

STB

FD-33388

3-13-98

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Office of the Chairman

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

File in Docket
FD-33388
(Environmental)

March 13, 1998

The Honorable Sherrod Brown
U.S. House of Representatives
328 Cannon House Office Building
Washington, DC 20515

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

Dear Congressman Brown:

Thank you for your letter dated February 9, 1998, expressing your opposition to the proposed acquisition of Conrail by Norfolk Southern and CSX and your concerns about the potential adverse affect on public safety resulting from the proposed increased rail traffic in northeast Ohio.

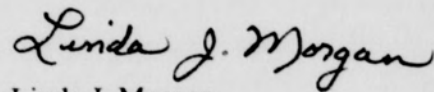
The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of the potential environmental impacts associated with the proposed Conrail Acquisition. As part of its environmental review, SEA issued a Draft Environmental Impact Statement (EIS) on December 12, 1997 which addressed various environmental impact areas, including safety, transportation systems, land use, energy, air quality, noise, biological resources, water resources, environmental justice, and cultural and historic resources. Chapter 5 of the Draft EIS focused on the concerns relating to increased rail traffic in Ohio, especially the northeast Ohio and Cleveland areas. SEA recommended numerous mitigation measures to address the potential environmental impacts in that area, including railroad consultations with affected communities to discuss their concerns and possible solutions. SEA also identified minority and low-income populations that could incur high and disproportionate environmental impacts and has targeted public outreach activities to these communities with potential environmental justice issues.

SEA is fully aware that these issues are of major concern to the residents of Cleveland and northeast Ohio. SEA has attended several public meetings in the area in order to hear those concerns first hand and discussed the issues with numerous local officials. SEA has also formed special Ohio and Cleveland study teams to focus its review and analysis of the unique environmental impacts and concerns in this area.

After conducting an independent environmental analysis, reviewing all environmental information available to date, consulting with appropriate agencies, and fully considering all public comments, SEA plans to issue in late May 1998 a Final EIS for consideration by the Board. In its final decision, the Board will consider the entire environmental record, including all public comments, the Draft EIS, and the Final EIS. The Board will issue its final written decision in July 1998.

If you have additional questions concerning the environmental review process, please call me, or contact Elaine K. Kaiser, SEA's Environmental Project Director, or Mike Dalton, SEA's Project Manager for the Conrail Acquisition, at (202) 565-1530.

Sincerely,

A handwritten signature in cursive script that reads "Linda J. Morgan". The signature is written in dark ink and is positioned above the printed name.

Linda J. Morgan

SHERROD BROWN
THIRTEENTH DISTRICT
OHIO

COMMITTEE ON COMMERCE

RANKING MEMBER
SUBCOMMITTEE ON HEALTH
AND ENVIRONMENT

SUBCOMMITTEE ON ENERGY
AND POWER

COMMITTEE ON
INTERNATIONAL RELATIONS

SUBCOMMITTEE ON ASIA AND THE PACIFIC

sherrod@mail.house.gov
<http://www.house.gov/sherrodbrown/>

50-33388

Congress of the United States
House of Representatives
Washington, DC 20515

February 9, 1998

DISTRICT OFFICES:

5201 ABBE ROAD
ELYRIA, OH 44035-1451
(440) 934-5100
FAX (440) 934-5145

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MEDINA, OH 44256-1902
(330) 722-9262

15561 WEST HIGH STREET
MIDDLEFIELD, OH 44062-9292
(440) 632-5813

1-800-234-6413 (OH13)

WASHINGTON OFFICE:

328 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3401
FAX (202) 225-2266

Mr. Vernon Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Suite 700
Washington, D.C. 20423

Dear Mr. Williams:

I am writing to express my opposition to the proposed acquisition of Conrail by CSX and Norfolk Southern which would significantly increase rail traffic in northeast Ohio and could adversely affect public safety.

In October of 1997, the Ohio Rail Development Commission released an analysis of the proposal which calculated that rail traffic in northeast Ohio would increase by 39.70 trains per day, a 274% increase. Also, the number of freight cars carrying hazardous waste through northeast Ohio would increase, representing an unreasonable public health risk to the residents living in these communities.

