truly holds many unique records and circumstances that should be taken into consideration such as:

- *Lakewood is the most densely populated area between New York and Chicago
- *We have over 66,000 people in five square miles
- *Lakewood has the most highway rail crossings in the United States. 27 crossings in three miles
- *Lakewood has only one underpass located at the extreme west side of the city
- *The hospital is located on the south side of the train tracks
- *9,000 children walk to school daily as there is no busing or a need for it
- *Children walk daily over the train tracks to get to and from school
- *Many homes are located just a few feet from the tracks

Cont. on P. 2

The impact would be severe and will definitely cause an increase in death to the elderly as well as children. Other impacts would be:

*Death, at the current train levels one person is killed a year by a train.

*Death, with only one underpass at the extreme west side of town the addition of 10 to 15 minutes to get around the train would spell death to a stroke, heartattack or trauma victim.

*Death of children, with the children walking to school and a train every 40 minutes children will try to beat the train.

*Death of a city, with a train every 40 minutes and the city's infra-structure dependant on north and south travel across the tracks, the city will die (remember, we have only one underpass at the extreme west-side of the city and Cleveland is at our eastern boarder).

*Loss of hearing, per your EIS study requirements docket #33388 under noise the section states that where they plan to increase trains by more than 8 a day let alone 32 a day a noise analysis needs to be done. Because we hold the record in the United States for the most train crossings (27 in 3 miles) this study must take into consideration that a constant horn will blast for 3 miles. If you think I am joking, just spend a couple of nights in my house. **Numerous schools both private and public, a hospital, a large multi unit nursing home, and a library are all within a quarter of a mile of the tracks.**

*Air quality, due to the high population density (66,000 people, the most densely populated area between New York and Chicago) a train every 40 minutes would cause massive health problem due to coal dust, train emissions and stopped car traffic. Our county is already plagued with poor air quality and this will not help us to reach the EPA's goals.


SUGGESTIONS

*There is a double or possible triple set of train tracks just south of the city that run through an industrial area and not a heavily populated residential area. These businesses and future businesses ship and receive goods via the rail. These tracks do not have 9,000 children crossing them or 66,000 residence sitting on top of them. Emergency vehicles can take numerous underpasses on these tracks train tracks. Routing the trains on these southern tracks will impact far lesser people and might even result in extra profits for the railroad.

*Restrict the number of trains to the current eight or fourteen a day.

In closing, increasing the number of trains on the northern set of tracks will have a devastating impact on our city and the thousands of people who live in it and surrounding cities. While we do not have the billions of dollars the railroad does to spend on lobbying we are the purpose of your job which is to protect the people so we can achieve safety, the right to life, liberty and the pursuit of happiness. These rights lie in your hands and we hope you will do the right thing and stop the proposed plans of Norfolk Southern and CSX.

Sincerely


Doug L. Dixon

STB

FD

33388

10-17-97

K

BUSINESS

GALLAND, KHARASCH, MORSE & GARFINKLE, P.C.
ATTORNEYS AT LAW

CHARLES H. WHITE, JR.
DIRECT LINE: (202) 342-6789
FACSIMILE: (202) 342-5219

CANAL SQUARE
1054 THIRTY-FIRST STREET, N.W.
WASHINGTON, D.C. 20007-4492
TELEPHONE: (202) 342-5200

October 16, 1997

Mr. Vernon A. Williams
Office of the Secretary
Attn: Environmental Section
1925 K Street, NW
Washington, DC 20423-0001



RE: Finance Docket No. 33388 (Sub-No. 80)
CSX and NS -- Control -- Conrail

Dear Mr. Williams:

Enclosed for filing, please find an original and ten (10) copies of Wheeling & Lake Erie Railway Company's Verified statement of No Significant [Environmental] Impact. Will you kindly forward the enclosed documents to the Environmental Section and stamp and return the enclosed copy of this service letter when the documents are filed.

Very truly yours,

Charles H. White, Jr.
Counsel for Wheeling & Lake Erie
Railway Company

CHW:sld
Enclosure

ENVIRONMENTAL
DOCUMENT

ORIGINAL

W&LE-3

ENVIRONMENTAL
DOCUMENT

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 33388 (Sub-No. 80)



VERIFIED STATEMENT OF NO
SIGNIFICANT IMPACT

CSX CORPORATION AND CSX TRANSPORTATION, INC.
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
--CONTROL AND OPERATING LEASES/AGREEMENT--
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Charles H. White, Jr.
GALLAND, KHARASCH
& GARFINKLE, P.C.
1054 Thirty-First Street, N.W.
Washington, D.C. 20007
Tel: (202) 342-5200
Fax: (202) 342-5219

Counsel for Wheeling & Lake Erie
Railway Company

October 16, 1997

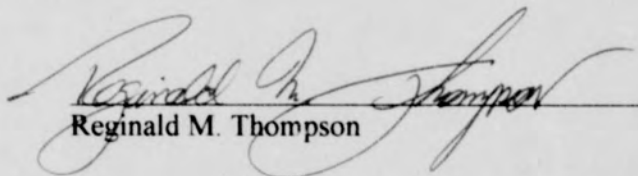
BEFORE THE
SURFACE TRANSPORTATION BOARD

ENVIRONMENTAL
DOCUMENT

FINANCE DOCKET NO. 33388 (Sub-No. 80)

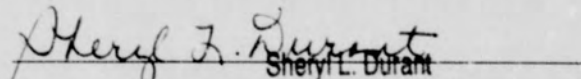
VERIFIED STATEMENT OF NO
SIGNIFICANT IMPACT

My name is Reginald M. Thompson. I am Vice President of Marketing and Sales at the Wheeling & Lake Erie Railway Company. As the executive sponsoring our analysis of traffic flow diversions and anticipated conditioned relief, I am most familiar with the impact of these proceedings. In my judgment the cumulative impact of the diversions and condition relief will result in no significant impact within the meaning of Decision No. 6 and 49 C.F.R. §1105.6(c)(4).


Reginald M. Thompson

Verification

Reginald M. Thompson being duly sworn on 16th October, deposes and says that he has read the foregoing, and that it is true and accurate to the best of his knowledge and belief.


Sheryl L. Durant
Notary Public, State of Ohio
(Notary Public) My Commission Expires August 29, 1999

My Commission expires Aug. 29, 1999

STB

FD

33388

10-16-97

K

CITIES

LORAIN COUNTY



Board of Commissioners

Mary Jo Vasi
E. C. (Betty) Blair
Michael A. Ross

October 10, 1997

MEMO TO: SURFACE TRANSPORTATION BOARD
CONGRESSMEN SHERROD BROWN, PAUL GILLMOR
NORTHEAST OHIO AREA WIDE COORDINATING AGENCY, HOWARD MAIER
OHIO RAIL COMMISSION, TOM O'LEARY
GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY, RON TOBER
LORAIN COUNTY TRANSIT AUTHORITY, BILL ELTRICH
LORAIN PORT AUTHORITY, RICH NOVAK
LAKESHORE RAILWAY ASSOCIATION, MARC CHAPPO
AMHERST MAYOR, JOHN HIGGINS
AVON LAKE MAYOR, VINCE URBIN
AVON MAYOR, JAMES SMITH
ELYRIA MAYOR, MICHAEL KEYS
LORAIN MAYOR, JOE KOZIURA
NORTH RIDGEVILLE MAYOR, DEANNA HILL
OBERLIN CITY MANAGER, ROB DISPIRITO
SHEFFIELD LAKE MAYOR, GARY MINGEE
VERMILION MAYOR, ELIZABETH SHEEHE
VILLAGE MAYORS - SOUTH AMHERST, GRAFTON, KIPTON, LAGRANGE,
ROCHESTER, SHEFFIELD, WELLINGTON
LORAIN COUNTY ASSOCIATION OF TOWNSHIP TRUSTEES & CLERKS

FROM: LORAIN COUNTY COMMUNITY ALLIANCE

RE: RESOLUTION TO SURFACE TRANSPORTATION BOARD

Attached is copy of the Resolution adopted October 3, 1997, by the Lorain County Community Alliance, a Council of Governments formed under Ohio Revised Code, notifying the Surface Transportation Board of its concern that as proposed, the acquisition of Conrail by NS and CXST may have a significant adverse impact on the 275,000 residents of Lorain County. The Resolution urges that special note be given to the fact that both the Northern and Southern routes of NS traverse Lorain County, while the South to North route of CSXT also traverses our County. (Map is attached.)

