

STB

FD

33388

2-2-98

K

185503

2/4

The impact that justifies a one-time drill is the projected Transaction-related increase of hazardous materials on these line segments. Once that drill has been conducted with the local emergency response officials, there is simply no Transaction-related justification for differentiating between these line segments and others that transport similar or even larger volumes of hazardous materials.

Mitigation Measure 5. This proposed measure would require CSX to provide a toll-free telephone number to local emergency response organizations on the line segments to which measures 3(A) and 4(A) would apply. The number would allow these personnel prompt access to the information about the nature of the hazardous materials cargoes on a particular train and appropriate response procedures in the event of a spill.

CSX does not oppose this proposal. CSX would provide this telephone number in the HMERP and would not otherwise make the number public.

Mitigation Measure 6. This proposal would require CSX to establish a so-called "Failure Mode and Effects Analysis" ("FMEA") program for all CSX and Shared Assets Area rail yards and intermodal facilities to address sources and consequences of spills of hazardous materials that are stored or transported. The goal of this program would be to identify potential causes for spills and eliminate them prior to any possible incident.

CSX does not concur in this mitigation proposal for two fundamental reasons. First, the proposal does not address any Transaction-related impacts, but would apply to all rail yards and facilities, including those that will experience no change as a result of the Transaction or a decrease in activity. To that extent, the proposed mitigation exceeds the proper scope of mitigation as SEA itself has described that scope: "[t]he environmental mitigation condition . . .

must be directly related to the impact caused by the Acquisition." Vol. 1 at 3-3. In fact, the DEIS acknowledges that the Transaction will result in a systemwide decline in yard activity and a consequent increase in the safety of hazardous materials transportation. Executive Summary at ES-19. The DEIS also concludes, at the same page, that CSX has procedures in place for handling hazardous materials storage and spills at its yards.

Imposition of a new condition of this type is thus directly contrary to SEA's own stated standard for imposition of conditions. The recommendation is clearly targeted at an existing condition -- one which the DEIS acknowledges that CSX has procedures for handling. The measure should thus be rejected.

The second reason that proposed Mitigation Measure 6 should be rejected is that CSX has in place numerous programs that are the functional equivalent of an FMEA program. The proposed mitigation measure would impose a redundant, and thus pointless, requirement. The rail industry has for many years been actively engaged in identifying the causes of hazardous materials incidents and in eliminating those causes through a variety of programs in which CSX is an active participant. These efforts have resulted in a dramatic decline in hazardous materials releases over the last several years -- FRA statistics show that rail accidents involving hazardous materials releases decreased from 139 in 1978 to 34 in 1996. As noted above, at CSX, in 1996 out of 338 000 carloads carrying hazardous materials transported, there were only four derailments, involving five cars that resulted in the release of hazardous materials. Further, the number of CSX derailments with hazardous materials releases has declined dramatically and consistently over the last several years, from 15 in 1990 to only 3 in 1997. The success of several on-going

programs -- which are as effective for yard safety as line-haul safety -- renders the proposed mitigation redundant and therefore unnecessary.

Among the on-going industry programs designed to determine and eliminate the causes for hazardous materials spills is the Railroad Tank Car Safety Research and Test Project of the Railway Progress Institute and AAR. This Project, which has been active since 1970, is responsible for numerous studies and programs that have led to safer tank car transportation, including programs that have identified the vulnerabilities of tank cars and have led to improvements to tank car head protection, couplers, thermal protection standards and tank car bottom outlet protection. The Project has several on-going studies to further identify tank car vulnerabilities and develop improvements.

Another industry risk mitigation measure in which CSX participates is the AAR derailment prevention program that is designed to review accidents, assess their causes and consider prevention techniques. This program involves regular meetings/teleconferences involving CSX and other rail officials at which a variety of accident assessment/prevention issues are addressed.

In addition, as described in greater detail at pages 174-175 of the CSX SIP, CSX is a participant in CMA's Responsible Care program. One of the conditions of participation in that program is that CSX undertake risk assessments with respect to the transportation of hazardous materials. CSX does so in a variety of ways. These include the following:

1. CSX uses a Track Management Program model to assess the gross tonnage of freight moving over particular line segments, the characteristics of the traffic (including the extent to which hazardous materials and passengers are carried on the line segment) and the information



obtained from track inspections. This data is input into the model to allow CSX to assess where and how to devote capital to track upgrades, thereby reducing the level of risk on particular line segments.

2. CSX also does a risk assessment on chemical traffic that it transports to determine, based on flammability, toxicity, environmental impacts, and other relevant factors, whether a particular chemical poses a high, medium or low risk. Emergency training programs involving local emergency response personnel are geared to line segments based on the results of this analysis.

3. CSX reviews where non-accidental releases ("NAR's") occur on its system and works to identify trends in terms of types of cars, sources of cargo, and other factors. This process allows for risk-management planning to address causes of such incidents. This program has been successful. In 1997, CSX experienced the lowest number of NAR's of any recent year to date on the CSX system.

4. CSX implements a Train Accident Prevention program known as the TAPS program. This program consists of a series of committees -- a headquarters committee and separate committees for each service route, hump yard and satellite facility. The purpose of these committees is to analyze train accidents that occur on lines or at yards and other facilities (including accidents that result in the release of hazardous materials), determine the causes of these accidents and develop action plans to avoid repetition of such accidents.

In addition to these formal risk assessment and analysis programs, CSX's SIP, at pages 168 through 184, also discusses a variety of hazardous materials safety programs that are implemented by CSX. These include inspection and training programs and emergency notification

programs. In addition, as the SIP indicates, CSX intends to carefully review the Conrail hazardous materials program (which is similar in most major respects to the CSX program) and to retain those elements of the Conrail program that reflect the best industry practices.

Further, in addition to rail industry programs and CSX's own programs, CSX adheres to the requirements imposed by federal regulations adopted by DOT's Research and Special Programs Administration ("RSPA") for the transportation of hazardous materials. See 49 CFR at Sections 171 through 174. These detailed regulations of a sister agency of the Board govern virtually every phase of the safety of hazardous materials while they are in the possession of CSX.

In light of the substantial risk prevention efforts and safety regulations that are already in place, the need for any further mitigation in the nature of a mandatory new FMEA program has not been demonstrated. CSX already has active programs to address the sources and consequences of hazardous materials spills on its lines and facilities. Establishing a new FMEA program of the sort described in Mitigation Measure 6 would do no more than divert resources and energies from proven, existing programs to a redundant new program, the need for which has not been shown.

Finally, as a practical matter, the Board has neither the resources nor the expertise to draft regulations for, and enforce, a new safety program which would apply to hundreds of rail yards and intermodal facilities. The Board is not a safety regulatory agency. Any such effort would also present a serious risk of intruding on the jurisdiction of another federal agency and imposing requirements which would conflict with other federal regulations. Nothing in NEPA obligates the Board to pro-actively require the adoption of new programs that would neither enhance safety

beyond the level achieved by other programs and the regulations of other agencies nor address any Transaction-related impacts. The Board should accordingly not do so.

## 7. Safety: Freight Rail Operations

The DEIS includes the most detailed analysis of freight rail safety ever undertaken in the environmental review of a control transaction. For the first time, the SEA undertook a statistical analysis of the accident risk on a segment-by-segment basis. Although the DEIS concludes that there will be "a small overall decrease in the likelihood of freight rail accidents and derailments" as a consequence of the Transaction. (Vol. 1 at 4-10), the DEIS concludes on the basis of the statistical analysis that there will be a significantly increased risk of accident on a limited number of line segments. In proposed Mitigation Measure 7(A), SEA has proposed that CSX comply on three identified line segments with the FRA's proposed rule, and any final rule that may eventually be issued by the FRA, in Docket No. RST-90-1, which contemplates "ton-mile based" inspections. Under the proposed rule, such inspections would have to be conducted at least once every 40 million gross ton miles of traffic on the line, or annually, whichever is more frequent. Proposed Mitigation Measure 7(B) would require annual training of CSX mechanical and track inspectors that dispatch trains, or check track, respectively, on the three identified line segments. These mitigation measures would apply over the following three line segments:

Berea to Greenwich, Ohio (C-061);

Greenwich to Willard, Ohio (C-068); and

Willard to Fostoria, Ohio (C-075).

The first of these segments is part of Conrail's system today; the latter two are part of CSX's current system. CSX does not agree that there would be any increased risk of accident on these three line segments warranting special safety mitigation for two reasons:

First, the Transaction will have no detrimental impact on the safety practices of CSX. CSX has achieved one of the highest levels of safety in the rail industry through its safety and operating practices. These practices will not change as a consequence of the Transaction. CSX has carefully planned for the Transaction so that there will be no compromise on safety -- track maintenance and inspection standards, signal and communication systems and workforce training will not be reduced or compromised in any way. In fact, CSX's safety practices will be extended to the portion of the Conrail system to be allocated for CSX's use. Because CSX's safety record is better than Conrail's (as reported by DOT in its October 21, 1997 comments, DOT-3 at 17), the accident risk on the Conrail line segments to be allocated to CSX should decrease.

Second, CSX's Operating Plan was designed with full consideration of the existing capacities of the rail infrastructure and of planned capital improvements. The opportunity to acquire Conrail spurred CSX to undertake an unprecedented capital program to make improvements to its tracks, signaling systems and equipment, all of which promote safety as well as service to customers. Chief among these improvements is the doubletracking and associated signal upgrading (to bidirectional TCS signals) of CSX's B&O line from Chicago to Greenwich, Ohio and improvements to the Conrail line from Greenwich through Cleveland. See Application, Vol. 3A at 260. All three CSX segments identified in the DEIS as having a significantly increased risk of accident are on this line. This approximately \$200 million project, already underway and due to be completed by Day One, will result in these segments being among the most up-to-date on the entire CSX system. They will form part of the high-speed east-west corridor that CSX intends to use for the transportation of time-sensitive intermodal freight. It appears that the DEIS's statistical methodology did not factor in the upgrading of these line segments.



In addition, the significance criteria used by SEA for freight rail safety overstated the actual safety risk on these line segments. The DEIS included as part of its criteria a determination of whether the line segments at issue could experience an accident more frequently than every 100 years. The 100 year threshold was based on the proposition that in 1996 there were 1,078 freight and passenger train accidents on 126,682 miles of main line track, yielding an accident rate of one accident every 117 years on each rail mile. The DEIS then applied a more conservative figure of one accident every 100 years on each rail mile to assess significance.

However, FRA statistics indicate that there were actually 2,584 train accidents in 1996, not 1,078. See 1996 FRA Accident/Incident Bulletin. This means that on each mile of the rail system, an accident may occur every 49 years, not once every 117 years as reported in the DEIS. According to the DEIS, each of the three CSX line segments has a far lower post-Transaction accident rate than 49 years -- Berea to Greenwich (94 years); Greenwich to Willard (93 years) and Willard to Fostoria (95 years). See Attachment B-1 in Volume 5A. Accordingly, no mitigation is warranted on these segments for this additional reason.

Notwithstanding that the case for mitigation on the identified segments appears open to question, CSX's current annual track inspection and training programs with respect to these line segments, and associated personnel, already cover the requirements that are proposed as mitigation. While CSX does not believe that any mitigation is warranted, and opposes imposition of a condition that would constrain its ability to adopt equally effective alternative inspection and training programs, it would not change its current practices if these mitigation measures were imposed.



## 8. Safety: Highway/Rail At-Grade Crossings

In Table 7-4, the DEIS identifies 118 highway/rail at-grade crossings where improvements might be required. These recommendations are the result of an in-depth analysis by the SEA as to existing traffic at these crossings and the projected increases in traffic following the Transaction. As the basis for its analysis, the DEIS relies on DOT's Accident and Severity Prediction Formula to identify areas of potential mitigation. This formula is used to rank and identify potentially dangerous crossings. Although the result of this examination was the list of crossings mentioned above, this list should not constitute the final recommendation to the Board. The formula is appropriate for the DEIS because it identifies potential environmental safety concerns and highlights them for responsible state agencies. Further analysis, however, reveals that many of the crossings in Table 7-4 already have the suggested mitigation in place or that the recommended improvements have been funded and scheduled for installation. In other cases, more recent information reveals that mitigation is not necessary.

As discussed below, the FEIS should recognize the important state role in evaluating grade crossing safety. Although the Federal Highway Administration ("FHWA"), and to a lesser extent the Federal Railroad Administration ("FRA"), provide oversight and guidance in this area, the state agencies with jurisdiction over highways are in the best position to determine the proper level of warning device required at the highway/rail crossings. If the Board were to direct CSX to consult with state authorities, the Board would fully and properly fulfill its NEPA role. Specifically, it would be appropriate for the FEIS to recommend (1) an appropriate methodology to identify crossings that may sustain a Transaction-related impact thereby warranting some form of crossing improvement, and (2) a requirement that Applicants bring these crossings to the

attention of the state agencies that have jurisdiction over highway/rail crossings. Where, as here, there are other governmental agencies responsible for representing the interests of the constituencies at issue, the Board can appropriately rely on those agencies to address any crossing safety or delay issues that the final EIS identifies. See Robertson, 490 U.S. at 352-53; C.E.Q. Notice, 46 Fed. Reg. 18026, 18031-32 (Mar. 23, 1983). Thus, it is entirely proper for the FEIS to recommend further consultation with appropriate state agencies. Once the relevant crossings are identified, the state agencies can review the individual circumstances at each crossing, recommend whether improvements are warranted, and work with the FHWA to install appropriate warning devices..

A.     The DOT Accident and Severity Prediction  
          Formula Should Not Be the Sole Basis for  
          Requiring an Upgrade

The DEIS relies on the DOT Accident and Severity Prediction Formula to identify crossings that it believes should be upgraded. However, the formula's primary function is to rank and identify potentially dangerous crossings. Once potential sites are so identified, a state diagnostic team usually performs an in-depth on-site review to determine if an upgrade is warranted. It does not appear that this important on-site review was incorporated into the recommendations in the DEIS. Such a review would reveal that for some crossings, improvements already have been installed or that mitigation is otherwise not necessary. More importantly, by relying solely on the DOT formula for its recommendations, the DEIS does not take advantage of the lead role played by each state in deciding the appropriate warning device that should be placed at each crossing.

The DOT formula alone was not designed to result in a recommendation for a particular type of warning device. Ordinarily, the FHWA and FRA rely on the expertise of state highway

officials for this information. Indeed, the DOT User's Guide, which contains the DOT Formula used in the DEIS, acknowledges that "the judgment of state and local officials should all be considered before final improvement decisions are made." See Rail-Highway Crossing Resource Allocation Procedure - User's Guide, Third Edition, August 1987." The reason for state involvement is that the DOT formula does not incorporate crucial factors into its ranking such as: sight-distance, roadway geometrics, highway congestion, local topography, frequency of high-occupancy vehicles, and frequency of hazardous material transport vehicles. This information is obtained from on-site state diagnostic teams. Moreover, data that are applied to the DOT formula are obtained from FRA's crossing grade inventory and collision files, which are subject to keypunch and submission errors.

Not only did the DEIS fail to consider site-specific circumstances, but the DEIS has proposed the installation of certain devices, such as four-quadrant gates and median barriers, that are not approved either by the FRA or the FHWA's Manual of Uniform Traffic Control Devices ("MUTCD"). The MUTCD places responsibility for design, placement, operation, and maintenance of warning devices with the governmental body or official having jurisdiction. See MUTCD at 8A-1. In most states, warning devices at highway/rail crossing are required by statute to conform substantially to the MUTCD. Experimental devices such as four-quadrant gates and median barriers usually require specific permission from the state agency or toll facility responsible for the operation of the road where the experiment would take place.

Moreover, four-quadrant gates are best suited for roadway facilities more than 45 feet wide and median barriers are appropriate where there are no road or driveway connections within 70 to 100 feet of the crossing. Thus, even if such improvements were appropriate, without on-

site reviews it cannot be determined whether conditions exist that would allow installation of these measures.

The above points underscore that the appropriate recommendation for the FEIS would be for Applicants to consult with appropriate state officials under the established regulatory scheme. This would allow for consideration of all relevant facts and the installation of appropriate warning devices at all crossings.

B. The Established Regulatory Scheme Provides a Comprehensive Approach to Grade Crossing Safety

The DEIS's proposed mitigation measures, requiring the upgrading of certain crossings and the construction of grade separations at other crossings, interject the Board into an established and well-functioning federal-state regulatory regime. Although the DEIS properly identifies areas of concern, the final decisions on improvements should be left to the state agencies with the most knowledge and expertise in this area. Without such a give and take with FHWA, FRA, and the states, the Board would, in effect, be intruding on the funding and safety jurisdiction of its sister DOT agencies (FHWA and FRA), while also assuming a role reserved to the states of prioritizing and determining the appropriate warning device that should be installed at each crossing.

This is not a role that the Board should play. Nothing in NEPA suggests or requires that the Board, through its environmental-conditioning process, venture into areas where Congress has established a very sophisticated funding mechanism and assigned specific safety and funding roles to other federal agencies within DOT. It is perfectly acceptable for the Board to rely on these state and federal agencies to make crossing decisions.

### 1. The Established Federal Role

The FHWA, with assistance from the FRA, works with the respective state representatives to regulate safety and fund improvements at highway/rail crossings. These responsibilities began in 1970 with the passage of the Highway Safety Act ("HSA") and the Federal Railroad Safety Act ("FRSA"). Section 205 (a) of the HSA called for "... a full and complete investigation and study of the problem of providing increased highway safety at public and private ground-level rail highway crossings. . . ." See Pub. L. 91-605, 84 Stat. 1714. Similarly, the FRSA directed the Secretary of Transportation to undertake "... a comprehensive study of the problem of eliminating and protecting railroad grade crossings and to provide recommendations for appropriate action." See Pub. L. 91-458, 84 Stat. 971.

In response to Congress's direction, the Department of Transportation ("DOT") prepared a two-part study. Part I, which DOT submitted to Congress in 1971, addressed the crossing safety problem. In 1972, DOT submitted Part II of the study, which provided various recommendations, including a federal spending program to improve grade crossing safety.

One year later, Congress passed the Highway Safety Act of 1973. Pub. L. 93-87, 87 Stat. 250 (1973). As amended, the HSA governs the distribution of funds to states for the elimination of hazards at rail-highway grade crossings. To be eligible for funding, the Act requires the states to survey and analyze crossings and establish a schedule for improving those found to present the highest hazard levels.

The primary federal role in grade crossing improvements is one of funding. FHWA funds are apportioned to the states in the following manner: fifty (50) percent of the money is apportioned according to the ratio of the number of public crossings in each state to the total



number of public crossings in the entire country. 23 U.S.C. § 130(f). The remainder is apportioned on the basis of area, population and road mileage. See 23 U.S.C. §§ 104, 130. Federal funds may be used for improvements to any public highway/rail crossing, whether on or off the federal-aid highway system. 23 U.S.C. § 130.

When it was enacted, the federal funding statute, at Section 130(b), presented the Secretary of Transportation with the option of requiring the railroads to pay a small share (up to ten percent) of the costs of improvements that represented a "net benefit to the railroad." When the Secretary promulgated implementing regulations for Section 130, however, these regulations explicitly recognized that the railroads derived no ascertainable benefit from grade crossing improvements:

(1) Projects for grade crossing improvements are deemed to be of no ascertainable net benefit to the railroads and there shall be no required railroad share of the costs.

23 C.F.R. § 646.210(b) (emphasis added). Indeed, these regulations reaffirmed existing policy at the ICC. In the early 1960's, the ICC authorized a comprehensive investigation of train/motor vehicle accidents at highway/rail crossings. The finding that resulted from the investigation was that:

highway users are the principal recipients of the benefits flowing from rail-highway grade separations and from special protection at rail-highway grade crossings. For this reason, the cost of installing and maintaining such separations and protective devices is a public responsibility and should be financed with public funds the same as highway traffic devices.