Many of my constituents fear this increase in freight traffic would compromise their access to vital fire, police and emergency medical services. Given the reality that emergency response teams would be impaired due to increased traffic, this situation is unacceptable. While safety is of utmost concern, there are several quality of life issues that should be addressed. This merger would significantly increase noise levels, compromise air quality and, without the benefit of grade separations, jeopardize public safety.

It is clear that unless these concerns about safety, traffic flow and the environment are properly addressed, and grade separations are built to relieve areas of heavy traffic flow, this application should be denied. Thank you for your consideration of these important issues.

Sincerely,

Sherrod Brown

SHERROD BROWN
Member of Congress

STB

FD

33388

2-19-98

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MOCs



Office of the Chairman

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

Finance Docket
FD-33388
(Environmental)

February 19, 1998

The Honorable John Glenn
United States Senate
200 N. High Street, Room 600
Columbus, OH 43215
Attn: Dan Emerine

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

Dear Senator Glenn:

Thank you for your letter forwarding correspondence from several of your constituents. In those letters, your constituents express various concerns about the potential negative impacts on their communities from the proposal by Norfolk Southern and CSX to acquire Conrail.

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

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

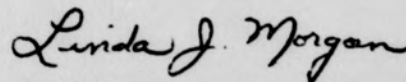
Under the current procedural schedule adopted by the Board, SEA issued the Draft EIS on December 12, 1997, the public review and comment period ended on February 2, and the staff is currently evaluating those comments. After conducting an independent environmental analysis, reviewing all environmental information available to date, consulting with appropriate agencies, and fully considering all public comments, SEA plans to issue in late May 1998 a Final

EIS for consideration by the Board. In its final decision, the Board will consider the entire environmental record, including all public comments, the Draft EIS, and the Final EIS. The Board will issue its final written decision in July 1998.

Some of your constituents express general concerns regarding grade crossing and other rail safety issues apart from the proposal to acquire Conrail. These matters are within the jurisdiction of the Federal Railroad Administration at the Department of Transportation, and inquiries regarding these issues should be addressed to that agency.

I am having your letter and enclosed correspondence and my response placed in the public docket for this proceeding. If you have additional questions concerning the environmental review process, please contact Mike Dalton, SEA Project Manager for the Conrail Acquisition EIS, at (202) 565-1530.

Sincerely,

A handwritten signature in cursive script that reads "Linda J. Morgan".

Linda J. Morgan

JOHN GLENN,
OHIO

COMMITTEES:

- GOVERNMENTAL AFFAIRS
- ARMED SERVICES
- SELECT COMMITTEE ON INTELLIGENCE
- SPECIAL COMMITTEE ON AGING

United States Senate

WASHINGTON, DC 20510-3501

January 30, 1998

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

Re: STB Finance Docket No. 33388

Dear Mr. Williams:

Enclosed please find correspondence from the Honorable Alan J. Zaleski, Ohio State Senator; the Honorable George J. Branco, Mayor, City of Bellevue; the Board of Trustees of Norwich Township; the Board of Trustees of Greenwich Township; and several other concerned constituents of the State of Ohio. These constituents have written to express their concerns regarding the potential effects of the proposed Conrail acquisition/merger in Huron County, Ohio.

Please note that these constituents have expressed concerns regarding the potential impacts on public safety, and other environmental and quality of life concerns. In particular, State Senator Zaleski's office and Mayor Branco have requested that the Surface Transportation Board, either alone or in conjunction with the Federal Railroad Administration, hold a listening (scoping) session in Huron County, in order to make these concerns directly known to the appropriate officials.

I respectfully ask that my constituents' request be given due consideration.

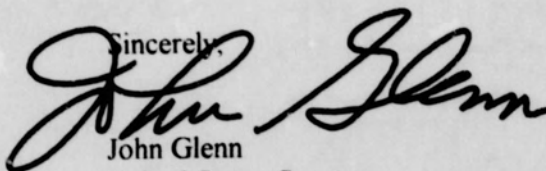
Please direct all correspondence on this issue to the following address:

Senator John Glenn
200 N. High Street, Room 600
Columbus, Ohio 43215
ATTN: Dan Emerine

You may reach Mr. Emerine at (614) 469-6697. Thank you for your cooperation and consideration.