The Lorain County Community Alliance members urge the Surface Transportation Board to view all viable and applicable solutions to this proposed merger. The County does have an Intermodal Plan which calls for east-west commuter rail service using Norfolk Southern lines together with north-south access, part of the Lorain Port Authority's Groveport Project.

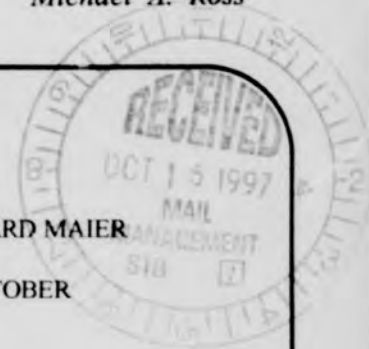
Thank you.

Encs.

cc: Commissioners Vasi, Ross
Ohio Department of Development

LORAIN COUNTY COMMUNITY ALLIANCE

Betty Blair, Chair





"New Partnerships for the Future"

(Regarding the matter of the acquisition of)
(Conrail by NS and CXST.)

October 3, 1997

NOW THEREFORE, BE IT RESOLVED by the Lorain County Community Alliance that:

The Lorain County Community Alliance represents 275,000 residents of Lorain County which is the 9th largest county in the State of Ohio. The Lorain County Community Alliance, (LCCA), a Council of Governments formed under Ohio Revised Code, section 167.08, provides a means of obtaining a more adequate and effective level of public service for all residents. This Alliance wishes to notify the Surface Transportation Board of its concern that as proposed, the acquisition of Conrail by NS and CXST may have a significant adverse impact on the residents of Lorain County.

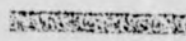
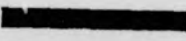
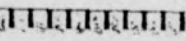
The Lorain County Community Alliance will continue to monitor current and future documents related to the proposed acquisition, to coordinate with other interested parties, specifically the Ohio Rail Commission, Greater Cleveland Regional Transit Authority, Lorain County Transit Authority, Lorain Port Authority, Lakeshore Railway Association and others that may be identified, and to participate with these interested parties, as well as State and Federal legislators, in working toward a regional position on the proposal including specific concerns as well as possible alternatives.

The Lorain County Community Alliance recognizes that while this acquisition may offer the potential for economic redevelopment, Alliance members are also concerned with the possible negative impacts, both locally and regionally. This acquisition may have a detrimental impact on the possibility of operating commuter rail service over the freight rail corridors in the region. Safety related issues are an increased possibility, auto/train pedestrian accidents, possible air pollution, noise pollution and hazardous cargo shipments as well as possible delays in emergency equipment response. Special note should be given to the fact that both the Northern and Southern routes of NS traverse Lorain County, while the South to North route of CSXT also traverses our county. (see attached map)

LORAIN COUNTY COMMUNITY ALLIANCE

Adopted October 3, 1997

Proposed Railroad Mainlines

 CSX
 NS
 CSX Track Rights on NS



STB

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33388

9-2-97

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FEDS

SURFACE TRANSPORTATION BOARD
Office of Economics, Environmental Analysis, and Administration

MEMORANDUM

SEP 02 1997

TO : Ellen Keys
Office of the Secretary

FROM : Vicki Rutson
Section of Environmental Analysis

SUBJECT : Service List Removal

Please remove the agency listed below from the service list in Finance Docket No. 33388. Mr. Chris Watkins of CEQ called the Section of Environmental Analysis and requested that CEQ be removed from the service list.

Council on Environmental Quality (CEQ)
Ray Clark
Washington, D.C. 20523

cc: Files

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33388

8-22-97

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GOV

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Mei Carnahan, Governor • David A. Shorr, Director

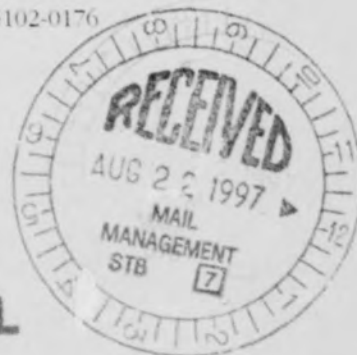
OFFICE OF THE DIRECTOR

P.O. Box 176 Jefferson City, MO 65102-0176

August 14, 1997

Office of the Secretary
Case Control Unit
STB Finance docket No. 33388
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

**ENVIRONMENTAL
DOCUMENT**



Attention: Elaine K. Kaiser, Chief
Section of Environmental Analysis
Environmental Filing

Re: Notice of Intent to Prepare an Environmental Impact Statement (EIS) and Request for Comments on Proposed EIS Scope in 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.

Dear Ms. Kaiser:

The Missouri Department of Natural Resources would like to provide the following comments on the scope of the EIS that the Surface Transportation Board will prepare in response to the above-referenced proceeding.

The primary environmental impacts of the proposed acquisition are related to additional truck traffic generated at intermodal facilities where activity is projected to increase. St. Louis is presently classified as a moderate ozone nonattainment area, and Kansas City as a maintenance ozone attainment area. Norfolk Southern operates rail yards and intermodal facilities in both the St. Louis and Kansas City areas; therefore, air quality effects resulting from traffic increases associated with the proposed merger for rail yards and intermodal facilities in St. Louis and Kansas City should be addressed in the EIS. Consideration of the potential for positive air quality effects of truck-to-rail diversions may also be appropriate.



RECYCLED PAPER

Elaine K. Kaiser
Page 2
August 14, 1997

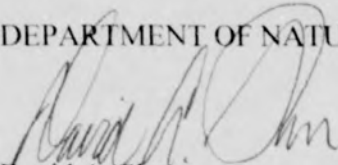
According to the Environmental Report filed by CSX and Norfolk Southern with the Surface Transportation Board, there would be some increase in rail and truck activity in and near facilities that would cause some increase in air emissions. The maximum estimated increases are depicted as 4.12 tons per year (TPY) of nitrogen oxide at the St. Louis County - Luther NS rail Yard, 4.35 TPY at the NS Intermodal Facility, and 0.77 TPY at the Clay County NS Intermodal Facility. We recommend that the EIS include a discussion of general conformity with regard to the applicable State Implementation Plan developed in accordance with the Clean Air Act. We have attached a copy of the pertinent state regulations, 10 CSR 10-6.300, "Conformity of General Federal Actions to State Implementation Plans" as a reference in this regard.