Interstate Commerce Commission Report No. 33440, Prevention of Rail-Highway Grade Crossing Accidents Involving Railway Trains and Motor Vehicles, 322 I.C.C. 1, 87 (Jan. 22, 1964).



Despite these well-established funding responsibilities, the DEIS can be read to suggest that CSX and NS should bear full responsibility for the costs of proposed mitigation at the crossings identified in Table 7-4. Simply because a crossing has been identified in a NEPA review of a railroad control transaction, however, does not mean that the established regulatory and funding system should be ignored. Requiring CSX and NS to bear the full costs of these improvements would be inconsistent with federal regulations and the spirit of the national grade crossing safety program.

## 2. The Role of the States

According to DOT, "[j]urisdiction over highway/rail grade crossings resides primarily with the States." Department of Transportation "Railroad-Highway Grade Crossing Handbook" at 19 (FHWA-TS-86-215) (2d. Ed.) (1988). While the FHWA and FRA provide federal oversight, funding and guidance, in most instances, it is the states that are most familiar with the needs and dangers posed by a particular crossing. It is the states, therefore, that perform the on-site inspections and it is the states that are charged with protecting the health and welfare of its citizens. The federal government's role is one of funding and approval of state determinations.

In the majority of the states, the overall authority for highway/rail crossing safety and consolidation lies with the state agency that oversees and regulates transportation. In a limited number of states, the responsibility for crossing safety and consolidation is vested in regulatory bodies with a broader scope, such as the Public Utilities Commission or the Public Service Commission. A few states apportion the responsibility among the state transportation agencies and other state agencies.

Regardless of the administrative structure, to qualify for federal funding, each State must "conduct and systematically maintain a survey of all highways to identify those railroad crossings that may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose." 23 U.S.C. § 130(d). Pursuant to FHWA regulations, each state receiving federal aid also is required to develop a "highway improvement program" that establishes priorities to address highway hazards and provides guidance as to the evaluation and implementation of remedial measures. 23 C.F.R. § 924. In developing those priorities, the states are directed to consider and rank the dangers posed by grade crossings. 23 C.F.R. § 924.9(a)(4). Having developed this program, each state must evaluate its effectiveness and costs, § 924.13, and file yearly reports with the FHWA. 23 C.F.R. § 924.15.

Using the DOT's Accident and Severity Prediction Formula, the FHWA calculates the accident risk at each crossing for all states based upon the characteristics of the grade crossing and statistical information on historic accident experience. The states, however, supplement this information with more recent data, (e.g., average daily traffic and accidents), and conduct site visits before deciding whether to upgrade highway/rail crossings. Under this approach, the individual needs of the local community can be considered along with any unique safety concerns for a particular crossing.

The DEIS recommends grade crossing mitigation in four states involving CSX lines: Indiana, Kentucky, Michigan and Ohio. As is discussed below, each of these states has developed an in-depth process for analyzing the type of warning devices that should be installed at highway/rail crossings. The states are in a unique position to assess the current status and

circumstances associated with a particular crossing. A state brings this information to the table when seeking FHWA approval of its plan for warning device protection.

Indiana begins with the federal accident data for each at-grade crossing in the state. The federal data also is used to evaluate the cost/benefit ratio of various improvement alternatives at a crossing, such as installing flashers or gates. This federal data, however, cannot incorporate every possible factor that influences the number of accidents at a crossing, and the data available is not always completely accurate. To compensate for this, Indiana adds to its analysis by performing a diagnostic site review, using actual accident history, and reviewing other pertinent factors. This analysis forms the basis for selecting and prioritizing safety improvement projects. Cost/benefit analyses are used in determining the final priority list. Thus, the crossings with the highest accident risk are not necessarily included in the final upgrade program.

Ohio and Kentucky use a methodology similar to Indiana's approach. These states use FHWA/FRA data to determine a preliminary crossing safety ranking, and then perform a diagnostic survey of each site that considers vehicle traffic and recent accident history. In Ohio, the survey team consists of the local highway authority, the Ohio Rail Development Corporation, the railroads, the FHWA and the Public Utilities Commission of Ohio. The states "update" the FHWA/FRA-method results before completing their final priority lists if changes in rail crossings (e.g. improved safety measures) recently have been performed. The states also consider field observations for their final listing.

Recently, Michigan proposed a four-factor methodology for prioritizing crossing upgrades: (1) a Five Year Car-Train Crash Frequency; (2) FHWA/FRA Top 100 Crossings in Michigan based on the FHWA/FRA Accident Prediction Equation; (3) Calculated Exposure

Reduction Potential Through Conventional Treatment (e.g. adding flashing-light signals to a crossing with passive warning; adding gates to a crossing with flashing-light signals; and adding gates to a crossing with flashing-light signals which are suspended on cantilever arms) ; and  
(4) An identification of crossing needs based on field observations. After considering these factors, the state will decide on appropriate rail crossing upgrades.

3.     The FEIS Should Recommend Consultation with  
          Appropriate State Agencies

By directing mitigation at certain highway/rail crossings, the SEA has stepped into the shoes of the states and the FHWA as the final arbitrator of the type of warning device required at each affected highway/rail crossing. Although the SEA has undertaken the responsibility of determining the appropriate level of warning devices, it has not done so in a manner consistent with the established regulatory process. Most importantly, the SEA has not obtained the type of information upon which states rely in making grade crossing decisions. As a result, the DEIS's recommendations are over-inclusive. For example, many of the improvements identified in the DEIS already are in place or are scheduled to be put in place in the near future. In other instances, more recent information indicates that mitigation is not warranted.

CSX's consultation with the state of Ohio demonstrates how the system should function. CSX has been working with the Public Utilities Commission of Ohio ("PUCO") and the Ohio Rail Development Corporation ("ORDC") to perform several rail corridor studies in northwest Ohio. In these studies, the parties placed particular emphasis on improving the consolidation of vehicular traffic at crossings, thereby reducing the number of crossings with a lower level of signal protection. Following joint field studies by CSX, PUCO, and ORDC, recommendations for signal

upgrades and improvements were developed and suggestions were made for closure of certain crossings.

One of the results of these outreach and consultation efforts was an agreement between CSX and PUCO/ORDC as to the proper level of crossing safety improvements needed for CSX's track improvements on the line segment from Greenwich, Ohio in Huron County to the Ohio/Indiana border at a point in Defiance County ("the B&O Corridor"). The DEIS examines crossings on the B&O Corridor and arrives at the same conclusions as PUCO and ORDC for three crossings -- 142 366F, 142 178R and 142 179X.<sup>18</sup> PUCO and ORDC, however, recommended improvements at a number of additional crossings in the B&O Corridor that are not addressed in the DEIS. Thus, if the FEIS's final recommendation is for the Applicants to consult with appropriate state agencies, it is likely that the state mitigation will equal or exceed that currently in the DEIS.

Another area where the DEIS recommends mitigation involves crossings on the Toledo to Deshler line segment (segment C-065). Although the DEIS identifies fifteen crossings on this segment as requiring mitigation, CSX does not believe that mitigation is appropriate because any impacts from increased traffic are independent of the Transaction. The CSX Operating Plan, which provides the basis for the traffic figures in the DEIS, provides 1995 base figures and post-Transaction projected figures. The 1995 base for the CSX Toledo to Deshler line segment is 0.6 trains per day, and the projected post-Transaction traffic is 14.2 trains per day, for an increase of 13.6 trains per day on average. This increase led to the conclusion in the DEIS that the Transaction would result in certain impacts (including increased traffic) on this 36-mile line

---

<sup>18</sup> For these crossings, the mitigation recommended in the DEIS already has been installed or is funded and scheduled for installation.



segment. However, in May, 1997, CSX resumed through train operations over the this line segment for reasons unrelated to the Transaction. Present traffic on the line is about 14 trains per day. Thus, there is no significant Transaction-related impacts on this line segment and no grade crossing mitigation would be appropriate in connection with this proceeding.

CSX has, however, worked with the state authorities to determine if traffic increases on the Toledo-Deshler line warranted any grade crossings upgrades. Of the fifteen crossings identified in the DEIS for this segment, PUCO already has determined that no improvements are warranted at eight crossings.<sup>19</sup> For the remaining seven crossings in the DEIS, improvements that meet or exceed the DEIS requirements have been funded and scheduled for installation at five of the crossings.<sup>20</sup> Another crossing, 155 798S, does not trigger mitigation thresholds when 1992-96 data are applied to the DOT formula. Only as to one crossing on this line segment, 155 821J, would further consultation be appropriate if the increased traffic were indeed Transaction- related.

CSX is required to consult with the states regardless of whether the Board so orders. By ordering specific mitigation at a particular crossing, however, the Board runs the risk of inconsistent treatments at different crossings. A better approach would be to direct Applicants to consult with the party with the most expertise in this area, the state, to determine the appropriate level of improvement that may be warranted. This approach has worked successfully in the past and should be allowed to continue here.

---

<sup>19</sup> These crossings are 155 789T, 155 799Y, 155 812K, 155 814Y, 155 819H, 155 820C, 155 839U, and 155 840N.

<sup>20</sup> These crossings are 155 755Y, 155 794P, 155 804T, 155 818B, and 155 838M.



C. The DEIS Overstates the Problem

Not only should the SEA allow the established regulatory process to address the potential safety issues identified in the DEIS, but a review of the DEIS reveals that only a few of the CSX crossings at issue actually may require additional mitigation.

First, as noted above, the fifteen crossings on the Toledo to Deshler line segment are not experiencing any traffic increases because of the Transaction. Thus, these fifteen crossings should not be subject to any mitigation.

In addition to these non-Transaction related crossings, CSX's consultant, ICF Kaiser, reviewed the DEIS methodology to determine whether the sixty-two (62) CSX rail crossings identified in the DEIS, including the fifteen on the Toledo to Deshler segment, were appropriately categorized. The results of ICF Kaiser's review are presented at Exhibit 5. This Exhibit has four components: (1) a report from ICF Kaiser summarizing its findings, (2) an appendix<sup>21</sup> with a description of the current status at each crossing, (3) a summary table that highlights crossings where the DEIS incorrectly applies its own criteria and where mitigation would not be triggered if the most recent accident data (1992-96) were applied to the DEIS methodology, and (4) a table that contains ICF Kaiser's analysis as to all the CSX crossings. An explanation of the results of ICF Kaiser's review follows.

The DEIS separates highway/rail crossings into two categories. Category A consists of highway/rail crossings with an accident frequency rate of at least one accident every seven years (0.15 or higher accident frequency rate). The DEIS considers a projected accident frequency

---

<sup>21</sup> For twenty-two of the crossings, the DEIS apparently lists an incorrect city, street or DOT crossing number. This information has been corrected in the Appendix prepared by ICF Kaiser. Crossings where information has been corrected are noted with an asterisk.

increase of 0.1 or greater for these crossings to be significant. Category B consists of highway/rail crossings with accident frequency rates of less than 0.15. For these crossings, a projected increase in accidents of 0.01 (an accident every 20 years), is viewed as significant.

ICF Kaiser identified eight (8) crossings that do not meet the DEIS Category A or Category B significance criteria. See Table 1 at Exhibit 5. It appears that the DEIS relies on the post-Transaction accident rates to determine whether a threshold was reached. If the correct pre-Transaction threshold is used, then no mitigation is required. Consequently, these crossings should be eliminated from further consideration. The crossings in this category are as follows:

342 417R	155 484V
155 632M	155 615W
155 496P	228 774H
155 391B	228 780L

ICF Kaiser's review also identified twenty-three (23) crossings where the state agency with jurisdictional authority already has reviewed the crossing, independent of the Transaction. These crossings already have in place, or are funded and scheduled to have in place, improvements that meet or exceed the recommendations in the DEIS. Consequently, these crossing should be eliminated from further consideration. The crossings in this category are:

142 179X	502 682Y
345 318D	155 755Y
345 329R	155 794P
342 470C	155 804T
342 481P	155 818B
342 416J	155 838M
342 425H	155 372W
342 850J	142 366F

155 645N	518 456X
518 507F	518 476J
532 688W	518 382H
142 178R	

For one crossing, 155 392H, the Indiana Department of Transportation already has reviewed the crossing and determined that the appropriate upgrade would be additional gates and improved control circuitry. The DEIS recommends a four-quadrant gate or a median barrier. As noted above, state transportation agencies are in the best position to determine the appropriate level of warning device that should be installed at each crossing in its jurisdiction. Thus, the decision of Indiana's DOT should be afforded deference. Consequently, this crossing should be eliminated from further consideration in the FEIS.

One crossing, 342 473X, was closed on May 22, 1996. Consequently, this crossing should be eliminated from further consideration.

ICF Kaiser identified another nine (9) crossings where the state agency with jurisdictional authority has begun analyzing the crossing. As of this date, however, final decisions have not been made and funding has not been approved. These state reviews should be permitted to continue. CSX will inform the appropriate state agency of the information in the DEIS relevant to each of these crossings. The crossings in this category are:

342 493J	155 465R
342 413N	155 476D
155 633U	155 380N
155 419P	511 027V
155 394W	

For the remaining twenty (20) crossings, ICF Kaiser reapplied the DEIS formula using more current accident history data than was available to the SEA. The FRA recommends that the accident data applied to the DOT formula be limited to the most recent five<sup>22</sup> years. The DEIS relies on data from 1991-95 in its analysis. Since the completion of the DEIS, however, data from 1996 has become available. ICF Kaiser applied the more current data from 1992-96 to the DEIS methodology and found that sixteen (16) of these crossings<sup>23</sup> no longer triggered the DEIS category A or B significance criteria. These crossings are:

518 391G	155 799Y
342 829D	155 812K
155 637W	155 814Y
232 122V	155 819H
155 789T	155 820C
155 840N	155 839U
155 760V	155 395D
155 798S	345 269J

For the four (4) crossings not eliminated by the 1992-96 data, one is on the Toledo to Deshler line segment and should not be subject to any Transaction-related impacts (155 821J). For the three (3) remaining crossings, CSX agrees that further consultation with state officials may be appropriate to determine whether an upgrade is warranted. These crossings are:

345 246C	345 362R
----------	----------

---

<sup>22</sup> See DOT/FRA Railroad-Highway Grade Crossing Handbook (FHWA-TS-86-215) (2d. Ed.) (Sept. 1986) at 73 (stating that "[a]ccident history information older than five years may be misleading because of changes that occur to crossing characteristics over time.")

<sup>23</sup> As is noted on Table I, all eight (8) crossings that the DEIS incorrectly identified as triggering a threshold also would not require mitigation using the 1992-96 data.

345 331S



9-11 Transportation: Highway/Rail At-Grade Crossing Delay

9. Increased Train Timetable Speeds

This recommended mitigation measure was deleted in the Supplemental Errata to the

DEIS



10. Highway/Rail At-Grade Crossing Delay: Grade Separation Recommended The DEIS identifies Randolph Street in Garrett, Indiana as an at-grade crossing which meets the significance criteria for traffic delay mitigation, including for construction of a grade separation. This determination does not come as a surprise, as CSX has been in discussions with the City of Garrett and the Indiana Department of Transportation since 1995 regarding the possibility of a separation. There appears to be general agreement that the project has merit. Preliminary designs have been completed.

The unresolved question has been whether and when the project will receive priority for funding by the Indiana DOT. A railroad typically contributes five percent (5%) toward the construction of a grade separation where, as here, the separation will allow a grade crossing to be closed. CSX has offered to contribute more than the typical share because of the operational benefits of this separation. However, the Indiana Department of Transportation has not to date allocated funding for the balance. Discussions are ongoing and CSX is optimistic that the project will be funded and constructed.

The DEIS has served the purpose of identifying a crossing with a potential vehicle delay problem to the appropriate authorities -- the City of Garrett and the Indiana Department of Transportation. In this case, as explained above, the appropriate authorities were already aware of the situation, independent of the Transaction. There is no reason why the FEIS must recommend any further action with respect to this matter.

Moreover, the suggestion of a binding arbitration procedure in the event that agreement is not reached by the time the Final EIS is issued is problematic. CSX cannot find any statutory authorization by which the Board could compel the Indiana Department of Transportation to

enter into binding arbitration against its will, and it appears that Constitutional limitations would prohibit such a compelled arbitration. Perhaps the Indiana Department of Transportation would agree to such an arbitration (provided that state law would permit it to arbitrate a matter involving expenditure of public funds) as a condition on its availing itself of the Board's conditioning power, but it is far from clear why it would choose to do so. An arbitration is not a free-for-all.

Like more formal legal proceedings, an arbitration proceeds through the application of rules to facts. The DEIS does not suggest any rules to determine the appropriate share of a grade separation at Randolph Street to be paid by CSX. CSX submits that the controlling precedent for determining CSX's share is set forth in the decisions of the Board's predecessor and in the Highway Safety Act of 1973 and regulations promulgated thereunder by the Secretary of Transportation, as explained below. The law is clear -- CSX's share of the cost of building a grade separation at Randolph Road should be 5 percent.

After a comprehensive investigation of train/motor vehicle accidents at rail-highway grade crossings, the ICC made the following finding:

(13) That highway users are the principal recipients of the benefits flowing from rail-highway grade separations and from special protection at rail-highway grade crossings. For this reason, the cost of installing and maintaining such separations and protective devices is a public responsibility and should be financed with public funds the same as highway traffic devices.

Interstate Commerce Commission Report No. 33440, Prevention of Rail-Highway Grade-Crossing Accidents Involving Railway Trains and Motor Vehicles, *supra*, 322 I.C.C. at 87.

The same policy consideration underlies 23 U.S.C. § 130(b), which governs the use of federal funding for the elimination of hazards of rail-highway crossings, including construction of

grade separations. Section 130(b) provides that the Secretary may require a railroad to pay for that share of a grade separation which represents the "net benefit to the railroad," but in no case greater than 10 percent. The Secretary has exercised his statutory authority under this provision through regulation at 23 C.F.R. § 646.210(b) and capped the railroad share at 5 percent:

(1) Projects for grade crossing improvements are deemed to be of no ascertainable net benefit to the railroads and there shall be no required railroad share of the costs.

\* \* \*

(3) On projects for the elimination of existing grade crossings at which active warning devices are in place or ordered to be installed by a State regulatory agency, the railroad share of the project costs shall be 5 percent.

(4) On projects for the elimination of existing grade crossings at which active warning devices are not in place and have not been ordered installed by a State regulatory agency, or on projects which do not eliminate an existing crossing, there shall be no required railroad share of the project cost.

There is no apparent reason why the unanimous conclusion of the Board's predecessor, Congress and the Secretary of Transportation as to the appropriate share of railroad funding for a grade separation should be liable to be set aside by an arbitrator (or set aside by the Board) simply because attention has been drawn to a grade crossing through the NEPA review of a control transaction. There is no basis in any of this authority for penalizing a railroad by requiring a greater share from it on the ground that it has increased train traffic through a grade crossing, either by growing its business or because it has decided to reroute trains to provide more efficient service, whether in the context of a control transaction or otherwise.

CSX respectfully submits that the Board need not venture into these waters fraught with such legal uncertainty. As with grade crossing protection, there are well-established federal and

state programs and procedures for identifying and funding grade separations. The persons responsible for those programs will evaluate Randolph Street in light of the train traffic levels predicted in the CSX Operating Plan, and will balance the needs in the City of Garrett against the needs in other cities and towns in Indiana which may be as great or greater but which do not happen to be affected by the Transaction. Because the Board has chosen to undertake an EIS, it does not need to mitigate every potentially significant impact prior to approval of the Transaction.