RECEIVED
SURFACE TRANSPORTATION
BOARD
JAN 31 1998
OFFICE OF
CHAIRMAN MORGAN

Mr. Vernon A. Williams
January 30, 1998
Page 2

Sincerely,

John Glenn
United States Senator

JG:de



Ohio Senate
13th Senate District

ALAN J. ZALESKI
STATE SENATOR

October 30, 1997

Dan Emcrine
Senator Glenn's office
(FAX) 469-7733

Dear Dan:

Many residents of Huron county are concerned about the expansion of the CSX railroad. Senator Zaleski's constituents have expressed fear that this increased train traffic would be detrimental to public safety, especially to children.

As such, this office would like to formally request a "listening session" on this issue with the Federal Railroad Administration. Ideally, I believe that such a meeting should be scheduled in Norwalk, as it is the county seat in Huron County.

Please forward this information to the appropriate person in the Federal Railroad Administration.

Thank you in advance for your assistance in this matter. If there are any questions or problems with this request, please do not hesitate to contact me at Senator Zaleski's office.

Sincerely,

Mike Cook
Legislative Aide

Address:
Senate Building
Columbus, Ohio 43215
614/464-7613
Vermilion, Ohio 44089
216/967-7299

Committees:
Economic Development, Technology
and Aerospace
Ranking Minority Member
Insurance and Commerce
Ranking Minority Member
State and Local Government
and Veteran's Affairs
State Controlling Board

DAVID E. KILE
Council President

City of Bellevue
117 North Sandusky Street
First Floor
P.O. Box 305
Bellevue, Ohio 44811

ETHEL R. FOTI
City Auditor

GARY W. HAYNES
Safety-Service Director

STEVEN J. NATOLE
Treasurer

GEORGE J. BRANCO
Mayor

November 20, 1997

The Honorable Senator John Glenn
Attention: Dan Emerine
200 North High Street, Room 600
Columbus, Ohio 43215

RE: CSX/NS/CR Transaction, STB Finance Docket No. 333888

Dear Senator Glenn:

This letter is a request that your office coordinate with either the Federal Railroad Administration (FRA) or the Surface Transportation Board (STB) to conduct a Public Hearing or listening session in Huron County, Ohio, in regards to the proposed Conrail (CR) acquisition by the Norfolk Southern Corporation (NS) and the CSX-Transportation Corporation (CSX-T), STB Finance Docket No. 333888. This Public Hearing or listening session would allow officials of the FRA and/or STB to hear safety and quality of life concerns of the citizens of our area in regards to this proposed transaction.

The City of Bellevue is the location of Norfolk Southern's Bellevue Terminal. It is our understanding that this location is being projected to bear the burden of a thirty percent (30%) increase in rail traffic.

Please advise us as to what action is being taken on this request and of the date and location of the proposed Public Hearing. Thank you.

Sincerely,
CITY OF BELLEVUE

George J. Branco
George J. Branco, Mayor

Gary W. Haynes

Gary W. Haynes, Safety-Service Director

cc: Alan Zaleski, State Senator
David Kile, Council President
David Wallingford, Law Director
Gary Stair, Bellevue Development Corporation

CSX-NS-CR PROJECT

Mr. Vernon Williams, Secretary
Surface Transportation Board
12th and Constitution Avenue, N.W.
Washington, D.C. 20432

RE: CSX/Conrail merger: STB Finance Docket No. 3320.

Dear Sir,

On OCT. 13, 1997, the Members of the Norwich Township,
Huron County, Ohio, Board of Trustees, met and passed the following resolution:

RESOLVED: That the proposed acquisition of the Consolidated Rail Corporation (Conrail) by CSX Corporation is not in the interests of the citizens of Norwich Township, Ohio; because of the unusual hardships that it will impose on our Township, in the disruption of our local transportation system of roads at points where they cross either the CSX lines or the Conrail lines, both of which bisect our Township. The proposed CSX/CR acquisition will result in the closure of necessary roadways, the large scale destruction of our rural way of life and the increased danger to the populace on the remaining roadways because of unsafe conditions and inadequate protection from the large numbers of trains that will be crossing them.