It is assumed that the proposed merger would not be expected to affect the policies or operation of the railroad concerning the type or quantity of hazardous commodities transported or the method of handling. Any potential for an increase in hazardous materials traffic and increased risk for hazardous material incidents should be addressed in the EIS. Potential impacts to water resources and water quality as a result of increased exposure to hazardous materials incidents also may be a factor that may warrant attention.

We appreciate this opportunity to provide input into the analysis that the Surface Transportation Board will be conducting. As specified in the published scoping notice for this proposal, we are submitting an original and ten copies of this comment letter and the attachment. If you have any questions or require further information, please contact Mr. Thomas Lange of my office at (573) 751-3195 or at the address shown above.

Very truly yours,

DEPARTMENT OF NATURAL RESOURCES



David A. Shorr
Director

DAS:tlj

Attachment

(A) This subsection is reserved to incorporate by reference 10 CSR 10-6.290 Enhanced Monitoring, which will be adopted in the future;

(B) Monitoring method(s) approved for the source pursuant to 10 CSR 10-6.065 Operating Permits, and incorporated into an operating permit; and

(C) Any other monitoring methods approved by the director.

(3) Enforcement—Regardless of any other provision in the state implementation plan, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any such plan or other applicable requirement.

(A) Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at a source:

1. This paragraph is reserved to incorporate by reference 10 CSR 10-6.290 Enhanced Monitoring, which will be adopted in the future;

2. A monitoring method approved for the source pursuant to 10 CSR 10-6.065 Operating Permits, and incorporated into an operating permit; and

3. Compliance test methods specified in the rule cited as the authority for the emission limitations.

(B) The following testing, monitoring, or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:

1. Applicable monitoring or testing methods, cited in: 10 CSR 10-6.030 Sampling Methods for Air Pollution Sources; 10 CSR 10-6.040 Reference Methods; 10 CSR 10-6.070 New Source Performance Standards; and 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants; or

2. Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method in subsection (3)(A) or paragraph (3)(B)1.

AUTHORITY: section 643.050, RSMo (Cum. Supp. 1992). * Original rule filed June 2, 1994, effective Dec. 30, 1994.

*Original authority 1965, amended 1972, 1992, 1993.

10 CSR 10-6.300 Conformity of General Federal Actions to State Implementation Plans

PURPOSE: This rule implements section 176(c) of the Clean Air Act, as amended (42 U.S.C. 7401 et seq.) and

regulations under 40 CFR part 51 subpart W, with respect to the conformity of general federal actions to the applicable implementation plan. Under those authorities, no department, agency or instrumentality of the federal government shall engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to an applicable implementation plan. This rule sets forth policy, criteria, and procedures for demonstrating and assuring conformity of such actions to the applicable implementation plan. This rule applies to all areas in the state of Missouri which are designated as nonattainment or maintenance for any criteria pollutant or standard for which there is a national ambient air quality standard.

Editor's Note: The following material is incorporated into this rule by reference:

1) 42 United States Code 7401 and 7472 (Washington, D.C.: U.S. Government Printing Office, 1989)

2) 40 Code of Federal Regulations part 50: part 51, subpart W, Revised as of July 1, 1995; and part 81 (Washington, D.C.: U.S. Government Printing Office, 1995);

3) 23 United States Code (Washington, D.C.: U.S. Government Printing Office, 1995);

4) 49 United States Code 1601 and 1607 (Washington, D.C.: U.S. Governmental Printing Office, 1995);

5) 23 United States Code 134 (Washington, D.C.: U.S. Government Printing Office, 1995);

6) 40 Code of Federal Regulations (Washington, D.C.: U.S. Government Printing Office, 1995);

7) Environmental Protection Agency "Compilation of Air Pollutant Emission Factors (AP42)" 5th Edition, Jan. 1995, Office of Air Quality Planning and Standards, Office of Air and Radiation, E.P.A. Research Triangle Park, NC 27711;

8) Guidelines on Air Quality Models (Revised July 1986) (Research Triangle Park, N.C.: U.S. Environmental Protection Agency 1986).

In accordance with section 536.031(4), RSMo, the full text of material incorporated by reference will be made available to any interested person at the Office of the Secretary of State and the headquarters of the adopting state agency.

(1) General.

(A) No department, agency or instrumentality of the federal government shall engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to an applicable implementation plan.

(B) Under Clean Air Act (CAA) section 176(c) and 40 CFR part 51 subpart W, a federal agency must make a determination that a federal action conforms to the applicable implementation plan in accordance with the requirements of this rule before the action is taken.

(C) Subsection (1)(B) of this rule does not include federal actions where either—

1. A National Environmental Policy Act (NEPA) analysis was completed as evidenced by a final environmental assessment (EA), environmental impact statement (EIS), or finding of no significant impact (FONSI) that was prepared prior to January 31, 1994; or

2. All of the following conditions are met:

A. Prior to January 31, 1994, an EA was commenced or a contract was awarded to develop the specific environmental analysis;

B. Sufficient environmental analysis is completed by March 15, 1994, so that the federal agency may determine that the federal action is in conformity with the specific requirements and the purposes of the applicable implementation plan pursuant to the agency's affirmative obligation under section 176(c) of the CAA; and

C. A written determination of conformity under section 176(c) of the CAA has been made by the federal agency responsible for the federal action by March 15, 1994.

(D) Notwithstanding any provision of this rule, a determination that an action is in conformity with the applicable implementation plan does not exempt the action from any other requirements of the applicable implementation plan, the NEPA, or the CAA.

(2) Definitions.

(A) Terms used but not defined in this rule shall have the meaning given them by the CAA and Environmental Protection Agency's (EPA's) regulations, in that order of priority. Definitions for some terms used in this rule may be found in 10 CSR 10-6.020.

(B) Additional definitions specific to this rule are as follows:

1. Affected federal land manager—the federal agency or the federal official charged with direct responsibility for management of an area designated as Class I under the CAA (42 U.S.C. 7472) that is located within one hundred kilometers (100 km) of the proposed federal action;

2. Applicable implementation plan—the (portion) of the implementation plan, or most

recent revision thereof, which has been approved under section 110 of the CAA, or promulgated under section 110(c) of the CAA (federal implementation plan), or promulgated or approved pursuant to regulations promulgated under section 301(d) of the CAA and which implements the relevant requirements of the CAA;

3. Area wide air quality modeling analysis—an assessment on a scale that includes the entire nonattainment or maintenance area which uses an air quality dispersion model to determine the effects of emissions on air quality;

4. CAA—the Clean Air Act, as amended;

5. Cause or contribute to a new violation—a federal action that—

A. Causes a new violation of a national ambient air quality standard (NAAQS) at a location in a nonattainment or maintenance area which would otherwise not be in violation of the standard during the future period in question if the federal action were not taken; or

B. Contributes, in conjunction with other reasonably foreseeable actions, to a new violation of a NAAQS at a location in a nonattainment or maintenance area in a manner that would increase the frequency or severity of the new violation;

6. Caused by, as used in the terms "direct emissions" and "indirect emissions"—emissions that would not otherwise occur in the absence of the federal action;

7. Criteria pollutant or standard—any pollutant for which there is established a NAAQS at 40 CFR part 50;

8. Direct emissions—those emissions of a criteria pollutant or its precursors that are caused or initiated by the federal action and occur at the same time and place as the action;

9. Emergency—a situation where extremely quick action on the part of the federal agencies involved is needed and where the timing of such federal activities makes it impractical to meet the requirements of this rule, such as natural disasters like hurricanes or earthquakes, civil disturbances such as terrorist acts, and military mobilizations;