11. Highway/Rail At-Grade Crossing Delay: Consultation Recommended

The DEIS (Supplemental Errata) identifies seven at-grade crossings on the CSX system which meet the significance criteria for traffic delay mitigation, but which do not meet the criteria for construction of a grade separation. The DEIS recommends that CSX consult with appropriate agencies to address potential traffic delay at these crossings. In the event that these consultations do not result in binding agreements, the DEIS suggests that the FEIS may recommend that CSX participate in the implementation of specified traffic delay mitigation. The seven crossings are as follows:

Dixie Hwy., Blue Island, IL  
Broadway-135th St., Blue Island, IL  
95th St., Evergreen Park, IL  
E. 9th St., Hopkinsville, KY  
W. Noel Ave., Madisonville, KY  
Vine St, Hamilton, OH  
Township Ave., Cincinnati, OH

A. The DEIS Performed Its Function As a Screening Tool

The DEIS identified these crossings for potential mitigation based on application of the Highway Capacity Manual Level of Service criteria for signalized intersections to the railroad grade-crossing context. This is the first time SEA has utilized this approach in assessing vehicle delay at grade crossings. CSX might have selected a somewhat different model. See the report of ICF Kaiser at Exhibit 6. However any model which includes only a limited number of factors can only be used as an initial screening tool for more detailed analysis.<sup>24</sup> CSX thus does not recommend using a different model in the FEIS.

---

<sup>24</sup> The DEIS formula is based on the following six factors: length of train, train speed, number of trains per day, average daily vehicle traffic, vehicle flow rate and number of road lanes.



CSX believes that it is the appropriate function of the EIS in this context to perform an initial screening analysis. This analysis provides a basis for the Board to determine whether the Transaction will cause widespread traffic delay problems. In light of the relatively limited number of crossings identified through this screening analysis, the Board can be confident that the Transaction will not produce this adverse effect.

Before mitigation is determined to be appropriate at a particular crossing, however, the screening analysis must be followed by much more detailed analysis. That detailed analysis requires site-specific information. CSX does not believe that this site-specific analysis should be undertaken by the Board through the environmental review process. That is the province of state and local transportation agencies. Those agencies have both the expertise regarding local conditions and the ability to prioritize local needs which the Board lacks. The appropriate recommendation with respect to the seven crossings identified as raising vehicle delay concerns is for CSX to consult with state agencies. It should then be entirely up to the state agencies to determine whether anything, and if so what, should be done.

B. Evaluation of the Seven Crossings Recommended for Consultation

With respect to three of the seven crossings, it appears that the significance criterion of the screening assessment (decrease to a post-Transaction level of service ("LOS") of D) would not be met if the best available information were used. These crossings are:

Dixie Hwy., Blue Island, IL  
Broadway-135th St., Blue Island, IL  
E. 9th St., Hopkinsville, KY

Therefore, these crossings should be deleted in the FEIS.

The Blue Island crossings are both on the Barr Yard to Blue Island line segment in the Chicago area. Based on the increased train traffic on the line, the DEIS predicts a decrease in LOS from B to D. In fact, however, ICF Kaiser has determined that LOS, as measured in the DEIS, will actually increase from a present level of E to C. See Exhibit 6, Table 1. The DEIS assumes a train speed of 20 mph both before and after the Transaction. In fact, however, average train speeds at these crossings are presently closer to 10 mph than 20 mph because of movements in and out of Barr Yard. Average train speeds after the Transaction are expected to average about 25 mph. This segment will benefit from the capital improvements planned for the Chicago area in connection with the Transaction and the implementation of the CSX Operating Plan which will allow for more fluid movements through Chicago, including in and out of Barr Yard. Accordingly, CSX expects that vehicle delays at the Dixie Highway and Broadway-135th St. crossings will decrease as a result of the Transaction even though more trains will operate through the crossings. CSX does not believe that any further mitigation is appropriate.

The DEIS also predicts a decrease to a post-Transaction LOS of D at the East 9th Street crossing in Hopkinsville, KY, based on an ADT of 16,000. The most current information from the Kentucky Transportation Cabinet, however, puts the ADT at 9,040. ICF Kaiser has computed the post-Transaction LOS using the more recent ADT as C, which does not warrant mitigation under the criterion of the DEIS. See Exhibit 6, Table 1. CSX therefore does not believe that consultation is required with respect to this crossing.

The DEIS should not be faulted; it could not reasonably take into account such specific information in the case of all the grade crossings to be examined on a 44,000-mile rail system. The DEIS has well performed its function as an initial screening tool.

CSX believes that it is appropriate to undertake consultation with respect to the remaining four crossings. It should be noted, however, that three of the remaining crossings are expected to experience increases of only three trains/day. These crossings are:

95th St., Evergreen Park, IL  
Vine St, Hamilton, OH  
Township Ave., Cincinnati, OH

With such a small predicted increase in train traffic, it is very difficult to determine in advance the actual effect of the Transaction on traffic delay. An increase in train traffic may not even occur on Day One. In addition, the daily operating time schedule of all the trains on these segments, which can make a material difference in vehicle delay, is not presently known. Moreover, a slight increase in average speed could effectively cancel out any increased vehicle delay from the few additional trains. With respect to 95th Street in Evergreen Park, IL, for example, the improvements in traffic flows in the Chicago area as a result of the implementation of the CSX Operating Plan might increase average speeds through this crossing such that vehicle delays might actually decrease at the crossing. It would thus not be surprising if the state agencies thought it prudent to take a "wait-and-see" approach with respect to these crossings.

With respect to the final crossing identified in the DEIS -- West Noel Ave. in Madisonville, KY -- it is worthy of note that this crossing will have a post-Transaction LOS of D, as measured in the DEIS, only because CSX defers to a local ordinance and operates through town at 20 mph. The track would permit speeds up to 50 mph. CSX would only have to operate at 25 mph to bring the LOS to C under the formula used in the DEIS. It would not be appropriate to require CSX to undertake any mitigation for vehicle traffic delay under these circumstances. Moreover, the City of Madisonville informed the Board by letter dated

January 20, 1998 that it did not believe any mitigation was warranted at this crossing.

It should be clear from this discussion that the final determination whether there is in fact a vehicle delay problem at these crossings and, if so, what mitigation might be appropriate, should be left to the state and local agencies which ordinarily handle these matters. There is no reason why the Board should intervene in this process.

12. Noise

A. The DEIS Indicates That There Are Not Widespread Significant Noise Impacts

The DEIS provides a comprehensive analysis of potential noise impacts and concludes that communities on only seven line segments (five CSX, one NS, and one in a Shared Assets Area) may have significant adverse noise impacts. In light of this analysis, the Board can be confident that the Transaction will not produce widespread unacceptable noise impacts.

The DEIS correctly reports that noise levels on some line segments will increase with increases in train traffic as a result of rerouting and diversions of traffic from other rail carriers and trucks. Where there is a rerouting or a diversion from another rail carrier, there will be commensurate decreases in noise impacts along other rail line segments. Where there is a diversion from trucks, there will be a commensurate decrease in noise impacts along the highways from which the freight was diverted. These decreases in noise levels were not specifically documented in the DEIS given the enormity of the task and the absence of a need for such particularized information. However, the FEIS should clearly acknowledge that there will be reduced noise levels along some line segments and highways in order to place in context the documented increases in noise.

The DEIS appropriately concludes that no mitigation can be imposed for horn noise, the dominant form of railroad noise, because FRA regulations require horns to be sounded at grade crossings for safety reasons. The DEIS concludes that mitigation for wayside noise is warranted where the wayside noise level exceeds 70 dBA  $L_{dn}$  and where the increase in wayside noise level as a result of the Transaction is 5 dBA  $L_{dn}$  or greater.



CSX will undertake field investigation of noise impacts on the identified line segments to better define the impacts. The DEIS employs a conservative screening methodology which is not designed to fully account for the effects of shielding, topography and background noise levels. The screening methodology thus overstates the actual noise impacts. Relevant local conditions will be identified during the field investigation. If it appears that the mitigation threshold criteria of the DEIS are met in a particular area, CSX will evaluate potential mitigation strategies.

**B. SEA Should Exercise Caution in Imposing  
Noise Mitigation Measures Beyond Those  
Required by EPA**

---

To our knowledge, this is the first time that significance criteria for wayside noise impacts have been suggested in a Board environmental review process. CSX believes that the significance criteria of 70 dBA and a 5 dBA increase set forth in the DEIS are reasonable. However, any form of Board-imposed mitigation for wayside noise is problematic for a number of reasons.

First, as stated above, horn noise predominates over wayside noise, but horn noise cannot legally be curtailed. Thus, the persons who experience the highest levels of railroad noise are those who live near grade crossings where the horns are sounded, but those residences are not in the areas proposed for mitigation. Horn noise levels drop as one moves away from grade crossings until at some point the wayside noise predominates. The areas which are candidates for mitigation under the DEIS criteria typically include a few houses at the edges of towns. Although the mitigation criteria make sense from a logical perspective, from a practical perspective it might seem odd to the residents of New London, Ohio, for example, that CSX might propose, or the

Board might require, the construction of a noise barrier for a handful of residents on the outskirts of town who experience lower noise levels than the other residents of the town.<sup>25</sup>

Second, the issue of railroad noise has not, of course, arisen for the first time in this proceeding. The Environmental Protection Agency ("EPA"), in consultation with the Department of Transportation, regulates noise emissions from railroad equipment and facilities pursuant to Section 17 of the Noise Control Act of 1972, 42 U.S.C. § 4916. EPA has chosen to regulate by controlling the noise emissions at the source (locomotives and rail cars) and has rejected the approach of shielding receptors by noise barriers.<sup>26</sup> Inconsistent state and local regulation is expressly preempted. 42 U.S.C. § 4916(c). The areas proposed for mitigation were identified because of Transaction-related changes in train traffic (and thus noise levels) on the line segments. The absolute noise levels expected in these areas after the Transaction, however, are comparable to those experienced and to be experienced in many other communities at present and post-Transaction. In setting its noise emission standards, EPA has determined that these noise levels are acceptable. The Board should thus consider carefully whether it is prudent to impose additional noise mitigation measures as conditions in this proceeding.

As stated above, CSX is in the process of field investigation of the areas identified as potentially warranting mitigation and evaluation of possible mitigation strategies. Based on this analysis, CSX will determine whether consultation is appropriate with certain local governments.

---

<sup>25</sup> This concern does not apply in Cleveland and East Cleveland where the line through the residential areas is entirely grade separated and therefore horn noise is not an issue. CSX has already undertaken field investigation on the Mayfield to Marcy, OH and Quaker to Mayfield, OH line segments and has recently presented a proposed noise mitigation plan to the Cities of Cleveland and East Cleveland.

<sup>26</sup> EPA's regulations are described more fully in the comments of NS.

As noted above, CSX has already proposed a noise mitigation plan to Cleveland and East Cleveland and will continue to consult with those jurisdictions about that proposal.

C. There Are No Transaction-related Impacts on  
the Deshler to Toledo Line Segment

With respect to the Deshler to Toledo line segment, CSX does not believe that any mitigation is appropriate in connection with Finance Docket No. 33388 because any impacts (noise or other) are not related to the Transaction. The CSX Operating Plan, which provides the basis for the traffic figures in the DEIS, provides 1995 base figures and post-Transaction projected figures. The 1995 base for the CSX Deshler to Toledo line segment is 0.6 trains per day, and the projected post-Transaction traffic is 14.2 trains per day, for an increase of 13.6 trains per day on average. This increase led to the conclusion in the DEIS that the Transaction would result in certain impacts (including noise impacts) on this 36-mile line segment. However, in May, 1997, CSX resumed through train operations over the Deshler to Toledo line segment for reasons unrelated to the Transaction. Present traffic on the line is about 14 trains per day. There will thus be no significant Transaction-related impacts on this line segment and thus no mitigation would be appropriate in connection with this proceeding.

14, 16, 17. Cultural and Historic Resources.

14. Exermont, IL

The DEIS recommends that CSX undertake no construction or modification of a new rail line connection in Exermont, Illinois until completion of the Section 106 process of the National Historic Preservation Act (16 U.S.C. 470f, as amended) (the "Section 106 process").

CSX will comply with this condition. On January 28, 1998, CSX provided the latest set of construction drawings to SEA and its contractors so that a Phase II archeological survey of the area in question could be completed by SEA's contractors.

16. 75th Street Interlocking Tower

The DEIS recommends that CSX maintain its interest in and take no steps to alter the historic integrity of the 75th Street Interlocking Tower in Chicago, IL until completion of the Section 106 process.

The proposed demolition of the 75th Street Interlocking tower is in no way related to this Transaction. The proposed connection at 75th Street will not affect the tower. CSX automated the 75th Street Interlocking in the fall of 1997 to improve operations through the interlocking. The tower is slated for demolition because it is no longer needed to control the interlocking.

Nonetheless, CSX has agreed to work with SEA and the Illinois State Historic Preservation Officer to document the tower before it is demolished.

17. Collinwood Rail Yard, Cleveland, OH

The DEIS recommends that CSX complete cultural and historic resource documentation for the Lake Shore and Michigan Southern (New York Central) Shops District at the Collinwood rail yard in Cleveland, Ohio no later than 180 days following the effective date of a final written

decision by the Board. Based on CSX's understanding of the documentation required, CSX will comply with this condition. CSX would like this work to commence as soon as possible to ensure that there is adequate time to complete it before construction planned for the yard begins. The Collinwood Yard will play a major role in CSX's planned intermodal services between the Eastern U.S. and Chicago, and its expansion will facilitate the environmentally-beneficial truck diversions that are projected.



19. Environmental Justice

In Finance Docket No. 33388, SEA is undertaking for the first time a specific analysis of the "environmental justice" effects of a proposed railroad control transaction. The DEIS presents the minority and low-income percentage of the population residing in the area potentially affected (as defined in the DEIS) by increases in traffic on rail line segments, increases in activity at rail yards, increases in truck traffic to intermodal facilities, and construction of new connections. Vol. 5A, App. K. The DEIS then recommends that CSX consult with communities having a certain percentage of minority and low-income individuals (often less than 50%) regarding mitigation of certain effects the DEIS says are "high and adverse." If that consultation does not result in binding agreements to implement mitigation measures, the DEIS indicates that the FEIS may recommend that such measures be imposed as conditions.

CSX strongly believes that the procedures used by the Board in all prior control transactions were adequate to ensure nondiscrimination in those proceedings and are adequate to ensure nondiscrimination in this proceeding. Demographic analysis is not required to protect against discrimination because the Board's implementation of the NEPA process applies neutral criteria to identify potential impacts and recommend mitigation throughout the entirety of the rail systems involved in the control proceeding. The DEIS improperly applies an analytical framework developed in the very different context of facility siting decisions to the analysis of operational changes on a fixed rail infrastructure. The proper analysis in this context requires a systemwide approach. Systemwide, this Transaction does not disproportionately affect minority or low-income populations.

In Executive Order No. 12898, dated February 11, 1994, President Clinton directed federal executive branch agencies to examine the effects of their actions on minority and low-income communities. Specifically, the Executive Order (Section 1-101) provides:

To the greatest extent practicable and permitted by law, . . . 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 in the United States . . . and the District of Columbia . . . .

The Executive Order requests that independent agencies, like the STB, comply with the Order. Section 6-604. The DEIS acknowledges that the STB is not bound by the terms of Executive Order 12898. Vol. 1 at 3-46. To the extent that the Order requires that the Board undertake a special demographic analysis, the Board should exercise its discretion not to do so. However, CSX believes that the Board may fully comply with the Executive Order through its existing regulations and procedures.

A. The Board's Traditional Environmental Review Process Adequately Protects  
Against Discrimination

Without expressly stating that it was conducting an "environmental justice" analysis, the Board has always applied the principles of the Executive Order through its existing environmental review process as set forth in its regulations (49 C.F.R. Part 1105). The effort reflected in the DEIS to develop new procedures to achieve those objectives is unnecessary. The DOT, for example, has made it clear that the Executive Order does not necessarily require any new process at all:

The Department does not intend that this Order be the first step in creating a new set of requirements. The objective of this Order is the development of a process that integrates the existing statutory and regulatory requirements in a manner that helps ensure that the interests and well being of minority populations and low-income populations are considered and addressed during transportation decision making.

62 Fed. Reg. 18377, 18378 (April 15, 1997). To date, the Board has not published an environmental justice strategy or other guidance document on implementation of the Executive Order. If the Board believes that it should adopt new procedures to comply with the Executive Order, the Board should initiate a rulemaking. CSX respectfully submits that it is not appropriate to launch a major new requirement in the environmental review process of this proceeding without prior public notice and comment.

It is not necessary for the Board to undertake special demographic analyses of the particular action presented here -- the approval of a railroad control application. The Board correctly decided that such an analysis was not required in its review of the Burlington Northern/Santa Fe and Union Pacific/Southern Pacific railroad control proceedings, both of which post-dated Executive Order 12898.

1.     This Railroad Control Proceeding Does Not  
Present An Opportunity for Discrimination  
By the Board

The federal action at issue here -- the Board's decision whether to approve this Transaction -- does not present the potential for discrimination that the Executive Order was designed to protect against. Section 2-2 of the Executive Order sets forth the Order's substantive standard:

Each federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under, such programs, policies, and activities, because of their race, color, or national origin.

As with prior control applications, SEA has undertaken a comprehensive analysis of potential environmental impacts from this Transaction, independent of demographic considerations. This is not a situation in which an impact on minority or low income individuals might be overlooked, as the same analytical methods to identify potentially significant impacts were applied to all line segments, yards and intermodal facilities. Similarly, this is not a situation in which impacts on minority or low income persons could be dismissed or treated as less serious than impacts on others, because criteria for recommending mitigation were applied neutrally. Even making the unwarranted assumption that the Board might have some desire to discriminate (which it most assuredly does not), it did not have readily available demographic data to include or exclude impact areas on this basis. Given the lack of data, if for no other reason, everyone had to be treated equally.

Moreover, this is not a situation in which certain communities might be excluded from participating in the environmental review process. Notice of the proceeding and relevant information were widely circulated -- through distribution of Applicants' Environmental Report, the draft and final scoping notices, information packages from SEA, the DEIS and other means -- to more than 2,000 federal, state and local agencies everywhere where there could be environmental impacts from the Transaction throughout the eastern United States and the

Midwest. Moreover, the DEIS was translated into Spanish, and CSX understands that SEA is undertaking various outreach efforts in minority and low-income areas.

Thus, a demographic analysis is not necessary to ensure nondiscrimination. Where neutral criteria are plainly applied across the board, and no persons are excluded from the process, the Board can complete its environmental review without special consideration of race, national origin and income status.

Furthermore, CSX does not read the Executive Order to require preferential treatment of minority and low-income persons, so demographic information need not be considered for this purpose. Nothing in the Executive Order requires mitigation for safety concerns, noise, or traffic delay in one community but not a second community similarly situated with respect to the expected level of impacts, the only difference being the demographic composition of the communities. That is not to say, however, that where the Board determines that mitigation is warranted in a community based on neutral criteria, consultation about the most effective implementation of the mitigation is inappropriate. As discussed above, the Board uses screening assessment tools to identify problem areas, but the resolution of problems will often be more effective if specific local conditions are taken into account.

2.     This Railroad Control Proceeding Does Not  
Present An Opportunity for Discrimination  
By CSX or NS

---

Similarly, application of the Order to this railroad control proceeding is not necessary to protect against any potential discrimination by CSX or NS. CSX and NS must take Conrail's rail network as it is; they propose to build a few short connections between existing lines, but are not building new routes. There were thus no significant decisions to be made regarding where to site



new facilities, the classic situation in which special environmental justice analyses have been undertaken.

