

STB

FD-33388

10-8-97

K

ID-MOES

MIKE DEWINE
OHIO

140 RUSSELL SENATE OFFICE BUILDING
(202) 224-2315
TDD: (202) 224-9921
senator_dewine@dewine.senate.gov

United States Senate

WASHINGTON, DC 20510-3503

October 8, 1997

COMMITTEES:

JUDICIARY

CHAIRMAN, SUBCOMMITTEE ON ANTITRUST

LABOR AND HUMAN RESOURCE

CHAIRMAN, SUBCOMMITTEE ON
EMPLOYMENT AND TRAINING

INTELLIGENCE

Elaine K. Kaiser
Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K St., NW, Suite 500
Washington, DC 20423

ENVIRONMENTAL
DOCUMENT
CENTRAL ADMINISTRATIVE UNIT
REC'D: 10/8/97 5:25p
DOCUMENT # 10/14/97 4:57 48 PM

Dear Ms. Kaiser:

It is my understanding that the Surface Transportation Board (STB) will release its draft Environmental Impact Statement on the proposed Norfolk Southern/CSX takeover of Conrail in mid-November. I am writing to express my views about the possible impact of the proposed takeover on public safety.

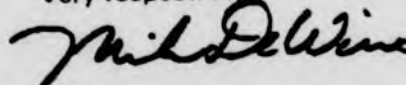
According to the joint application submitted to the Surface Transportation Board by CSX and Norfolk Southern, many areas of Ohio would experience sharp increases in train traffic as a result of the merger. These increases could affect the ability of cities and towns located along the rail lines to provide emergency services to its citizens, increase the likelihood of derailments as well as the risk of release of hazardous materials, and, finally, increase the potential for train/car collisions at many rail grade crossings.

For example, the application includes a proposal that would nearly triple the daily number of Norfolk Southern trains running through the westside of Cleveland and its westshore suburbs, including Lakewood, Bay Village, Rocky River and Avon Lake. Along this line, there are 41 grade crossings. The City of Lakewood, with a population of 66,000, has 27 crossings over three miles of track — only one of which is an underpass. In Bay Village, it could take emergency vehicles 15 minutes or more to reach the nearest hospital on the city's east side, while residents of Rocky River's north side could be cut off from firefighters whose station is on the south side of the tracks. Moreover, it is estimated that 676,000 tons of hazardous material were shipped by Norfolk Southern along this line in 1995. Tripling the number of these trains would result in more than 2 million tons of hazardous materials being transported through some highly populated cities.

While I have used Cleveland's west side as an example of how increased train traffic could be detrimental to public safety, it is important to note that many other cities and small towns in Ohio could face similar problems. For these reasons, I urge the Surface Transportation Board to make safety its top priority when considering the joint application filed by CSX and Norfolk Southern.

Thank you for your time and attention.

Very respectfully,



MIKE DEWINE
United States Senator

STATE OFFICES:

105 EAST FOURTH STREET
ROOM 1515
CINCINNATI, OH 45202
(513) 763-8260

600 SUPERIOR AVENUE EAST
ROOM 2450
CLEVELAND, OH 44114
(216) 622-7272

37 WEST BROAD STREET
ROOM 970
COLUMBUS, OH 43215
(614) 469-6774

200 PUTNAM STREET
ROOM 522
MARIETTA, OH 45750
(614) 373-2317

234 NORTH SUMMIT STREET
ROOM 716
TOLEDO, OH 43604
(419) 259-7535

265 SOUTH ALLISON AVE
ROOM 106
XENIA, OH 45385
(937) 376-3080

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FD-33388

10-7-97

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ENVIRONMENTAL
DOCUMENT

A note

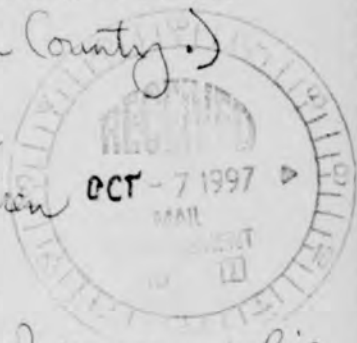
9/30/97

Federal Surface Transportation Board

Please oppose the Norfolk & Southern
Railroad's proposed freight traffic increase
through western Cleveland, Lakewood, Oak River,
Bay Village & Westlake, Ohio (as well as the
northern suburbs in Lorain County.)