10. Emissions budgets—those portions of the total allowable emissions defined in an EPA approved revision to the applicable implementation plan for a certain date for the purpose of meeting reasonable further progress milestones or attainment or maintenance demonstrations, for any criteria pollutant or its precursors, specifically allocated by the applicable implementation plan to mobile sources, to any stationary source or class of stationary sources, to any federal action or class of action, to any class of area sources, or to any subcategory of the emis-

sions inventory. The allocation system must be specific enough to assure meeting the criteria of section 176(c)(1)(B) of the CAA. An emissions budget may be expressed in terms of an annual period, a daily period, or other period established in the applicable implementation plan;

11. Emission offsets, for purposes of section (8) of this rule—emissions reductions which are quantifiable, consistent with the applicable implementation plan attainment and reasonable further progress demonstrations, surplus to reductions required by, and credited to, other applicable implementation plan provisions, enforceable under both state and federal law, and permanent within the time frame specified by the program. Emissions reductions intended to be achieved as emissions offsets under this rule must be monitored and enforced in a manner equivalent to that under EPA's new source review requirements;

12. Emissions that a federal agency has a continuing program responsibility for—emissions that are specifically caused by an agency carrying out its authorities, and does not include emissions that occur due to subsequent activities, unless such activities are required by the federal agency. Where an agency, in performing its normal program responsibilities, takes actions itself or imposes conditions that result in air pollutant emissions by a nonfederal entity taking subsequent actions, such emissions are covered by the meaning of a continuing program responsibility;

13. EPA—the United States Environmental Protection Agency;

14. Federal action—any activity engaged in by a department, agency, or instrumentality of the federal government, or any activity that a department, agency or instrumentality of the federal government supports in any way, provides financial assistance for, licenses, permits, or approves, other than activities related to transportation plans, programs, and projects developed, funded, or approved under Title 23 U.S.C. or the Federal Transit Act (49 U.S.C. 1601 et seq.). Where the federal action is a permit, license, or other approval for some aspect of a nonfederal undertaking, the relevant activity is the part, portion, or phase of the nonfederal undertaking that requires the federal permit, license, or approval;

15. Federal agency—for purposes of this rule, a federal department, agency, or instrumentality of the federal government;

16. Increase the frequency or severity of any existing violation of any standard in any area—to cause a nonattainment area to exceed a standard more often or to cause a violation at a greater concentration than previously existed or would otherwise exist during the

future period in question, if the project were not implemented;

17. Indirect emissions—those emissions of a criteria pollutant or its precursors that—

A. Are caused by the federal action, but may occur later in time or may be farther removed in distance from the action itself but are still reasonably foreseeable; and

B. The federal agency can practicably control and will maintain control due to a continuing program responsibility of the federal agency, including, but not limited to—

(I) Traffic on or to, or stimulated or accommodated by, a proposed facility which is related to increases or other changes in the scale or timing of operations of such facility;

(II) Emissions related to the activities of employees of contractors or federal employees;

(III) Emissions related to employee commutation and similar programs to increase average vehicle occupancy imposed on all employers of a certain size in the locality; or

(IV) Emissions related to the use of federal facilities under lease or temporary permit.

18. Local air quality modeling analysis—an assessment of localized impacts on a scale smaller than the entire nonattainment or maintenance area, including, for example, congested roadway intersections and highways or transit terminals, which uses an air quality dispersion model to determine the effects of emissions on air quality;

19. Maintenance area—any geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA;

20. Maintenance plan—a revision to the applicable implementation plan, meeting the requirements of section 175A of the CAA;

21. Metropolitan planning organization (MPO)—that organization designated as being responsible, together with the state, for conducting the continuing, cooperative, and comprehensive planning process under 23 U.S.C. 134 and 49 U.S.C. 1607;

22. Milestone—has the meaning given in sections 182(g)(1) and 189(c)(1) of the CAA. A milestone consists of an emissions level and the date on which it is required to be achieved;

23. National ambient air quality standards (NAAQS)—those standards established pursuant to section 109 of the CAA and include standards for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO₂), ozone, particulate matter (PM₁₀), and sulfur dioxide (SO₂);

24. NEPA—the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.);

25. Nonattainment area (NAA)—any geographic area of the United States which has been designated as nonattainment under section 107 of the CAA and described in 40 CFR part 81;

26. Precursors of a criteria pollutant—

A. For ozone, nitrogen oxides (NO_x) (unless an area is exempted from NO_x requirements under section 182(f) of the CAA), and volatile organic compounds (VOCs); and

B. For PM₁₀, those pollutants described in the PM₁₀ nonattainment area applicable implementation plan as significant contributors to the PM₁₀ levels;

27. Reasonably foreseeable emissions—projected future indirect emissions that are identified at the time the conformity determination is made; the location of such emissions is known to the extent adequate to determine the impact of such emissions; and the emissions are quantifiable, as described and documented by the federal agency based on its own information and after reviewing any information presented to the federal agency;

28. Regionally significant action—a federal action for which the direct and indirect emissions of any pollutant represent ten percent (10%) or more of a nonattainment or maintenance area's emissions inventory for that pollutant;

29. Regional water or wastewater projects—include construction, operation, and maintenance of water or wastewater conveyances, water or wastewater treatment facilities, and water storage reservoirs which affect a large portion of a nonattainment or maintenance area; and

30. Total of direct and indirect emissions—the sum of direct and indirect emissions increases and decreases caused by the federal action; that is, the net emissions considering all direct and indirect emissions. Any emissions decreases used to reduce such total shall have already occurred or shall be enforceable under state and federal law. The portion of emissions which are exempt or presumed to conform under subsections (3)(C), (D), (E), or (F) of this rule are not included in the "total of direct and indirect emissions," except as provided in subsection (3)(I). The "total of direct and indirect emissions" includes emissions of criteria pollutants and emissions of precursors of criteria pollutants. The segmentation of projects for conformity analyses when emissions are reasonably foreseeable is not permitted by this rule.

(3) Applicability.

(A) Conformity determinations for federal actions related to transportation plans, programs, and projects developed, funded, or approved under Title 23 U.S.C. or the Federal Transit Act (49 U.S.C. 1601 et seq.) must meet the procedures and criteria of 10 CSR 10-2.390 and 10 CSR 10-5.480, in lieu of the procedures set forth in this rule.

(B) For federal actions not covered by subsection (3)(A) of this rule, a conformity determination is required for each pollutant where the total of direct and indirect emissions in a nonattainment or maintenance area caused by a federal action would equal or exceed any of the rates in paragraph (3)(B)1. or 2. of this rule.