Moreover, neither CSX nor NS had any reason either to favor or disfavor minority or low income populations in deciding how to route their trains after the Transaction. The factors which were taken into account in routing trains were transportation-related, and are discussed in the Operating Plans.<sup>27</sup>

As the verified statements of John W. Orrison and D. Michael Mohan (Application Vols. 3A and 3B) attest, the Operating Plans for the expanded CSX and NS systems and for the Shared Assets Areas were devised to route freight traffic so as to provide the quickest, safest and most cost-effective rail transportation possible east of the Mississippi River, to the benefit of persons of every racial and income group. Some lines, yards and intermodal facilities will experience increased traffic under the Operating Plans, and some will experience decreased traffic.<sup>28</sup> Because minority and income status of populations in the vicinity of rail lines were not factors in the decision how to route the trains, it is to be expected that the increases and decreases in traffic over the 44,000 miles of rail lines at issue in the Transaction will be borne by minority and nonminority groups and persons of various income levels in reasonable proportion to their

---

<sup>27</sup> The primary factors are the origin and destination points for the expected freight shipments, geographic factors such as route distance and terrain, and the capacity of the tracks, yards and intermodal facilities.

<sup>28</sup> Systemwide, the total volume of rail freight traffic is predicted to increase because of the Transaction, with corresponding environmental benefits from decreased truck traffic. Systemwide, the total amount of activity in rail yards is expected to decrease because the expanded systems will allow for longer hauls and better blocking opportunities, with associated environmental benefits.

presence along the rail lines. As explained in NS' comments on the DEIS, that is what a statistical analysis conducted in response to the DEIS in fact demonstrates.

Thus, because of the fundamental nature of a major railroad control application and the standard environmental review thereof under NEPA, there is no significant risk of discrimination against minority and low-income populations. The Board should conclude that its existing procedures for control transactions fully satisfy Executive Order 12898. To the extent that the Board believes that the Order requires something more than its existing procedures in control transactions, the Board should exercise its discretion not to apply Executive Order 12898 in this proceeding. The appropriate procedure would be to initiate a notice and comment rulemaking for application to future Board proceedings. Such a procedure would allow for a full and open exploration of the criteria to be used in any environmental justice analysis to be undertaken in future cases.

B. If the Board Chooses to Apply a Demographic Analysis, It Must Employ a Methodology That is Consistent With the Executive Order

As is apparent from SEA's discussion of environmental justice (Vol. 1 at 3-46 to 3-52; Vol. 5A at K-1 to K-12), neither the Executive Order nor any guidance promulgated to implement the Order directly addresses the type of federal action presented here -- approval of a major railroad control transaction. The Department of Transportation's final order establishing procedures for applying the Executive Order to DOT programs, dated April 15, 1997, provides the most relevant guidance as it was drafted with transportation systems in mind, but even it stops far short of setting forth any directly applicable methodology. Department of Transportation Order to Address Environmental Justice in Minority Populations and Low-Income Populations, 62 Fed. Reg. 18377 (Apr. 15, 1997). Accordingly, SEA was faced with the challenging task of devising an analysis for this Transaction without any precedent and with very little guidance.

1. The Scope of Review is Too Broad

The Board should have limited the scope of its environmental justice review to new construction projects, and perhaps abandonments, related to the Transaction. The situation presented here is quite different from the situation which typically gives rise to an environmental justice concern -- the siting of a new facility. The railroad rights-of-way presently owned by CSX, NS and Conrail were established beginning in the mid-nineteenth century and were largely determined by the early twentieth century. Land was developed along the railroad tracks with full

knowledge that freight trains moved over the tracks.<sup>29</sup> It is, therefore, not appropriate to apply environmental justice methodologies developed in the context of choosing a site for a new facility.

In the draft scoping notice for the EIS, SEA had proposed to apply environmental justice analysis only to the proposed new construction projects and abandonments, which was consistent with the usual application of the concept. In the final scoping notice, SEA expanded the scope of its environmental justice analysis to include traffic and activity changes on existing infrastructure. SEA had it right the first time.

---

<sup>29</sup> The level of freight traffic on any given rail line varies through the years, sometimes greatly, with shifts in the origin and destination of shipments, the overall level of economic activity, plant closings and openings, competition from other railroads, development of substitute products for those shipped by existing rail customers, competition from trucks, and other factors. Moreover, a railroad's decision to change the level of traffic on a line is not ordinarily subject to review by any federal agency. Accordingly, it would not be reasonable for any individual or community along a rail line to expect that the level of traffic which existed in 1995 or any other year would never change.

What persons living along a rail line can expect, however, is that railroads will operate through their communities in compliance with company policies, railroad industry standards, and federal regulations designed to protect their health and welfare. Railroads are, of course, subject to comprehensive legal requirements imposed by the Federal Railroad Administration, Environmental Protection Agency, and other agencies. CSX, NS and Conrail also have adopted a host of industry standards and have implemented their own company-specific programs, particularly in the area of safety, which go beyond federal regulation. The company policies, industry standards and regulations are designed to promote safety and protect the environment whether one train or one hundred trains per day utilize a line. And it should go without saying that the company policies, industry standards and regulations are designed to provide the same high level of protection to all persons living in proximity to rail lines, regardless of their race, national origin or annual income.

2. The DEIS Fails to Determine Whether the  
Proposed Action Will Have a  
Disproportionate Effect on Minority and  
Low-Income Populations

Executive Order 12898 quite purposefully did not direct federal agencies to identify and address all "high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations." Section 1-101. Rather, the Order directed federal agencies, where "practicable" and "appropriate," to identify and address "disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations." *Id.* (emphasis added).

The DEIS writes the critical disproportionality requirement out of the Order. Although the DEIS acknowledges the disproportionality requirement several times (Vol. 1 at 3-47, Step 4; Vol. 5A, App. K at K-3 and K-10), it is never applied.

The DOT Order defines the disproportionality requirement as follows:

g. Disproportionately high and adverse effect on minority and low income populations means an adverse effect that:

(1) is predominately borne by a minority population and/or a low-income population, or

(2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

62 Fed. Reg. at 18381. The DEIS adopted the first part of the definition at Vol. 5A, page K-10.

Significantly, however, it improperly truncated the second part of the definition to omit the



reference to the comparative effects suffered by non-minority and non-low-income populations.

Id

As explained below, CSX believes that analysis of disproportionality requires a statistical analysis of all the persons affected by the Transaction. The DEIS did not present any such statistical analysis. It did not present any analysis which compared the impacts on non-minority and non-low-income persons to those on minority and low-income persons. The DEIS states the following as its sole explanation of the methodology for determining whether adverse effects disproportionately affect minority or low-income communities:

SEA used qualitative analysis approach which included review of several different factual circumstances, including cumulative effects of exposure to health and environmental impacts from many sources, to determine the significance levels on a local case-by-case basis. A determination of a significant environmental justice impact specifically included SEA's consultation with affected communities.

Vol. 5A at K-10 to K-11. With all due respect, this analysis is relevant only to the question whether certain effects are "high and adverse," not whether they disproportionately affect certain populations. The answer to the question whether an impact is disproportionate cannot come from consultation with minority and low-income populations, who presumably have little knowledge of how other communities are being affected by the Transaction. The answer must come from statistical analysis to determine whether similar impacts occur in other communities which are not predominately minority or low income.

In order to determine whether the Transaction would have disproportionate effects on minority or low-income populations, one would need to assess the systemwide effects of the

proposed train traffic patterns on the populations along the 44,000 miles of rail line presently owned by CSX, NS and Conrail which are at issue in this Transaction.<sup>30</sup>

The DEIS may have sought to avoid analysis of the disproportionality requirement because a rigorous application of that requirement to a rail transaction involving 44,000 miles of rail line would have been more difficult by many orders of magnitude than any such analysis performed under the Executive Order to date. The correct response, however, to this problem is for the Board to conclude that the type of demographic analysis in this context is not "practicable" and not "appropriate" (Executive Order Section 1-101), particularly because the Board is not even required to comply with the Executive Order. What is not permissible is for the DEIS simply to ignore this critical element of the analysis.

The DEIS compares the demographic composition of the population living in proximity to some of the rail line segments to that of the surrounding counties as a whole, but this is not an appropriate comparison group for purposes of analysis of disproportionality with respect to a fixed infrastructure such as a rail line system extending throughout the eastern United States. The DEIS may have been misapplying CEQ's formulation of disproportionality in taking this approach:

SEA used the following process to define whether an impact is disproportionately high and adverse on the affected population: 1) "determine whether environmental effects are significant, as employed by NEPA; and 2) determine whether these impacts are or may be having an adverse impact on minority populations or low-income populations that appreciably exceeds or is likely to exceed

---

<sup>30</sup> It is notable that the DEIS's summary of systemwide impacts did not even include environmental justice. Vol. 1 at 4-6. Environmental justice is improperly identified as only a "site-specific environmental issue."

those on the general population or other appropriate comparison group (CEQ Guidelines)."

Vol. 5A, App. K at K-3.

The DEIS analyzed the community around each individual rail segment as a separate population. While there may be some appropriate uses for a segment-by-segment analysis, a rail segment is not the equivalent of an individual facility, the typical subject of an environmental justice analysis. Segment end points are places where the level of train traffic changes, either because there is an origin or destination point, a rail yard or intermodal facility, or a junction point between rail lines. Rail segments vary greatly in length, from a minimum of one mile to a maximum of about 250 miles. The rail facility at issue in this Transaction is the entirety of the CSX, NS and Conrail systems. One should thus analyze the impacts on a systemwide basis. NS has undertaken a systemwide analysis of all CSX, NS and Conrail line segments using demographic information sorted by zip code which demonstrates that the Transaction will not have a disproportionate impact on minority or low income persons. The NS analysis is presented in its comments.

NS's analysis determined that the population in proximity to the rail lines involved in the Transaction is approximately 25% minority and 15% low-income.<sup>31</sup> Of course, the composition of the individual communities along the rail lines varies from one end of the percentage scale to the other. CSX and NS do not control land use patterns, and cannot move their infrastructure. Therefore, any comparison of rail impacts can only be among the communities residing in proximity to the rail lines, not to persons residing elsewhere. Executive Order 12898 cannot

---

<sup>31</sup> These figures are only very slightly higher than the composition of the United States as a whole, which is approximately 24% minority and 13% low-income.

prohibit rail transportation, or require mitigation which would be so extensive as to make rail transportation uneconomic, simply because some communities along rail lines have a higher percentage of minority and low-income persons than the rail population as a whole or the nation as a whole.<sup>32</sup>

The NS analysis shows that the impact of the Transaction is not disproportionate because it is not "predominately borne by a minority population and/or a low income population." 62 Fed. Reg. At 18381. About 75% of the impact is borne by the non-minority population and about 85% of the impact is borne by the non-low-income population. In addition, the impact on minority and low-income persons is consistent with their proportion in the rail population as a whole.

Moreover, the adverse effect suffered by the minority population and/or low-income population will not be "appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population," the second criterion in DOT's definition of disproportionality. *See id.* The nature of the impacts are the same throughout the system, primarily safety concerns, noise and traffic delay. Using neutral criteria, the DEIS identifies the communities that are expected to experience significant impacts as a result of the Transaction. Some of these communities are predominately minority or low-income, and others are not. These are the segments to which mitigation is targeted. The

---

<sup>32</sup> Taking the Executive Order to the extreme also points out how difficult it is in the context of a Transaction of this nature to account for the offsetting benefits to minority individuals and populations from rail traffic in terms of reduced truck traffic, improved employment opportunities supported by rail transportation, and other effects.

DEIS's "environmental justice" analysis is not necessary to ensure that these communities are not excluded from the benefits of mitigation.

C. Specific Recommendations for Consultation  
with Communities with Significant Minority  
or Low-Income Populations

The DEIS directs CSX to "consult with elected officials, appropriate local agencies, and community representatives" in the cities and towns listed on Table 7-9 to address the particular environmental impacts identified in Table 7-9, to the extent that those impacts are disproportionate. As explained above, this Transaction will not have a disproportionate impact on minority or low-income populations. There is thus no basis for directing CSX to embark upon special "environmental justice" consultations.

To the extent that (1) the application of neutral criteria has identified impacts potentially warranting mitigation, and (2) the crafting of the mitigation is properly informed by local considerations, CSX has undertaken and will continue to undertake consultations with appropriate officials regardless of the demographic composition of the community. With respect to the first point, because the Executive Order does not require a lower threshold for requiring mitigation in communities which are predominately minority or low income, there is no basis for directing CSX to consult with any communities in addition to those which have been identified for potential mitigation through application of SEA's neutral criteria.<sup>33</sup> With respect to the second

---

<sup>33</sup> Specifically, as explained below, SEA identified noise impacts on the Barr Yard-Blue Island, IL, Willow Creek-Pine Junction, IN, and Marion-Ridgeway, OH line segments, and at the 59th Street Chicago Intermodal Yard, even though the impacts do not meet SEA's neutral criteria for noise impacts. The DEIS states that although noise mitigation is not warranted "at this time," "noise effects have been included to consider potential cumulative effects." Vol. 4 at 7-48. CSX objects to any attempt to apply a cumulative effects analysis in this specific context. The DEIS includes no methodology for weighting and then cumulating the various adverse effects of rail traffic (grade crossing safety, traffic delay, noise, etc.). And of course there is no quantification in



point, there are some impacts which by their nature must be addressed through uniform, systemwide (if not nationwide) standards and are thus not the appropriate subjects of consultations with cities and towns designed to fine-tune mitigation in light of local conditions. Freight rail safety issues, including transportation of hazardous materials, fall into this category. Freight rail safety issues are comprehensively regulated by federal agencies, primarily the Federal Railroad Administration. State regulation is preempted by the federal regulatory scheme and by the Commerce Clause of the United States Constitution. Accordingly, it would not be consistent with sound transportation policy for CSX to undertake consultation with cities and towns regarding the design of special mitigation of any potential freight rail safety impacts identified in the DEIS. CSX will adhere to freight rail safety conditions proposed in the DEIS with respect to specific line segments that meet the DEIS' neutral tests of "significant impact." Further, CSX routinely meets with communities along its rail lines to discuss a wide variety of issues of interest to the communities. CSX will continue its community relations efforts. What CSX objects to is a discussion for the purpose of designing a special mitigation strategy for freight rail safety and hazardous materials transportation that would apply only in certain communities because of their demographic composition.

---

the DEIS of the benefits of the Transaction on a localized basis -- reduction of truck traffic, positive economic effects, and the like. It would be impossibly complicated to attempt such a cumulative impacts analysis in every community along the 44,000 miles of rail lines involved in this Transaction. NEPA does not require the impossible, nor does anything in the Executive Order on environmental justice require SEA to devise such a complex analysis specifically for minority and low-income populations. Independent evaluation of the neutral criteria for each of the impact areas SEA has devised and applied is sufficient.

The potential impacts which may be appropriate for consultation are thus grade crossing safety, traffic delay, and noise. The identification of the appropriate entity to consult with regarding appropriate mitigation measures depends on the nature of the issue.

The DEIS strongly encourages CSX to enter into "mutually-acceptable binding agreement[s] on the implementation of appropriate mitigation measures." Vol. 4 at 7-18. It must be noted, however, that whereas it might be appropriate to consult with a particular official about mitigation, it might not be appropriate to enter into an agreement with that particular official. For example, a local official might desire a grade separation, but the state would normally vest the decision whether to undertake a grade separation in a state official. Any agreement regarding the separation would have to be between CSX and the state official, not the local official.

CSX does not believe that agreements are appropriate with "community representatives" who are not representatives of duly-constituted state or local government agencies. SEA has conducted "outreach" to educate and solicit the views of community groups about the Transaction. Those community groups can make their views known to their governmental representatives. If the view of a particular group does not persuade their governmental representatives, however, there is no basis for an agreement between the group and CSX. In its draft order on environmental justice, DOT had proposed "an agreement . . . with the potentially affected protected populations" as one option for addressing disproportionately high and adverse effects." 60 Fed. Reg. 33899, 33901 (June 29, 1995). Numerous commentators opposed the provision as unworkable and subject to abuse. DOT agreed, and deleted the proposal from its final order on environmental justice. 62 Fed. Reg. 18377, 18378 (April 15, 1997). CSX agrees as well, and does not plan to enter into any such agreements.

Having stated these general points, we will now address the DEIS's specific directions.

1. Barr Yard to Blue Island, IL

The DEIS directs CSX to consult with Blue Island with respect to traffic delay. Two crossings are identified which may warrant mitigation for vehicle delay impacts -- Dixie Highway and Broadway-135th St. These crossings were included in Mitigation Measure 11. As explained above in connection with Mitigation Measure 11, CSX expects that capital improvements planned in connection with the Transaction and the implementation of CSX's Operating Plan will greatly improve traffic flow through Blue Island. Accordingly, it does not appear that any additional mitigation is required. CSX will consult with the City of Blue Island about these operational improvements.

2. 59th Street Chicago Intermodal Yard

The DEIS directs CSX to consult with Chicago with respect to noise from truck traffic to the 59th Street intermodal facility even though the noise level does not meet the DEIS's criteria for mitigation. CSX's proposed intermodal facility at 59th Street is addressed below in connection with Mitigation Measure 24. As explained below, CSX has already consulted with the Chicago City Council in connection with CSX's rezoning application for the facility and has reached agreement on mitigation measures for the facility as conditions to the approval of the rezoning application.

3. Willow Creek to Pine Junction

SEA has directed CSX to consult with Gary, Indiana with respect to a number of impact categories. Gary is a member of the Four Cities Consortium. As explained below in connection

with Mitigation Measure 27, CSX is presently consulting with Gary about these issues as part of its consultation with the Four Cities.

4. Alexandria Junction to Washington, DC

SEA has directed CSX to consult with Bladensburg, MD and Washington, DC with respect to hazardous materials transport because this route is expected to become a key route after the Transaction. As explained above, CSX does not believe that consultation is appropriate with local communities regarding the design of special mitigation measures related to transportation of hazardous materials through their communities. However, CSX will coordinate with Washington, DC and Prince George's County, MD regarding the Hazardous Materials Emergency Response Plans recommended in Mitigation Measure 3.

5. Quaker to Mayfield, Mayfield to Marcy, OH

CSX is in the process of consulting with Cleveland and East Cleveland with respect to a number of impact categories, as explained below in connection with recommended Mitigation Measure 21.

6. Marion to Ridgeway, Ohio

In the errata to the DEIS, SEA directed CSX to consult with respect to mitigation of noise impacts in Marion, Ohio. For the reasons set forth below, CSX respectfully suggests there is no basis for any noise mitigation in Marion.

First, SEA's stated concern in Marion, Ohio is noise impacts, but this segment does not meet the SEA's criteria for noise mitigation. Nor can noise be considered as a cumulative impact in Marion, because no other impacts have been identified that warrant mitigation. The objective of the Executive Order is nondiscrimination, not preferential treatment.

Second, it is not clear that any noise mitigation in Marion would even benefit minority or low-income persons. As stated in Appendix K (Vol. 5A at K-43), the population along the Marion-Ridgeway line segment, a 23.2-mile-long line segment in Marion and Hardin Counties, is 5.3% minority and 24.2% low-income. This segment was identified as raising environmental justice concerns because the low-income percentage is reportedly more than 10% higher than the low-income population of Marion and Hardin Counties as a whole. As explained above, this is not a permissible application of the disproportionality requirement of the Executive Order. Disproportionality can only be determined on a systemwide basis. Presumably the DEIS was seeking to identify those communities that might have less political influence than their wealthier, nonminority neighbors in the county. Relative power within the county might be an appropriate concern if the Board were deciding whether to approve the construction of a new rail line through Marion and was looking at two different routes, but the approach makes no sense in the context of the action actually before the Board.