My concerns:

- Increased 911 calls
- Safety of school children
- Possible derailments
- Lowered property values
- Increased response time of emergency vehicles



Please consider routing the increased
traffic through an industrial area or areas
less densely populated.

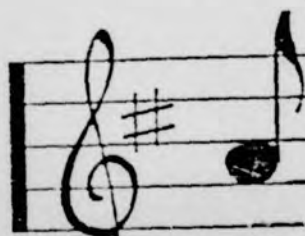
Thank you. signed,

John H. Evans

12900 Lake Ave #206

Lakewood, OH 44107

216-221-6670



ENVIRONMENTAL
DOCUMENT

1599 Woodward Ave
Lakewood Ohio, 44107
Sept 19, 1997



Federal Surface Transportation Board
Washington, DC 20423

Dear Sir or Madam:

I am writing to you in regard of the trains that are coming through the town that I live in. At night there is noise pollution which is making it harder to sleep. The dirt and dust is polluting the air. With the trains coming through more often accidents are going to occur with people, cars and other trains. When there is a fire or a police officer needs to get to a problem or paramedics need to get to a problem and it is on the south side of the tracks so if there is a stopped train they will not be able to there as fast as they would normally be able to.

Truly,
Lauren Dumski

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DOCUMENT



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

Dear Sir:

Re: No. FD 33388

This letter is my protest to the proposed increase in rail traffic through the westshore communities from 13 to approximately 38 trains a day.

As a westshore resident, I sincerely believe that the safety, health and economic impact that this proposal would have on virtually all of us in such a densely populated area could be devastating.

In closing, while railroads play a vital role in our country, common sense has to exist when the safety and welfare of literally thousands of individuals and families are at stake.

I thank you for reading my letter and I hope that an alternate solution will be forthcoming in the future.

Sincerely,

Anda P. Jackson
Address: 1204 Elbur Ave.
Lakewood, OH 44107

ENVIRONMENTAL
DOCUMENT



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

Dear Sir:

Re: No. FD 33388

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As a westshore resident, I sincerely believe that the safety, health and economic impact that this proposal would have on virtually all of us in such a densely populated area could be devastating.

In closing, while railroads play a vital role in our country, common sense has to exist when the safety and welfare of literally thousands of individuals and families are at stake.

I thank you for reading my letter and I hope that an alternate solution will be forthcoming in the future.

Sincerely,

Address:

1204 Eber Ave.
Alhambra, 44107

Sandra L. Tirey
25301 Bayfair Court
Bay Village, Ohio 44140

ENVIRONMENTAL DOCUMENT

October 8, 1997

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



RE: FD 33388 - Expansion of Norfolk and Southern Rail Traffic

To Whom It May Concern:

I feel it imperative to voice my opinion over the recent news of the possible expansion of the railroad lines running through the communities of Lakewood, Rocky River, and Bay Village, Ohio. I cannot imagine the impact this change would have upon the safety, welfare, and overall economy of those communities if this expansion were indeed to take place.

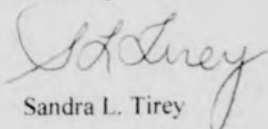
As a 7-year resident of Bay Village, and a property owner whose property is adjacent to the railroad tracks, I can only say that I have already seen an increase in the number of trains passing through our area in the short time I have been here. Although sometimes a nuisance, they are not a perpetual annoyance and safety hazard, as I fear the projected increase would most definitely be.

There is only one overpass leading from Bay Village, and it is not near any of the local hospitals or outpatient care clinics! I cannot imagine what a risk to life and limb this inaccessibility to emergent care would cause as that overpass would be clogged with more traffic attempting to avoid the increased rail traffic. Many of the residents of Bay Village are elderly, as this is a great community not only for the young, but also the young at heart, for we all enjoy the beauty of land, woods, and lake our small community offers.

This proposal would also put our young in greater peril, as children's natural curiosity would draw them to the trains and the dangerous tracks. I have personally taken children off, or away from, the tracks myself in fear they would be harmed. . . placing pennies on the track to be flattened by an oncoming train is indeed still a popular past-time. Imagine if there were more than 3 times the amount of passing trains as there are now!

Railroads understandably play a vital role in the economy of our country, but I feel the state and federal government have the moral responsibility to protect the safety and welfare of the thousands of residents this proposal would effect.

