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PUBLIC

ENVIRONMENTAL DOCUMENT

Dec 22 1997

CNS1648021
Surface Transportation
Board Section of
Environmental Analysis
Release of Draft Environmental
Impact Statement
Proposed Conrail Acquisition

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) issued its Draft Environmental Impact Statement (EIS) for the proposed Conrail Acquisition on December 12, 1997. The Draft EIS discusses SEA's independent analysis of potential environmental impacts and includes SEA's preliminary recommendations for mitigating possible environmental effects of the proposed Acquisition of Conrail by Norfolk Southern (NS) and CSX.

The Draft EIS is currently available for public review and comment. Public comments are due by February 2, 1998. The public review and comment period is part of an ongoing evaluation of the potential environmental impacts associated with the Proposed Acquisition.

SEA will consider all comments received in response to the Draft EIS in preparing the Final EIS and in making its final recommendations to the Surface Transportation Board (Board). SEA plans to serve the Final EIS in May 1998. The Board will consider the entire environmental record, including all public comment, the Draft EIS, and the Final EIS in making its final decision. The Board will issue its final written decision in July 1998.

SEA invites all interested agencies and the public to comment on the Draft EIS. SEA is providing copies of the Draft EIS to Federal, state, and regional agencies and county administrators for each potentially affected county, and to all parties who have specifically requested a copy. If you have questions regarding the Draft EIS, call SEA's toll-free Environmental Hotline at 1-800-659-1997 (TDD) for the hearing impaired; 202-565-1695. Information about the proposed Acquisition and Draft EIS can also be found at the following Internet Web site: <http://www.conrailmerger.com>.

All interested agencies, organizations, and individuals can comment on the Draft EIS by submitting written comments (include an original plus 10 copies) to the address listed below by February 2, 1998, the close of the public comment period.

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

Attn: Elaine K. Keiser
Environmental Project
Director
Environmental Filing

Published December 22, 1997

Nigale Wheeler Minix
P.O. Box 102
Paintsville, KY 42440

606-789-7072

Att: Elaine K Keiser
Surface Transportation Bd
1925 K Street NW
Washington, DC 20423-0001

Ms. Keiser; I do not understand much about this Ad. Dad incorporated Sandy Valley Lbr Co. in Paintsville, Ky 1921. We had many subsidiaries that had Rail-Road Access. I never saw the deeds to the businesses they owned. Appears all the valuable information burned 1964 Paintsville, Ky. Aaron suspected, and over Winchester Mill burned 1970's. Quite sure the most important documents kept. And that would be by Harold Kelley 1200 Bath Ave. Ashland Ky and Charles Donald Wheeler, Wheeler Williams Hdw. Rt 60 West, Ashland Ky. If the 2 above names are claiming anything concerning CSX-I can give you more information on that. And it could be listed in sundercover ^{assumed} names, if they had any claims on CSX. Kelley-Halloway

CPA's used assumed names, and others. My dad was Charles Wesley Wheeler b. 1875 d. 1931. The 2 above with help of Banks and Courts have Embezzeled-Extorted all those businesses, and taken my dad's personal real mineral rights in Eastern Kentucky. They also did the same to my brother Dola E. Wheelers Estate. He controlled alone of Southern Hills Est, owning the Capital stock 508 shares. Extortion exists every day. Robbing me of my legal inherited rights. I'm a 1/8th Heir of my Parents. A 1/4th Dola's 1/8th Mar 12, 1987. A 1/4th Heir of Brother Dola's Estate. If the Names Underscored above have anything to do with Ad Write Me. I have more information. Thank you-

The Associated Group
Article XIII signed by
Steve Rogers, Jr.
Signatures east page 2

Mar 13, 1996

Associated Group
dated June 15 - 1981 signed
By Frances Jones Mills
Pg 1

Myrtle Jayne Wheeler Minis
PO Box 102
Paintsville, KY 41240-0102
606-789-7072
Mar. 13, 1996

L. Ben Lytle
The Associated Group
POB 700

Indianapolis, In. 46207-7005

My Parents and
My Brother Etc

One being Embazzelia
and Efforton E. E. E.

1. Charles Wesley Wheeler
2. Dola E. Wheeler

Dear Mr. Lytle,

Enclosed letter I received from you dated Mar.
13, 1995, stating, The Associated Group, paragraph
five, "will provide you enhanced, financial, secure
dividends." I really could not understand that statement.

I have had Blue Cross Blue Shield Insurance a
long time, have always thought it probably the best, they
have always provided me as they stipulated, they would
concerning my medical needs I'm paying \$9.90 per
month due the first of each month, make check to Blue Cross
Blue Shield mail to Accordia Dr. of the South East, Inc.
POB 37890 Louisville, Ky 40233-7890. I do.

I have Mutual of Omaha Accident Ins.
and United of Omaha both of Nebraska Life Insurance
I have always paid my premiums directly to them. No
I do not have health insurance with them and I
am not familiar or affiliated with Community Mutual.

Feb 16, 1996, from James Murphy, President, Anthem
Blue Cross Blue Shield 9901 Linn Station Rd Louisville, Ky
40223 states, July 1993 Blue C / Blue S of Ky. completed
its merger with Associated Group. Just about health &

Feb 25, 1996 from Nancy L. Purcell Corporate Secretary
The Associated Group 120 Monument Circle Indianapolis, Ind.
46604-4903, states Mar 28, 1996 will ask members at
a meeting change company name to Anthem Inc Co's Inc.
He also sends me a list of nominees and directors.

And their associations with other subsidiaries and as
directors in Banks - Realtors - CPA's - Etc. Holding Co's Utilities
I am not a party to any dealings that the names sent to me
you approve and I would not be aware of Mar 13, 1996

Appears to be my "Racetrack" Inheritance

The Problem Names, Are Embazzelia and Inheritance

FROM PAGE ONE

Norfolk Southern bids \$1 billion more than CSX on Conrail deal

By JEFFREY BRODEUR
THE ASSOCIATED PRESS

PHILADELPHIA — A bidding war broke out today for Conrail Inc., as Norfolk Southern Corp. said it would pay \$8.1 billion for the company, topping CSX's offer by nearly \$1 billion.

Either merger would create the nation's third-biggest railroad, a giant that would dominate the rail freight industry in the East.

Norfolk Southern's offer would mean \$100 per share in cash to Conrail stock holders, beating the CSX offer of a cash-and-stock mix that values Conrail at \$81.51 per share.

The CSX offer initially was worth \$8.4 billion, but its stock price has since fallen more than 6 percent, pulling down the bid's value to a little under \$7.2 billion.

Norfolk Southern, which had been rumored earlier this year to be interested in buying Philadelphia-based Conrail, had signaled its willingness to disrupt the CSX deal when it was announced Oct. 15.

"This proposal is better on every point than the CSX/Conrail proposal announced last week," said David R. Goode, chairman, president and chief

executive officer of Norfolk Southern.

If Virginia-based Norfolk Southern wins Conrail, the combination would create one of the country's biggest railroads, matching Norfolk Southern's strength in the Southeast with Conrail's extensive track network in the Northeast and Midwest.

"A combined Norfolk Southern-Conrail will create a more balanced eastern rail system and will do so by increasing, rather than diminishing, competition in the industry," Goode said.

A combined Norfolk Southern and Conrail would, like a CSX-Conrail deal, rank behind Union Pacific and Burlington Northern in terms of track mileage.

Unlike CSX, however, Norfolk Southern would give Conrail greater reach into the Southeast, where Norfolk Southern stretches as far as New Orleans and Jacksonville, Fla.

Conrail and CSX had no immediate comment.

In a letter to Conrail's Board of Directors, Goode said Norfolk Southern would consider locating the combined company's headquarters in Philadelphia.

In its deal, CSX said that the combined company would be renamed and based in Philadelphia, with CSX president John W. Snow as chairman.

Norfolk Southern had said it would take steps to involve itself in the CSX-Conrail deal and in today's announcement confirmed it had been trying to strike a deal with Conrail for years. Goode said he had suggested a combination as recently as 11 days before the CSX deal was announced.

"We regret that, despite knowing our long-term interest in joining Conrail with Norfolk Southern, your chairman ignored our longstanding offer to submit a business combination proposal to you," Goode said in the letter.

Norfolk Southern operates a 14,500 mile rail system in 20 states and Canada, as well as a trucking company. Conrail operates an 11,000-mile rail freight network in 12 Northeastern and Midwestern states, the District of Columbia, and Quebec.

CSX operates more than 18,000 miles of track running through 20 states in the East, Midwest, South and in Ontario. The rail business accounted for nearly half of last year's revenues.

NEWS OF RECORD

\$15,000; Sept. 12.

erty on Ellington Run, \$30,000;

*Our Sandy Valley Grocery Buildings
Some had railroad access.*

The Banks - The Courts - Attys - Utilities - CPA's
Real Estate
PIA's
Circuit Court Clerk

News Papers
NEW ISSUE
March 30, 1994
17,572,222 Shares
Mar 30-1994
AK Steel
Common Stock
Price \$23.50 Per Share
These securities are being offered in the United States and internationally.
United States Offering
14,072,222 Shares
CS First Boston
Dear, Stearns & Co. Inc.
Barton, Read & Co. Inc.
Hambrecht & Quist
Lazard Freres & Co.
Montgomery Securities
Pippenheimer & Co., Inc.
Prudential Securities Incorporated
Smith Barney Shearson Inc.
Allen & Company
The Buckingham Research Group
Invest. Inc.
C. Bradford & Co.
First of Michigan Corporation
Edward N. Jones & Co.
Ladenburg, Thalmann & Co. Inc.
McDonald & Company
Piper Jaffray Inc.
Hauscher Pierce Refsnes, Inc.
The Robinson-Humphrey Company, Inc.
Hifel, Nicolaus & Company
Tucker Anthony
George N. Baum & Company
A.T. Brod & Co., Inc.
Crowell, Weedon & Co.
J.B. Hilliard, W.L. Lyons, Inc.
Josephthal Lyon & Ross
Ragen MacKenzie

AK Steel
Common Stock
(per value \$0.01)
Price \$23.50 Per Share
These securities are being offered in the United States and internationally.
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Crowell, Weedon & Co.
J.B. Hilliard, W.L. Lyons, Inc.
Josephthal Lyon & Ross
Ragen MacKenzie

Real Estate
PIA's
Circuit Court Clerk
Where at Illegal
1050.000.00
United States Offering
14,072,222 Shares
CS First Boston
Dear, Stearns & Co. Inc.
Barton, Read & Co. Inc.
Hambrecht & Quist
Lazard Freres & Co.
Montgomery Securities
Pippenheimer & Co., Inc.
Prudential Securities Incorporated
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A.T. Brod & Co., Inc.
Crowell, Weedon & Co.
J.B. Hilliard, W.L. Lyons, Inc.
Josephthal Lyon & Ross
Ragen MacKenzie

Selling what you
Do not own
A Felony

International Offering
3,500,000 Shares
Serious - Dangerous
Business

ABN AMRO Bank N.V.
Deutsche Bank

Credit Lyonnais Securities
NatWest Securities Limited

I'm on their
Dora C. Wheeler Etc Embroidered
Charles Wesley Wheeler Etc Embroidered

Oct 13-1987

COMMONWEALTH OF KENTUCKY
OFFICE OF SECRETARY OF STATE
FRANKFORT, 40601

DREXELL R. DAVIS
SECRETARY OF STATE

CLINTON H. NEWMAN II
ASST. SECRETARY OF STATE

CORPORATE FILINGS (502) 565-2840

10/15/87

STEVE ROGERS
8007 THIXTON LN.
LOUISVILLE, KY. 40229

RE: # 121200
ASSOCIATED GROUP, INC.

DEAR AGENT :

SIX MONTHS AGO, THIS OFFICE NOTIFIED YOU THAT THE SUBJECT CORPORATION HAD NOT FILED ANNUAL REPORT(S) AS REQUIRED BY KY. LAW. AT THAT TIME, WE GAVE NOTICE THAT UNLESS THESE ANNUAL REPORTS WERE RECEIVED WITHIN SIX MONTHS FROM THE DATE OF THE NOTICE THE CORPORATE CHARTER WOULD BE REVOKED PURSUANT TO KENTUCKY LAWS 271A.015).

FURTHER, KENTUCKY LAW REQUIRES THE SECRETARY OF STATE TO MAIL THIS NOTICE THEREOF TO THE CORPORATION AT ITS REGISTERED OFFICE.

SINCERLY,

RUTH ANN POWERS,
CORPORATION DIVISION DIRECTOR

COMMONWEALTH OF KENTUCKY
OFFICE OF SECRETARY OF STATE
FRANKFORT, 40601

BREMER EHRLER
SECRETARY OF STATE

CLINTON H. NEWMAN II
ASST. SECRETARY OF STATE

*Aug. 1,
1988*
CORPORATE FILINGS (502) 564-2848

08/01/88

CARLENE COOPER
MAIN ST., P. O. BOX 595
JUNCTION CITY, KY. 40440

RE: # 214655
DIRT MOVERS, INC.

DEAR AGENT :

SIX MONTHS AGO, THIS OFFICE NOTIFIED YOU THAT THE SUBJECT CORPORATION HAD NOT FILED ANNUAL REPORT(S) AS REQUIRED BY KY. LAW. AT THAT TIME, WE GAVE NOTICE THAT UNLESS THESE ANNUAL REPORTS WERE RECEIVED WITHIN SIX MONTHS FROM THE DATE OF THE NOTICE THE CORPORATE CHARTER WOULD BE REVOKED PURSUANT TO KENTUCKY LAWS KRS 271A.615).

FURTHER, KENTUCKY LAW REQUIRES THE SECRETARY OF STATE TO MAIL THIS NOTICE THEREOF TO THE CORPORATION AT ITS REGISTERED OFFICE.

SINCERELY,

RUTH ANN POWERS
CORPORATION DIVISION DIRECTOR

Dec. 1, 1990

IN OUR VIEW

Ousted at KACo

Changes will help restore credibility

Kentucky's county judge-executives have taken a step toward regaining control and restoring credibility to their organization. It should not be the final step.