We therefore request that the Surface Transportation Board reject the proposed acquisition of Conrail by CSX and any other proposal to merge with Conrail.

Please make our opposition and this resolution part of the record in the above mentioned finance docket.

Fred J. Eldred
Trustee

Martin J. Emlinger
Trustee

Herb Stockmaster
Trustee

cc: Huron County Commissioners
State of Ohio
Congressional Delegation

Vernon Williams, Secretary
Surface Transportation Board
12th and Constitution Avenue, N.W.
Washington, D.C. 20432

RE: CSX/Conrail merger: STB Finance Docket No 3320.

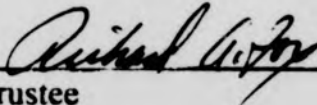
Dear Sir:

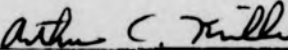
On Oct. 28, 1997, 1997, the Members of the Greenwich Township,
Huron County, Ohio, Board of Trustees, met and passed the following resolution:

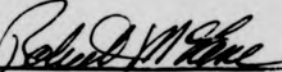
RESOLVED: That the proposed acquisition of the Consolidated Rail Corporation (Conrail) by CSX Corporation is not in the interests of the citizens of Greenwich Township, Ohio; because of the unusual hardships that it will impose on our Township, in the disruption of our local transportation system of roads at points where they cross either the CSX lines or the Conrail lines, both of which bisect our Township. The proposed CSX/CR acquisition will result in the closure of necessary roadways, the large scale destruction of our rural way of life and the increased danger to the populace on the remaining roadways because of unsafe conditions and inadequate protection from the large numbers of trains that will be crossing them.

We therefore request that the Surface Transportation Board reject the proposed acquisition of Conrail by CSX and any other proposal to merge with Conrail, due to their disregard for public safety.

Please make our opposition and this resolution part of the record in the above mentioned finance docket.


Trustee


Trustee


Trustee

cc: Huron County Commissioners
State of Ohio
Congressional Delegation

South Central Local Schools

Robert F. Shaffer, Jr.
Superintendent

Shirley F. Oney
Treasurer

3305 Greenwich Angling Road, Greenwich, Ohio 44837-9443

Phones (419) 752-3354

(419) 752-3815

FAX (419) 752-6927

October 24, 1997

Senator John Glenn
Ohio Office
200 N. High St., Room 600
Columbus, OH 43215

Dear Senator Glenn:

As a member of the South Central Local Schools Community in Huron County, I am asking for your help. CSX Railroad is expanding their Willard yard and Greenwich connections without concern for public safety. Repeated attempts have been made by Huron County to get CSX to address this issue, but CSX has refused to commit to public safety.

Increased rail traffic, (80 to 100 trains per day) through Greenwich, Ohio, will virtually close all emergency response access to 2,067 residents of Greenwich Village, Ripley Township, part of Greenwich Township, and 923 students in the South Central school system (1/4 mile north of Greenwich)....THIS IS TOTALLY UNACCEPTABLE.

Huron County has requested that CSX install either an overpass or underpass for all three rail crossings on Townsend Street in Greenwich, Ohio. We cannot deny public safety to our residents and schools! Adding two more tracks will not lessen the blockage but only enhance it.

How can railroads do major expansions to enhance their profitability without any regard for public safety? I really need your help; my life and the lives of others, especially our children, depend on it!!!

Sincerely,

Jeune E. Glunzer
Banking Center Officer
Premier Bank + Trust

GREENWICH OFFICE
13 MAIN STREET
GREENWICH, OHIO 44837

South Central Local Schools

3305 Greenwich Angling Road, Greenwich, Ohio 44837-8443

Phones (419) 752-3354

(419) 752-3815

FAX (419) 752-6927

Robert F. Shaffer, Jr.
Superintendent

Shirley F. Oney
Treasurer

October 24, 1997

Senator John Glenn
Ohio Office
200 N. High St., Room 600
Columbus, OH 43215

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Huron County has requested that CSX install either an overpass or underpass for all three rail crossings on Townsend Street in Greenwich, Ohio. We cannot deny public safety to our residents and schools! Adding two more tracks will not lessen the blockage but only enhance it.