1. For purposes of subsection (3)(B) of this rule, the following rates apply in nonattainment areas (NAAs):

	Tons/Year
Ozone (VOC or NO _x)	
Serious NAAs	50
Severe NAAs	25
Extreme NAAs	10
Other ozone NAAs outside an ozone transport region	100
Marginal and moderate NAAs inside an ozone transport region	
VOC	50
NO _x	100
Carbon monoxide	
All NAAs	100
SO ₂ or NO ₂	
All NAAs	100
PM ₁₀	
Moderate NAAs	100
Serious NAAs	70
Pb	
All NAAs	25

2. For purposes of subsection (3)(B) of this rule, the following rates apply in maintenance areas:

	Tons/Year
Ozone (NO _x), SO ₂ or NO ₂	
All maintenance areas	100
Ozone (VOC)	
Maintenance areas inside an ozone transport region	50
Maintenance areas outside an ozone transport region	100
Carbon monoxide	
All maintenance areas	100
PM ₁₀	
All maintenance areas	100
Pb	
All maintenance areas	25

(C) The requirements of this rule shall not apply to—

1. Actions where the total of direct and indirect emissions are below the emissions levels specified in subsection (3)(B) of this rule;

2. The following actions which would result in no emissions increase or an increase in emissions that is clearly *de minimis*:

A. Judicial and legislative proceedings;

B. Continuing and recurring activities such as permit renewals where activities conducted will be similar in scope and operation to activities currently being conducted;

C. Rulemaking and policy development and issuance;

D. Routine maintenance and repair activities, including repair and maintenance of administrative sites, roads, trails, and facilities;

E. Civil and criminal enforcement activities, such as investigations, audits, inspections, examinations, prosecutions, and the training of law enforcement personnel;

F. Administrative actions such as personnel actions, organizational changes, debt management or collection, cash management, internal agency audits, program budget proposals, and matters relating to the administration and collection of taxes, duties and fees;

G. The routine, recurring transportation of material and personnel;

H. Routine movement of mobile assets, such as ships and aircraft, in home port reassignments and stations (when no new support facilities or personnel are required) to perform as operational groups or for repair or overhaul;

I. Maintenance dredging and debris disposal where no new depths are required, applicable permits are secured, and disposal will be at an approved disposal site;

J. With respect to existing structures, properties, facilities and lands where future activities conducted will be similar in scope and operation to activities currently being conducted at the existing structures, properties, facilities, and lands, actions such as relocation of personnel, disposition of federally-owned existing structures, properties, facilities, and lands, rent subsidies, operation and maintenance cost subsidies, the exercise of receivership or conservatorship authority, assistance in purchasing structures, and the production of coins and currency;

K. The granting of leases, licenses such as for exports and trade, permits, and easements where activities conducted will be similar in scope and operation to activities currently being conducted;

L. Planning, studies, and provision of technical assistance;

M. Routine operation of facilities, mobile assets and equipment;

N. Transfers of ownership, interests, and titles in land, facilities, and real and personal properties, regardless of the form or method of the transfer;

O. The designation of empowerment zones, enterprise communities, or viticultural areas;

P. Actions by any of the federal banking agencies or the federal reserve banks, including actions regarding charters, applications, notices, licenses, the supervision or examination of depository institutions or depository institution holding companies, access to the discount window, or the provision of financial services to banking organizations or to any department, agency or instrumentality of the United States;

Q. Actions by the Board of Governors of the Federal Reserve System or any federal reserve bank to effect monetary or exchange rate policy;

R. Actions that implement a foreign affairs function of the United States;

S. Actions (or portions thereof) associated with transfers of land, facilities, title, and real properties through an enforceable contract or lease agreement where the delivery of the deed is required to occur promptly after a specific, reasonable condition is met, such as promptly after the land is certified as meeting the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and where the federal agency does not retain continuing authority to control emissions associated with the lands, facilities, title, or real properties;

T. Transfers of real property, including land, facilities, and related personal property from a federal entity to another federal entity and assignments of real property, including land, facilities, and related personal property from a federal entity to another federal entity for subsequent deeding to eligible applicants; and

U. Actions by the Department of the Treasury to effect fiscal policy and to exercise the borrowing authority of the United States;

3. Actions where the emissions are not reasonably foreseeable, such as the following:

A. Initial Outer Continental Shelf lease sales which are made on a broad scale and are followed by exploration and development plans on a project level; and

B. Electric power marketing activities that involve the acquisition, sale and transmission of electric energy; and

4. Individual actions which implement a decision to conduct or carry out a program that has been found to conform to the applicable implementation plan, such as prescribed burning actions which are consistent with a land management plan that has been found to

conform to the applicable implementation plan

(D) Notwithstanding the other requirements of this rule, a conformity determination is not required for the following federal actions (or portion thereof):

1. The portion of an action that includes major new or modified stationary sources that require a permit under the new source review (NSR) program (section 173 of the CAA) or the prevention of significant deterioration (PSD) program (Title I, part C of the CAA);

2. Actions in response to emergencies or natural disasters such as hurricanes, earthquakes, etc., which are commenced on the order of hours or days after the emergency or disaster and, if applicable, which meet the requirements of subsection (3)(E) of this rule;

3. Research, investigations, studies, demonstrations, or training other than those exempted under paragraph (3)(C)2, of this rule, where no environmental detriment is incurred or the particular action furthers air quality research, as determined by the department;

4. Alteration and additions of existing structures as specifically required by new or existing applicable environmental legislation or environmental regulations (for example, hush houses for aircraft engines and scrubbers for air emissions); and

5. Direct emissions from remedial and removal actions carried out under the CERCLA and associated regulations to the extent such emissions either comply with the substantive requirements of the PSD/NSR permitting program or are exempted from other environmental regulation under the provisions of CERCLA and applicable regulations issued under CERCLA.

(E) Federal actions which are part of a continuing response to an emergency or disaster under paragraph (3)(D)2, of this rule and which are to be taken more than six (6) months after the commencement of the response to the emergency or disaster under paragraph (3)(D)2, of this rule are exempt from the requirements of this rule only if—

1. The federal agency taking the actions makes a written determination that, for a specified period not to exceed an additional six (6) months, it is impractical to prepare the conformity analyses which would otherwise be required and the actions cannot be delayed due to overriding concerns for public health and welfare, national security interests and foreign policy commitments; or

2. For actions which are to be taken after those actions covered by paragraph (3)(E)1, of this rule, the federal agency makes a new determination as provided in paragraph (3)(E)1, of this rule.

(F) Notwithstanding other requirements of this rule, individual actions or classes of actions specified by individual federal agencies that have met the criteria set forth in either paragraph (3)(G)1, or 2, and the procedures set forth in subsection (3)(H) of this rule are presumed to conform, except as provided in subsection (3)(J) of this rule.

(G) The federal agency must meet the criteria for establishing activities that are presumed to conform by fulfilling the requirements set forth in either paragraph (3)(G)1, or 2, of this rule.

1. The federal agency must clearly demonstrate using methods consistent with this rule that the total of direct and indirect emissions from the type of activities which would be presumed to conform would not—

A. Cause or contribute to any new violation of any standard in any area;

B. Interfere with provisions in the applicable implementation plan for maintenance of any standard;

C. Increase the frequency or severity of any existing violation of any standard in any area; or

D. Delay timely attainment of any standard or any required interim emission reductions or other milestones in any area including, where applicable, emission levels specified in the applicable implementation plan for purposes of—

(I) A demonstration of reasonable further progress;

(II) A demonstration of attainment;

or

(III) A maintenance plan; or

2. The federal agency must provide documentation that the total of direct and indirect emissions from such future actions would be below the emission rates for a conformity determination that are established in subsection (3)(B) of this rule, based, for example, on similar actions taken over recent years.