In a move led by the Kentucky County Judge-Executive Association, the trustees of the Kentucky Association of Counties' financially strapped All Lines Fund have voted to replace its third-party administrator and attorney.

The judge-executives says other changes may be forthcoming.

Greenup County Judge-Executive Bobby Carpenter said KACo Executive Director John Griggs' future is in doubt. Griggs later announced that he will retire early.

"Everyone is going to be held accountable," warned Morgan County Judge-Executive Sid Stewart, president of the judge-executives group.

Holding KACo's administrators accountable for the organization's problems is something that needed to be done years ago. But county officials looked the other way

Holding KACo's administrators accountable for the organization's problems is something that needed to be done years ago.

while KACo has been involved in one controversy after another in recent years.

Their nonchalant attitude changed radically when counties had to foot the bill to cover part of a \$9.4 million deficit in KACo's All Lines Fund, a self-insurance program that offered counties low rates for property and casualty protection. In this area, Boyd County has been asked to pay \$19,447; Greenup, \$17,868; Carter, \$11,248, and Rowan, \$27,314.

It is too bad that it took county officials so long to wake up to the serious problems at KACo. New leadership and increased oversight is the best way to restore credibility to KACo.



IN MEMORY OF MY PARENTS AND THEIR CHILDREN

Charles Wesley Wheeler was born November 3, 1875, at Franks Creek, and passed away December 1, 1931.

He was founder of The Sandy Valley Grocery Company, Inc., on Main Street, Paintsville, Kentucky in 1921, and was president of the largest business in the tri-state—Kentucky—West Virginia—Ohio.

Dad was in the early oil and gas boom, in Johnson and Magoffin County, Kentucky for Wheeler—LeMaster Oil and Gas Lease, Incorporated in 1924. He was an owner in Jack Hunley Lease & A.J. Tackett Leases. *4 Other Leases*

Elizabeth Ellington Jayne Wheeler was born July 20, 1879, at Big Paint Creek. Both my parents were born in Johnson County, Kentucky, and were married in Magoffin County by John Wesley VanHoose.

She became vice-president of Sandy Valley Grocery in 1931.

She passed away March 20, 1956. Both parents are buried in the Mayo Cemetery and were members of the United Baptist Church. Their residence was 137 Main Street, Paintsville.

They were the parents of nine children: Loula Wheeler Kennard, Henry Melvin Wheeler, Henry Harrison Wheeler, Sherman Clay Wheeler, Rouie Wheeler Ramsey, Dola E. Wheeler, Dona W. Wheeler, Johnnie Wheeler and Myrtle Jayne Wheeler Minix. Two children are living, Rouie Ramsey and Myrtle Minix.



Dola Wheeler

Dola Wheeler

Dola E. Wheeler, 81, of 1600 Johnson Avenue, Ashland, died at 10:45 p.m. Thursday, March 13, 1987, in Our Lady of Bellefonte Hospital in Russell, following an extended illness.

Mr. Wheeler, or D. E., as he was known to many, was born October 7, 1905, in Wheelersburg, Ky., in Magoffin County, the son of Charles Wesley and Elizabeth Jayne Wheeler.

He was a director and marketing agent for Sandy Valley Wholesale Grocery in his early years.

He was instrumental in helping to develop Hill 'N Dale Subdivision, and Southern Hills estates, and owned controlling interest. D. E. was a land developer, and he loved nature, people, and all things God saw that he needed while here on this earth.

He was gentle and kind to all who knew him. A southern gentleman and very hospitable person.

He attended many United Baptist services. This church was his faith, and heritage. He loved the old songs, and a few days before his passing, he lifted his weak arms, and sang an old song: "Amazing Grace How Sweet the Sound." I was told he sang it all the way through. Dola said he was ready to go.

To mourn his passing are three sisters: Mrs. Loula Wheeler Kennard of Ashland, Ky.; Ruth Wheeler Ramsey of Whitesburg, Ky.; Myrtle Wheeler Minix of Paintsville, Ky., with many living nieces and nephews. His deceased brothers are: Henry Melvin, Henry Harrison, Sherman Clay, Dona Wesley and Emma.

Dola E. Wheeler was at John Steen Funeral Home. Visitation was Saturday, March 14, 1987, from 5

until 9 p.m., Sunday morning, March 15, 9 a.m. until funeral.

The funeral was held at 2 p.m. Sunday.

Steen Funeral Home, Ashland Chapel, Elder Walter Pelphrey, Elder Samuel Colvin, and Brother Dewey McCarty, were in charge of the United Baptist Service, with many singers from the church singing the Old Baptist hymns and one in particular, "Amazing Grace".

Pallbearers were his nephews: James C. Kennard, William H. Wheeler, David Dolan Wheeler, Joseph Ramsey, Charles Donald Wheeler, Richard Roscoe Wheeler, Anthony Sparks Wheeler and Marcus Stephen Minix.

Interment was in the Ashland Cemetery.

CARD OF THANKS

We do wish to thank Dr. Ehrle, Dr. Rhodes, the painsearing nurses at Our Lady of Bellefonte Hospital, and the sitters that cared for him, were so very gentle, kind and devoted.

We thank the United Baptist Church for their comforting words, and the singers for their songs.

And for all the consoling words from so many who knew and loved Dola, and we thank you for the lovely floral arrangements.

And most of all we thank God for our kind, loving brother and uncle, Dola E. Wheeler.

EULOGY

Dola E. Wheeler, dear brother, uncle and friend, died Thursday, March 12, at eighty-one years of age. He was the fourth son of the late Charles Wesley and Elizabeth Jayne Wheeler. His early life was spent in Magoffin County. In the late 1920s, Mr. Wheeler acted as a sales agent for a Florida land company in the Florida "land boom". He was also a director and purchasing agent for Sandy Valley Grocery Company in the

1930s. In the 1950s and early 1960s he developed Hill 'N Dale Subdivision and Southern Hills Estates. He also owned and operated numerous stores and businesses in the area and was truly endowed with an entrepreneurial spirit. He loved animals and was never known to meet a stranger.

He attended the United Baptist Church and is survived by three sisters, Loula Wheeler Kennard of Ashland, Rucy Wheeler Ramsey of Whitesburg, and Myrtle Wheeler Minix of Paintsville; numerous nieces and nephews.

"To be honest, to be kind--to earn a little, to make the whole family happier for his presence" is the legacy that he leaves us. He was a man of quick wit, an eternal optimist, and a person who rejoiced in the entrepreneurial spirit. He will be sadly missed by all who loved him.

MY BROTHER DOLA E. WHEELER

Occasionally I look out and see--
A dear brother coming, and his name is D.E.

He is always humble, smiling and bright--

This is a most pleasing and delightful sight.

He loves nature's beauty that surrounds us all--

And all his people he cherishes, and is enthralled.

He likes the companionship of all children--mankind too--

I'm sure he has instructed and educated a few.

He enjoys roaming the ridges in Southern Hills

And feeds all the birds that fly onto his windowsills.

He cares for his dogs and all of the strays

He must possess much goodness to behave this way.

D. E. enjoys God's gifts of this beautiful Earth

I am awaiting his rebirth--

He reads his Bible, and is very well versed.

This is a trait that is instructed of us--

This describes a God fearing, hospitable Southern gentleman.

He is my brother and "special" is true.

I know his mother was proud of him too.

May he follow my prayers so when this life is over,

His journey he will pursue.

By Myrtle Jayne Wheeler
Minix

February 17, 1977

My prayers were answered
March, 1987

(The preceding is a paid obituary)

Dorothy Clay

Dorothy Davis Clay, 75, died Wednesday, March 18.

Mrs. Clay was born March 10, 1912, the daughter of Bill and Lenore

508 shares Southern Hills Estate Dola
The Centerville, Ia. 47th Ave

Embezzling - Fraud - Criminal - Extortion

Mr. Wheeler's listed status Mr Ringley [all Born

October 25, 1994

24 New Wheeler's

Premeditated Conspiracy:

Mar 12, 1987

Mr. Roy Welch, Attorney-At-Law
PO Box 157
Shephardsville, KY 40165

"Robbery"

1984 Banking

Bill

X Re: Dola E. Wheeler Estate X

& Perjury

Att: Charles Holbrook
Notorious

Dear Mr. Welch:

Per your request, I reviewed our closed account files and found the following information regarding the above referenced estate: Dola Wheeler passed away on March 12, 1987 and Third National Bank was appointed administrator of the estate by Court Order on April 1, 1987. The appointment was made subsequent to a petition made to the court by a Lula Wheeler Keimard and a Charles D. Wheeler requesting the bank's appointment. Our files show the required estate inventory and accountings were filed with the Boyd District Court in Catlettsburg, Kentucky under file number 87-P-099. The final settlement for the estate was approved by the court in November 1991. To my knowledge, we currently do not have any trust department accounts for any of the Wheeler family members nor did we have any accounts established for any family members during the administration of the estate or subsequent to its closure.

If you need additional information regarding the estate, we refer you to the estate filings located at the Boyd District Court Clerk's office.

Sincerely,

Janet Ringley

Trust Officer

Dola D. Mar 12 1987

Born

24 New at his death all Wheeler's

I a 1/7th Heir and Sister

Harold Kelley CPA may own 52% of Bank

Detected

Kelly
Melba
N. to
my sister

WELCH LAW OFFICE
121 N. Buckman Street
P.O. Box 157
Shepherdsville, Kentucky 40165-0157

(502) 513-9530
(502) 543-9017

Louisville
(502) 955-6299
FAX (502) 543-3100

Roy Emerson Welch

C. Timothy White

November 1, 1994

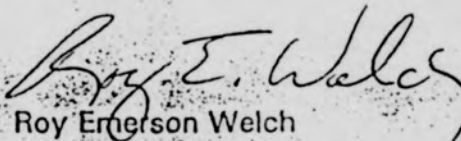
Ms. Myrtle Wheeler Minix
P. O. Box 102
Paintsville, KY 41240

RE: Estate of Dola E. Wheeler

Dear Ms. Minix:

Thank you for calling me with concerns that you have regarding your brother's estate. I contacted the National City Bank in Ashland and received the enclosed letter dated October 25, 1994. Your concerns about this estate are very substantial and from every indication it would take a tremendous amount of time to assist you. It would be to your advantage to employ an attorney not so far away in order to keep attorney's fees more reasonable. Based upon the amount of work involved and the distance I decline to take your case. I wish you the very best in pursuing this matter.

Yours truly,


Roy Emerson Welch

Thank you

REW/cy

Enclosure

(All Criminal & Robbery)



COMMONWEALTH OF KENTUCKY
OFFICE OF SECRETARY OF STATE
P.O. Box 718
FRANKFORT, 40602-0718

BOU DABUAGE
SECRETARY OF STATE

Myrtle
HARRIS-J. WHEELER MINIX
P. O. BOX 102
PAINTSVILLE, KY 41240

1995

FAX (502) 564-4075
CORPORATE FILINGS (502) 564-2040
CORPORATION RECORDS (502) 564-7330

EMERGENCY

P Investigate

271-A

Amount Payable Upon Receipt: \$5.40

Date: (MARCH 16, 1995)

Statement of Charges: BIG SANDY WHOLESALE, INC.

Get all Incorporate Documents

_____ Certificate of Existence (Domestic) [\$10.00]

_____ Certificate of Authorization (Foreign) [\$10.00]

_____ Certified Copy [\$5.00 plus \$.50 per page]

_____ Certification of Signature [\$5.00 ea.]

_____ Fax Service Charge [\$5.00 ea.]

_____ Telegrams [\$5.00 ea.]

_____ Written Corporate Information [\$1.00 per corporate name]

☒ Regular Copies

_____ Other

_____ Kentucky Corporate Law and Rules Book (\$ 10.00)
JSC

Please return a copy of this invoice with your check made payable to the
Kentucky State Treasurer and mail both invoice and check to:
Secretary of State

P.O. Box 718
Frankfort, KY 40602-0718

Francis Jones Miller?

*I trying to find out
if this is the right person to talk to*

and her personal real mineral rights

Received Dec 31, 1997



JOHN Y. BROWN III
SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY
SECRETARY OF STATE

SUITE 152, STATE CAPITOL
700 CAPITOL AVENUE
FRANKFORT, KY 40601-3493
(502) 564-3490
FAX: (502) 564-5687

CORPORATE FILINGS (502) 564-2848
CORPORATE RECORDS (502) 564-7330

RE: CLASSIC BANK SHARES, INC.

DEAR SIR/MADAM:

In response to your request for information concerning the above named corporation, please be advised that:

1. () The registered agent is: _____
2. () The address of the registered agent and registered office is: _____

3. () The corporate mailing address is: _____

4. () The correct corporate name is listed above.
5. () This corporation has paid all fees due and owing to the Office of the Secretary of State of the Commonwealth of Kentucky to date; has delivered to the Secretary of State its most recent annual report, and remains active and in good standing.
6. () This existence of the corporation is: _____
7. () The corporation authorized _____ shares of stock.
- X 8. (XX) We have no record of a corporation by this name; foreign nor domestic.
9. () This is a _____ corporation which qualified in this state on _____.
10. () Other: _____

education profession at the University of Kentucky.

Bridge, who served on a task force that helped write the original standards for math, science, social studies and other subjects, wrote Bryson last month complaining about a draft of the new standards.

"I am frightened by the underlying meaning of what I view as an act of abdication of our beliefs and principles in response to a small, but highly vocal, group of religious conservatives," she wrote.

The standards, originally known as "valued outcomes" and now called "academic expectations," are the foundation for the curriculum. They are also the basis for the tests that

test students.

"People who support education reform but who are not academicians have said that the expectations for students need to be stated in clear, understandable language," he said.

Parks said that one problem with the original standards is that non-educators were "substantially excluded" from the Council on School Performance Standards, which wrote them.

But the people who drafted the standards for the council said they were written for educators and were never intended to be understood by non-professionals. They are worried that rewriting the reg-

that the revisions are being overseen by the Education Department's public relations office.