Sincerely,


Sandra L. Tirey

cc: Congressman Dennis Kucinich

STB

FD-33388

10-2-97

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BAY VILLAGE SCHOOLS

ENVIRONMENTAL DOCUMENT

377 Dover Center Road
Bay Village, Ohio 44140
(216) 871-2322
FAX 899-5880

Dennis C. Woods
Superintendent

Thomas E. Carr
Assistant Superintendent

John J. Cavalier, Jr.
Treasurer

Board of Education

Nancy M. Rodgers
Lawrence G. Elmore
Catherine H. Gilchrist
Karen A. Lieske
Carol S. Pancoast

September 26, 1997

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

Dear U.S. Surface Transportation Board:

This letter is to convey our serious concern regarding a pending Norfolk Southern/CSX merger and the subsequent increase in rail traffic anticipated in Bay Village, Ohio. Currently the track in Bay Village averages 13 trains per day. It is our understanding that this average could increase to more than 30 trains daily after the merger. An increase of this magnitude will have a serious impact on our regular student transportation program and could create a life threatening condition for students who require emergency medical treatment.

We currently transport a significant number of students to public and parochial schools outside Bay Village. Because the railroad tracks form the southern boundary of the city and there are railroad crossings at five of the six roads into the community, most, if not all, of these trips require crossing the tracks. St. Raphael's parochial school is also located in Bay Village. More than 100 students who attend St. Raphael's come from the south side of the railway. Doubling or tripling rail traffic would regularly and seriously jeopardize the timely arrival of students to their respective schools. Depriving children of educational time or increasing substantially their time on a school bus certainly does not contribute to student learning.

Beyond the negative daily effect on the educational program, the district is also responsible for the physical well being of approximately 3,300 public and parochial students. It is not uncommon in any given week to have one or more emergency vehicles called to one of our schools for trauma assistance. Medical care is usually provided by St. John West Shore Hospital located on the south side of the railway. It is our concern that increasing the rail traffic to more than 30 trains per day could have a life threatening impact on any student requiring emergency assistance.

In summary, we respectfully request that the Transportation Board give serious deliberation to this issue. This is not to suggest that the merger be abandoned because of the safety and environmental concerns of people in the Cleveland Westshore area. Rather, we implore you to explore alternative solutions to reduce the negative health and safety impact on these communities. Thank you for your consideration in this important matter.

Sincerely,
Dennis C. Woods
Dennis C Woods
Superintendent



John Cavalier
John Cavalier
Treasurer/Director of Business
& Fiscal Services

STB

FD-33388

10-2-97

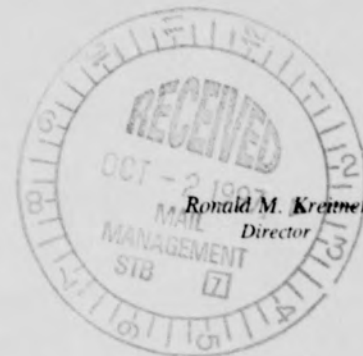
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MARYLAND *Office of Planning*

Parris N. Glendening
Governor



September 25, 1997

ENVIRONMENTAL DOCUMENT

Ms. Elaine K. Kaiser
Chief, Section of Environmental
Case Control Unit
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

State Application Identifier:	MD970812-0825
Project Description:	Operational Impacts Rail Line Segments, Rail Yards and Intermodal Facilities
State Clearinghouse Contact:	La Verne Gray

Dear Ms. Kaiser:

We are forwarding the enclosed comments made by the Maryland Departments of Housing and Community Development, including the Maryland Historical Trust and the Environment; Prince George's and Howard Counties regarding the referenced project for your information. If you need assistance or have questions concerning this review, please contact the staff person noted above.

Thank you.

Sincerely,

Linda C. Janey, J.D.
Manager, Clearinghouse & Plan Review Unit

LCJ:LG:vh
Enclosure

State of Maryland Clearinghouse Review
State Identifier Number MD970812-0825



Additional Comments submitted 9/22/97

Response to the Railroad Control Application, Finance Docket No. 33388, *CSX Corporation and CSX Transportation, Inc., Norfolk Souther Corporation and Norfolk Souther Railroad Company-Control and Operation Leases/Agreements-Conrail, Inc., And Consolidated Rail Corporation.*

Comments from the MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT/MARYLAND HISTORICAL TRUST

The Surface Transportation Board must complete the Section 106 review of the proposed undertaking as project planning proceeds.