The problem with the DEIS's approach becomes more apparent when one focuses on the precise area of the noise impacts. A maximum of about 50 residences within Marion on the Marion-Ridgeway segment would likely experience a perceptible increase in noise from increased traffic on the line.<sup>34</sup> If a noise barrier were built along the rail line in the vicinity of these affected residences, for example, it would benefit only the occupants of these homes. It would not benefit anyone else in Marion. The relevant population for purposes of an environmental justice analysis is thus the residents of these 50 or fewer houses. CSX cannot readily determine the race, national

---

<sup>34</sup> If shielding were fully taken into account (the model is not designed to do so), it is likely that many fewer residences would actually be affected.



origin or income level of this small population. Thus, it is far from clear that any noise mitigation in Marion would benefit the persons the Executive Order was issued to protect.

21, 24, 25, 27. Communities with Unique Circumstances

21. Cleveland

The DEIS directs CSX and NS jointly and/or separately to "continue to consult with the City of Cleveland, the City of East Cleveland, the Ohio Department of Transportation, elected representatives for Cleveland and other appropriate parties to address concerns about train traffic increases on the CSX's Quaker to Mayfield and Mayfield to Marcy rail line segments and NS's Cleveland to White and Cleveland to Ashtabula rail line segments." It further directs CSX and NS to "negotiate a mutually-acceptable binding agreement on train routing through Cleveland and mitigation measures for those routes that could experience potential significant environmental impacts."

The major rail routes of Conrail being allocated to CSX and NS in the Transaction form an "X", one leg of which is the Conrail lines from Boston and New York City (via Albany) to St. Louis and the other is the lines from New York (via Philadelphia) to Chicago. The cross-point of the Conrail "X" is in the Greater Cleveland area. One of the core concepts of the Transaction's allocation of the Conrail routes is that CSX will take the first-named leg of the "X", and NS will take the other leg. The "X" will no longer be operated as part of a single system, but the two legs of the "X" will be operated on a competitive basis by the two carriers.

Collectively, on the two branches of the "X", approximately 80-90 trains per day will be operated through Cleveland under the two carriers' operating plans. It should be noted that the Transaction will not materially change the number of trains traversing Cleveland on Day One (although traffic may ultimately increase in Cleveland as elsewhere on the CSX and NS systems as the benefits of the Transaction induce the diversion of freight from truck to rail). However,

instead of operations at the center point of the "X" being coordinated by a single railroad operating in its overall best economic interest, two rivals will operate their competitive services. The two railroads have proposed operating plans and allocations of routes in the Cleveland area that will permit each of the two to operate without interference with the other -- interference which could, of course, potentially lead to a "Houston" situation such as was encountered after the *UP/SP* combination and potentially one that would be more difficult to cure. Exhibit 7 shows the general layout of Conrail's lines through Cleveland, known locally as the "Lake Shore Line" and the "Short Line." CSX will principally operate over the Short Line and NS will principally operate over the Lake Shore Line. The end points of the CSX line segments as defined in the CSX Operating Plan are shown on Exhibit 7 for reference.

A. CSX Consultation Efforts to Date

Prior to the directive in the DEIS, CSX began meeting with appropriate state and local authorities throughout Ohio to consider creative options for addressing local concerns. Over the past eight months, CSX has met with PUCO and ORDC officials, and has cooperated with them in rail line studies to determine the need for improved rail grade crossing protection on certain line segments, among other things. CSX also has participated in many other public and private meetings. A variety of issues have been addressed, including economic development opportunities, safety at grade crossings, hazardous materials transport, commuter rail service, and other issues.

With respect to the Greater Cleveland area, CSX for several months has had meetings and conducted similar discussions with the Mayor of Cleveland and other City of Cleveland officials,

STB

FD

33388

2-2-98

K

185503

3/4

and the Mayors and officials of the Cities of East Cleveland, Brook Park, Berea, Olmsted Falls, and of Cuyahoga County.

Such meetings include:

- August 26, 1997 - Meeting with the Chairman of the Transportation Task Force of the Cleveland Growth Association ("CGA") to present the CSX operating plan and discuss the compatibility of routing plans with future development plans of the area;
- October 22, 1997 - Meeting with City of Cleveland's planning, law, and safety directors to discuss routing issues;
- October 28, 1997 - Meeting between CSX President John Snow and the Mayor of Cleveland to discuss that City's opposition to the CSX operating plan;
- November 6, 1997 - Meeting with East Shore Development Corporation to discuss the expansion at Collinwood Yard;
- November 7, 1997 - Meeting with commuter rail representatives, Cleveland Port Authority and the Director of the County Planning Commission to brief them on the Transaction;
- November 13, 1997 - Meeting with Collinwood area city councilman to discuss intermodal expansion;
- November 13, 1997 - Meeting with CGA staff member to discuss acquisition plan and commuter rail options;
- November 13, 1997 - Meeting with RTA to discuss commuter rail planning status;
- November 19, 1997 - Meeting with the Mayor of Berea to explain the acquisition and operating plan;
- December 5, 1997 - Meeting with the Mayor of Cleveland's staff to explain the rationale for the operating plan;
- January 12, 1998 - Meeting with the Mayor of Brook Park to discuss the operating plan and mitigation issues;



- January 14, 1998 - Meeting with City of East Cleveland officials, including the Mayor's Chief of Staff, the Police and Fire Chiefs, EMS Director and city councilmen to discuss the acquisition, noise mitigation, neighborhood beautification, job training and training and equipment for emergency responders;
- January 16, 1998 - Field inspection of Chicago intermodal facilities by City of Cleveland councilmen and other Cleveland officials to demonstrate improvements proposed for Collinwood Yard.
- January 21, 1998 - Joint CSX/NS meeting with the Mayor of Cleveland and his staff to discuss alternative routing proposals;
- January 21, 1998 - Joint CSX/NS meeting with the Mayor of Berea and the Mayor of Olmsted Falls to discuss alternative routings;
- January 22, 1998 - Train trip for the Mayor of Cleveland and other Cleveland officials, City of East Cleveland officials, and Cleveland area business associations to present the operating plan, Collinwood expansion plan, economic impact report, noise mitigation plan and CSX hazardous materials safety program;
- January 26, 1998 - Meeting with the Mayor of East Cleveland to discuss mitigation;
- January 27, 1998 - Joint CSX/NS meeting with the City of Cleveland Mayor and his staff to evaluate alternative routing proposals;
- January 30, 1998 - Meeting with clergy association leadership to discuss the operating plan and hazardous materials safety; and
- January 31, 1998 - Public meeting held by clergy association to discuss the operating plan and hazardous materials safety.

In dealings with most of the authorities contacted, substantial progress has been made. However, as of the date of these comments, the City of Cleveland remains opposed to the Transaction's allocation of lines and routing of traffic through Cleveland. Mayor White recently proposed to "flip" the allocation and have CSX operate over the "Lake Shore Line" between

Berea and Collinwood Yard through downtown Cleveland and have NS operate over the "Short Line" between Berea and the Harvard connection (near Marcy) to the Conrail line to Pittsburgh and between Berea and Mayfield to NS's line to Buffalo.

CSX and NS have carefully analyzed alternative routing options, but no alternative routings for CSX and NS traffic through Cleveland have been found that would not involve (a) significant disruption and delay of East-West traffic flows, (b) substantial construction - related environmental impacts and enormous construction expenses, (c) delay and/or disruption of the implementation of competitive service under the Transaction, and (d) adverse environmental impacts both in the City of Cleveland and in other parts of Greater Cleveland. In fact, CSX and NS continue to believe that Applicants' allocation of lines and the routing of traffic through the Greater Cleveland area represent the most effective means of achieving the objectives of the Transaction and maximizing the public benefits for both national and local interests. The rail line allocations and proposed routings set forth in the Application:

- are consistent with the historical use of these lines;
- promote effective competition between CSX and NS and efficient, reliable service for East-West traffic moving through Cleveland;
- are cost-effective and make efficient and beneficial use of existing railroad infrastructures; and
- do not cause significantly different environmental impacts than alternative routings.

B. Applicants' Proposed Routing is Consistent with the Historical Use of the Lines

Cleveland historically has been a major hub for East-West railroad traffic. All of the Ohio predecessors of Conrail as well as the predecessors of CSX and NS have had major rail presences

in Cleveland for decades. More significantly, Conrail has designed its system so that both of its major routes cross in Cleveland, making Cleveland the center of its system. As a result, Cleveland is the most direct and efficient routing for traffic between Chicago and eastern points and, as detailed in Applicants' Rebuttal, rerouting traffic away from Cleveland is neither commercially nor operationally feasible and would substantially diminish the quality and competitiveness of East-West rail transportation. Rebuttal Verified Statement of John W. Orrison, Rebuttal Vol. 2A at HC-79 to HC-85.

Likewise, no viable alternatives have been identified for reallocating lines or rerouting rail traffic within Cleveland. Conrail presently uses two routes through Cleveland, the "Lake Shore Line" and the "Short Line." Both lines connect the Collinwood Yard on the northeast side of Cleveland with Berea to the southwest of Cleveland. Each line is approximately 20 miles long. As a result of the Transaction, NS will operate over the Lake Shore Line and CSX over the Short Line.

Both lines have carried substantial freight traffic since they were built. The Lake Shore Line was built in the mid 1800's by a predecessor of the Lake Shore and Michigan Southern Railway ("LS&MS"). At the turn of the century, the LS&MS was the western main line of the New York Central and Hudson River Railroad extending from Buffalo, NY through Cleveland to Chicago. Increasing amounts of passenger and freight traffic made it necessary to complete a four-main-track line from Buffalo to Toledo and farther West. In 1902, LS&MS created a subsidiary, the Cleveland Short Line Railway Company, to construct a belt line of railroad around the City of Cleveland and provide facilities for interchange between the eight railroads then serving Cleveland.

The Short Line was designed for high volume freight traffic. It is entirely grade separated through Cleveland and East Cleveland, in some places running on elevated track and in others through cuts below grade. The Short Line became an integral part of the expansion to four main tracks, and upon its completion in 1912, it became the bypass for freight traffic. By 1915, the line consisted of 19.64 miles of main track, 19.17 miles of second (main) track and 22.23 miles of sidings, making it well suited for handling heavy volumes of freight traffic.

Inter-yard pullers as well as through freight trains were scheduled across the Short Line for many years, averaging 30-40 freight trains per day. As the Lake Shore Line carried a heavy volume of regular passenger service as well as freight trains, the Short Line provided an efficient route for handling freight trains. The opening of the Cleveland Union Terminal in 1930 and its associated passenger route reduced some of the traffic on the Lake Shore Line by relocating a substantial amount of passenger train traffic to the Short Line. Nonetheless, even with the decrease in passenger traffic on the Lake Shore Line, the Short Line continued to carry between 25-30 freight trains per day throughout the 30's, 40's and 50's.

In connection with the construction of the Cleveland Union Terminal, the New York Central ("NYC") constructed a new alignment for its passenger trains from the Lake Shore Line at Collinwood and along the Short Line between Collinwood and University Circle (near Mayfield on Ex. 7). At University Circle, the passenger route diverted from the Short Line to reach the terminal. This line is now used by the RTA. This part of the Short Line -- the part that Cleveland says will be unacceptably affected by the passage of 40 freight trains per day -- had a multiple track right of way, with two tracks for passenger trains and two tracks for freight trains. All NYC passenger trains serving Cleveland moved over this line. As a result, regularly scheduled

passenger trains on this line averaged between 20 and 30 trains per day during the 1940's and 1950's and about 10 trains per day during the 1960's.<sup>35</sup> In addition, mail and express trains (including mail-carrying through passenger trains that did not have passenger stops in Cleveland) used this route to access the Union Terminal complex. As stated above, the RTA continues to operate along or near the Short Line in Cleveland and East Cleveland.

Conrail continues to route traffic over the Short Line to relieve congestion on the Lake Shore Line as needed, particularly during periods of heavy maintenance on the Lake Shore Line. During these times, an average 30-40 trains per day traverse the line.

It should be emphasized, therefore, that CSX's proposal to operate approximately 40 trains per day over the Short Line is not a deviation from the historical use of this line, but a resumption of the service for which the line is particularly well suited.

C. The Proposed Allocation Promotes Competitive, Efficient and Reliable Rail Service

The Applicants' plan for allocating lines and routing traffic through Cleveland is an important part of the overall plan to provide more efficient, cost-effective, reliable and competitive interstate rail transportation between the East Coast and points West. Allocating the Lake Shore Line to NS and the Short Line to CSX gives each carrier a direct through route through and beyond Cleveland that does not require the difficult task of sharing track or crossing the other's line anywhere at grade -- which with 80-90 trains a day planned could lead to chaos. Applicants identified no other way to accomplish this. Having parallel and non-interfering routes eliminates the very real problem of a bottleneck at Berea where the two Conrail lines cross. The

---

<sup>35</sup> It should be noted that most of the homes in this area were built in the 1920's and 1930's during the years of heaviest train traffic.



elimination of the bottleneck results in improved transit time for CSX and NS East-West trains. In addition, the ability of CSX and NS each to fully control the movements of its trains (and particularly time-sensitive intermodal trains which compete with trucks) unimpeded by the movements of the other carrier promotes more efficient and reliable East-West service.

Applicants' proposed allocation and routing enable CSX and NS to achieve their objective of each having a high quality, two-main-track route through Cleveland with the expenditure of reasonable sums to improve the existing rail infrastructure. CSX plans to spend about \$40 million to improve the Short Line and Collinwood Yard, including restoring double tracking to all but about one-and-a-half miles of the line, upgrading the signal system to install TCS on the newly constructed track, installing continuous welded rail, installing a defect detector at Marcy, and upgrading the intermodal facility at Collinwood Yard.<sup>36</sup> These investment decisions have been based on practical assessments of the costs and benefits of the proposed improvements.

D. Potential Alternatives for Reallocating Lines and Rerouting  
Traffic Entail Disproportionate Expense and Inefficiency  
Compared to Applicants' Proposed Routings

The City of Cleveland's proposal for reallocating lines and rerouting traffic through that City would entail disproportionate expense and pose operating problems that significantly undermine any purported benefits of such proposals. In order to avoid an increase of traffic on the CSX Quaker to Mayfield and Mayfield to Marcy segments, the City of Cleveland has proposed that the allocation of lines be "flipped," assigning the Short Line to NS and the Lake Shore Line to CSX. The proposed alternative would result in NS traffic moving over the Short

---

<sup>36</sup> CSX's investment in capital improvements in the Greater Cleveland area will total about \$75 million.

Line between Berea and the Harvard connection (near Marcy) and then onto its acquired Pittsburgh line or between Berea and Mayfield and onto its own Buffalo line. CSX traffic would move between Berea and Collinwood over the Lake Shore Line to its newly acquired routes to New York City/Northern, New Jersey via Buffalo and upstate New York.

This alternative would result in CSX and NS having to cross each other's lines at grade at Berea, creating either a major bottleneck at the crossing point or the need for an extensive and costly separation. It would also make it extremely difficult for NS to reach several facilities that it will serve, without substantial additional investment. In fact, the proposal would require several major construction projects, beyond those now contemplated, including:

- Construction of a flyover at Berea to enable the unrestricted crossover of CSX and NS trains to and from their connecting routes. An unrestricted crossover with about a 0.5% gradient and clearance for future improvements would be approximately 10,000-11,000 feet long and take at least 2 years to construct. Construction would necessitate the disturbance of existing residential and commercial structures, and would dramatically alter the existing character of the impacted area. In addition, the construction could potentially affect Berea's existing subterranean infrastructure, including sewer lines, water lines and utility and communication lines. Finally, the potential noise impacts of an elevated superstructure would require additional assessment and potentially significant mitigation efforts;
- Construction of a second track at the Harvard Connection in order for NS to operate. The construction of the track would necessitate the building of a bulkhead in the adjacent creek basin and could adversely affect the environmentally sensitive waterfall located in Mill Creek;
- Construction of substantial additional track required for NS to access Rockport Yard (where it maintains an operating base) and Ford Motor Company; and

- Initiation of a project to facilitate NS's efficient access to Whiskey Island, where iron for use in local steel production is transloaded from lake cargo vessels.

The costs of this proposal are unrealistically disproportionate to the benefits.

Construction of the mammoth superstructure of the flyover alone could cost in excess of \$100 million, without even considering the costs and impacts of relocating utilities, or the costs of related environmental mitigation.<sup>37</sup> But the true costs associated with this proposal go far beyond the capital needed to construct the additional projects. They also include the high public and private costs of entirely postponing and/or disrupting implementation of the Transaction,<sup>38</sup> risks of very serious environmental impacts in Berea, and serious on-going operational and customer service issues when construction is completed. Such detriments fly in the face of the railroad transportation policy goals of promoting sound, economical, competitive and efficient service.

Any suggestion that CSX and NS could share the Lake Shore Line is equally impractical. There is not sufficient right-of-way to accommodate new separate tracks. Sharing the same tracks would not give the shippers the benefit of two efficient, reliable East-West routes offered by two strong competitors. Like the "flip" alternative, it would create in Cleveland a bottleneck for the two competing routes, resulting in decreased efficiency and the unreliability of East-West movements. Similar problems of crossing at ground level, as in the "flip" alternative, would be created.

---

<sup>37</sup> Cleveland's consultant Parsons Brinckerhoff has estimated the cost of Cleveland's alternatives at \$148 to \$171 million, a significant item of which is the flyover structure at Berea. CSX has not yet developed its own estimates of the cost of the structure.

<sup>38</sup> Cleveland is not what Reno and Wichita were to the *UP/SP* combination -- points where operations could be frozen without systemwide damage. Cleveland is the central point on the Conrail route system and is central to the new long-haul operations of both CSX and NS.

Another proposal has been made to have a "neutral terminal operator" in Cleveland, presumably with operations conducted similarly to those of the unitary Conrail. But that would not resolve the problem; if there is to be coordination of the movements of CSX and NS through Cleveland, the coordination has to extend systemwide, since the trains that will move through Cleveland will be in large part trains making long-haul runs over most of the extended systems, East and West, of the two carriers upon the implementation of the Conrail route allocation. Thus, what is at issue is not the management of local traffic moving through Cleveland, but the efficient operation of interstate and even transcontinental traffic. While it is true that Conrail could economically and efficiently progress trains through Cleveland without the need for separations, the situation here is different. Unlike Conrail, a terminal operator would not have control over the scheduling and operation of all pertinent train movements from origin to destination. It may be expected that for competitive reasons CSX and NS would tend to schedule origination and arrival times for their long-haul movements that would put the competitive movements in Cleveland at about the same time of day. The terminal operator, therefore, would not be in a position to coordinate and facilitate the efficient movement of interstate rail traffic converging on Cleveland from all directions.

These proposed tinkering with the allocation of Conrail routes through Cleveland would have the most serious consequences. They would either entirely prevent the implementation of the CSX and NS operating plans (effectively annulling the Transaction), postpone their implementation while the necessary construction work was completed, or compromise them by greatly reducing capacity while construction proceeds at the critical throat of the system.

Rather than providing the benefits of more efficient and competitive rail service, the alternatives would create impediments to such service and thus be a disservice to the nation and to the City of Cleveland.

E. Rerouting Trains from the Lake Shore Line  
to the Short Line Will Have Significant  
Benefits for Cleveland Itself

CSX's Operating Plan will not only benefit the national transportation system, but will also benefit the City of Cleveland itself in a number of ways.