(H) In addition to meeting the criteria for establishing exemptions set forth in paragraph (3)(G)1, or 2, of this rule, the following procedures must also be complied with to presume that activities will conform:

1. The federal agency must identify through publication in the *Federal Register* its list of proposed activities that are presumed to conform and the analysis, assumptions, emissions factors, and criteria used as the basis for the presumptions;

2. The federal agency must notify the appropriate EPA regional office(s), state and local air quality agencies and, where applicable, the agency designated under section 174 of the CAA and the MPO and provide at least thirty (30) days for the public to comment on the list of proposed activities presumed to conform;

3. The federal agency must document its response to all the comments received and make the comments, response, and final list of activities available to the public upon request, and

4. The federal agency must publish the final list of such activities in the *Federal Register*.

(I) Notwithstanding the other requirements of this rule, when the total of direct and indirect emissions of any pollutant from a federal action does not equal or exceed the rates specified in subsection (3)(B) of this rule, but represents ten percent (10%) or more of a nonattainment or maintenance area's total emissions of that pollutant, the action is defined as a regionally significant action and the requirements of sections (1) and (5)-(10) of this rule shall apply for the federal action.

(J) Where an action presumed to be *de minimis* under paragraph (3)(C)1. or 2. of this rule or otherwise presumed to conform under subsection (3)(F) of this rule is a regionally significant action or where an action otherwise presumed to conform under subsection (3)(F) of this rule does not in fact meet one (1) of the criteria in paragraph (3)(G)1. of this rule, that action shall not be considered *de minimis* or presumed to conform and the requirements of sections (1) and (5)-(10) of this rule shall apply for the federal action.

(K) The provisions of this rule shall apply in all nonattainment and maintenance areas.

(L) Any measures used to affect or determine applicability of this rule, as determined under this section, must result in projects that are in fact *de minimis*, must result in such *de minimis* levels prior to the time the applicability determination is made, and must be state or federally enforceable. Any measures that are intended to reduce air quality impacts for this purpose must be identified (including the identification and quantification of all emission reductions claimed) and the process for implementation (including any necessary funding of such measures and tracking of such emission reductions) and enforcement of such measures must be described, including an implementation schedule containing explicit timelines for implementation. Prior to a determination of applicability, the federal agency making the determination must obtain written commitments from the appropriate persons or agencies to implement any measures which are identified as conditions for making such determinations. Such written commitment shall describe such mitigation measures and the nature of the commitment, in a manner consistent with the previous sentence. After this rule is approved by EPA as a revision to the applicable implementation plan, enforceability through the applicable implementation plan of any measures neces-

sary for a determination of applicability will apply to all persons who agree to reduce direct and indirect emissions associated with a federal action for a conformity applicability determination.

(4) **Conformity Analysis.** Any federal department, agency, or instrumentality of the federal government taking an action subject to 40 CFR part 51 subpart W and this rule must make its own conformity determination consistent with the requirements of this rule. In making its conformity determination, a federal agency must consider comments from any interested parties. Where multiple federal agencies have jurisdiction for various aspects of a project, a federal agency may choose to adopt the analysis of another federal agency (to the extent the proposed action and impacts analyzed are the same as the project for which a conformity determination is required) or develop its own analysis in order to make its conformity determination.

(5) Reporting Requirements.

(A) A federal agency making a conformity determination under section (8) must provide to the appropriate EPA regional office(s), state and local air quality agencies and, where applicable, affected federal land managers, the agency designated under section 174 of the CAA and the MPO a thirty (30)-day notice which describes the proposed action and the federal agency's draft conformity determination on the action.

(B) A federal agency must notify the appropriate EPA regional office(s), state and local air quality agencies and, where applicable, affected federal land managers, the agency designated under section 174 of the CAA and the MPO within thirty (30) days after making a final conformity determination under section (8).

(6) Public Participation and Consultation.

(A) Upon request by any person regarding a specific federal action, a federal agency must make available for review its draft conformity determination under section (8) with supporting materials which describe the analytical methods, assumptions, and conclusions relied upon in making the applicability analysis and draft conformity determination.

(B) A federal agency must make public its draft conformity determination under section (8) by placing a notice by prominent advertisement in a daily newspaper of general circulation in the areas affected by the action and by providing thirty (30) days for written public comment prior to taking any formal action on the draft determination. This comment period may be concurrent with any other public involvement, such as occurs in the NEPA process.

(C) A federal agency must document its response to all the comments received on its draft conformity determination under section (8) and make the comments and responses available, upon request by any person regarding a specific federal action, within thirty (30) days of the final conformity determination.

(D) A federal agency must make public its final conformity determination under section (8) for a federal action by placing a notice by prominent advertisement in a daily newspaper of general circulation in the areas affected by the action within thirty (30) days of the final conformity determination.

(7) Frequency of Conformity Determinations.

(A) The conformity status of a federal action automatically lapses five (5) years from the date a final conformity determination is reported under section (5), unless the federal action has been completed or a continuous program has been commenced to implement that federal action within a reasonable time.

(B) Ongoing federal activities at a given site showing continuous progress are not new actions and do not require periodic redeterminations so long as the emissions associated with such activities are within the scope of the final conformity determination reported under section (5).

(C) If, after the conformity determination is made, the federal action is changed so that there is an increase in the total of direct and indirect emissions above the levels in subsection (3)(B), a new conformity determination is required.

(8) Criteria for Determining Conformity of General Federal Actions.

(A) An action required under section (3) to have a conformity determination for a specific pollutant, will be determined to conform to the applicable implementation plan if, for each pollutant that exceeds the rates in subsection (3)(B), or otherwise requires a conformity determination due to the total of direct and indirect emissions from the action, the action meets the requirements of subsection (8)(C) of this rule, and meets any of the following requirements:

1. For any criteria pollutant, the total of direct and indirect emissions from the action are specifically identified and accounted for in the applicable implementation plan's attainment or maintenance demonstration;

2. For ozone or nitrogen dioxide, the total of direct and indirect emissions from the action are fully offset within the same nonattainment or maintenance area through a revision to the applicable implementation plan or a measure similarly enforceable under state and federal law that effects emission reduc-

tions so that there is no net increase in emissions of that pollutant.

3. For any criteria pollutant, except ozone and nitrogen dioxide, the total of direct and indirect emissions from the action meet the requirements—

A. Specified in subsection (8)(B) of this rule, based on areawide air quality modeling analysis and local air quality modeling analysis; or

B. Specified in paragraph (8)(A)5. of this rule and, for local air quality modeling analysis, the requirement of subsection (8)(B) of this rule.

4. For CO or PM₁₀—

A. Where the department determines (in accordance with sections (5) and (6) and consistent with the applicable implementation plan) that an areawide air quality modeling analysis is not needed, the total of direct and indirect emissions from the action meet the requirements specified in subsection (8)(B) of this rule, based on local air quality modeling analysis; or

B. Where the department determines (in accordance with sections (5) and (6) and consistent with the applicable implementation plan) that an areawide air quality modeling analysis is appropriate and that a local air quality modeling analysis is not needed, the total of direct and indirect emissions from the action meet the requirements specified in subsection (8)(B) of this rule, based on areawide modeling, or meet the requirements of paragraph (8)(A)5. of this rule; or

5. For ozone or nitrogen dioxide, and for purposes of subparagraphs (8)(A)3.B. and (8)(A)4.B. of this rule, each portion of the action or the action as a whole meets any of the following requirements:

A. Where EPA has approved a revision to an area's attainment or maintenance demonstration after 1990 and the state makes a determination as provided in part (I) or where the state makes a commitment as provided in part (II). Any such determination or commitment shall be made in compliance with sections (5) and (6).

(I) The total of direct and indirect emissions from the action (or portion thereof) is determined and documented by the department to result in a level of emissions which, together with all other emissions in the nonattainment (or maintenance) area, would not exceed the emissions budgets specified in the applicable implementation plan.