Comments from the DEPARTMENT OF THE ENVIRONMENT

If a project receives federal funding, approvals and/or permits, and will be located in a nonattainment area or maintenance area for ozone or carbon monoxide, the applicant should determine whether emissions from the project will exceed the thresholds identified in the federal rule on general conformity. If the project emissions will be greater than 25 tons per year, contact James Wilkinson, Air and Radiation Management Administration, at (410) 631-3245 for further information regarding threshold limits.

Approval of the project is contingent upon the following actions:

Mitigation measures must be identified because estimated increase in Nox emissions are above conformity applicability thresholds.

Comments from PRINCE GEORGE'S COUNTY

The discussion of the impacts is very general; background information and mitigation recommendations are lacking. However, the main conclusions of the report would probably not be significantly changed if additional information was provided. The Planning Department notes the following:

1. The emissions factors for trucks and trains are not given in the document. A trade-off of pollutant loads generated by the increased number of trains compared to the reduced number of trucks would have provided a more quantitative comparison.
2. The estimated increase of pollutants in tons per year needs to be related to the existing total load of specified pollutants in various jurisdictions in order to judge the relative magnitude of change.
3. There are no recommendations to alleviate or mitigate the reduction of the amounts

of nitrogen oxides and volatile organic compounds.

4. Maps showing the 65 dBA contours prior to and after the acquisition are not shown. These maps would probably show some residences located within the noise corridors in the Landover area.
5. Methodologies used to evaluate air quality and noise impacts should be shown.
6. Have the air quality impacts noted in this report been reviewed by the National Capital Region Transportation Planning Board (TPB) for conformity with the Transportation Improvement Program? This is required for every transportation project approved by the states of Maryland and Virginia and the District of Columbia. Despite the report notation that increases in nitrogen oxides and other ozone precursors will occur as a result of the merger, the report does not include assumptions made for truck-to-rail conversion that would lead them to the conclusion that "significant systemwide offsetting benefits to air quality would result from truck-to-rail diversions and traffic decreases on certain rail lines." I would recommend that a review by the TPB staff be undertaken before any approvals are made.
7. Have any analyses been conducted that show the potential effects of increased freight on current and future MARC and VRE schedules? Accidents occurring on off-peak freight lines have historically created scheduling problems for these two major commuter lines and their potential impacts should be considered prior to any approvals. Since passenger rail provides significant reductions in the number of miles driven (vehicle miles of travel or VMT) are subsequent air quality improvements, it is in the County's and the region's best interest to maintain these two systems as reliable, cost-effective, and marketable travel options.
8. Attached for your information and included as our review comments for the Clearinghouse review of CSX/NS Railroad Merger Facility Impacts (MD970812-0825) is a draft letter that was prepared for the County Executive's signature responding to the Surface Transportation Board's request that the County review the draft scope of work for the Environmental Impact Statement (EIS) for the proposed buyout of Conrail. The attached letter presents our request that the possible impacts on adjacent land uses and future commuter rail services be included in the scope of the EIS.

Comments from HOWARD COUNTY

We have concluded that the Conrail transactions are consistent with our plans, programs and objectives if it can be demonstrated that:

1. Air quality impacts to Howard County from the increased number of trains on the CSX Camden, Baltimore Point of Rocks and Brunswick lines will not violate EPA air quality non-attainment guidelines.
2. As part of the Conrail transaction, written agreements will be in place to guarantee that increased CSX freight operations on the Camden rail line do not disrupt or decrease MARC commuter service and/or the number of commuter trains running on that line.

3. As part of the Conrail transaction, written agreements will be in place to guarantee increased MARC commuter service.

STB

FD-33388

10-2-97

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ENVIRONMENTAL DOCUMENT

Gregory A. and Gretchen H. Kunkel
28565 Knickerbocker Road
Bay Village, Ohio 44140
September 21, 1997

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

RE: FD 33388

To Whom It May Concern:

We are writing this letter in response to last month's announcement that Norfolk Southern Railroad intends to increase its traffic moving through the western suburbs of Greater Cleveland three-fold. There are several issues of concern that we would like to address before this proposed plan is put into effect.

In late 1996, we purchased our *first* home in Bay Village. The house is adjacent to the tracks and we bought it with the knowledge that a dozen or so trains passed each day. Because of the beautiful neighborhood and Bay Village's excellent reputation, we felt that the number of trains was acceptable and the house would be a good investment. Our bidding price reflected that thinking. To increase the number of trains three times will utterly ruin our property value and will cost us thousands of dollars when we sell the house. Equally distressing is the increased probability of train derailment. With the tracks passing through heavily populated neighborhoods, you can see that this would be disastrous. We are one of many property owners that would be negatively affected by this train increase. If you multiplied the loss in property value by the number of home owners that live adjacent to or near the tracks, the total loss will easily be in the millions.