"They don't have the background in the subject areas to understand what changing a word or two will do," he said.

But the people who are most insistent about the need to change the standards say the Education Department has not gone far enough.

"There's very little — if any — emphasis on students having a particular body of knowledge," said Martin Cothran, a public policy analyst for the Family Foundation in Lexington, a group that lobbies on family issues.

Kentucky corruption fodder for upcoming book on ethics

LOUISVILLE (AP) — Kentucky has displayed a greater tolerance for corruption than some other states, according to a New Jersey political scientist writing a book on the ethics of state legislatures.

Alan Rosenthal of Rutgers University says Kentucky has given him plenty of material for his book.

"Kentucky will get more than its fair share of attention," in the book, he said.

Interviews by The Commercial-Journal with nearly 20 political scientists, historians and ethicists suggest Kentucky has perhaps "more than its fair share" of corruption.

Just last week, federal investigators were kept busy in the state.

On Monday, it was learned that a federal grand jury is in-

vestigating allegations that federal mine inspectors solicited bribes from eastern Kentucky coal operators.

Tuesday saw former U.S. Rep. Carroll Hubbard pleading guilty to three felony charges stemming from the House bank investigation.

On Wednesday, state Senate Minority Leader John Rogers became the 10th person indicted in Operation Boprit.

Thursday brought federal drug-trafficking charges against two Middlesboro police officers as part of a two-year sting.

Retired University of Kentucky historian Tom Clark points to the state's tradition of poor education and low income and suggests residents have tended to be concerned with more pressing problems

than ethical niceties — like eating. Clark said that in many counties, the school system was traditionally the main employer.

"The difference between starvation and a job is maybe turning your face the other way," he said.

In a judgment he concedes is harsh and possibly wrong, Clark said, "Our people haven't really concerned themselves with what's going on in public office."

Despite all the criminal charges, there is widespread agreement that Kentucky politicians today are, if not more virtuous than they used to be, at least a lot more careful.

"Your definition of politics and 'corruption' is quite different now," said Robert Sexton, a historian.

Someone should take
Authority, to prosecute the Corruption

Extortion Embellished - Perjury - Fraud
Premeditated Conspiracy

2 Estates, In legal Heir

THEY MUST THINK
WE ARE DUMB. THEY SHOW
US WHAT THEY ARE DOING TO US.

WILLIAM H. WHEELER - SAID, CHARLES AND HIM ARE GOING TO
ANGLE LAWRENCE CO. LAND LIKE THEY DID IN ASHLAND.
GOING TO FRANKFORT TO MAKE ARRANGEMENT LIKE THEY
BEFORE ASHLAND PROPERTY AND OTHER PROPERTY AND MINERAL RIGHTS.

True

JAMES E. WHEELER
208 A STREET
LEXINGTON KY 40511

James was a 1/3 of the Heir of Belair
D. July 1995
James a 1/3 of the Heir of
his dad, my brother,
H. Melvin A. Belair.



MYRTLE MINIX
PO BOX 102
PAINESVILLE, KY 41240

Jan 27, 1997

This is a long overdue letter. I ex-
ss my appreciation to all the
d-working city employees. They
always there when needed.
offer special praise to the very
d-working, conscientious and re-
ple sanitation workers. Day in
day out, in all kinds of weather
conditions, they work for us
rying our trash, garbage and de-
s.
ere's hats off for a job well done.
Charles D. Wheeler

Wheeler - Williams House
Rt 60 West - Ashland Ky 41101

What Dola owned is not in
Case 87-P-099 - Distortion & Robbery

(Appears his Operator
No 87-P-099) that is
supposed to be Dola's
Case Number
District Collins Agent

In Dr. Bill Collins, states, operator and
Agent No 87-P-099 June 22, 1990,
related to Representative, Hubert Collins,
and Kelley Collins, (probably of Florida)
and he may have married Patty
Kirk Phillips Welles, ex-wife of
John B. Welles, Jr.?

Is Dr. Bill Collins, related
to Kelley Collins and
Representative Hubert Collins?

87-P-099 (See Reverse)

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

Sent To	William H. Wheeler
Street and No.	187 Jessellin Drive
P.O. State and Zip Code	Lexington, KY 40503
Postage	5
Certified Fee	XXX
Special Delivery Fee	
Restricted Delivery Fee	XXX
Return Receipt showing to whom and Date Delivered	XXX
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	54
Postmark or Date	6-28-90

U.S. G.P.O. 1985-234-555

SENDER: Complete items 1 and 2 when additional services are desired, and complete 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this from being returned to you. The return receipt fee will provide you the name of the person delivered to the date of delivery. For additional fees the following services are available. Consult postmaster for details and check boxes for additional services requested.

1. ☐ Show to whom delivered, date, and address of addressee's address. (Extra charge)

2. ☒ Restricted Delivery (Extra charge)

3. Article Addressed to:
Administrative Office of the
Courts
100 Millcreek Park
Frankfort, KY 40601-6230
ATTENTION: High Speed Duplication D.O.
Operator 87-P-099

4. Article Number
P 296 773 767

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchant

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X [Signature]

6. Signature - Agent
X [Signature]

7. Date of Delivery
JUN 22 1990

8. Addressee's Address (ONLY if requested and fee paid)
Sent except
Boptrot

87-P-099 suppose to be
Dola E. Wheeler's Case number
Order the Case from Arthur
It is nothing but Distortion
And nothing listed he owns
Extortion.

Charles Donald Wheeler representative from over Area 1970s
there is a mutual trust in. First Ambassador Bank, now Bank
one Alvin Stiles, Pres. Lexington, Ky. Charles and his brother Richard
and Anthony listed and several Collinses, give my friend a
note 11-11-90

Monday January 5, 1998

Investigations loom over legislature

By MARK R. CHELLGREN
THE ASSOCIATED PRESS

FRANKFORT — The Kentucky General Assembly convenes this week with the scent of scandal again in the air.

The conduct of a few of its members and staff associates — personal and political — threatens again to taint the institution. At least three potential or actual investigations loom and there is the big unknown about whether federal

ANALYSIS

authorities, who vowed just a few years ago to keep a continuing watch on the legislature, are again under cover of the Capitol.

All of this in the aftermath of Operation Bop, the existence of which was first publicly revealed less than six years ago, which found two dozen legislators, lobbyists and others guilty of a variety of offenses.

The most prominent of the new investigations involves Ken Downey, a General Assembly employee for 17 years who was in charge of logistics for the House of Representatives. He left his job and pleaded guilty to federal charges of racketeering, prostitution and gambling. Now that Downey has pleaded guilty and is cooperating with law enforcement authorities, what will remain to be seen

whether he will implicate legislators in the junkets he promoted.

House Majority Floor Leader Greg Stumbo acknowledged in October 1996 that he and other legislators rented a House with Downey. The others were Rep. Mike Bowling, Middlesboro, chairman of the House Judiciary Committee, Rep. Harry Moberly, D-Richmond, chairman of the Appropriations and

SEE STATE PAGE 10 >

State

FROM PAGE 1

Revenue Committee; and House Majority Whip Joe Barrows, D-Versailles. Another housemate was Jerry Johnson, a member of Gov. Paul Patton's staff.

More recently, it was revealed that three other legislative employees complained at the end of the 1996 session that there was drinking and sexual

harassment that took place in Downey's fourth floor office at the Capitol and about Downey putting strippers on the House payroll.

Sen. Elizabeth Torti, the Republican whip, has signed a formal complaint asking the Legislative Ethics Commission to investigate those allegations.

Federal law enforcement authorities last week declined to make any comment about whether similar hidden-

microphone tactics might be in use again.

"We don't comment on investigations. We don't comment on what we do or what we don't do," said Michael Troop, U.S. Attorney for the Western District of Kentucky.

"Obviously, that wouldn't be something that we could confirm or deny," said David Beyer, a spokesman for the FBI.

But it may be something for legislators to ponder once again.

Att Mark McDonald
250 W. Main St. Suite 1700
Lexington, Ky 40507

Embezzling and
Extortion of my
Inheritance & Valuable
Estate, Charles Wesley Wheeler
and Dora E. Wheeler

Dear Mr McDonald:

Appreciated you calling me this morning
Mar 13, 1997 about 10:10 AM, in regard to
The Trust Company of Kentucky. Incorporated 1993?

606-233

2012

Told

she

gone

to

Texas.

I was referred to Barbara B. Edlman
Wyatt, Tarrant, & Combs 250 W. Main St. Lexington Ky.

By Thomas M. Howe, letter enclosed dated
Mar. 11, 1997, the sole purpose was to receive
the information you told me this morning, and
I ask you to mail it to me. Mar. 13, 1997.

I am entitled to that information you have.

You told me to have Stuart H. Adams
send it to me, he was in charge of records.
Yet he is suing Trust Company of Kentucky.

I called Stuart H. Adams this morning, thinking
I maybe able to help him, in regard to The Bank.
I told him I had a copy of the one plat Adams
Real Estate Partnership dated 1986. of which I am an
heir. 1/8th of my parents Charles Wesley Wheeler
17th Dolas 1/8th, Brother McLean \$1,000.00 Willed me
from our parents estate. (What Property and where I
Kelley sold, Mr. Adams, said Harold Kelley in town
yesterday, sold him some property. He said,
Harold Kelley, broke you up. The correct:

1/8th Heir
Dad Charles Wesley Wheeler, Inc. Sandy Vas by
Valuable Sh. Co. Main St. Paintsville Ky 1921, many subsidiaries
Ky-26 Va-Ohio 1924 Inc. Wheeler-Le Master Oil Lease, ^{intended}
1/4th Interest Jack & Hurley Lease 7.05294 ^{intended}
Cumberland, Ky. W. Va. State
4th Heir Dora E. Wheeler's Estate, Southern Hill Estate, Oakland Park all Rolen Land
Lawrence-Martin-Floyd Counties Valuable Properties
City And Boyd County.

P O Box 102
Paintsville, Ky 41240
Mar, 13, 1997

Myrtle Jayne Wheeler Minix
P.O. Box 102
Paintsville, KY
41240 0102

Jan 6, 1997

Don R Mills Executive Director
Public Service Commission
POB 615
Frankfort, Kentucky 40602

I'm Claiming 1/7th.
Complaining, the
Way Dola's Estates
have been handled
In the State of Ky.

Dear Mr Mills: Re: Estates Dola E. Wheeler D. 3-12-87

I'm writing you in regard to the Public
Notice, in the Plantville Herald Nov. 20, 1996.

Mr Wagner I havint written him. However he did
Letter Call me Nov. 21, 1996. My Conversation with him
Enclosed enclosed, is very vague, and really didnt
seem to know what was going on.

I plan to send him the page of Public
Notice of Nov. 20 and Nov. 21, 1996. Everything
is explanatory and true, with proofs included.

I have been treated inhuman, and
harassed its all deplorable, and Illegal.
and my Constitutional Rights, should be
protected. A Legal Heir Losing Money Every day.

Their names are listed enclosed. Un-Ethical Acts
Third National Bank, All suppose to
be protecting the Rights of The People in The Boyd
County Court House, in regard to brother Dola
E. Wheeler's Estates, Attorneys Ken Williams, Jr and
Dan King III, and Charles Holbrook III, Charles Donald
Wheeler and Harold Kelly, others. Have Extorted-
Embezzled Dola's Estates, and Illegally robbed
me of my 1/7th inheritance. Records Distorted.

These are deceiving the Public and
destroying Ashland and Eastern Kentucky.

Not Listed
This is just part of his City & Boyd Co
Extortion. The City does not own his mineral rts.
nor other valuable assets, belonging to his heirs.
He also owns valuable property & mineral rts
Martin & Lawrence Co Ky. 2520 in Floyd Co.
Questions Call 606-789-7072 Help Me.

Believe he replaced recently.

Hail Hillen
Johnson Co. Judge Executive
Paintsville, Ky 41240

Nov 5, 1997
Myrtle Wheeler Minix
P.O. Box 102
Paintsville, Ky. 41240

606-789-7072

Kelley Calihan
County Judge Executive
Martin County Court House
Box 309 Gray Ky. 41224

Re: Estate of Dola E. Wheeler

Harland

Fitch

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to see

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and

Wrote

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about

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years

ago

mentioning

Shill

and

Zeigler?

Will

Appreciate

Your

Reply.

Dear Mrs. Calihan; Would you know who occupies
Williamson's Wholesale, William W. Tr.
M. Darwin and Nancy Kirk 1979-1980 deeded
my brother Dola E. Wheeler deceased Mar 12, 1987,
everything they owned Rt 645. Mr. Miller
sent me 2 deeds Martin County. Kirk-Maynard
and Warfield Gas Leases whether these 2 leases
would involve the Martin County land also
but would the mineral rights. Dola owns 25
Acs Floyd County Abote.
The 4 above deeds Rt 645 does include the land
about 700 acs and their mineral rights.

Questions To You

I'm enquiring of you from ad in our paper
in regard to Community Development Grant
Program, that the land and mineral rts.
I have described to you above is any connection
to the (CDGP) you probably would know.
And The Prison that may be built there
I am a 1/7th legal heir of all the above
descriptions. I haven't received any royalties.
I do not know if businesses, houses, cars, or,
have been built, or timber being cut. No Money.

(I also would like to know whose land Martin County
Airport Built on, and what year? (Whose land will
the New Prison be built on if approved?).
My legal interests in above descriptions have
been embezzled and extorted. No Reply

I sent the same question to someone in Washington DC
I can't find a copy, and I would like to have sent you.
They did not Reply date was Nov 1997

STB

FD

33388

1-23-98

K

cities



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

1/28/98 9:03.11 AM

Section of Environmental Analysis

January 23, 1998

**ENVIRONMENTAL
DOCUMENT**

Mr. C. Michael Loftus
The Four City Consortium
Slover & Loftus
1224 Seventeenth Street, N.W.
Washington, D.C. 20036

Re: Finance Docket No. 33388 -- CSX and Norfolk Southern -- Control and
Acquisition -- Conrail: Response to Information Request

Dear Mr. Loftus:

The purpose of this letter is to respond to your information request dated January 12, 1998. The majority of the information requested is contained in Table 5-IN-9. This table is included as Attachment I and can also be found in the Supplemental Errata, which was mailed on January 21, 1998. Please note that this table provides updated information on vehicle delay from what appeared in Volume 3A of the Draft Environmental Impact Statement.