(II) The total of direct and indirect emissions from the action (or portion thereof) is determined by the department to result in a level of emissions which, together with all other emissions in the nonattainment (or maintenance) area, would exceed an emissions budget specified in the applicable implementation plan and the department

makes a written commitment to EPA which includes the following:

(a) A specific schedule for adoption and submittal of a revision to the applicable implementation plan which would achieve the needed emission reductions prior to the time emissions from the federal action would occur;

(b) Identification of specific measures for incorporation into the applicable implementation plan which would result in a level of emissions which, together with all other emissions in the nonattainment or maintenance area, would not exceed any emissions budget specified in the applicable implementation plan.

(c) A demonstration that all existing applicable implementation plan requirements are being implemented in the area for the pollutants affected by the federal action, and that local authority to implement additional requirements has been fully pursued;

(d) A determination that the responsible federal agencies have required all reasonable mitigation measures associated with their action; and

(e) Written documentation including all air quality analyses supporting the conformity determination.

(III) Where a federal agency made a conformity determination based on a state commitment under part (8)(A)5.A.(II) of this rule, such a state commitment is automatically deemed a call for an implementation plan revision by EPA under section 10(k)(5) of the CAA, effective on the date of the federal conformity determination and requiring response within eighteen (18) months or any shorter time within which the state commits to revise the applicable implementation plan;

B. The action (or portion thereof), as determined by the MPO, is specifically included in a current transportation plan and transportation improvement program which have been found to conform to the applicable implementation plan under 10 CSR 10-2.390 or 10 CSR 10-5.480;

C. The action (or portion thereof) fully offsets its emissions within the same nonattainment or maintenance area through a revision to the applicable implementation plan or an equally enforceable measure that effects emission reductions equal to or greater than the total of direct and indirect emissions from the action so that there is no net increase in emissions of that pollutant;

D. Where EPA has not approved a revision to the relevant implementation plan attainment or maintenance demonstration since 1990, the total of direct and indirect emissions from the action for the future years (described in subsection (9)(D) of this rule)

do not increase emissions with respect to the baseline emissions, and—

(I) The baseline emissions reflect the historical activity levels that occurred in the geographic area affected by the proposed federal action during—

(a) Calendar year 1990;

(b) The calendar year that is the basis for the classification (or, where the classification is based on multiple years, the year that is most representative in terms of the level of activity), if a classification is promulgated in 40 CFR part 81; or

(c) The year of the baseline inventory in the PM₁₀ applicable implementation plan; and

(II) The baseline emissions are the total of direct and indirect emissions calculated for the future years (described in subsection (9)(D) of this rule) using the historic activity levels (described in part (8)(A)5.D.(I) of this rule) and appropriate emission factors for the future years; or

E. Where the action involves regional water or wastewater projects, such projects are sized to meet only the needs of population projections that are in the applicable implementation plan, based on assumptions regarding per capita use that are developed or approved in accordance with subsection (9)(A).

(B) The areawide and local air quality modeling analyses must—

1. Meet the requirements in section (9); and

2. Show that the action does not—

A. Cause or contribute to any new violation of any standard in any area; or

B. Increase the frequency or severity of any existing violation of any standard in any area.

(C) Notwithstanding any other requirements of this section, an action subject to this rule may not be determined to conform to the applicable implementation plan unless the total of direct and indirect emissions from the action is in compliance or consistent with all relevant requirements and milestones contained in the applicable implementation plan, such as elements identified as part of the reasonable further progress schedules, assumptions specified in the attainment or maintenance demonstration, prohibitions, numerical emission limits, and work practice requirements, and such action is otherwise in compliance with all relevant requirements of the applicable implementation plan.

(D) Any analyses required under this section must be completed, and any mitigation requirements necessary for a finding of conformity must be identified in compliance with section (10), before the determination of conformity is made.

(9) Procedures for Conformity Determinations of General Federal Actions.

(A) The analyses required under this rule must be based on the latest planning assumptions.

1. All planning assumptions (including, but not limited to, per capita water and sewer use, vehicle miles traveled per capita or per household, trip generation per household, vehicle occupancy, household size, vehicle fleet mix, vehicle ownership, wood stoves per household, and the geographic distribution of population growth) must be derived from the estimates of current and future population, employment, travel, and congestion most recently developed by the MPO. The conformity determination must also be based on the latest assumptions about current and future background concentrations and other federal actions.

2. Any revisions to these estimates used as part of the conformity determination, including projected shifts in geographic location or level of population, employment, travel, and congestion, must be approved by the MPO or other agency authorized to make such estimates for the area.

(B) The analyses required under this rule must be based on the latest and most accurate emission estimation techniques available as described below, unless such techniques are inappropriate. If such techniques are inappropriate and written approval of the EPA regional administrator is obtained for any modification or substitution, they may be modified or another technique substituted on a case-by-case basis or, where appropriate, on a generic basis for a specific federal agency program.

1. For motor vehicle emissions, the most current version of the motor vehicle emissions model specified by EPA for use in the preparation or revision of implementation plans in the state or area must be used for the conformity analysis as specified below.

A. The EPA must publish in the *Federal Register* a notice of availability of any new motor vehicle emissions model; and

B. A grace period of three (3) months shall apply during which the motor vehicle emissions model previously specified by EPA as the most current version may be used. Conformity analyses for which the analysis was begun during the grace period or no more than three (3) years before the *Federal Register* notice of availability of the latest emission model may continue to use the previous version of the model specified by EPA.

2. For nonmotor vehicle sources, including stationary and area source emissions, the latest emission factors specified by EPA in the "Compilation of Air Pollutant Emission Factors (AP-42)" must be used for the conformity analysis unless more accurate

emission data are available, such as actual stack test data from stationary sources which are part of the conformity analysis.

(C) The air quality modeling analyses required under this rule must be based on the applicable air quality models, databases, and other requirements specified in the most recent version of the "Guideline on Air Quality Models (Revised)" (1986), including supplements (EPA publication no. 450/2-78-027R), unless—

1. The guideline techniques are inappropriate, in which case the model may be modified or another model substituted on a case-by-case basis or, where appropriate, on a generic basis for a specific federal agency program; and

2. Written approval of the EPA regional administrator is obtained for any modification or substitution.

(D) The analyses required under this rule must be based on the total of direct and indirect emissions from the action and must reflect emission scenarios that are expected to occur under each of the following cases:

1. The CAA mandated attainment year or, if applicable, the farthest year for which emissions are projected in the maintenance plan;

2. The year during which the total of direct and indirect emissions from the action for each pollutant analyzed is expected to be the greatest on an annual basis; and

3. Any year for which the applicable implementation plan specifies an emissions budget.

(10) Mitigation of Air Quality Impacts.

(A) Any measures that are intended to mitigate air quality impacts must be identified (including the identification and quantification of all emission reductions claimed) and the process for implementation (including any necessary funding of such measures and tracking of such emission reductions) and enforcement of such measures must be described, including an implementation schedule containing explicit timelines for implementation.

(B) Prior to determining that a federal action is in conformity, the federal agency making the conformity determination must obtain written commitments from the appropriate persons or agencies to implement any mitigation measures which are identified as conditions for making conformity determinations. Such written commitment shall describe such mitigation measures and the nature of the commitment, in a manner consistent with subsection (10)(A) of this rule.

(C) Persons or agencies voluntarily committing to mitigation measures to facilitate positive conformity determinations must comply with the obligations of such commitments.