How can railroads do major expansions to enhance their profitability without any regard for public safety? I really need your help; my life and the lives of others, especially our children, depend on it!!!

Sincerely,

Kimberly A. Logan
David L. Statton, Jr.

South Central Local Schools

Robert F. Shaffer, Jr.
Superintendent

Shirley F. Oney
Treasurer

3305 Greenwich Angling Road, Greenwich, Ohio 44837-9443

Phones (419) 752-3354

(419) 752-3815

FAX (419) 752-6927

October 24, 1997

Senator John Glenn
Ohio Office
200 N. High St., Room 600
Columbus, OH 43215

Dear Senator Glenn:

As a member of the South Central Local Schools Community in Huron County, I am asking for your help. CSX Railroad is expanding their Willard yard and Greenwich connections without concern for public safety. Repeated attempts have been made by Huron County to get CSX to address this issue, but CSX has refused to commit to public safety.

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Huron County has requested that CSX install either an overpass or underpass for all three rail crossings on Townsend Street in Greenwich, Ohio. We cannot deny public safety to our residents and schools! Adding two more tracks will not lessen the blockage but only enhance it.

How can railroads do major expansions to enhance their profitability without any regard for public safety? I really need your help; my life and the lives of others, especially our children, depend on it!!!

Sincerely,

Jeff Weber
Parents Schoolcraft

October 17, 1997

To Whom It May Concern:

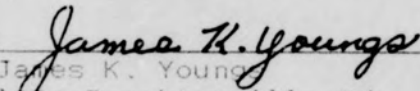
As a resident of Huron County, I am asking for your help. CSX Railroad is expanding their Willard yard and Greenwich connections without concern for public safety. Repeated attempts have been made by Huron County to get CSX to address this issue, but CSX has refused to commit to public safety.

Huron County has requested that CSX install either an overpass or underpass for all three rail crossings on Townsend Street in Greenwich, Ohio. We cannot deny public safety to our residents and schools! The County has also requested an overpass on Section Line 30, which is the main emergency response access route to Richmond and Norwich Townships. In Willard, Section Line 30 is currently blocked by stopped trains 30% of the time. Adding two more tracks will not lessen the blockage but only enhance it. Also needed is an isolation and containment rail spur and emergency response access drive along the new main tracks to handle chemical spills and releases.

New London is also going to be affected in a similar fashion with no access North or West of main lines.

How can railroads do major expansions to enhance their profitability without any regard for public safety? I really need your help, my life and the lives of others, especially our children, depend on it!!!

Sincerely,


James K. Young
1604 Boughtonville Rd.
Willard, OH 44890

Gene E. Lamoreaux

1430 Boughtonville Rd. • Greenwich, Ohio 44837

Phone: (419) 752-7892

October 22, 1997

The Honorable John Glenn
Ohio Office
200 North High Street, Room 600
Columbus, OH 43215

Dear Senator Glenn:

As a resident of Huron County, I am asking for your help. CSX Railroad is expanding their Willard yard and Greenwich connections without concern for public safety. Repeated attempts have been made by Huron County to get CSX to address this issue, but CSX has refused to commit to public safety.

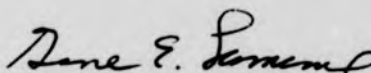
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Huron County has requested that CSX install either an overpass or underpass for all three rail crossings on Townsend Street in Greenwich, Ohio. We cannot deny public safety to our residents and schools! Huron County has also requested an overpass on Section Line 30 Road, which is the main emergency response-access route to Richmond and Norwich Townships. In Willard, Section Line 30 Road is currently blocked by stopped trains 30% of the time. Adding two more tracks **will not decrease the blockage but only increase it.** Also needed is an isolation & containment rail-spur and emergency response-access drive along the new main tracks to handle chemical spills & releases.

New London is also going to be affected in a similar fashion with no access North or West of the main lines.

How can railroads do major expansions to enhance their profitability without any regard for public safety? I really need your help; my life and the lives of others, especially our children, depend on it!!!