Three of the items you requested are not directly listed in the table. They are:

- Train speed adjustments (item 2c). The adjustments used appear as Attachment II.
- Any assumptions as to train weight and power (item 2d). No assumptions were made. Train weight and power were not used in the calculation of delay.
- Number of tracks at the crossing (item 2g). This information was not used in the calculation of delay.

If you have additional questions or concerns that are not clarified by the attached information, please contact Michael Dalton, SEA Program Manager, at (202) 565-1530.

Sincerely yours,

Elaine K. Kaiser
Chief

Section of Environmental Analysis

Attachn

ATTACHMENT I

January 21, 1998

PROPOSED CONRAIL ACQUISITION FINANCE DOCKET NO. 33388 DRAFT ENVIRONMENTAL IMPACT STATEMENT SUPPLEMENTAL ERRATA

Table 5-IN-9 (Revised)
Indiana
Highway/Rail At-Grade Crossing Vehicle Delay and Queues

County	Seg No	Crossing FRA ID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition								Post Acquisition								
						Trains per day	Train Speed (mph)	Train Length (feet)	No of Veh Delayed per day	Max No of Veh in Queue per lane	Crossing Delay per stopped veh (min/veh)	Avg Delay per Vehicle (All vehicles) (sec/veh)	Level of Service	Trains per day	Train Speed (mph)	Train Length (feet)	No of Veh Delayed per day	Max No of Veh in Queue per lane	Crossing Delay per stopped veh (min/veh)	Avg Delay per Vehicle (All vehicles) (sec/veh)	Level of Service	Level of Service with Mitigation
Allen	C-022	532855T	THOMAS RD	2	5,500	2.4	50	4,869	15	9	0.96	0.31	A	6.4	50	6,200	47	11	1.14	1.16	A	
Allen	N-041	478196U	MAYSVILLE RD	2	5,100	13.6	50	4,869	77	8	0.95	1.72	A	27.3	50	5,000	158	8	0.96	3.59	A	
Allen	N-041	478226J	ANTHONY BLVD	3	16,330	13.6	30	4,869	362	26	1.73	4.61	A	27.3	30	5,000	741	26	1.77	9.64	B	
Allen	N-043	478013Y	ANTHONY BLVD	2	15,120	6.6	35	4,869	144	31	1.89	2.16	A	9.6	35	5,000	214	32	1.93	3.28	A	
Allen	N-044	478240E	ENGLE RD	2	11,000	19.0	30	4,869	340	26	1.74	6.47	B	34.9	30	5,000	638	26	1.78	12.39	B	
Allen	N-044	478241L	ARDMORE AVE	2	10,290	19.0	30	4,869	318	24	1.69	6.27	B	34.9	30	5,000	597	25	1.73	12.01	B	
Allen	N-044	478210M	LANDIN	4	12,950	19.0	50	4,869	275	10	1.00	2.53	A	34.9	50	5,000	514	11	1.01	4.82	A	
Allen	N-044	478237W	BROOKLYN AVE	2	12,200	19.0	30	4,869	377	29	1.84	6.83	B	34.9	30	5,000	708	29	1.88	13.08	B	
Allen	N-044	478238D	NUTMAN AVE	2	5,070	19.0	30	4,869	157	12	1.38	5.12	B	34.9	30	5,000	294	12	1.41	9.81	B	
Carroll	N-046	484265N	MAIN ST	2	5,780	18.4	35	4,869	154	12	1.26	4.01	A	40.2	35	5,000	343	12	1.28	9.12	B	
De Kalb	C-066	155320E	SOUTH WAYNE	2	6,000	21.4	50	6,000	166	11	1.13	3.77	A	47.7	50	6,200	379	11	1.16	8.82	B	
De Kalb	C-066	155330K	RANDOLPH ST	2	5,023	21.4	15	6,000	377	25	2.97	26.69	D	47.7	15	6,200	865	26	3.06	63.11	F	F (a)
Delaware	N-040	474550K	KILGORE	2	10,481	2.6	20	4,869	62	34	2.37	1.68	A	11.8	20	5,000	287	35	2.43	7.98	B	
Delaware	N-040	474552Y	WHITERIVER BLVD	4	6,870	2.6	30	4,869	29	8	1.31	0.66	A	11.8	30	5,000	135	8	1.33	3.14	A	
Delaware	N-040	474553F	NICKOLS	2	6,733	2.6	30	4,869	28	16	1.47	0.74	A	11.8	30	5,000	132	16	1.50	3.52	A	
Delaware	N-040	474565A	TILLOTSON	4	19,025	2.6	30	4,869	81	22	1.64	0.83	A	11.8	30	5,000	373	23	1.67	3.93	A	
Delaware	N-040	474566G	JACKSON ST	2	5,007	2.6	30	4,869	21	12	1.38	0.70	A	11.8	30	5,000	98	12	1.41	3.31	A	
Elkhart	C-066	155420J	CR 7	2	5,314	21.4	50	6,000	147	10	1.11	3.68	A	47.7	50	6,200	336	10	1.13	8.60	B	
Gibson	C-025	342475L	BROADWAY	2	7,929	22.3	35	6,000	301	19	1.60	7.29	B	30.8	35	6,200	426	20	1.64	10.61	B	
Huntington	N-044	478270W	BRIANT ST	2	5,500	19.0	50	4,869	117	9	0.96	2.44	A	34.9	50	5,000	218	9	0.98	4.66	A	
Huntington	N-044	478273S	JEFFERSON ST	3	19,900	19.0	50	4,869	422	21	1.33	3.38	A	34.9	50	5,000	789	22	1.35	6.43	B	
Huntington	N-044	478274Y	LAFONTAIN ST	2	8,600	19.0	50	4,869	182	14	1.08	2.75	A	34.9	50	5,000	341	14	1.10	5.23	B	
Lake	C-023	163620N	SHEFFIELD AVE	2	8,030	27.6	25	6,000	497	26	2.12	15.74	C	33.3	25	6,200	616	27	2.18	20.07	C	
Lake	C-023	163621V	HOHMAN AVE	3	10,500	27.6	25	6,000	649	23	2.04	15.13	C	33.3	25	6,200	806	23	2.10	19.30	C	

Lake	C-023	163627L	CALUMET AVE	4	17,600	27.6	25	6,000	1089	28	2.19	16.23	C	33.3	25	6,200	1351	29	2.25	20.70	C	
Lake	C-023	163632H	COLUMBIA AVE	4	15,000	27.6	25	6,000	928	24	2.08	15.42	C	33.3	25	6,200	1151	25	2.14	19.67	C	
Lake	C-023	163635D	INDIANAPOLIS&US20	4	13,650	27.6	25	6,000	844	22	2.12	15.03	C	33.3	25	6,200	1047	23	2.08	19.17	C	
Lake	C-023	163637S	RAILROAD AVE	4	7,500	27.6	25	6,000	464	12	1.82	13.48	B	33.3	25	6,200	575	12	1.87	17.20	C	
Lake	C-023	163638Y	KENNEDY	4	7,325	27.6	25	6,000	453	12	1.81	13.44	B	33.3	25	6,200	562	12	1.86	17.15	C	
Lake	C-023	163639F	EUCLID AVE	4	7,500	27.6	25	6,000	464	12	1.82	13.48	B	33.3	25	6,200	575	12	1.87	17.20	C	
Lake	C-023	163643V	US ROUTE 12	4	14,820	27.6	25	6,000	917	24	2.07	15.37	C	33.3	25	6,200	1137	25	2.13	19.60	C	
Lake	C-024	522912C	5TH AVE	4	13,220	0.0	30	6,000	0	18	1.73	0.00	A	5.0	30	6,200	131	19	1.77	2.10	A	
Lake	C-024	522915X	CLARKE RD	2	7,500	0.0	50	5,600	0	13	1.14	0.00	A	5.0	50	6,200	50	14	1.23	0.98	A	
Lake	C-026	522883U	ILLINOIS ST	2	7,880	1.0	35	6,000	13	19	1.60	0.33	A	5.0	35	6,200	69	20	1.64	1.72	A	
Lake	C-027	155632M	COUNTYLINE RD	2	7,500	22.1	50	6,000	215	14	2.0	4.12	A	18.6	50	6,200	384	14	1.23	7.55	B	
Lake	C-027	155645N	CLARK RD	2	7,250	22.1	50	6,000	207	14	1.19	4.08	A	18.6	50	6,200	371	14	1.22	7.47	B	
Lake	N-042	522929F	CALUMET AVE	2	7,500	43.4	45	5,600	433	14	1.23	8.53	B	60.3	45	5,000	554	13	1.13	10.05	B	
Madison	N-040	474600L	S R 9	2	14,351	2.0	40	4,869	49	27	1.64	0.67	A	11.8	20	5,000	393	48	2.92	9.58	B	* (b)
Madison	N-040	474601T	HARRISON ST	2	5,899	2.0	40	4,869	20	11	1.14	0.47	A	11.8	20	5,000	161	20	2.03	6.66	B	* (b)
Porter	C-026	522867K	WASHINGTON ST	2	13,690	1.0	35	6,000	23	34	2.07	0.42	A	5.0	35	6,200	119	34	2.12	2.22	A	
Porter	C-026	522869Y	NAPOLEON ST	2	5,296	1.0	35	6,000	9	13	1.45	0.30	A	5.0	35	6,200	46	13	1.49	1.56	A	
Porter	C-066	155623N	CROCKER	2	6,800	21.4	50	6,000	188	13	1.17	3.88	A	47.7	50	6,200	430	13	1.20	9.08	B	
Porter	C-066	155628X	WILLOW CREEK RD	2	6,477	21.4	45	6,000	194	13	1.25	4.49	A	47.7	45	6,200	443	13	1.28	10.51	B	
St. Joseph	C-066	155478S	LIBERTY-MICHIGAN	2	5,942	21.4	50	6,000	165	11	1.13	3.76	A	47.7	50	6,200	376	11	1.16	8.80	B	
Tippecanoe	N-045	484295F	FERRY ST	2	6,121	23.6	25	4,869	272	17	1.66	8.85	B	41.0	25	5,000	483	17	1.70	16.06	C	(c)
Tippecanoe	N-045	484296M	MAIN ST	2	7,654	23.6	25	4,869	340	21	1.76	9.37	B	41.0	25	5,000	604	21	1.80	17.01	C	(c)
Tippecanoe	N-045	484298B	COLUMBIA ST	2	8,546	23.6	25	4,869	380	23	1.82	9.71	B	41.0	25	5,000	675	24	1.86	17.61	C	(c)
Tippecanoe	N-045	484300A	SOUTH ST S R 26	2	7,890	23.6	25	4,869	351	21	1.77	9.46	B	41.0	25	5,000	623	22	1.81	17.16	C	(c)
Tippecanoe	N-045	484301G	9TH ST	3	8,565	23.6	25	4,869	381	15	1.63	8.72	B	41.0	25	5,000	676	16	1.67	15.82	C	(c)
Tippecanoe	N-045	484309L	4TH ST U.S. 231	2	12,060	23.6	25	4,869	536	33	2.12	11.29	B	41.0	25	5,000	952	33	2.16	20.49	C	(c)
Tippecanoe	N-046	484290W	UNDERWOOD ST	2	5,557	18.4	25	4,869	193	15	1.63	6.76	B	40.2	25	5,000	430	15	1.66	15.43	C	(c)
Tippecanoe	N-046	484292K	18TH	2	5,430	18.4	25	4,869	188	15	1.62	6.73	B	40.2	25	5,000	420	15	1.65	15.36	C	(c)
Tippecanoe	N-046	484293S	17TH & SALEM ST	4	6,323	18.4	25	4,869	219	9	1.50	6.23	B	40.2	25	5,000	489	9	1.53	14.21	B	(c)
Tippecanoe	N-046	484294Y	UNION ST	2	9,955	18.4	25	4,869	345	27	1.93	8.02	B	40.2	25	5,000	771	28	1.97	18.30	C	(c)
Vanderburgh	C-025	342846U	W MARYLAND ST	2	5,720	22.1	25	6,000	286	18	1.94	11.66	B	30.8	25	6,200	406	19	2.00	17.03	C	
Vanderburgh	C-025	342848H	W FRANKLIN ST	4	15,328	22.1	25	6,000	766	25	2.09	12.54	B	30.8	25	6,200	1088	25	2.15	18.31	C	
Vanderburgh	C-025	342850J	OHIO ST	2	8,180	22.1	25	6,000	409	26	2.13	12.79	B	30.8	25	6,200	581	27	2.19	18.68	C	
Wabash	N-044	478292W	DAVIS ST	2	5,569	19.0	50	4,869	118	9	0.96	2.45	A	34.9	50	5,000	221	9	0.98	4.67	A	
Wabash	N-044	478305V	WABASH ST	2	9,840	19.0	35	4,869	270	20	1.47	4.85	A	34.9	35	5,000	506	21	1.50	9.27	B	

* Indicates significant effect on crossing delay per stopped vehicle; Level of service not applicable

(a) Recommend separated grade crossing

(b) Recommend consultation between railroad and community

(c) Recommend consultation between railroad and community due to the setting of this crossing in close proximity to others in Lafayette, Tippecanoe County

ATTACHMENT II

Surface Transportation Board
Section of Environmental Analysis
Washington, DC 20423

January 21, 1998

PROPOSED CONRAIL ACQUISITION FINANCE DOCKET NO. 33388 FOUR CITIES HIGHWAY/RAIL AT-GRADE CROSSINGS TRAIN SPEEDS*

County	Seg. No.	Crossing FRA ID	Roadway Names	Number of Roadway Lanes	ADT	DEIS Train Speed (mph)	Track Chart Speed	Pre Acq. Adjusted Speed	Time Table Speed Rest.
Lake	C-023	163620N	Sheffield Ave.	2	8,030	25	35	30	25
Lake	C-023	163621V	Hohman Ave.	3	10,500	25	35	30	25
Lake	C-023	163627L	Calumet Ave.	4	17,600	25	35	30	25
Lake	C-023	162632H	Columbia Ave.	4	15,000	25	35	30	25
Lake	C-023	163635D	Indianapolis & US 20	4	13,650	25	35	30	25
Lake	C-023	162637S	Railroad Ave.	4	7,500	25	35	30	25
Lake	C-023	163638Y	Kennedy	4	7,325	25	35	30	25
Lake	C-023	163639F	Euclid Ave.	4	7,500	25	35	30	25
Lake	C-023	163643V	US Route 12	4	14,820	25	35	30	25
Lake	C-024	522912C	5 th Ave.	4	13,220	30	30	25	25
Lake	C-024	522915X	Clarke Rd	2	7,500	50	30	25	25
Lake	C-026	522883U	Illinois St.	2	7,880	35	40	35	NR**
Lake	C-027	155632M	Countyline Rd	2	7,500	50	60	50	NR
Lake	C-027	155645N	Clark Rd.	2	7,250	50	60	50	NR
Lake	N-042	522929F	Calumet Ave.	2	7,500	45	40	35	40
Madison	N-040	474600L	S.R.9	2	14,351	40	49	45	40
Madison	N-040	474601T	Harrison St.	2	5,899	40	49	45	40
Porter	C-026	522867K	Washington St.	2	13,690	35	40	35	NR
Porter	C-026	522869Y	Napoleon St.	2	5,296	35	40	35	NR
Porter	C-066	155623N	Crocker	2	6,800	50	60	50	NR

* Data for this table originated in the December 1997 Draft EIS and applicable railroad track charts and timetables which provided track rating and operating speed restrictions.