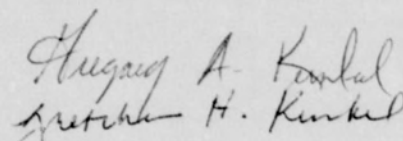
In addition, we are sincerely concerned for the safety of the people living in the municipalities neighboring the train route—not only for the children who need to cross the tracks to get to school, but also for anyone who would require emergency assistance. As you know, all west-side hospitals are south of the tracks and, in some suburbs, police and fire departments are also located south of the tracks. Delays in emergency attention can mean the loss of life and property. Increasing the number of trains, especially by three, multiplies the chance that these losses will occur.

We understand that this merger would realize a financial windfall for Norfolk Southern. Whereas this merger would be beneficial to Norfolk Southern, it would be highly disastrous upon us and many other families in the surrounding suburbs. If you are unable to choose in our favor, please implement a decision that would mitigate this negative impact and would mean a compromise between Norfolk Southern and the suburbs. As home owners living adjacent to the tracks, potential efforts could include the construction of a sound/protection barrier wall between homes and the tracks, restricted hours of transport (e.g., no travel between 12:00 a.m. and 5:00 a.m.), and/or reimbursement to home owners for lost property value. For the affected suburbs, potential efforts could include payment for an additional overpass, beautifying the land surrounding the tracks, and/or restricted hours of transport (e.g., no travel during rush hours).



Many of you are home owners and have family members living with you. Please take into consideration the full import of your decision and how it would impact you, if you were in our shoes. Thank you for your attention to this matter.

Respectfully,

Handwritten signatures of Gregory A. Kunkel and Gretchen H. Kunkel. The signature of Gregory A. Kunkel is on the top line, and the signature of Gretchen H. Kunkel is on the bottom line.

Gregory A. and Gretchen H. Kunkel

cc: Congressman Dennis Kucinich
Mayor Thomas Jelepis

ENVIRONMENTAL DOCUMENT

September 2, 1997

Federal Surface Transportation Board
Section of Environment Analysis
1925 K Street, NW
Washington, DC 20433



ATTENTION: Document Number FD33388

Gentlemen:

This letter is a plea to you to prevent the addition of any rail freight traffic on the Cleveland-Vermilion line of Norfolk and Southern Railroad.

This plan would disrupt so many lives, disturb the peace of beautiful neighborhoods, endanger the health of thousands of people from coal dust exposure, noise pollution, the potential danger of toxic chemicals, and the economic consequences of decreased property values and tax revenues would be devastating.

Our home is in Lakewood, Ohio where we have 27 streets that are bisected by NS tracks. Additional trains and longer, faster trains are a danger to our citizens and children. Lakewood does not have school busing and students attending 8 schools cross the tracks at least twice each day. Our police, fire and emergency vehicles would be seriously impacted by any increase in freight rail traffic through our city. More overpasses and underpasses would not remove all of the rail threats to our neighborhoods. On interstates through populated areas, signs bear the letters "HC" - hazardous cargo - with a slash through it, meaning certain trucks should take routes through industrialized areas, rather than through residential zones. Why shouldn't the same apply to freight trains?

Again, please consider the health and safety of thousands of residents in Northern Ohio and prevent the escalation of unsafe and unhealthy freight movement through our cities along Lake Erie.

Sincerely,

Judy Hudak

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) Ashley & Lauren 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 34 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,

Christine Jessica
1495 Rockway Avenue
Lakewood, Ohio 44107
(216) 529-8419

1246 Bonnieview

Lakewood, OH 44107

Sept. 19, 1997

**ENVIRONMENTAL
DOCUMENT**



Federal Surface Transportation Board
Section of Environmental Analysis
Washington D.C. 20423

Dear Sir or Madam:

I'm writing in regard to the number of trains that have been passing through Lakewood. I can hardly get to sleep at night ~~in~~ with all those trains coming through. They are also causing alot of accidents involving cars and pedestrians. All I want is for the number of trains to be greatly reduced and you can start with Norfolk & Southern.

Yours Truly,

Jason Christensen