Very truly yours,


Gene E. Lamoreaux

GEL/njl

STB

FD

33388

2-2-98

K

MOCH

* LOUIS STOKES
11TH DISTRICT, OHIO

MEMBER,
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES:
RANKING MEMBER,
VA/ HUD/ INDEPENDENT AGENCIES
MEMBER,
LABOR/ HHS/ EDUCATION

Congress of the United States

House of Representatives

Washington, DC 20515-3511

January 30, 1998

2365 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3511
(202) 225-7032

DISTRICT OFFICE:
3845 WARRENSVILLE CENTER RD.
SUITE 204
SHAKER HEIGHTS, OH 44122
(216) 522-1900



Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

**ENVIRONMENTAL
DOCUMENT**

Finance Docket 33388

Dear Mr. Williams:

In response to the Surface Transportation Board's (STB) draft Environmental Impact Statement (EIS), I continue to harbor serious concerns with proposed freight rail changes of the CSX and Norfolk Southern (NS) Corporations. My apprehension is based on the vast negative impact these proposed routes could have on my Congressional District and the greater Cleveland, Ohio area.

Recently, CSX and Norfolk Southern have indicated an interest in alleviating effects of their proposal that could prove harmful to Cleveland communities. However, to date, no agreeable solution has been found. Therefore, I strongly urge the Surface Transportation Board to not approve this acquisition without sufficient mitigation to the affected communities.

The proposed increase in rail traffic through Cleveland is almost exclusively in low-income minority neighborhoods. In one area, rail traffic is projected to increase nearly 1200 percent. This means that families living near these railroad tracks will see almost 15 times more trains, from three trains daily to 44. Other areas will see increases ranging from more than 100% to more than 500%.

The STB found cause to address the issue of environmental justice in its draft EIS. Executive Order 12898 states, in part, that "...each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations..." I encourage the STB to adhere to EO 12898 when issuing a final ruling on the CSX/NS acquisition of Conrail.

CSX and Norfolk Southern's proposal will not only have a large impact on my constituents' quality of life, but I believe it may also have a negative economic impact on local residents. More than 60,000 citizens live within 1,000 feet of railroad tracks in

Mr. Vernon A. Williams
January 30, 1998
Page 2

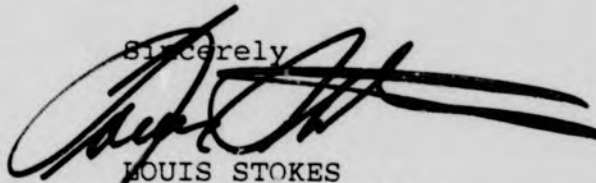
Cleveland. The dramatic increase of rail traffic will expose these residents to train noise at virtually any hour, further reduce property values for those who can least afford to move, and ship greater amounts of hazardous materials through these neighborhoods by rail. Increased rail traffic also poses a large risk to children who cross these tracks on their way to and from school. Children who live near the tracks may not be aware of the greater frequency with which freight trains will be operating.

Another major safety concern is the strain on public safety services in areas with at-grade rail crossings. The increase in rail traffic will delay the response times for emergency medical, law enforcement, and fire fighting services at the numerous rail crossings throughout Cleveland. Worse yet, these are areas that already have emergency service response times slower than more affluent parts of the city. I remain concerned about the increased potential for loss of life.

It is possible that the CSX/NS proposal may result in some increase in economic development in Cleveland. At least one of the rail companies involved has proposed making Cleveland a hub for their service networks, which is commendable. Nevertheless, approval of this plan should not harm the everyday interest of the general public.

For the aforementioned reasons, I am requesting that the Surface Transportation Board pose effective steps to mitigate the CSX/Norfolk Southern rail proposal for the citizens of Cleveland or deny approval of their plan. Please do not hesitate to contact me if I may provide further comments or assistance in this very important matter.

Sincerely,

A large, stylized handwritten signature in black ink, likely belonging to Louis Stokes, is written over the word 'Sincerely' and extends down towards the typed name.

LOUIS STOKES
Member of Congress

LS/pc

Attention: Elaine K. Kaiser
Environmental Project Director
Environmental Filing