** NR - No Timetable Speed Restriction.

Administratively Confidential

MEMORANDUM

DATE: January 14, 1998

TO: John Morton
Ed Papazian

FROM: W. Steve Lee *WSL*

SUBJECT: Request from the Four City Consortium for highway/rail at-grade crossing delay data

ACTION REQUIRED: Prepare immediate response

DATE REQUIRED: January 16, 1998

The attached letter from the legal counsel (Michael Loftus) for the Four City Consortium requests that SEA provide additional data on the highway/rail at-grade crossing delay calculation to facilitate their review of the Draft EIS and negotiations with the railroads.

Please review the letter, contact the Mr. Loftus for clarification if necessary, and prepare a response for SEA review no later than **noon Friday, January 16, 1998**. As you know, these communities are areas of concern and are "consultation communities."

Attachment

cc: Mike Dalton
Bonnie Nixon
Charles Gardiner

COPY

WILLIAM L. SLOVER
C. MICHAEL LOFTUS
DONALD G. AVERY
JOHN H. LE SEUR
KELVIN J. DOWD
ROBERT D. ROSENBERG
CHRISTOPHER A. MILLS
FRANK J. PERGOLIZZI
ANDREW B. KOLESAR III
JEAN M. CUNNINGHAM
PETER A. PFOHL

SLOVER & LOFTUS
ATTORNEYS AT LAW
1224 SEVENTEENTH STREET, N.W.
WASHINGTON, D. C. 20036



January 12, 1998

BY HAND DELIVERY

Elaine K. Kaiser
Environmental Project Director
Section of Environmental Analysis
Surface Transportation Board
ATTN: STB Finance Docket No. 33388
1925 K Street, N.W.
Washington, D.C. 20423-0001

**ENVIRONMENTAL
DOCUMENT**

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

Dear Ms. Kaiser:

The Cities of East Chicago, Indiana; Hammond, Indiana; Gary, Indiana; and Whiting, Indiana (collectively, the "Four City Consortium" or the "Four Cities") hereby request that the Board's Section of Environmental Analysis ("SEA") provide them with additional information concerning the train speed inputs used by SEA's environmental contractor in calculating vehicle delay times at certain at-grade rail/highway crossings in the Four Cities area that will be adversely impacted by the Applicants' operating plans after the Conrail control transaction is consummated. The vehicle delay times calculated by SEA's contractor are included in the Draft Environmental Impact Statement ("DEIS") in the above proceeding served on December 12, 1997.

The information requested is necessary to enable the Four City Consortium to provide meaningful comments with respect to the DEIS's analysis of the environmental impacts of the Conrail transaction on the Four Cities region. Such comments are due on February 2, 1998. The information requested may also be useful in facilitating a negotiated solution to the problems raised by the Four Cities, as suggested by SEA, which would avoid

the necessity for asking the Board to impose environmental mitigating conditions.

On October 21, 1997, the Four City Consortium filed Comments and Requests for Conditions in this proceeding which described certain negative environmental impacts from the Applicants' proposed division of Conrail. The negative impacts result primarily from Applicants' plans to move more traffic over line segments containing numerous highway/rail grade crossings. The Four Cities' Comments propose an Alternative Routing Plan that was developed to mitigate these negative environmental and related impacts, while requiring only minimal adjustments to the Applicants' proposed operating plans.

In the DEIS, SEA recognizes the concerns raised by the Four City Consortium, and recommends that the Applicants consult with the Four Cities and other appropriate parties to address the potential traffic delay and safety concerns raised by the Four Cities with respect to certain rail/highway grade crossings. (DEIS, Volume 3A, Chapter 5 at page IN-85.) The Four Cities and the Applicants are in the process of attempting to negotiate a mutually-acceptable agreement for measures to address these problems (which may include aspects of the Alternative Routing Plan). The first meeting of the parties for this purpose took place last Friday, and further meetings will be held in the near future.

One of the principal issues in dispute between the Four Cities and the Applicants is the amount of delay time that is or would be incurred by vehicles at certain rail/highway grade crossings in the Four Cities region that are impacted by the Applicants' operating plans. Crossing delay times are influenced heavily by train length and speed, among other factors. In order to be able to comment intelligently on the DEIS and respond to the Applicants' contentions, it is critical for the Four Cities to know what train speeds and other assumptions were used by the SEA's environmental contractor in developing crossing delay estimates for these crossings.

The DEIS indicates that SEA has analyzed 15 at-grade rail/highway grade crossings in the Four Cities area for vehicle delay. (*Id.*, Volume 3A, Chapter 5 at page IN-84.) The Four Cities' consultant has inquired informally of SEA's environmental contractor as to the inputs used to calculate delay times for these crossings, including the train speeds used. However, the contractor would not divulge the specific train speeds or other assumptions used in developing delay times for the 15 crossings studied.

Accordingly, the Four City Consortium requests that SEA furnish it with the following inputs and assumptions used by SEA's environmental contractor in calculating the crossing delay times for the 15 grade crossings studied:

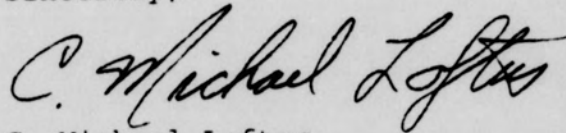
1. A list of all grade crossings in the Four Cities that were evaluated.
2. For each crossing evaluated (please provide the data separately for pre-and post-acquisition):
 - a. The number of trains assumed to use the crossing daily.
 - b. The train lengths assumed.
 - c. The train speeds assumed and the manner in which those train speeds were determined (if actual speeds, the source of the information concerning such speeds; if not actual speeds the basis for the speeds (e.g., FRA data, railroad timetable) and any adjustments made to approximate more closely actual speeds.
 - d. Any assumptions as to train weight and power (drawbar horsepower).
 - e. Average Daily Vehicular Traffic.
 - f. The number of vehicle lanes in each direction.
 - g. The number of tracks at the crossing.
 - h. The warning devices at the crossing.

In order to be able to make meaningful use of this information both in the settlement discussions with the Applicants and in preparing comments on the DEIS, the Four Cities respectfully request that it be provided to their undersigned counsel at the earliest practicable date. If SEA is unable to provide all of the data requested in a timely manner, the most critical items of information needed by the Four Cities are the

Elaine K. Kaiser
January 12, 1998
Page 4

pre- and post-acquisition train lengths and train speeds used in
conducting the crossing delay studies.

Sincerely,

A handwritten signature in cursive script that reads "C. Michael Loftus".

C. Michael Loftus
An Attorney for the Cities of
East Chicago, Indiana; Hammond,
Indiana; Gary, Indiana; and
Whiting, Indiana (collectively,
The Four City Consortium)

CAM:mfw

cc: Hon. Vernon A. Williams
Dennis G. Lyons, Esq.
Richard A. Allen, Esq.
Paul A. Cunningham, Esq.

Administratively Confidential

TITLE: Response to Four City Consortium Request for info.
DATE DISTRIBUTED: 1/23/98 SENDER: BF

CONRAIL ACQUISITION ENVIRONMENTAL ANALYSIS
Information Distribution/Routing

☐ FAX
☐ PICK UP

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<input checked="" type="checkbox"/>	PUBLIC RECORD
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SEA/STB

<input checked="" type="checkbox"/>	Elaine KAISER
	EKK IN BOX
	EKK FILE
<input checked="" type="checkbox"/>	EKK NOTEBOOK
<input checked="" type="checkbox"/>	Mike DALTON
	Harold McNULTY
<input checked="" type="checkbox"/>	Vicki RUTSON
	Dana WHITE
	Evelyn KITAY
	Henri RUSH
	Richard ARMSTRONG
	Dennis STARKS
	Julia FARR
	Lee GARDNER

APPLICANTS

	Mary SPRAGUE (CSX)
	Peter SHUDTZ
	Carl GERHARDSTEIN
	Andrew PLUMP
	Bruno MAESTRI

De LEUW, CATHER

<input checked="" type="checkbox"/>	Winn FRANK
<input checked="" type="checkbox"/>	Bill NOVAK
	Li BOCCIA
	John COOK
	Ed PAPAZIAN
	James GREGORY
	Carmen GILOTTE
	Robin JOSEPH

CENTRAL ADMIN UNIT

	Steve LEE
	Patricia RIDLEY
	Michelle TAYLOR (UP/SP)

OTHER

	Debi RICHARDS
	Barry STEINBERG
	Phil OLEKSZYK
	Todd BURGER (ADL)
	Nancy ROBERTS
	David COATE (Acentech)

HDR ENGINEERING

<input checked="" type="checkbox"/>	Jay CAMPBELL
<input checked="" type="checkbox"/>	John MORTON
	Margaret BALLARD
	David CHEENEY
	Mark WOLLSCHLAGER
	Bill BURGEL
	David BIRKS (NE)
	John LAZARRA (IL)
	Barry WHARTON (FL)
	Ed LIEBSCH (MN)
	Bill JEFFORDS (Richmd)
	Sue YOUNG (Richmd)
	John RUSHING (GA)
<input checked="" type="checkbox"/>	Michele HOLLAND

PUBLIC AFFAIRS MGMT

	Kay WILSON
<input checked="" type="checkbox"/>	Bonnie NIXON
	Charles GARDINER
	Olivia PERREAULT
<input checked="" type="checkbox"/>	Matthew ROYCE

COMMENTS:

STB

FD

33388

1-22-98

K

CITES

**ENVIRONMENTAL
DOCUMENT**



**REVIEW OF DRAFT ENVIRONMENTAL STATEMENT
FINANCE DOCUMENT # 33388
CCX AND NORFOLK SOUTHERN CONTROL AND ACQUISITION
SERVICE DATE 12/12/97 COMMENT DATE: 2/2/98 DECISION I.D. #28629**

**PREPARED/SUBMITTED BY
VILLAGE OF TOLONO, ILLINOIS**

JANUARY 20, 1998

Adopted by Resolution by the
Board of Trustees of the Village of Tolono
This 20th day of January, 1998

REVIEW OF DRAFT ENVIRONMENTAL STATEMENT
FINANCE DOCUMENT # 33388
CCX AND NORFOLK SOUTHERN CONTROL AND ACQUISITION
SERVICE DATE: 12/12/97 COMMENT DATE: 2/2/98 DECISION I. D. #28629
VILLAGE OF TOLONO, ILLINOIS
JANUARY, 1998

**ASSESSMENTS OF THE PROPOSED RAIL LINE SEGMENT CONSTRUCTION
SOUTHEAST OF THE INTERSECTION OF THE IC AND NS LINE.**

This summary will address the proposed construction activities discussed in the draft environmental impact statement prepared by the surface transportation board section of the environmental analysis. The purpose is to address the proposed construction activities as they affect citizens of Tolono and their surrounding environment. It will address the potential impacts that include the areas of safety, transportation systems, land use, air quality, noise pollution, and socio-economic issues.

The document states that the construction would not result in any significant environmental impact. A review of the proposal together with the surrounding area and the comments from Village residents confirms that this statement is in error. There is a documented increase in noise, air pollution, traffic disruption, safety, and other effects on the adjacent residential area. The document notes that the "no action" alternative would not cause further disruption to the citizens of Tolono. Given that alternative, rail spurs in other locations would give the desired connection with lessor impact. This no action alternative is a practical and viable one and should be considered as the primary alternative as it relates to the Village of Tolono.

The following represents a specific review of the proposal and a summary of comments drawn from community members, Village officials, engineers and related professionals.

I. SAFETY

A. There is an increased probably of train accidents and derailments that expose local residents to additional hazard in the area. This hazard is particularly risky to area children. The proposed new spur would add another track to the main rail road crossing area for school children and during construction there would be no access across the tracks for the children.

The increased volume of train traffic would be from 21 to 39 trains per day on the Norfolk Southern line. The new traffic related to the spur line will be 2 trains per day. As a result, the probably of train accidents due to individuals crossing the tracks, and in particular, children crossing the tracks, presents a very real and detrimental risk. On the South side of the tracks, a home for the disabled creates additional pedestrian traffic by its residents.