First, the Short Line is entirely grade separated through the City of Cleveland. A significant number of trains will be rerouted onto the Short Line, decreasing the number of trains traversing at-grade crossings on the Lake Shore Line. This will promote greater safety, decrease delays at crossings and promote improved vehicular traffic flows. Indeed, CSX's efforts to move traffic away from downtown Cleveland and onto the Short Line is consistent with the City of Cleveland's own prior proposals to do the same.

Second, the proposed upgrading of the Short Line will increase the speed at which trains traverse the line, thus shortening the overall "presence" of trains over line segments traversing Cleveland neighborhoods, and will also promote safe transport of freight through Cleveland.

Third, use of the Short Line will decrease the number of trains affected by the drawbridge on the Lake Shore Line. The drawbridge is opened, on average, 6,000 times a year. During the peak period in the summer, the bridge is opened approximately 3,000 times, primarily to permit passage of pleasure boats. Decreasing the number of trains crossing the drawbridge promotes smoother, more efficient operations for both vessels and trains through Cleveland.



Fourth, the implementation of the Operating Plan will allow Cuyahoga County (which includes Cleveland) to realize a net savings of over 1.9 million truck miles in truck diversions, which means a reduction of 4.15 truck accidents annually (1.06 of which would involve injuries) and net savings of about \$230,000 in annual highway maintenance costs. These benefits will be lost if the CSX and NS Operating Plans are not fully implemented.

Moreover, the impacts that will be experienced on the Short Line will be no different in nature or greater in magnitude than the impacts currently being experienced on the Lake Shore Line. Cleveland has described the impacts from CSX train traffic on residents living in proximity to the Short Line, without acknowledging that there are about the same number of residents in Cleveland along the Lake Shore Line. Both the Lake Shore Line and the Short Line pass through a mix of industrial, commercial and residential areas. Under the CSX Operating Plan approximately 40 CSX trains will pass through Cleveland each day. Whether they traverse Cleveland on the Lake Shore Line or on the Short Line they will unavoidably create some noise. The significant noise impacts are largely restricted to the first row of structures along the tracks. The number of Cleveland residents living along the Short Line is roughly comparable to the number of residents living along the Lake Shore Line.

The residents along the Lake Shore Line have been living their lives without serious adverse effects with higher levels of Conrail traffic on the Lake Shore Line than CSX is proposing to route over the Short Line. There are numerous locations throughout the eastern United States, including its major metropolitan centers, where rail traffic exceeds 40 trains per day. Comprehensive federal regulation, along with industry standards and company practices, ensure that rail freight transport will perform its important function in the economy without unacceptably

affecting the communities through which it passes, in terms of noise, safety or issues of public inconvenience such as traffic delay. Compared to other communities which do not have the benefit of a grade-separated rail corridor (including that portion of the Lake Shore Line in Cleveland near Kirtland Park where there are grade crossings), train traffic over the Short Line will have relatively less adverse effect because horns will not sound at grade crossings, there will be no risk of accidents at grade crossings, and vehicles will not be delayed at grade crossings.

CSX analyzed the noise impacts from its proposed operations over the Short Line in Cleveland and East Cleveland.<sup>39</sup> CSX identified about 250 residences on the Quaker to Mayfield and Mayfield to Marcy line segments which meet the DEIS's criteria for significant impact (70 dBA  $L_{dn}$  and an increase of 5 dBA  $L_{dn}$ ). These residences are all in the first row of structures adjacent to the rail line. CSX proposed mitigation for 235 of the residences. The proposed mitigation is low noise barriers to shield the wheel/rail noise. High noise walls to block locomotive noise were determined not to be feasible. Although locomotive noise is louder than the wheel/rail noise, it is experienced for a much shorter time period. Because CSX recognized that the low barriers would not shield all rail noise, CSX proposed in addition to provide an offsetting benefit -- landscaping -- to provide a visual barrier and generally improve the appearance of the rail corridor.

To the extent that transport of hazardous materials has been raised as a concern, existing regulations and programs already ensure that the risk of a release of hazardous materials is

---

<sup>39</sup> TranSystems Corporation, "Evaluation of Noise Impacts From Proposed CSX Operations in Cleveland and East Cleveland, Ohio" (Jan. 1998).

extremely low. CSX will also comply with proposed Mitigation Measure 4 with respect to the Short Line, and provide enhanced emergency response training in Cleveland and East Cleveland.<sup>40</sup>

CSX offered its noise mitigation plan as the most direct response to increased noise levels on the Short Line, and CSX is willing to consult with Cleveland and East Cleveland regarding other forms of offsetting benefits as well.<sup>41</sup>

Thus, looking solely at the interests of the residents of Cleveland itself, CSX does not believe that routing trains over the Short Line creates greater adverse effects than routing trains over the Lake Shore Line, as Cleveland has proposed. Indeed, the rerouting will provide a number of important benefits to Cleveland. To the extent that a significant change in traffic patterns will result from the Transaction, however, CSX has pledged to mitigate the effects of the change, either directly through measures such as noise barriers or indirectly by providing some offsetting benefits. Moreover, when one looks more broadly at the interests of the residents of the Greater Cleveland area, Mayor White's proposal is even less desirable because it seeks to impose on its neighbor to the southwest, Berea, a mammoth rail flyover structure which would have serious adverse effects in that community, both during the construction period and thereafter.

#### F. Conclusion

Consistent with the national rail transportation policy, the rail allocation and routing plan proposed by Applicants promotes "a safe and efficient rail transportation system," "ensure[s] the

---

<sup>40</sup> The routing choice between the Lake Shore Line and the Short Line will not affect the volume of hazardous materials moving through Cleveland, just the precise location.

<sup>41</sup> Some programs of general benefit to the community which have been suggested and will be considered by CSX include capital improvement programs, commercial renovation rebate programs, housing renovation allowances, and employment training and preference programs.

development and continuation of a sound rail transportation with effective competition among rail carriers and other modes," and "foster[s] sound economic conditions in transportation and ensure[s] effective competition and coordination between rail carriers." 49 U.S.C. § 10101(3), (4) and (5). No alternative plan and no mitigation that would change the routing plan would be consistent with this standard.

The rail lines through Cleveland, given the basic geography of the Conrail system, will constitute a throat of commerce for the two carriers in their separate operation of the allocated parts of the Conrail system. For them to operate competitively, without interference with one another, the plan proposed by them is the only realistic plan. Effecting any of the alternative solutions would cause years of disruption and postponement of the implementation of a beneficial transaction that has been very long in its achievement already. Local opposition based on noise impacts -- which CSX has pledged to mitigate -- should not be permitted to cut this throat of commerce or choke it for a lengthy period of time. No mitigation involving route relocation in Cleveland ought to be proposed in the FEIS. If proposed, it should be rejected by the Board.

The only significant environmental impacts arising from use of the Short Line are noise impacts. The appropriate mitigation for this impact is not to throw out the Applicants' operating plans, but to implement a noise mitigation plan including noise barriers and offsetting benefits as CSX has offered to implement. The balancing that an EIS process involves is particularly important in a situation such as this.

24. Chicago, Illinois

The DEIS describes CSX's proposed construction of a new intermodal facility at 59th Street in Chicago, Illinois. The DEIS directs CSX to consult and reach a mutually-acceptable binding agreement with respect to traffic and noise mitigation measures for this facility.

As the DEIS reports, CSX filed a rezoning application with the City of Chicago which was supported by detailed reports documenting both potential benefits and adverse effects from the 59th Street facility (including increased traffic and noise). The application was thoroughly considered by the Chicago City Council and its staff. CSX engaged in extensive consultations with the communities surrounding the 59th Street facility, including with the City Council Members in Ward 15 and Ward 16, who supported the application.

On December 10, 1997, just after the DEIS went to print, the City Council approved the rezoning application. The approval included conditions designed to address adverse effects of the facility. CSX will submit documentation of the approval to SEA. CSX believes that this approval fully satisfies the recommendation in the DEIS, and that the FEIS should report that this matter has been resolved. Accordingly, no condition is warranted.



25. Newark, Delaware

CSX currently operates an average of 26.9 trains per day through Newark, Delaware (the Wilsmere-Baltimore line segment of the CSX Operating Plan). The CSX Operating Plan projects that traffic on this line segment will increase only 1.9 trains per day. As the DEIS acknowledges, this minor increase in traffic does not exceed the Board's thresholds for environmental analysis. Vol. 3A at DE-16 to DE-17. CSX agrees with the conclusion in the DEIS that the "minor increase in train traffic would have only a minor incremental effect on the community." Vol. 3A at DE-17. The concerns raised by Newark in Finance Docket No. 33388 relate to pre-existing conditions. Id.

Despite these conclusions, the DEIS recommends that CSX consult with local agencies, the University of Delaware and the Delaware Department of Transportation regarding pedestrian safety issues. Vol. 4 at 7-21. The DEIS suggests that SEA might recommend mitigation in the FEIS if CSX does not enter into a binding agreement regarding mitigation measures.

CSX voluntarily commenced consultation with the University of Delaware and local agencies regarding pedestrian safety in Newark before SEA issued the DEIS. Those discussions have been very productive to date and CSX is optimistic that an agreement will be reached regarding a variety of measures that will enhance pedestrian safety in Newark. CSX will inform SEA if it reaches agreement with one or more parties regarding pedestrian safety in Newark, and SEA can document that agreement in the FEIS for consideration by the Board in evaluating the overall environmental effects of the Transaction.

However, it would not be appropriate for the Board to condition approval of the Transaction on any such voluntary agreement relating to what is clearly a pre-existing (non-

Transaction-related) situation in Newark. Nor would it be appropriate for the Board to impose any mitigation in the event that an agreement is not reached. The Board has repeatedly held that it will not impose conditions to address pre-existing matters. See UP/SP at 145; BN/SF at 56.

This limitation is recognized in the DEIS itself. Vol. 1 at 1-10, 3-3. It is sufficient that the FEIS simply document any voluntary agreement that may be reached with respect to the pre-existing situation under discussion or, in the absence of such an agreement at the time of the FEIS, report that the parties are consulting.

27. The Four Cities Consortium

CSX, NS and Conrail currently operate freight rail service on a number of line segments through the cities of East Chicago, Hammond, Gary, and Whiting, Indiana (collectively referred to as the "Four Cities"). The DEIS analyzed the effect of traffic increases on vehicle delay at nine grade crossings in the Four Cities. The DEIS acknowledges that there is an existing problem with vehicle delay in the Four Cities. The DEIS concludes that the slightly increased delays resulting from Transaction-related traffic increases do not meet the DEIS's criteria for mitigation. Vol. 3A at IN-84.<sup>42</sup>

Despite these conclusions, the DEIS recommends that CSX consult with representatives of the Four Cities, the Indiana Department of Transportation, and other appropriate parties regarding at-grade crossing delay and safety issues. Vol. 4 at 7-21. The DEIS suggests that SEA might recommend mitigation in the FEIS if CSX does not enter into a binding agreement regarding mitigation measures.

CSX notes at the outset that the traffic delay calculations in the DEIS for the nine crossings overstate the post-Transaction traffic delay. The calculations do not take into account the increased average speed on the Pine Junction to Barr Yard Line segment which will result from the capital improvements and operational improvements planned for the line and the Chicago area as a whole. When the increased speed is taken into account, CSX expects that traffic delays at the nine crossings will actually decrease as a result of the Transaction. See Joint Rebuttal

---

<sup>42</sup> The DEIS also analyzed the effects of traffic increases on grade crossing safety throughout the Four Cities and concludes that traffic increases on the Willow Creek to Pine Junction line segment warrant grade crossing protection upgrades at four grade crossings on this segment. This recommendation is addressed in connection with recommended Mitigation Measure 8 above.

Verified Statement of James C. Rooney and T. Stephen O'Connor, Rebuttal Vol. 2 B at HC-277 to HC-317.

CSX voluntarily commenced consultation with the Four Cities and the Indiana Department of Transportation before the DEIS was issued. Those discussions have been very productive to date and CSX is optimistic that an agreement will be reached regarding a variety of measures in the Four Cities. CSX will inform the SEA if it reaches agreement with respect to the Four Cities, and the SEA can document that agreement in the Final EIS for consideration by the Board in evaluating the overall environmental effects of the Transaction.

However, it would not be appropriate for the Board to make any such voluntary agreement relating to what is clearly a pre-existing condition in the Four Cities a condition of Board approval of the Transaction. Nor would it be appropriate for the Board to impose its own condition in the event that an agreement is not reached. The Board has repeatedly held that it will not impose conditions to address pre-existing matters. See UP/SP at 145; BN/SF at 56. This limitation is recognized in the DEIS itself. See DEIS, Vol. 1 at 1-10, 3-3. It is sufficient that the FEIS simply document any voluntary agreement that may be reached with respect to the pre-existing situation under discussion or, if no agreement is reached by the time of the FEIS, report that the parties are consulting.

28-41. Recommended General Mitigation for  
Proposed Construction Projects and  
Abandonments

---

The DEIS recommends that CSX comply with fourteen specified mitigation measures in all construction and abandonment activities described in the DEIS. CSX will do so.



45. Cultural and Historic Resources Review of  
Paris to Danville, IL Abandonment

The DEIS recommends that CSX retain its interest in and take no steps to alter the historic integrity of the line segment proposed for abandonment between Paris and Danville, IL until the Section 106 process is completed. CSX understands from a letter from the Illinois Historic Preservation Agency to Elaine Kaiser, dated January 13, 1998, that the Section 106 process is completed with respect to this line segment. CSX will contact the Illinois SHPO if archeological resources are found during the course of salvage activities, as recommended in the DEIS.

47, 48, 49. Operations over Four CSX Connections

The DEIS recommends that CSX comply with three specified mitigation measures in its operations over its connections at Crestline, Ohio, Willow Creek, Indiana, Greenwich, Ohio and Sidney, Ohio. CSX will do so.

### III. Miscellaneous Comments

The DEIS notes that certain comments and requests for conditions ("CRCs") filed on October 21, 1997 "raise environmental issues that SEA is considering" and that these issues will be considered "until the Final EIS is published." Vol. 1 at 2-36. The DEIS also observes that it did not consider the Applicants' December 15, 1997 rebuttal evidence and argument, which was filed three days after the DEIS was served. The 88 CRCs that requested conditions are listed in Appendix U of Volume 5C of the DEIS. That list also sets forth in very summary form what the DEIS describes as "the potential environmental effects of the conditions requested." Vol. 1 at 2-36. In this section of its comments, CSX will briefly respond to two of the descriptions of potential environmental effects found in Appendix U -- specifically, the description of the environmental impacts of the conditions requested by certain members of the U.S. House of Representatives from New York and Connecticut and by Stark Development Board.

In addition, CSX will briefly respond to suggestions found in Chapter 5 of the DEIS with respect to the New Jersey Department of Transportation and New Jersey Transit Corporation, Southeastern Pennsylvania Transportation Authority, proposed Rockland County, NY commuter service and Amtrak service at Dunkirk, NY. With the exception of the Rockland County matter (which was not the subject of any filing with the Board of which CSX is aware), CSX has responded fully to each of the parties in its December 15 rebuttal. Specific references to the relevant portion of that rebuttal are set forth below.

1. Stark Development Board

The Stark Development Board ("SDB"), an economic development entity based in Stark County Ohio, has filed comments with the Board that request that CSX and NS offer special conditions with respect to an intermodal terminal (known as the Neomodal Terminal) located in that county on the lines of Wheeling & Lake Erie ("W&LE") Railroad. Specifically, SDB requests a series of broad conditions that would require CSX and NS to (1) provide competitive pricing, schedules, market access and reliability to Neomodal, (2) work with W&LE to assure competitive rates, (3) integrate Neomodal into the CSX and NS systems and market it as if it were their own terminal, and (4) enter into long-term lift contracts to repay the loans used to pay for the Terminal's construction. Alternatively, SDB asks that CSX and/or NS be required to purchase the Neomodal Terminal at fair market value and integrate it into their systems.

While the DEIS does not, and has no reason to, evaluate the merits of SDB's requested conditions, the DEIS does note that the closing of the Neomodal Terminal might result in the "loss of environmental benefits like reduced highway congestion and air pollution." DEIS, Appendix U at U-19. CSX briefly responds to this remark in the DEIS to ensure that the SEA does not confuse the general environmental benefits of intermodal rail transportation -- of which there are many -- with the merits of SDB's requested condition -- of which there are none.

Simply put, the failure of the Neomodal Terminal to attract business is entirely unrelated to the proposed Transaction. The primary problem facing the Terminal is the Terminal's location -- it is not located on or near either CSX's or NS' mainlines and is distant from major population and commercial centers. In an intermodal market where most freight is time sensitive, and where

competition with the door-to-door services offered by motor carriers is keen, SDB's decision to locate its Neomodal terminal far from CSX or NS mainlines places that terminal at a distinct disadvantage. All freight moving to or from the Terminal must be switched with W&LE at the nearest CSX and NS yards, an operation that adds both time and expense to the interchange of intermodal units.

For these reasons, the Neomodal terminal is not a financial success today -- a situation having nothing to do with the Transaction. Moreover, the Transaction will not reduce the level of intermodal service available to shippers or the area served by Neomodal. CSX respectfully refers the SEA to pages HC-471 through HC-477 of Volume 1 of Applicants' Rebuttal and to the Rebuttal Verified Statement of Peter Rutski of Volume 2 of Applicants' Rebuttal, for a detailed discussion of why the Board should deny SDB's request for conditions.

In sum, CSX is a firm believer in the economic and environmental benefits of intermodal rail transportation. As the truck diversion studies presented to the Board by CSX and NS indicate, approximately one million intermodal units (trailers or containers) will be diverted from highway transport to the rail system as a result of the proposed Transaction, thereby reducing highway congestion, air pollution, and highway accidents. Indeed, NS and CSX continue to serve Neomodal and to market that facility. However, the overall benefits of intermodal rail transportation do not justify a Board-imposed condition that requires Applicants to provide special treatment to, and indeed to finance or purchase, an intermodal facility of uncertain economic viability for whose creation they were not responsible.



2. East Side of Hudson Issues

Several commentators, including the Tri-State Transportation Campaign (TSTC) and Congressman Nadler, have requested that the Board require CSX and NS to take over the car float service across New York Harbor, currently operated by the New York Cross Harbor Railroad (NYCH). The common element uniting these requests for conditions is the long absence of a rail crossing over the Hudson River south of Albany. This is not a result of the Transaction. While the DEIS does not, and has no reason to, evaluate the feasibility or the merits of a Board-imposed takeover of NYCH, which is suggested by some commentators, the DEIS does note that a "[f]loat operation could reduce congestion on some segments by cutting 300 miles off shipments from New York to New Jersey." DEIS, Vol. 5C at U-12. CSX briefly responds to this remark in the DEIS to make the point that the Board should not conscript CSX and NS to operate the NYCH's existing car float service.

CSX welcomes all studies and analyses that consider methods for connecting rail lines on opposite sides of the river. The New York City Economic Development Corporation ("NYCEDC") has recently launched a two year, \$5 million study, to commence this Spring, to consider alternatives to cross harbor freight movement. CSX has stated its willingness to participate as a resource in this study. If the NYCEDC or any other entity successfully develops a new Hudson River rail crossing, CSX will carefully analyze the merits of the new crossing to take advantage of it.