(D) In instances where the federal agency is licensing, permitting or otherwise approving the action of another governmental or private entity, approval by the federal agency must be conditioned on the other entity meeting the mitigation measures set forth in the conformity determination, as provided in subsection (10)(A) of this rule.

(E) When necessary because of changed circumstances, mitigation measures may be modified so long as the new mitigation measures continue to support the conformity determination in accordance with sections (8) and (9) and this section. Any proposed change in the mitigation measures is subject to the reporting requirements of section (5) and the public participation requirements of section . . .

(F) Written commitments to mitigation measures must be obtained prior to a positive conformity determination and such commitments must be fulfilled.

(G) After this rule is approved by EPA as an implementation plan revision, any agreements, including mitigation measures, necessary for a conformity determination will be both state and federally enforceable. Enforceability through the applicable implementation plan will apply to all persons who agree to mitigate direct and indirect emissions associated with a federal action for a conformity determination.

(11) Savings Provision. The federal conformity rules under 40 CFR part 51 subpart W, in addition to any existing applicable state requirements, establish the conformity criteria and procedures necessary to meet the requirements of Clean Air Act section 176(c) until such time as this rule is approved by EPA as an implementation plan revision. Following EPA approval of this rule as a revision to the applicable implementation plan (or a portion thereof), the approved (or approved portion of the) state criteria and procedures will govern conformity determinations and the federal conformity regulations contained in 40 CFR part 93 will apply only for the portion, if any, of the state's conformity provisions that is not approved by EPA. In addition, any previously applicable implementation plan requirements relating to conformity remain enforceable until the state revises its applicable implementation plan to specifically remove them and that revision is approved by EPA.

*AUTHORITY: section 643.050, RSMo (1994). * Original rule filed Oct. 4, 1994, effective May 28, 1995. Amended: Filed Jan. 30, 1996, effective Sept. 30, 1996.*

**Original authority 1965, amended 1972, 1992, 1993, 1995.*

10 CSR 10-6.320 Sales Tax Exemption

PURPOSE: This rule sets forth the criteria used by the commission to determine eligibility for sales tax exemption for items purchased or leased for the purpose of preventing, abating or monitoring air pollution in accordance with section 144.030, RSMo.

(1) Applicability.

(A) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices shall be eligible for sales tax exemption if so certified by the director.

(B) The applicant shall only request sales tax exemption for those machinery, equipment, appliances and devices for which sales tax would be charged.

(2) Definitions.

(A) Air pollution—The presence in the ambient air of one (1) or more air contaminants in quantities, or characteristics and of a duration which directly and proximately cause or contribute to injury to human, plant or animal life or health, or to property or which unreasonably interferes with the enjoyment of life or use of property.

(B) Definitions for other terms used in this rule may be found in 10 CSR 10-6.020(2).

(3) General Provisions.

(A) The following criteria shall be used to evaluate applications for sales tax exemption:

1. The machinery, equipment, appliance and device removes or captures air pollutants from a system or process, or it monitors the levels of the pollutant; and its function within the system or process is limited to removing, capturing, or monitoring air pollution;

2. The machinery, equipment, appliance and device is a portion or all of a system or process pretreating air prior to its discharge into the atmosphere; and

3. Materials and supplies if they are required for the installation, construction or reconstruction of items in subsection (1)(A) and will not be used for other functions.

(B) Sales tax exemption applications for air pollution machinery and material shall be submitted on forms provided by the department. There is a maximum two (2)-year time limit from date of purchase on applications.

(C) The department will review the application and approve, partially approve, or deny the sales tax exemption request. If approved or partially approved, the department will notify the Missouri Department of Revenue which will forward a State of Missouri Exemption from Missouri Sales and Use Tax on Purchases certificate to the applicant. If the application is denied, the department shall send written notice to the applicant. Applicants who are denied a sales tax exemption shall have a period of thirty (30) days from the issuance of the notice of denial to appeal such denial to the Missouri Air Conservation Commission, P.O. Box 176, Jefferson City, MO 65102-0176. An additional three (3) days will be added for mail time for a total of thirty-three (33) days from the denial issuance.

(4) Reporting and Record Keeping (not applicable).

(5) Test Methods (not applicable).

AUTHORITY: section 643.050, RSMo (Cum. Supp. 1996). * Original rule filed Dec. 13, 1996, effective July 30, 1997.

*Original authority 1965, amended 1972, 1992, 1993, 1995.

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Office of the Chairman

Surface Transportation Board
Washington, D.C. 20423-0001

FILE IN DOCKET

March 18, 1998

Mr. Brian E. Holley
Executive Director
Cleveland Botanical Gardens
in University Circle
11030 East Boulevard
Cleveland, OH 44106

Re: Finance Docket No. 33388: CSX and Norfolk Southern -- Control and
Acquisition -- Conrail

Dear Mr. Holley:

Thank you for your letter expressing your concerns about the potential negative impacts on the Cleveland Botanical Garden from the proposal by Norfolk Southern and CSX to acquire Conrail.

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of the potential environmental impacts associated with the proposed Conrail acquisition and will prepare an Environmental Impact Statement (EIS). As part of its environmental review, SEA will address several environmental impact areas, including safety, transportation systems, land use, energy, air quality, noise, biological resources, water resources, environmental justice, and cultural and historic resources. In analyzing potential safety impacts, SEA will consider accident risk and vehicular delay at grade crossings.

The EIS also will present an analysis of the increased probability of derailments and releases of hazardous materials due to increased train traffic. Further, SEA will examine local truck traffic increases attributable to increased intermodal activities, and safety issues associated with the integration of differing rail operating systems and procedures. In addition, SEA will address potential impacts on emergency response capability because of vehicular delays at rail grade crossings due to increases in rail-related operations as a result of the proposed Conrail acquisition. SEA is fully aware that these and other issues are of major concern to the residents of the entire Cleveland area.

Under the current procedural schedule adopted by the Board, SEA issued the Draft EIS on December 12, 1997, the public review and comment period ended on February 2, and the staff is currently evaluating those comments. After conducting an independent environmental

analysis, reviewing all environmental information available to date, consulting with appropriate agencies, and fully considering all public comments, SEA plans to issue in late May 1998 a Final EIS for consideration by the Board. In its final decision, the Board will consider the entire environmental record, including all public comments, the Draft E.S, and the Final EIS. The Board will issue its final written decision in July 1998.

I am having your letter and my response placed in the public docket for this proceeding. If you have additional questions concerning the environmental review process, please contact Mike Dalton, SEA Project Manager for the Conrail Acquisition EIS, at (202) 565-1530.

Sincerely,

Linda J. Morgan
Linda J. Morgan



CLEVELAND BOTANICAL GARDEN
in University Circle

March 2, 1998

The Honorable Linda J. Morgan
Chairman
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

RECEIVED
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BOARD
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OFFICE OF
CHAIRMAN MORGAN

Dear Chairman Morgan,

We are, as an institution, very concerned about the acquisition of Conrail by the CSX and Norfolk Southern (NS) railroads. The proposed corridor means increased rail traffic running through Cleveland neighborhoods and the city's cultural center - University Circle.

The myriad negative impacts that the additional trains will create is totally at odds with the current resurgence of Cleveland and its communities.

We would urge you to support the alternate plan proposed by the City of Cleveland. Thank you for your consideration.

Sincerely,

Brian E. Holley
Executive Director

cc: Louis Stokes
Rodney Slater
Steven Latourette
Dennis Kucinich