B. The current draft of the environmental impact statement glosses over some very significant safety questions. The Surface Transportation Board provides for the environmental impact statement to require the following details:

"Disc the potential environmental impacts of the proposed transaction on public health and safety with respect to the transportation of hazardous materials, including:

- (1) Changes in the types of hazardous materials and quantities transported or re-routed;
- (2) Nature of the hazardous materials being transported;
- (3) Applicants' safety practices and protocols;
- (4) Applicants' relevant safety data on derailments, accidents, and hazardous materials spills;
- (5) Contingency plans to address accidental spills;
- (6) Probability of increased spills given railroad safety statistics and applicable Federal Railroad Administration requirements; and
- (7) Location and types of hazardous substances at hazardous waste sites or hazardous materials spills on the right-of-way of any proposed connection or rail line abandonment site."

Tables in Chapter 5 of the Draft Document constitute a cursory summary but do not provide any detail and specifically do not address the particular issues in Champaign County and more importantly in Tolono, Illinois as they relate to the above criteria. The fact that detail for these important items is noticeably absent from the review is of great concern to the Village and members of the community. Trains traveling on the new spur line which will carry hazardous materials appear to be within 75 feet +/- the single family residences that are pre-existing along the railway. The local fire district does not have the equipment to handle hazardous material spills next to the residential areas especially with the increased probability of accidents and derailments. In addition, there is an increased probability of fires which would also present an unreasonable and dangerous challenge to the local fire district. The remaining unaddressed concerns involve questions on the types of hazardous materials the railroad cars will be transporting, specific safety practices, protocol and how they will have an impact on addressing this increased risk, and specific plans that will address potential derailments and resulting hazardous spills as they relate to these residential homes.

II.

TRANSPORTATION

A. There will be additional vehicular delays at railroad crossings caused by the increase in train traffic. The report does not address the specific increase in time on the Norfolk Southern line when the number of trains has increased by 18 per day. At 15 miles per hour, the total delay in time for 39 trains per day is 2 hours 36 minutes per day assuming there is no train stoppage which would block crossing. Based on the day to day reporting of community members, it is clear that existing train traffic routinely blocks all of the crossing for an excessive amount of time. Access from one side of the community to the other is already stressed due to delays caused by trains. Any increase in train traffic would greatly burden an already stressed access to U.S. Route 45 from the east side of Tolono at Benham Street. The report does not address the continuing increase in the use of Benham Street nor does it address this increase of burden on the Village. The result in additional delay of traffic would clearly have a large negative impact on vehicular traffic at these crossing. More importantly, there would be an increased delay in the ability for emergency vehicles (police, fire and ambulance) to gain access from one side of the community to the other.

B. During construction, the lack of crossings would put a severe burden on emergency vehicles in the community. For residents, the lack of crossing including the closure of an arterial street (Benham) and a collector street (Elizabeth) and a local street (Bourne) would severely restrict vehicular traffic and have a significant impact on the ability of the average citizen to conduct business or otherwise reside in the community.

C. Daggy Street is a truck route used by farmers to deliver grain to the local elevators in addition to the use by the surrounding community. Closure during construction or potential overall elimination would have a significant impact on local citizens and this commercial traffic and could potentially require a change in the designation to one of the Village's other streets. This is clearly perceived as a negative impact.

III.

LAND USE

A. In reviewing the proposed rail construction as it relates to land uses there are the following observations. Rail construction will have a substantial impact on the residents adjacent to the new spur and along the Norfolk Southern tracks. The construction does not comply with the Village's land use plan in that the area adjacent to the proposed spur is zoned R-2, medium density residential. Almost all the residences built in the area are comprised of owner-occupied single family dwellings. It is impossible to imagine a more inconsistent use of land than heavy industrial rail use in the midst of single family residences.

In the event that the proposed spur will take place under R-2 Zoning it would be clearly inconsistent with the existing zoning use of the property. In the event that the proposed expansion takes place on the property adjacent to R-2, while potentially not directly violating R-2 zoning itself, the use will clearly be inconsistent with that of single family residences immediately adjacent to the use.

During construction there will be significant disturbance, noise, and risk proposed to these pre-existing properties. After construction, use of this property will burden adjoining property owners with excess noise, pollution, and risk of accidents and derailments.

B. There are no apparent effects on farm land.

C. There are no apparent effects on coastal areas.

IV.

AIR QUALITY

A. There will be a demonstratable increase in air emissions. The report noted an increase in the number of freight trains per day which will exceed the threshold number for air quality impact analysis. Based on the report, increases of VOC or NOx are considered to be significant if emissions exceed certain levels. Data in the report states that the increase rail activities would result in the increased levels of all pollutants. Thus, under the existing proposal there would be a demonstrated increase in air emissions and a significant decrease in air quality for the community.

V.

NOISE POLLUTION

A. With regard to noise impact on the immediate area, the report confirms that an increase in the number of freight trains will logically mean an increase in level of noise. Based upon a review of this draft, this increase will exceed the threshold number for noise impact analysis. Thus, it is reasonable to conclude that there will be a significant impact of noise on the immediate area which is comprised of owner occupied single family dwellings.

B. The report states that the change in train volume will result in an Ldn increase of 2.3 dBA exceeding the threshold for noise analysis. The current 65 dBA contour of 150 feet would

extend to 500 feet perpendicular to the tracks. Based upon this analysis it appears that within the report that there is a net effect of noise on the community is that more residents will be exposed to more noise resulting from the increased train traffic. Community members and others generally interpret this to be a significant and negative impact.

C. The references to noise in the report neglects to take into account the noise from wheel squeals on the spur. It is clear that trains on spurs generate wheel squeals not normally associated with main line traffic. While not quantified in the report, it seems obvious that wheel squeals would generate additional noise as a result of the creation of the spur.

VI.

SOCIO-ECONOMIC ISSUES

In reviewing the socio-economical issues directly related to the changes in the physical environment as a result of the construction, it is clear that the construction would result in the closure of public streets necessary for commercial, residential, and emergency vehicle traffic. In addition, there are concerns regarding damage to existing utilities which would be crossed. A trunk line water main which serves the southern portion of the village, the mobile home park, and other homes further south have no loop. If it is damaged, no other water service would be available until the damaged trunk line is repaired. In addition, a 27 inch diameter storm sewer which serves the west side of the village and the newly constructed Route 45 retention basin is the only available storm water outlet. If it were to be damaged, no other storm water outlet would be available until it was repaired.

Installation of the spur would require borrow material which would result in increased elevations from the new construction. This raises the potential for increased flooding on adjoining residential areas. Storm water patterns are always effected by construction and the addition of improvous areas. Thus, a critical concern is the impact of drainage patterns on nearby structures which would have to be carefully analyzed and taken into account in the event of any construction.

CONCLUSION

A significant number of community members gave oral an written input in response to the information circulated by the railroad and community leaders. Attached, and by reference incorporated herein, are copies of letters received from area citizens.

The current draft includes a number of changes from the first draft resulting from comments at a public hearing about the original draft proposing the rail spur. It was explained that the original proposal overstated the size of the proposed rail spur and the current draft significantly reduces the size but still raises a number of concerns. It delivers the same amount of traffic as was originally proposed and while certain aspects have been corrected and issues addressed, the current draft of the impact statements still glosses over critical noise, air, and safety concerns originally raised in the first draft and raised again in this review.

Based upon current data in the environmental impact statement, a review of the site, discussion with community members, and thoughtful analysis, it is reasonable to conclude that the proposed merger raises significant safety issues, hazardous materials issues, transportation issues, land issues, socio-economic issues, noise pollution issues, and air quality issues that suggest that alternatives to adding a larger number of trains and a rail spur are far more preferable.

11 Nov 97

Miller & Hendren
Law Offices

Mr. Marc E. Miller

I attended The hearing and listened to the presentation by people from Norfolk and Southern.

In regards to the Spur Expansion, I would not be immediately impacted like the residents along Waggly St. I understand their concerns and would share them if my house was that close to the railroad — The present storage track as well as the spur. I live at the almost extreme north end of Talono and this does move me away from the noise and other problems associated with trains using the spur.

I also listened to The presentation as it pertained to the almost doubling of the number of trains that will travel through Talono if the Norfolk Southern does in fact acquire the additional company tracks as

they are attempting to do. This has nothing to do with the "Spur Expansion" as I understood their presentation.

My concern now has to do with the added dangers involved with more trains and movement across our village streets. The impact this will have on the movement of emergency vehicles and people and the difficulty in responding to people/business in need.

An additional concern of mine is the increase in hazardous materials that will be in our village at any given time and how our small Fire Protection District can react to some emergency situation dealing with these types of products. While I am quite proud and pleased with the Fire Protection District and have great faith in their training and abilities, are we putting people in harms way, both them and the general public?

I understand, I think, the driving forces that require business to get bigger in order to compete and turn a profit. However this doesn't lessen my concerns. Another consideration is how long before Norfolk Southern will approach the state/village with a suggestion to close a crossing because they too recognize the potential for accidents as well as the expense in upkeep to a crossing.

You may use any, all or none of this letter and I will be available if you wish to talk to me in person.

Paul J.
Paul E. Fulkerson

603 N Calhoun

1 celano, DE 61880

Ph 485-8000

October 8, 1997

Village of Tolono
P.O. Box 667
Tolono, IL 61880

RE: Norfolk Southern Proposal

Gentlemen:

We as residents of 110 E. Marshall in Tolono are very much opposed to the proposed spur. We find the railroad crossings already blocked by trains much of the time delaying our getting in and out of Tolono. These are not just small delays, much of the time and sometimes more than one crossing is affected. We are already concerned about emergency vehicles being able to move freely in Tolono, and the complete closing of another crossing will, of course, only add to this problem greatly.

There are many young children in our neighborhood and the increased traffic would be a danger.

The noise from the trains is already significant, and additional noise will make things even more difficult. We find it trying to even leave windows open because of the noise.

The thought of hazardous material being routed through Tolono is also cause for concern. What would happen if a spill occurred? Who will be responsible for protecting the people of Tolono?

We wish to vigorously register our opposition to this proposal.

Very truly yours,

Frank R. Krasnowski
Patricia A. Krasnowski
Frank R. Krasnowski
Patricia A. Krasnowski

Nov. 13. 1996

RE: NORFOLK SOUTHERN TOLONO SPUR EXPANSION

Gentlemen,

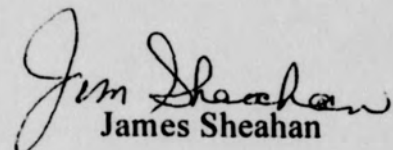
I've lived in Tolono six years. Railroads are part of our life here. I live on the tracks.

To this date the railroad has done no housekeeping along their tracks. Weeds have not been cut in this period. If any repairs are done, the old parts ---ties, spikes, plates to hold ties in place, etc are left to lie in the weeds where they are thrown. The railroads are very inconsiderate.

I find it difficult to believe anything they say. They will do as they please. Tolono has no legislation to control what they do. I think they should have.

I don't think you should wait until they start work on this project. I believe they will do this no matter what we Tolono citizens want. I repeat--they are inconsiderate.

Yours Truly.


James Sheahan

Village of Talono

November 12, 1997

RE: Norfolk Southern Talono Spur Expansion
TO Whom It may Concern:

On response to your request for
resident concerns.

Our concerns are as follows.

1. The property values will decrease.
Who will pay for the decrease in
the value of the property.
2. If the railroad goes through
with the spur expansion what is
next to come? A rail yard? Who
will want to live by a rail yard.
3. Having the fire and emergency
services being delayed in getting
to and from emergency situations.
4. Having more dangerous chemicals
being transported or sitting idle
in town.

5. Children having to cross a busier crossing trying to get to or from school or wherever they need to be.
6. Having the crossings being blocked more frequently which might make you or your children late.
7. Having increased noise from whistles that blow and banging of the cars also from squeaking of the wheels. We were unable to have our windows open for fresh air because of the increased noise.

Sincerely,

Terry Charles and Elizabeth Charles
204 South Bowne St.
Tulaco, Ill 61880

Norfolk Southern Proposal;
Village Of Tolono.

With more trains running through town, there is always more danger of something going wrong. We have enough trouble getting across the crossings now. More trains would slow down traffic drastically.

I live at 117 E. Daggy, and from what I can see now we would have to give up the road in front of our home, or worse.

The quality of the air would also be lower, from diesel fumes and rail dust.

The added noise would make it harder to rest, especially for the little ones and those with breathing disorders.

I built our home 24 years ago, hoping we wouldn't have to move again. I'm 74 years old and I don't know where we would go if we had to move.

Having more trains would add to the danger of hazardous waste spills here in town.

If we have to have crossings closed here in town it would cause us to drive farther. It would be harder to get emergency vehicles to this part of town.

I do hope you will take all this into consideration before adding a spur onto the railroad.

Yours Truly.

Lawrence N. Waple

RECEIVED
7 30 97

11-9-97

Norfolk And Western

Norfolk And Southern Proposal
Village of Tolono, Ill.

First I want everyone to know I'm not trying to stand in the way of progress.

I'm in favor of progress, but do we need to move people, or endanger lives to get this progress.

I hope if the railroad does decide to go through, it will find a better way then to crowd us out.

I listened to the railroad people at the meeting the other night, but I don't understand how they could be between the spur and the main rail.

I know if the railroad people decide to go through I can't do much to stop them or change their minds, but I've said what I have to say, so thanks for listening.

get

Lawrence & Ogellz Warfel

117 E. DAGGY PO Box 655

Tolono, IL 61880

105 N. Elizabeth
Tolono, IL 61880
October 9, 1997

ATTN: NORFOLK SOUTHERN PROPOSAL
Village of Tolono
P.O. Box 667
Tolono, IL 61880

I live 2 houses north of the Elizabeth Street Railroad crossing. I have lived near railroad tracks nearly all my life. But since I have lived in Tolono near the Norfolk Southern tracks there has been a real concern to me for the children that have to cross the tracks.

The tracks have been blocked too much of the time with stopped trains. The trains blocking the crossing and the pressure to be at school on time have caused children to cross between railroad cars. It's also been reported to me that someone witnessed a youngster pushing his bicycle underneath a stopped train.