However, there is a significant difference between recognizing the limits of the current Hudson River crossings and requiring CSX and NS to operate NYCH's car float service -- a

takeover that NYCH has not requested. In their December 15 filing with the Board, CSX and NS argued that TSTC and Congressman Nadler and his colleagues are attempting to use this forum to address a geographical reality that is wholly unrelated to the Transaction. See Applicants' Rebuttal, Vol. 1 at HC-133-36. The question of how to best carry rail traffic from one side of the Hudson River to the other existed well before the proposed Transaction. The Board should permit CSX and NS to utilize existing facilities and should certainly not attempt to address environmental or other consequences of a long-standing geographical reality by unilaterally requiring CSX and NS to purchase an operation which neither railroad desires to conduct. Neither should the Board impose any condition related to this matter while a study is underway to review the usefulness and feasibility of cross-harbor operations.

The DEIS also states that, "SEA has determined that the desired access improvement to the east side of the Hudson River would facilitates freight transport for lower New England." Chapter 5 at NY-42. To the extent that this statement is a reference to the car float operation, it has been addressed above. To the extent that it may also refer to proposals to operate freight trains through Hudson River passenger train tunnels, those proposals are addressed in Applicants' Rebuttal, Vol. 1 at HC-124-33 and in Vol. 2, Rebuttal Verified Statement of R. Paul Carey at HC-37-9 and Rebuttal Verified Statement of John W. Orrison at HC-597. As shown in the referenced portions of Applicants' Rebuttal, freight train operations through existing tunnels under the Hudson River and midtown Manhattan are not feasible due to clearance and operational constraints, as well as a local ordinance that would preclude such operations were they even possible.

3. New Jersey Department of Transportation and New Jersey Transit Corporation

---

The New Jersey Department of Transportation, the New Jersey Transit Corporation, and New Jersey Transit Rail Operations, Inc. (collectively referred to as "NJT") have requested that the Board require Applicants to cooperate with NJT in its efforts to initiate light rail transit service on Conrail's Bordentown Secondary between Trenton and Camden. The Bordentown Secondary will become part of the South Jersey/Philadelphia Shared Assets Area upon Board approval of the proposed Transaction. The DEIS does not recommend any mitigation with regard to the NJT's proposed light rail transit service. However, the DEIS "encourages" Applicants "to contact New Jersey Transit to ensure that the proposed Acquisition would not adversely affect any planned activities." Vol. 3B at NJ-38.

The DEIS was issued before Applicants filed their Rebuttal on December 15, 1997. Applicants' opposition to NJT's requested condition regarding its light rail project on Conrail's Bordentown Secondary was fully addressed in that document and will not be repeated herein. See Applicants' Rebuttal, Vol. 1 at HC-245 to 56; Rebuttal Verified Statement of R. Paul Carey, Vol. 2A at HC-34; Rebuttal Verified Statement of Paul Reistrup, Vol. 2B at HC-225.

Discussions are continuing with NJT on a variety of issues. CSX will inform SEA if it reaches agreement with NJT, and SEA can document that agreement in the FEIS for consideration by the Board in evaluating the overall environmental effects of the Transaction. However, it would not be appropriate for the Board to make any such voluntary agreement relating to the agreement a condition of Board approval of the Transaction. Nor would it be

appropriate for the Board to impose its own condition in the event that an agreement is not reached, for the reasons stated in Applicant's Rebuttal.

4. Southeastern Pennsylvania Transportation Authority

The Southeastern Pennsylvania Transportation Authority ("SEPTA") has requested that the Board require Applicants to cooperate with SEPTA in its efforts to initiate light rail transit service on Conrail's Morrisville and Harrisburg lines. Use of these lines will be allocated to NS, although CSX will have trackage rights over the Morrisville line. The DEIS does not recommend any mitigation with regard to SEPTA's proposed light rail transit service. However, the DEIS "encourages" Applicants "to meet SEPTA . . . to ensure that the proposed Acquisition can be accomplished without adversely affecting commuter rail plans." Vol. 3B at PA-52.

The DEIS was issued before Applicants filed their Rebuttal on December 15, 1997. Applicants' opposition to SEPTA's requested condition regarding its light rail project on Conrail's Morrisville and Harrisburg lines was fully addressed in that document and will not be repeated herein. See Applicants' Rebuttal, Vol. 1 at HC-260-63; Rebuttal Verified Statement of R. Paul Carey, Vol. 2A at HC-34; Rebuttal Verified Statement of Paul Reistrup, Vol. 2B at HC-225.

Discussions are continuing with SEPTA on a variety of issues. CSX will inform SEA if it reaches agreement with SEPTA, and SEA can document that agreement in the FEIS for consideration by the Board in evaluating the overall environmental effects of the Transaction. However, it would not be appropriate for the Board to make any such voluntary agreement relating to the agreement a condition of Board approval of the Transaction. Nor would it be appropriate for the Board to impose its own condition in the event that an agreement is not reached, for the reasons stated in Applicant's Rebuttal.



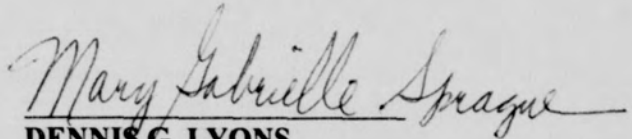
5. New York Rail Passenger Service

The DEIS notes that Rockland County, New York is studying the possibility of restoring commuter service on Conrail's River Line. The River Line would be allocated to CSX if the Transaction is approved, and would be part of CSX's main route between New York and Selkirk and from Selkirk east to Boston and west to Chicago. Because Rockland County never informed CSX of its study, CSX first learned of Rockland County's intentions when reading the DEIS. CSX will be willing to evaluate Rockland County's proposal if and when Rockland County's study receives the endorsement of a public agency authorized by the State of New York to operate commuter rail services.

The DEIS states that the City of Dunkirk, NY desires to have Amtrak's Lake Shore Limited stop there and reports that the "City and CSX reached a service agreement, but a dispute developed over the need to refurbish the existing station, which is owned by Conrail." Vol. 3B at NY-15. The DEIS has not accurately reported the facts. There is no agreement between CSX and the City with respect to such service. Amtrak has previously considered a Dunkirk stop, but has no plans to add a stop at Dunkirk for its Lake Shore Limited. That train -- the only Amtrak train to traverse Dunkirk -- passes through the city at about 4 a.m. on its eastbound and westbound trip, an hour that is not particularly conducive to a successful passenger operation. See Rebuttal, Vol. 1 at HC-279-80. Further, new passenger service at Dunkirk has nothing to do

with this Transaction. Whether such service is to be provided is a matter properly left for consideration by Amtrak, the City and Conrail or CSX in due course. It is not a matter that the Board should consider here.

Respectfully submitted,



**DENNIS G. LYONS**  
**MARY GABRIELLE SPRAGUE**  
**SUSAN B. CASSIDY**  
**DANIEL A. CANTOR**  
Arnold & Porter  
555 12th Street, N.W.  
Washington, DC 20004-1202  
(202) 942-5000

**MARK G. ARON**  
**PETER J. SHUDTZ**  
CSX Corporation  
One James Center  
901 East Cary Street  
Richmond, VA 23129  
(804) 782-1400

**P. MICHAEL GIFTOS**  
**PAUL R. HITCHCOCK**  
**PAMELA E. SAVAGE**  
CSX Transportation, Inc.  
500 Water Street  
Speed Code J-120  
Jacksonville, FL 32202  
(904) 359-3100

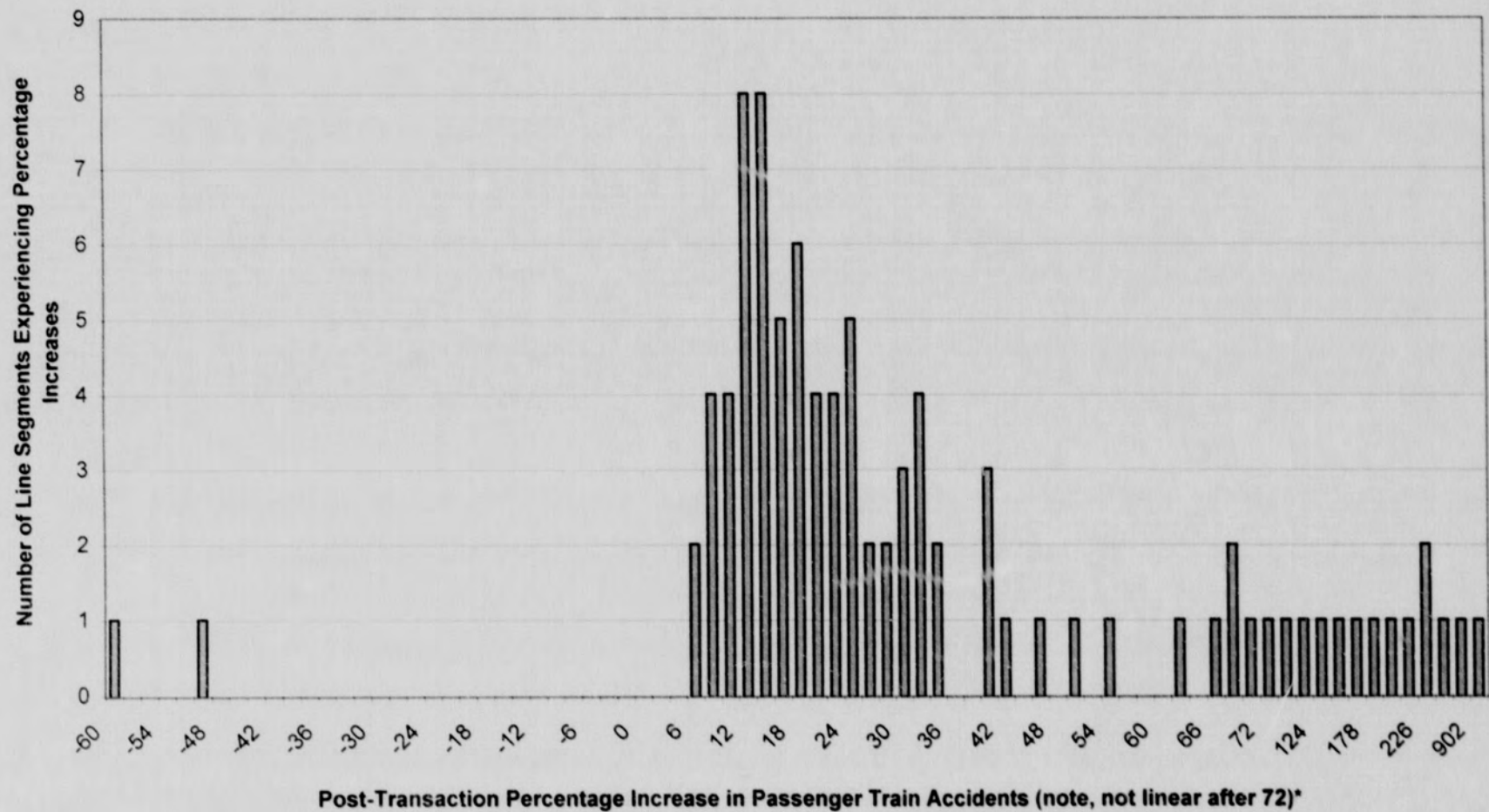
*Counsel for CSX Corporation  
and CSX Transportation, Inc.*

**SAMUEL M. SIPE, JR.**  
**DAVID H. COBURN**  
**CAROLYN D. CLAYTON**  
Steptoe & Johnson, LLP  
1330 Connecticut Ave. N.W.  
Washington, DC 20036-1795  
(202) 429-3000

February 2, 1998



**Exhibit 1**  
**Histogram of Percentage Changes in Freight Passenger Accident Rate, Post-Transaction**  
**(DEIS Data)**

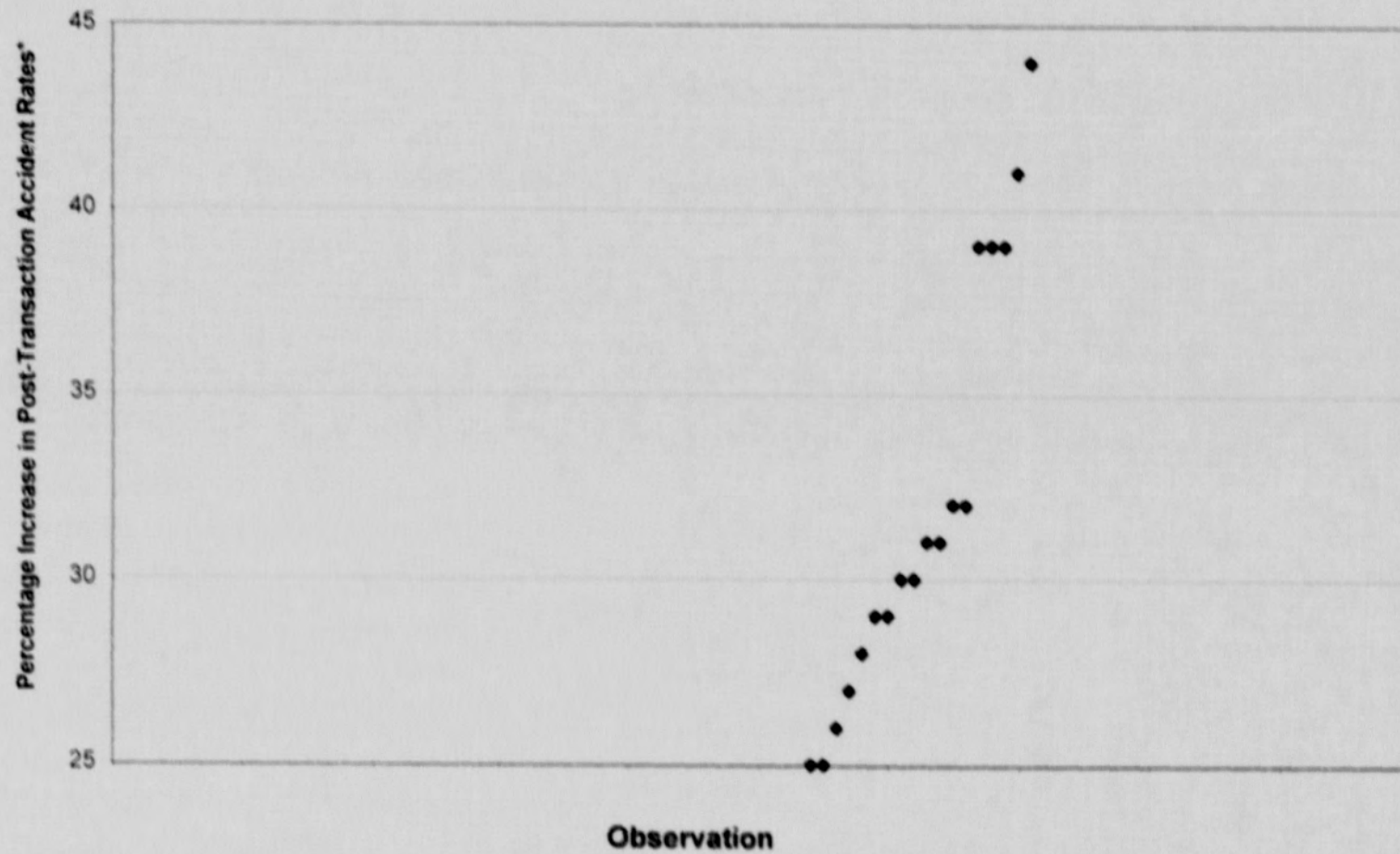


\* Based on data in Attachment B-2 of Appendix B of DEIS.





**Exhibit 2**  
**Partial Distribution of Post-Transaction Accident Percentage Increases**



\* Based on data in Attachment B-2 of Appendix B of DEIS.



### EXHIBIT 3

#### DESCRIPTION OF CSX COMPLIANCE WITH POTENTIAL PASSENGER TRAIN SAFETY MITIGATION MEASURES DESCRIBED IN CHAPTER 3 OF THE DEIS

Chapter 3 of the DEIS, sections 3.2.3 and 3.3.3, describe a variety of potential mitigation measures for passenger rail safety as follows:

- Enhanced rail-safety programs, such as closer spacing of rail car defect detectors along rail lines.
- Increased frequency of track inspections, tank car inspections, and highway/rail at-grade crossing signal inspections.
- Toll-free numbers for use by emergency response forces in communities to contact railroad authorities.
- Training programs for community and emergency response personnel to enhance their abilities to respond to rail-related emergency incidents.
- Head-hardened rail-on-track curves in mountainous territory to reduce the risk of track breakage and serious derailments.
- Centralized train traffic control systems for safer rail operations.
- Replacement of old rails to reduce the risk of derailment.
- New track installation to increase the capacity of the rail line segment, which reduces the potential for train collisions.
- Improved rail signal system to make more efficient and safer use of track

In this exhibit, CSX will describe its existing compliance, on the five line segments identified for passenger train safety mitigation, with each of the nine measures described above.

Rail Safety Programs/Defect Detectors -- On each of the five CSX line segments at issue, and on each line segment on which passenger operations are conducted on the CSX system, CSX applies special safety measures to enhance passenger safety. These measures are described below.

With respect to rail car defect detectors, these are already in place on each of the identified CSX segments. The industry standard is the placement of detectors approximately 40 miles apart. CSX has exceeded this standard on all of these line segments. The 42 mile Point of Rocks line segment thus has four detectors, with a fifth located just west of the Point of Rocks

terminus of this segment. The approximately 50 mile Fredericksburg line segment has five detectors, with a fifth located just north of Potomac Yard. The 45 mile Savannah-Jesup segment has three detectors. The 33 mile Weldon-Rocky Mount segment has 3 detectors, while the 65 mile South Richmond-Weldon segment has 4 detectors. These detectors are strategically located at appropriate distances and at points of ingress and egress from each of the segments.

2. Regular Inspection of Track -- CSX already has in place a program to inspect these segments at least twice per week, consistent with FRA requirements.

3. Toll Free Telephone Number -- The third potential mitigation measure identified in Chapter 3 is the establishment of toll free telephone numbers for use by emergency response forces to contact railroad authorities. This measure is already in place.

4. Emergency Response Training -- The fourth listed potential mitigation measure is training programs for local emergency response organizations. Such programs are already available to communities. As described at pages 218-219 of CSX's Safety Integration Plan, CSX has undertaken a variety of emergency safety activities in connection with MARC operations. CSX has worked closely with MARC officials to assist and instruct Emergency Responder Training classes for fire departments and medical teams along the Point of Rocks line. CSX also developed a complete training program for its crews operating MARC trains. That program keeps crews abreast emergency equipment and passenger evacuation instructions. In conjunction with Amtrak and Maryland commuter officials, CSX has prepared an emergency training video which it shows to all such crews. Crews are also periodically tested to ensure compliance with collision prevention and response procedures.

Similar training is undertaken in coordination with VRE and Amtrak. Further, crews operating VRE and MARC trains have been equipped with cellular phones for emergency use in the event that radio communications cannot be used for any reason. These phones have been pre-programmed with all pertinent numbers that the conductor needs.

5. Head-Hardened Curves -- The fifth potential mitigation measure identified in Chapter 3 is head-hardened rail-on-track curves in mountainous territory. None of the CSX line segments identified for mitigation traverses mountainous territory and therefore these measures are not relevant.

6. Centralized Traffic Control -- The sixth potential mitigation measure is centralized traffic control. As discussed above, each of the five segments at issue here already has an operational traffic control system. These systems offer a significant safety enhancement, eliminating the possibility of two trains receiving conflicting signals.

7. Replacement of Old Rails -- CSX adheres fully to FRA requirements in terms of track replacement.



8. Enhancement of Track Capacity -- The eighth potential passenger train mitigation measure is the enhancement of track capacity. There is no capacity problem in terms of current or projected freight and current passenger operations with any of the five lines that have been identified. The lines at issue are projected to experience only modest freight train frequency increases of between 4.6 and 7.1 trains/day, and these lines can readily handle this increased activity. Further, in order to accommodate increased passenger service, capacity improvements are being undertaken on both the Point of Rocks and the Fredericksburg lines, which are the two lines over which there are commuter, as well as Amtrak, operations. A track capacity enhancement project is already funded and in advanced engineering stages on the Point of Rocks line, while track improvements have been funded for the Fredericksburg line and some construction has begun.