I have worked at the Tolono Village Hall since 1973 and have heard numerous complaints about trains blocking the railroad crossings.

If the rail traffic increases, I can't possibly imagine the potential hazard this will cause our school children.

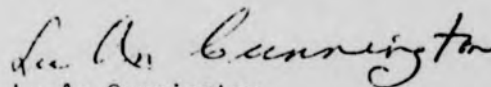
The complacency by the adults and young adults over the railroad crossings blocked, have made them do some very unsafe (and sometimes stupid) things. But when you have to deal with the blocked crossings day after day sometimes frustration takes over and accidents happen. I know of 2 deaths caused by going around the arms, since I have lived here.

Another real concern I have is the need for emergency medical treatment and fire protection. My husband is a volunteer fireman, and I know minutes can be the difference between life and death. Several years ago (maybe 15) the Tolono Fire Dept. responded to a call on the south end of town when the crossing arms were down. Two or three of the firemen left the emergency vehicle that was blocked by the crossing arms, and responded on foot for a few blocks. They knew they were responding to a heart attack call and timing was critical. The wife believed her husband was already dead, however the firemen began CPR and to this day this man is still alive and doing well. Had this been farther than a few blocks that man would have died.

Please consider the safety and health of the Tolono residents by not proceeding as planned.

P.S.

Not only are the arms down by stopped trains, there are no trains in sight.


Lu An Cunningham

September 27, 1997

Attn: Norfolk Southern Proposal
Village of Tolono
P.O. Box 667
Tolono, IL 61880

RE: Rail Spur

To Whom It May Concern:

In response to your request for resident input.

1. Safety:

- A. Fire and emergency services could be delayed in getting to and from any situation that arises.
- B. Danger in more chemicals being transported through Tolono that might possibly derail and leak due to switching of trains.
- C. Children, elderly or anyone having to cross the tracks at any given time. (example: children going to school, elderly have to walk to go to the grocery store)

2. Transportation:

- A. This will close all major intersections to get across to the east side of Tolono. **THIS MAKES NO SENSE AT ALL.**
 - 1. Who will be held responsible for any DEATH that might happen due to no emergency vehicle being unable to get across the track.
 - 2. I'm sure the Village of Tolono will not want to be sued due to a death. We have lived in Tolono around these tracks all our lives and know for a fact that these trains are on the tracks for a long period of time.
 - 3. It is my understanding from some years ago each time a train has the crossing blocked, should be for a short period of time such as 10- 15 minutes. We have been held at a crossing for 30 minutes or longer.
 - 4. Will cause problems when we go to and from work. We will never know when to leave to go to work due to the trains coming and going.
 - 5. Children may be late for school, late getting home,

late getting to the next bus stop to get on the next bus.

6. Sunday morning, Sunday evening and Wednesday evening when we are trying to go to Church. With trains possibly blocking crossing.
7. Traffic accidents may occur due to people in line trying to get out of line and find another way to get in or out of town.
8. Unity High School and Unity Junior High School activities at the schools or away. Other school bring buses here for school activities. They could be late to and from and parents waiting to pick up the children will be worried and upset.

3. Land Use:

- A. Property values will decrease, who wants to live by a rail yard ? We don't
- B. Who wants to live where you can't open your windows, be outside without hearing all the noise due to just going through or being the switching station for 30-45 minutes or longer.
- C. We have enough noise now without more. WHY can't this be done outside of Tolono in the Country. Such as somewhere between Tolono and Pesotum or Tolono and Philo where few people are living. This would make more since

4. Air Quality:

- A. They will be burning an increase amount of train fuel in town and be doing this by spending more time in town.
- B. People with health problems. (example: breathing, lungs etc)

5. Noise:

See #3 A and B

- A. The noise from all the switching, hooking and unhooking will increase and is already bad.
- B. Your nerves can only take so much noise.

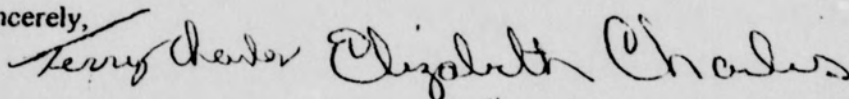
6. Socio Economic/Human Issues:

- A. Quality of life? You will never be able to committ to anything You might have an appointment in town or outside of town but not get there on time.
- B. If we are late for work, we could lose our jobs due to the fact that the work force doesn't understand LATE for any reason.

Due to all the trains now in Tolono, the crossing arms are down and no trains are in sight. Even though it's against the law to cross with the arms down, it will happen more often. Is Tolono going to have a crossing guard on duty 24 hours a day for protection? MAYBE THE RAILROAD SHOULD BE RESPONSIBLE FOR PROVIDING A CROSSING GUARD AT EACH CROSSING 24 HOURS A DAY AT THEIR EXPENSE.

It seems that the convenience is for the railroad and could care less about the people who live in Tolono or visiting.

Sincerely,

A handwritten signature in cursive script that reads "Terry Charles Elizabeth Charles". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Terry Charles and Elizabeth Charles
204 South Bourne St.
Tolono, Il. 61880

10-6-97

Tolono Village Board of Trustees:

In response to Norfolk Southern
Rail expansion my wife and I have
these comments:

There are too many trains now -
we are constantly waiting on trains
to the point of running the gates,
or having to leave extra early for
work.

I've lived in Tolono most of
my life and spent a good part
of it waiting on trains.

The noise is nerve-racking.
That whistle cuts through our heads
like a knife. The rattles, clangs
bangs and whatever from rail cars
cut out all other sounds around
us, stopping all conversations.

This is supposed to be a
residential area, families with
children. With more railroad
traffic there's a bigger chance

of railroad accidents.

We hear all traffic from
Daggy Street will be rerouted
to Benham and being a residential
area we don't need the extra
traffic, not to mention all the
dirt, pollution and grit associated
with trains.

In closing we cannot see
one advantage to this expansion
or what possible way it can
benefit our area or our village.

With all these disadvantages
we can only predict the value
of our home will depreciate
immediately and along with
it our lifestyle.

We will be attending
the meeting to hear any
further comments.
Thank you Mr & Mrs Ralph Sul.

STB

FD

33388

1-20-98

K

BUSINESS

METRO REGIONAL TRANSIT AUTHORITY
416 Kenmore Boulevard
Akron, Ohio 44301
330/762-7267
330/762-0854 FAX

ENVIRONMENTAL DOCUMENT

ENVIRONMENTAL DOCUMENT



January 13, 1998

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
Environmental Project Director
Section of Environmental Analysis

Dear Ms. Kaiser:

On behalf of METRO Regional Transit Authority, I would like to thank the Surface Transportation Board for expanding the final Scope of the Environmental Impact Statement of the Proposed Acquisition of Conrail by CSX and Norfolk Southern last fall.

From our understanding of the Draft Environmental Impact Statement (DEIS), the effects of the transaction on proposed passenger rail operations were determined to be not significant enough to evaluate. We understand that the primary role of the STB (and its predecessor, the ICC) is to regulate business concerns. However, we are concerned that this proposed merger will leave permanent, unchangeable constraints on both existing and potential passengers rail services in the country.

Under the Draft EIS, the STB chose not to examine many possible problems:

"If the analysis indicated that the rail line segments could accommodate the higher volumes, SEA's preliminary conclusion was that the proposed Acquisition would have no adverse impact on passenger train operations." (DEIS, Volume 1: page 3-14)

The SEA has established a tight time line to review the most significant rail merger in the history of the United States. By deciding not to look at future interactions of the applicants with commuter rail providers, even those with existing agreements, the STB has remained silent concerning the responsibility the railroads have as a public utility. This is the same responsibility the phone industry, electric providers, and gas companies have to individuals citizens.

"SEA determined that impacts of freight operations on passenger rail service would be significant if the anticipated post-Acquisition increases in freight operations resulted in the need to reduce passenger service. . . However, the current operating agreements preclude any reduction in service. Any significant impact that would result from increased post-Acquisition freight operation could occur only after expiration of a current agreement." (DEIS, Volume 1: page 3-16)

The STB has decided not to be involved in the relationship between the railroad and passenger services after the expiration of existing contracts. Potentially, the uncooperative freight railroads could leave existing or potential passenger operators unable operate, thereby stranding thousands of rail passengers. Displaced commuters will create a greater demand on the over-burdened highway system. In total, higher energy consumption and greater public investment in road construction will be created.

Many agencies in the State of Ohio expressed concerns about passenger service. The STB did review these requests and commented:

"SEA has determined that evidence exists of a potential cumulative effect associated with commuter rail planning and funded activities in Northern Ohio including, but not limited to Toledo, Akron, Lorain, and Cleveland." (DEIS, Volume 3B: page OH-129).

According to the SEA's review, METRO's trackage rights request (MRTA-1) could produce traffic above the level considered significant. (DEIS, Volume 5C: page U-15)

However, the SEA states that it has not found any activities that will be impacted:

"At this point in its investigation, SEA is unaware of any other activities that would require a cumulative analysis." (DEIS, Volume 3B: page OH-129).

The SEA concludes its investigation in Ohio by making the following comment:

"Therefore based on its independent analysis and all information available to date, SEA has made a preliminary conclusion that there would be no other significant cumulative effects associated with the proposed Acquisition in the State of Ohio." (DEIS, Volume 3B: page OH-129).

This merger presents an opportunity for passenger rail services to be expanded in the United States. The SEA has performed a detailed analysis of the diversion of freight between highway and rail transportation modes. A similar analysis should be conducted as it involves passenger movement.

We feel the following recommendation of the SEA should be strengthened:

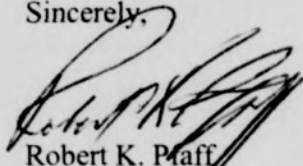
"The SEA encourages the Applicants to meet with the agencies responsible for the commuter rail studies to ensure that the proposed Acquisition can be accomplished without negative effect to commuter rail plans." (DEIS, Volume 3B: page OH-129).

This position assumes that the railroads will negotiate in good faith with passenger agencies. The scope of the review needs to be expanded to include having the Applicants address the potential negative impact on passenger rail operations caused by the merger. SEA needs to actively retain jurisdiction in this matter to assure that the Acquisition can be accomplished without negative consequences on passenger rail operations.

We understand the STB is under a very tight schedule; however, we must ask one point to be changed in the Draft Environmental Statement. Table 5-OH-51 indicates METRO Regional Transit Authority commented on the abandonment in Toledo, Ohio. It appears the SEA misunderstood our comment. Our comments do not concern Toledo. The scope of our letter concerned only Akron, Cleveland, and Canton, Ohio.

In closing, we ask the SEA to view passenger access on an equal basis as freight access to this large multi-modal transportation utility. If you have any questions regarding this statement, please do not hesitate to contact Kirt Conrad, Planner, or myself at (330) 762-7267.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert K. Pfaff", is written over the typed name.

Robert K. Pfaff
General Manager, Secretary-Treasurer

STB

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1-20-98

K

CITIES

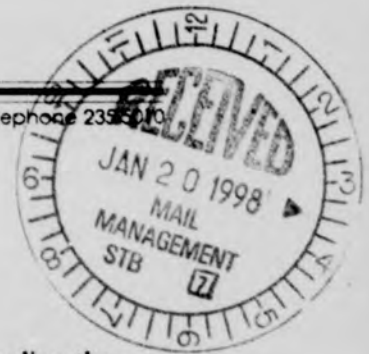
Jean Johnson

Councilwoman Ward II

7322 River Rd.
Olmsted Falls, Ohio 44138

ENVIRONMENTAL
DOCUMENT

Telephone 235-6100



To whom it may concern:

I have reviewed the SEA report on the Environmental Impact Statement regarding the proposed acquisition of Conrail by NS and CSX railroad. I appreciate the magnitude of your study. Your extensive research included safety, transportation systems, energy, air quality, noise, cultural and historic resources, hazardous materials and waste sites, natural resources, land use and socioeconomic environmental justice, across 24 states, the district of Columbia, and the Canadian Provinces of Ontario and Quebec. Your decision will affect 90 million people. I learned from your study that your preliminary conclusion is that there were no significant cumulative effects on any of the issue areas.

I disagree.

In fact, the EPS report identifies concerns in each of the areas reviewed, but possible remedies were stated to correct these problems. I believe your review and decisions were made from the top down rather than from the bottom up. A good decision starts from the bottom and works up. At this time the bottom is represented by local residents and small communities that would feel great impact, and in fact could destroy them. We in Olmsted Falls, Ohio are one of these small communities. We already have between 80 and 100 train crossings per day, and our current track system supplies no overpass or underpass to relieve automobile or truck traffic. Our little City's population is increasing. Adding 1000 homes to our town means additional automobile traffic across our already inadequate rail crossings. To add more rail traffic, which the acquisition of Conrail to NS and CSX would do means that our town is in trouble. There will be greater risk of train, auto accidents, greater nuisance from noise, greater air pollution, greater potential for hazardous waste spills, greater time loss for police and emergency vehicles to service residents in all parts of our town, and greater mental anguish from long and stopped trains.

I hope you will seriously consider the plight of the 90 million people who will be affected, and the impact of this acquisition on the lives of the people in our City, Olmsted Falls.

Thank you,

Jean Johnson
Ward II Councilman

STB

FD

33388

1-20-98

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CITIES



**STARKE COUNTY AUDITOR
MICHAELNE J. HOUSTON**

**ENVIRONMENTAL
DOCUMENT**

(219) 772-9101
53 East Mound Street
Knox, Indiana 46534

January 15, 1998

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

Dear Sirs,

Please correct your records to show that Daniel Bau is the President of the Starke County Commissioners. Clifford Allen has not been a commissioner for over a year now.

Thank you for your consideration of this matter.

Sincerely,

Michaelene J. Houston
Auditor of Starke County and
Secretary to the Board of
County Commissioners

MJH/mjh

CENTRAL ADMINISTRATIVE UNIT
REC'D: 1/21/98
DOCUMENT # 1/22/98 8:45 29AM

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SURFACE TRANSPORTATION
BOARD

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OFFICE OF ECONOMICS
DIRECTOR'S OFFICE

STB

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CITIES



Celebrating 30 Years
Of Communities In
Partnership - Working
Together For A Better
Southeast Michigan

ENVIRONMENTAL DOCUMENT

January 13, 1998

Elaine K. Kaiser, Chief
Section of Environmental Analysis
Surface Transportation Board
U.S. Department of Transportation
1925 K Street, NW
Washington, D.C. 20423-0001



Re: Surface Transportation Board Finance Docket No. 33388 -- CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company -- Control and Acquisition -- Conrail Inc. And Consolidated Rail Corporation: Draft Environmental Impact Statement

Dear Ms. Kaiser:

This is in regard to the Draft Environmental Impact Statement (EIS) on the proposed acquisition of Conrail by Norfolk Southern and CSX Railroad. In order to allow for adequate review of this Draft EIS, we are requesting a 15 day extension of the review and comment period.

SEMCOG, the Southeast Michigan Council of Governments, is the designated Metropolitan Planning Organization (MPO) for Southeast Michigan. Its primary missions are 1) planning on issues that extend beyond individual government boundaries, and 2) intergovernmental relations in cooperation with local government, as well as state and federal agencies. The SEMCOG partnership strengthens efficient and effective local government supporting local planning through its technical, data and intergovernmental resources.

SEMCOG is working with both CSX Railroad and Norfolk Southern to conduct two informational meetings on the proposed acquisition and its effect on Southeast Michigan. We have waited to conduct these meetings so that they would correspond with the Draft EIS review period. As a result, the meetings are scheduled for January 21 and 28, 1998.

Our concern lies with the timing of the specified review and comment period. First, 45 days for reviewing a 3,000 page document is short. Second, the release of the document just before the two week holiday season on December 19, 1997 has effectively shortened the 45 day public comment period.

ANITA AMBROSE
Chairperson
City of Farmington

DORIS AN WOODLEY
First Vice Chairperson
Superior
Farmington Township

BERALDINE HOOD
Vice Chairperson
Superior
West Bloomfield Township

DIANA KOLAKOWSKI
Vice Chairperson
Commissioner
Macomb County
Board of Commissioners

DANTE J. LANZETTA, JR.
Vice Chairperson
Commissioner
City of Birmingham

MARJORIE THOMAS
Vice Chairperson
President, P.D. of
St. Clair County
Board of Education

JOHN FUNK
Immediate
Past Chairperson
Commissioner
Monroe County

JOHN M. AMBERGER
Executive Director

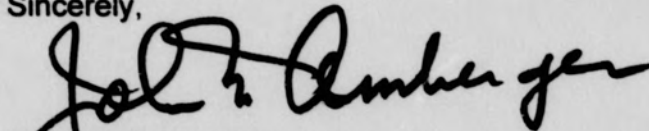
♻ Recycled paper

Elaine K. Kaiser
January 13, 1998
Page 2

This is not only an important project for Southeast Michigan, it is also a large and complex project as reflected by the Draft EIS. A 15 day extension to the review period will allow Southeast Michigan communities, businesses and other attendees of our informational meetings necessary time for developing comments on the draft document.

I look forward to your response on this request.

Sincerely,



John M. Amberger
Executive Director

cc: John Dingell, U.S. Representative
Marcus Higginbotham, Norfolk Southern Corporation
Tom Drake, CSX Corporation
Richard Sanderson, U.S. EPA

STB

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33388

1-16-98

K

BUSINESS



LAKEWOOD HOSPITAL

14519 Detroit Avenue, Lakewood, Ohio 44107-4383

(216) 521-4300



January 12, 1998

U.S. Surface Transportation Board
Section of Environmental Analysis
Attn: SEA-Finance Docket 33388
1925 K Street, N.W.
Washington, D.C. 20423

**ENVIRONMENTAL
DOCUMENT**

Re: Norfolk Southern and CSX Corporation

Dear Board Members:

This letter is to notify the U.S. Surface Transportation Board that the Board of Trustees Lakewood Hospital Association unanimously passed a resolution opposing the current proposal by Norfolk of Southern and CSX Corporation for the acquisition and allocation of Conrail, Inc.'s assets, primarily because of its impact on the health and safety of our community. In the unfortunate event that this proposal is approved, the disposition of the assets proposal must include a mechanism to ensure that necessary, continuous emergency access to Lakewood Hospital will not be interrupted.

The City of Lakewood is divided in half along the north-south direction by the rail tracks. Although the tracks have twenty-seven (27) grade crossings spanning the City limits, there is only one underpass whereby vehicles may cross the City in a north-south direction without rail interruption. Lakewood Hospital is located south of the rail tracks, while thirty percent (30%) of the ambulance and paramedic runs to Lakewood Hospital originate north of the rail tracks.

Although there are many quality of life and public safety issues which would be adversely affected by an increase in rail traffic, and which we deplore as a member of the Lakewood community, we are outwardly concerned with only one issue: our mission to provide health care to our community.

In cases of a medical emergency, emergency teams have four minutes to perform emergency cardio-pulmonary resuscitation and ten minutes to provide advanced life support. A delay in emergency response decrease survival and recovery rates. Currently, Lakewood Hospital and the paramedics have collaborated to establish excellent response times in spite of the existing point of access limitations. A detour to the current underpass, which is located at the city's west end or to the city of Cleveland on the east, would add from five to fifteen minutes to a run. Alternative health care facilities are even further away. The increase of rail traffic, without consideration of additional rail bypasses, seriously jeopardizes the hospital and paramedics' ability to respond in a timely fashion.

U.S. Surface Transportation Board
January 12, 1998
Page Two

If the current proposal is approved, Lakewood Hospital Board of Trustees is concerned that any increase in daily freight train traffic would greatly interfere with Lakewood Hospital and the City ambulance and paramedic squads' ability to respond timely to medical emergencies. With only one underpass allowing continuous vehicle traffic, the City has no alternative to accommodate this increased rail traffic.

In its review of any proposal of Norfolk Southern and CSX Corporation for the acquisition and allocation of Conrail, Inc.'s assets, the Surface Transportation Board must recognize the impact of any proposal on the delivery of emergency medical services within the City of Lakewood.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'WRG', with a long horizontal line extending to the right.

William R. Gorton
Chairman, Board of Trustees

WG/jk

STB

FD

33388

12-19-97

K

BUSINESS



Send Letter to ASHTA. (12)

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

December 19, 1997

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

Dear Interested Parties:

Recently, the Surface Transportation Board's Section of Environmental Analysis (SEA) sent you the Draft Environmental Impact Statement (EIS) for the Proposed Acquisition of Conrail by Norfolk Southern Railroad and CSX Railroad. SEA wants to (1) correct two dates in the procedural schedule included in the Draft EIS and (2) clarify that the Draft EIS is comprised of a separate Executive Summary and six volumes of text. These six volumes are divided into nine separate books.


Specifically, the procedural schedule included in the Executive Summary (Table ES-1, pp. ES-7 to ES-8) and in Chapter 1 (Table 1-1, p. 1-9) of the Draft EIS incorrectly states the due dates for filing rebuttals in support of Inconsistent and Responsive Applications and for submitting briefs to the Board. The correct due dates are: (1) **January 14, 1998** for the filing of rebuttals in support of Inconsistent and Responsive Applications and (2) **February 23, 1998** for all parties to submit briefs. A corrected copy of the Board's entire Procedural Schedule is enclosed with this letter.

SEA welcomes written comments on all aspects of the Draft EIS as well as suggestions on mitigation measures to address potential environmental impacts that could result from the Proposed Conrail Acquisition. As noted in the Draft EIS, all comments must be submitted by **February 2, 1998**.

If you have any questions about the Board's Procedural Schedule or would like additional information about the environmental review process, please call SEA's toll-free Environmental Hotline at 1-888-869-1997, or visit our website at <http://www.conrailmerger.com>.

Sincerely yours,

Elaine K. Kaiser
Environmental Project Director
Section of Environmental Analysis


Enclosure

ASHTA Chemicals Inc.
3509 Middle Rd.
P.O. Box 858
Ashtabula, Ohio 44004
216-997-5221
Fax: 216-992-0151

Office # 997-6858

446 352-3139
17 352-3622

ASHTA

November 24, 1997

Mr. Duane S. Feher
County Commissioner
25 West Jefferson Street
Jefferson, OH 44047

Dear Mr. Feher:

Enclosed, please find ASHTA's brief regarding the proposed acquisition of Conrail by the Norfolk Southern RR and the CSX RR. This brief was submitted to the Surface Transportation Board on October 21, 1997.

Since the 1970's Ashtabula, OH has been closed to Reciprocal Switching and captive to Conrail. ASHTA has requested as a condition of the merger, Reciprocal Switching in Ashtabula. This would allow for rail competition to exist again in Ashtabula. The basis of our research is as follows:

- * Reciprocal Switching existed previously in the early 1970's with the Penn Central and the Norfolk and Western RR. The Penn Central ran the East West line to Buffalo, NY and the Norfolk & Western ran an additional East-West lane to Buffalo, NY. When the respective railroad merged to form Conrail, the Reciprocal Switching agreement was eliminated.
- * Having access to a second major Class I railroad in Ashtabula would benefit all of the Ashtabula shippers through competitive freight rates. ASHTA alone spends more than \$4.3 million annually in rail freight costs. If Reciprocal Switching is granted, we could realize estimated freight savings of \$500,000 to \$1 million annually. This is significant to ASHTA and would allow for improvements to our plant located in Ashtabula, OH and possible expansion of our facility.
- * Reciprocal Switching would also allow for improved transit times by eliminating switches to a second carrier. Improved transit times allows our customers to receive product faster. It is still unknown how much of ASHTA's business that is currently Conrail direct shipments that will become a two-railroad movement, CSX handing off to the Norfolk Southern. It is our experience that anytime two railroads are involved, freight rates are higher. In addition, transit times are usually increased by one to three days. This also increases our cost of doing business because these cars are not available for shipment to other customers or terminals.
- * With the proposed acquisition of Conrail, CSX will have the East-West line to Buffalo, NY and Norfolk Southern will have the North-South line to Youngstown, OH. All Ashtabula rail traffic is pulled from the industry and taken to the West Yard. In the West Yard, trains are built and shipped to Buffalo. Norfolk Southern trains will cross the East-West CSX line just east of the West Yard. ~~eliminating the need to switch cars to the Norfolk Southern. It is believed that this~~ ~~operating in good condition and would not require additional capital for improvements. With the close~~ ~~proximity of the car to the West Yard, it makes sense to allow the shippers access to the Norfolk~~ ~~Southern RR.~~

ASHTA has met with both the CSX and Norfolk Southern regarding our concerns over increased transportation costs and delays in transit times. ~~CSX has not agreed to our request for Reciprocal Switching (see Exhibit D) and Norfolk~~ ~~Southern was also noncommittal (see Exhibit C).~~ Further, with this expensive acquisition, ASHTA asked both

~~companies have the right to pay for the merger.~~ Norfolk Southern responded that in addition to the revenue from the merger, they had stopped buying back their own stock which they had been doing in previous years at approximately \$500 million per year. CSX responded that they have a "Truck Busters" initiative to take business away from the trucking industry. ASHTA does not have enough business to benefit from the Truck Buster program. Other than economies of scale arguments we read in the press, they have not offered any other plan for paying down the huge debt they will incur upon the culmination of the acquisition. We can only assume the debt will be repaid via freight rate increases. This is counter to both the NS and CSX public commentary on how their respective acquisitions of Conrail will increase competition and service.

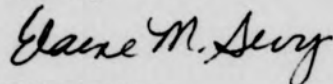
We believe we have voiced valid concerns as current experience with the UP/SP merger has proven an increase in ~~freight rates of 30% and significant delays in transit to our customers.~~ The UP/SP problems were not foreseen or expected as a result of the merger and we know that this has caught many shippers and the STB unaware.

This summarizes ASHTA's position with the proposed acquisition and break up of Conrail. I would appreciate an opportunity to discuss this with you further at your convenience prior to your meeting with the ~~Ohio Attorney General's~~ Office. ~~Please call me at 440-997-6858 when you receive this letter to arrange a mutually agreeable time to meet with you and Mr. Boggs either at your office in Jefferson or our office in Ashtabula.~~

If for some reason we are unable to meet, I would like to call and discuss this with you and Mr. Boggs prior to your meeting. If you feel it would be appropriate, I will arrange to travel to Columbus with one of my associates in order to attend the meeting and clarify our position with the Attorney General's Office.

Thank you for the opportunity to review our position. I look forward to hearing from you in the near future.

Sincerely,



Elaine M. Sivy
Manager, Distribution &
Order Fulfillment

Enclosure: 1

cc: FAC
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MRB
File

STB

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Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Post Office Box 1026
Harrisburg, Pennsylvania 17108-1026

November 25, 1997



TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER

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

Re: ER 97-0776-042-L
Finance Docket No. 33388 CSX and Norfolk Southern-
Control and Acquisition -Conrail, Statewide,
Pennsylvania

Dear Ms. Kaiser:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed 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.

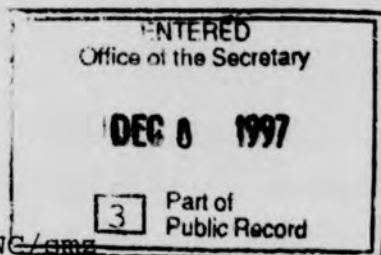
We are in receipt of your letter initiating consultation of the above listed project. We cannot, at this time, agree with your finding of no adverse effect for the project until information concerning the following portions of the project are reviewed. Please submit plans, photographs, maps and any necessary background information to review the proposed 6.25 mile realignment through Erie; the new construction of a new 4,900-foot connection at Grays Ferry Bridge and the 25th Street Viaduct in Philadelphia and the expansion of the Enola Railyards in West Pennsboro Township, Cumberland County (near Harrisburg).

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



KWC/cmr