9. Rail Signal Systems -- The final potential mitigation measure identified by SEA is improved rail signal systems. CSX is in the midst of a signal upgrade program in which pole lines are being replaced with more reliable (and easier to maintain) solid state microprocessors. This work has already been completed on the South Richmond-Weldon and Weldon-Rocky Mount segments, which now have radio-based code lines and electronic track circuits. Additional signal upgrades are also planned for the Savannah-Jesup and other line segments. The signal systems currently in place on each of the line segments provide fully adequate protection against train collisions.

Further, as discussed in the CSX SIP at page 141, an automatic train control system with cab signals is already in place on the Fredericksburg (RF&P) line. This system will be modified so that it is compatible with the system in use on certain of the Conrail lines and the Northeast Corridor. CSX, Amtrak and VRE locomotives operating on this segment are all required, under CSX rules, to be equipped with cab signals. A cab signal system is also being developed for use on the Point of Rocks line. By means of these cab signal systems, engineers are able to see the governing signal in the locomotive cab, thereby enhancing safety by reducing the possibility of missed signals.





**EXHIBIT 4**

**Preliminary Rail Line Segments That May Warrant Key Route Mitigation<sup>1</sup>**

State	Site ID	Post-Transaction Operator	Segment	County
<b>Part A. Post-Transaction Routes On Which Projected Hazardous Materials Traffic Would Double And Exceed 20,000 Carloads Annually</b>				
NJ	S-032	Shared	Port Newark to Bayway, NJ	NJ: Union and Essex
<b>Marion --- Toledo, Ohio</b>				
OH	C-070	CSX	Marion to Fostoria, OH	OH: Marion, Wyandot, and Seneca
OH	C-228	CSX	Fostoria to Toledo, OH	OH: Seneca and Wood
<b>Quaker --- Fostoria, Ohio</b>				
OH	C-073	CSX	Quaker to Mayfield, OH	OH: Cuyahoga
OH	C-072	CSX	Mayfield to Marcy, OH	OH: Cuyahoga
OH	C-069	CSX	Marcy to Short, OH	OH: Cuyahoga
OH	C-074	CSX	Short to Berea, OH	OH: Cuyahoga
OH	C-061	CSX	Berea to Greenwich, OH	OH: Cuyahoga, Lorain, and Huron
OH	C-068	CSX	Greenwich to Willard, OH	OH: Huron
OH	C-075	CSX	Willard to Fostoria, OH	OH: Huron and Seneca
OH IN	C-066	CSX	Deshler, OH to Willow Creek, IN	OH: Henry and Defiance IN: DeKalb, Noble, Marshall, Elkhart, Kosciusko, LaPorte, Porter, St. Joseph, and Lake
<b>Part B. Post-Transaction Routes Projected To Meet Key Route Criteria</b>				
GA	C-377	CSX	Manchester to Lagrange, GA	GA: Troup and Meriwether
<b>NJ Cabin, Kentucky --- Marion, Ohio</b>				
KY OH	C-230	CSX	NJ Cabin, KY to Columbus, OH	KY: Greenup OH: Franklin, Pickaway, Ross, Pike, and Scioto
OH	C-229	CSX	Columbus to Marion, OH	OH: Franklin, Delaware, and Marion
<b>Relay, Maryland --- Washington, DC</b>				
MD	C-037	CSX	Relay to Jessup, MD	MD: Anne Arundel, Baltimore, and Howard
MD	C-034	CSX	Jessup to Alexandria Junction, MD	MD: Howard and Prince George's
MD	C-031	CSX	Alexandria Junction, MD to Washington, DC	MD: Prince George's DC: Washington, DC
SC	C-344	CSX	Ashley Junction to Yemassee, SC	SC: Berkeley, Charleston, and Colleton

<sup>1</sup> Routes on which AAR Circular No. OT-55-B measures are already in place are shown in bold.

# Preliminary Rail Line Segments That May Warrant Key Route Mitigation<sup>1</sup>

State	Site ID	Post-Transaction Operator	Segment	County
<b>Part A. Post-Transaction Routes On Which Projected Hazardous Materials Traffic Would Double And Exceed 20,000 Carloads Annually</b>				
NJ	S-032	Shared	Port Newark to Bayway, NJ	NJ: Union and Essex
<b>Marion --- Toledo, Ohio</b>				
OH	C-070	CSX	Marion to Fostoria, OH	OH: Marion, Wyandot, and Seneca
OH	C-228	CSX	Fostoria to Toledo, OH	OH: Seneca and Wood
<b>Quaker --- Fostoria, Ohio</b>				
OH	C-073	CSX	Quaker to Mayfield, OH	OH: Cuyahoga
OH	C-072	CSX	Mayfield to Marcy, OH	OH: Cuyahoga
OH	C-069	CSX	Marcy to Short, OH	OH: Cuyahoga
OH	C-074	CSX	Short to Berea, OH	OH: Cuyahoga
OH	C-061	CSX	Berea to Greenwich, OH	OH: Cuyahoga, Lorain, and Huron
OH	C-068	CSX	Greenwich to Willard, OH	OH: Huron
OH	C-075	CSX	Willard to Fostoria, OH	OH: Huron and Seneca
OH IN	C-066	CSX	Deshler, OH to Willow Creek, IN	OH: Henry and Defiance IN: DeKalb, Noble, Marshall, Elkhart, Kosciusko, LaPorte, Porter, St. Joseph, and Lake
<b>Part B. Post-Transaction Routes Projected To Meet Key Route Criteria</b>				
GA	C-377	CSX	Manchester to Lagrange, GA	GA: Troup and Meriwether
<b>NJ Cabin, Kentucky --- Marion, Ohio</b>				
KY OH	C-230	CSX	NJ Cabin, KY to Columbus, OH	KY: Greenup OH: Franklin, Pickaway, Ross, Pike, and Scioto
OH	C-229	CSX	Columbus to Marion, OH	OH: Franklin, Delaware, and Marion
<b>Relay, Maryland --- Washington, DC</b>				
MD	C-037	CSX	Relay to Jessup, MD	MD: Anne Arundel, Baltimore, and Howard
MD	C-034	CSX	Jessup to Alexandria Junction, MD	MD: Howard and Prince George's
MD	C-031	CSX	Alexandria Junction, MD to Washington, DC	MD: Prince George's DC: Washington, DC
DC				
SC	C-344	CSX	Ashley Junction to Yemassee, SC	SC: Berkeley, Charleston, and Colleton

<sup>1</sup> Routes on which AAR Circular No. OT-55-B measures are already in place are shown in bold.

# Preliminary Rail Line Segments That May Warrant Key Route Mitigation<sup>1</sup>

State	Site ID	Post-Transaction Operator	Segment	County
<b>Part A. Post-Transaction Routes On Which Projected Hazardous Materials Traffic Would Double And Exceed 20,000 Carloads Annually</b>				
NJ	S-032	Shared	Port Newark to Bayway, NJ	NJ: Union and Essex
<b>Marion --- Toledo, Ohio</b>				
OH	C-070	CSX	Marion to Fostoria, OH	OH: Marion, Wyandot, and Seneca
OH	C-228	CSX	Fostoria to Toledo, OH	OH: Seneca and Wood
<b>Quaker --- Fostoria, Ohio</b>				
OH	C-073	CSX	Quaker to Mayfield, OH	OH: Cuyahoga
OH	C-072	CSX	Mayfield to Marcy, OH	OH: Cuyahoga
OH	C-069	CSX	Marcy to Short, OH	OH: Cuyahoga
OH	C-074	CSX	Short to Berea, OH	OH: Cuyahoga
OH	C-061	CSX	Berea to Greenwich, OH	OH: Cuyahoga, Lorain, and Huron
OH	C-068	CSX	Greenwich to Willard, OH	OH: Huron
OH	C-075	CSX	Willard to Fostoria, OH	OH: Huron and Seneca
OH IN	C-066	CSX	Deshler, OH to Willow Creek, IN	OH: Henry and Defiance IN: DeKalb, Noble, Marshall, Elkhart, Kosciusko, LaPorte, Porter, St. Joseph, and Lake
<b>Part B. Post-Transaction Routes Projected To Meet Key Route Criteria</b>				
GA	C-377	CSX	Manchester to Lagrange, GA	GA: Troup and Meriwether
<b>NJ Cabin, Kentucky --- Marion, Ohio</b>				
KY OH	C-230	CSX	NJ Cabin, KY to Columbus, OH	KY: Greenup OH: Franklin, Pickaway, Ross, Pike, and Scioto
OH	C-229	CSX	Columbus to Marion, OH	OH: Franklin, Delaware, and Marion
<b>Relay, Maryland --- Washington, DC</b>				
MD	C-037	CSX	Relay to Jessup, MD	MD: Anne Arundel, Baltimore, and Howard
MD	C-034	CSX	Jessup to Alexandria Junction, MD	MD: Howard and Prince George's
MD	C-031	CSX	Alexandria Junction, MD to Washington, DC	MD: Prince George's DC: Washington, DC
SC	C-344	CSX	Ashley Junction to Yemassee, SC	SC: Berkeley, Charleston, and Colleton

<sup>1</sup> Routes on which AAR Circular No. OT-55-B measures are already in place are shown in bold.





EXHIBIT 5

ANALYSIS OF THE IDENTIFICATION OF RAILROAD  
CROSSINGS POTENTIALLY REQUIRING MITIGATION  
IN THE DRAFT ENVIRONMENTAL IMPACT STATEMENT  
FOR THE PROPOSED CONRAIL ACQUISITION

February 2, 1998

Submitted to:

CSX Corporation and CSX Transportation, Inc.

Submitted by:

ICF Kaiser

9300 Lee Highway

Fairfax, Virginia 22031

## I. Summary of Results

ICF Kaiser analyzed the sixty-two (62) CSX railroad crossings identified in the DEIS as requiring mitigation. ICF Kaiser performed a multi-step review of the DEIS findings to determine if the DEIS had characterized each crossing appropriately according to its own criteria.

First, ICF Kaiser determined that eight (8) crossings did not meet the DEIS' Category A or Category B significance criteria and were, therefore, inadvertently identified in the DEIS. It appears that the DEIS relied on the post-Transaction accident rates to determine whether a threshold was exceeded. If the correct pre-Transaction accident rate is used, no mitigation would be required at these eight crossings (reference Table 1, column 19).

Second, ICF Kaiser determined which of the remaining crossings already had in place, or were funded and scheduled to have in place, warning devices that met or exceeded the DEIS recommendation. Twenty-three (23) crossings meet this standard (reference Appendix).

Third, ICF Kaiser determined that at one crossing, the state agency with jurisdictional authority recommended an improvement that was different from what was recommended in the DEIS (reference Appendix).

Fourth, ICF Kaiser determined that another nine (9) crossings are in the process of being examined by appropriate state agencies for non-Transaction related issues. These projects are not yet funded and scheduled (reference Appendix).

Fifth, ICF Kaiser determined that one crossing was closed, and therefore cannot be subject to mitigation (reference Appendix).

Sixth, for the remaining twenty (20) crossings, ICF Kaiser recalculated the DEIS formula using more current accident history data than were available to the SEA. The DEIS relies on data from 1991-95 in its analysis. Since completion of the DEIS, data from 1992-1996 have become available. When these data are applied to the DEIS methodology, sixteen (16) crossings no longer trigger the DEIS Category A or B significance criteria (reference Table 1, column 20).

Finally, for the remaining four crossings, one is on the Toledo to Deshler line and should not be subject to any Transaction-related impact (155821J). For the final three crossings, consultation with state authorities may be appropriate (reference Appendix).

## II. Detailed Methodology

The DEIS evaluated safety implications to motorists from increased train operations on rail line segments resulting from the proposed Acquisition.

The standard FRA method of calculating crossing safety was used. The procedure is described in Appendix B of the DEIS. The method calculates the risk of an accident at a highway/rail at-grade crossing based upon the characteristics of the grade crossing and statistical information regarding historic accident experience. The historic data are based on FRA records of accidents and incidents, along with the inventory of physical and functional crossing characteristics. ICF Kaiser performed calculations independent of those performed in the DEIS, using the same methodology. Calculations were performed for the pre- and post-Transaction train traffic conditions, and are presented on the attached Table 2. The method uses three formulae (reference pp. 22-24 of the DEIS):

$$a = K \times EI \times DT \times MS \times MT \times HP \times HL \quad [1]$$

$$B = [T_0/(T_0+T)] \times (a) + [T/(T_0+T)] \times (N/T) \text{ where } T_0 = 1/(0.05+a) \quad [2]$$

$$\begin{aligned} A &= 0.8239 \times B \text{ (for crossings protected by passive devices only),} \\ &= 0.6935 \times B \text{ (for crossings protected by flashing lights only),} \\ &= 0.6714 \times B \text{ (for crossings protected by gates and flashing lights)} \end{aligned} \quad [3]$$

where:

a = the initial predicted number of accidents per year.

K = the basic accident prediction formula constant.

El = the exposure index factor based on the product of the number of roadway vehicles and trains per day.

DT = the factor for the number of trains per day during daylight.

MS = the factor for maximum timetable speed.

MT = the factor for number of main tracks.

HP = the factor for paved roadway.

HL = the factor for number of roadway lanes.

B = the weighted average of predicted accident rate and actual accident history.

T = the number of years of recorded accident history.

T<sub>O</sub> = the weighting factor in DOT accident prediction formula.

N = the number of accidents recorded for a crossing in T years.

A = the final predicted number of accidents per year.

The first formula [1] is the result of multiple regression analyses performed on data from the FRA databases. The factors K through HL used to calculate (a) were derived using the methodology outlined in the attached reference Table, 3-1, "Equations for Crossing Characteristic Factors."<sup>1</sup> The value (a) is the Basic Yearly Accident Rate, calculated by ICF Kaiser for the pre-and post-Transaction train traffic loads [reference Table 2, columns 35 and 36]. All values used in formula [1] can be found in attached Table 2, columns 9 - 34. Variables that change between the pre- and post-Transaction case are listed in separate columns, side-by-side.

The results (a) of the first formula serve as an input to the second formula [2], which averages the initial predicted accident rates for a highway/rail at-grade crossing with the actual experience. FRA recommends that actual accident experience be limited to the most recent five year period. ICF Kaiser used data from the 1996 FRA database to obtain accident rates for 1992-1996 [reference column 9]. The second formula yields B, the weighted average of predicted accident rate and actual accident history for pre- and post-Transaction data [reference Table 2, columns 37 and 38].

The pre- and post-Transaction values (B) are adjusted in the third formula [3], which applies a constant to yield the Final Predicted Number of Accidents per Year (A). This value is again calculated for the

---

<sup>1</sup> Table 3-1, Rail-Highway Crossing Resource Allocation Procedure User's Guide, Third Edition, August, 1987.

pre- and post-Transaction cases [reference Table 2, columns 39 and 40]. The constant in formula [3] adjusts for the level of protection provided by warning devices at a specific crossing.

### **Criteria of Significance for Highway/Rail At-Grade Crossing Safety Effects**

The DEIS used the following criteria to determine if each specific crossing warranted mitigation measures:

- The crossing was in the top 50 for the state in pre-Transaction accident rate; or
- The crossing had accident frequencies of at least 0.15 per year pre-Transaction and an increase of at least 0.01 accidents per year post-Transaction; or
- For crossings that did not meet or exceed the 50 highest frequencies or the 0.15 accident rate, the DEIS considered an increase of at least 0.05 accidents per year as significant.

ICF Kaiser applied these criteria to the calculated pre- and post-Transaction values of (A) to ascertain whether segments warranted potential mitigation, per the independent calculations using 1992-1996 data. Column 42 of Table 2 displays 'Y' if the segment warrants mitigation, and 'N' if it does not, *per the ICF Kaiser calculations using 1992-1996 FRA data.*

For comparison purposes, ICF Kaiser hand-entered the pre- and post-Transaction values of (A) calculated in the DEIS [reference Table 2, columns 43 and 44]. Column 47 displays the results of applying the DEIS criteria for safety mitigation to these DEIS values of (A).

Note that in both columns 42 and 47, a lower case 'y' represents a crossing in the top 50 crossings for a given state's accident frequencies, per 1996 FRA data.



## Appendix: Crossing Safety Mitigation

(\*) - indicates change from DEIS

Crossing: 345246C (KY)  
Subdivision: Henderson  
Segment: Evansville, IN to Amqui, TN  
Segment ID: C-021  
City (\*): Pembroke (Hopkinsville in DEIS)  
Street (\*): Duffy Street (Duffey Street in DEIS)  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: consultation with state may be appropriate  
Notes:

In top 50 crossings for state, per DEIS.

Crossing: 345269J (KY)  
Subdivision: Henderson  
Segment: Evansville, IN to Amqui, TN  
Segment ID: C-021  
City: Hopkinsville  
Street: E 6<sup>th</sup> Street  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: crossing does not meet thresholds using 1992-96 data

Crossing: 345318D (KY)  
Subdivision: Henderson  
Segment: Evansville, IN to Amqui, TN  
Segment ID: C-021  
City (\*): Earlinton (Madisonville in DEIS)  
Street: W Moss Ave  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights funded and scheduled

Crossing (\*): 345329R (KY) (155645N in DEIS)  
Subdivision: Henderson  
Segment: Evansville, IN to Amqui, TN  
Segment ID: C-021  
City: Madisonville  
Street: W Center St  
DEIS present device: flashing lights  
DEIS recommended device: gates  
Status: flashing lights and gates funded and scheduled

Crossing: 345331S (KY)  
Subdivision: Henderson  
Segment: Evansville, IN to Amqui, TN  
Segment ID: C-021  
City: Madisonville  
Street: W 1<sup>st</sup> Ave  
DEIS present device: flashing lights  
DEIS recommended device: grade separation  
Status: consultation with state may be appropriate

Crossing: 345362R (KY)  
Subdivision: Henderson  
Segment: Evansville, IN to Amqui, TN  
Segment ID: C-021  
City: Sebree  
Street: W Dixon  
DEIS present device: flashing lights  
DEIS recommended device: gates  
Status: consultation with state may be appropriate

Crossing: 342470C (IN)  
Subdivision: C E & D  
Segment: Vincennes, IN to Evansville, IN  
City: Princeton  
Segment ID: C-025  
Street: CR 100 N  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 342473X (IN)  
Subdivision: C E & D  
Segment: Vincennes, IN to Evansville, IN  
Segment ID: C-025  
City: Princeton  
Street: Spring St  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: crossing closed

Crossing: 342481P (IN)  
Subdivision: C E & D  
Segment: Vincennes, IN to Evansville, IN  
Segment ID: C-025  
City: Princeton  
Street: Mulberry St  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 342493J (IN)  
Subdivision: C E & D  
Segment: Vincennes, IN to Evansville, IN  
Segment ID: C-025  
City (\*): Fort Branch (Princeton in DEIS)  
Street: W John St  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: current state project for preexisting conditions/ not yet funded

Crossing: 342413N (IN)  
Subdivision: C E & D  
Segment: Vincennes, IN to Evansville, IN  
Segment ID: C-025  
City: Vincennes  
Street: Hart St  
DEIS present device: flashing lights  
DEIS recommended device: gates  
Status: current state project for preexisting conditions/ not yet funded

Crossing: 342416J (IN)  
Subdivision: C E & D  
Segment: Vincennes, IN to Evansville, IN  
Segment ID: C-025  
City: Vincennes  
Street: Perry St  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 342417R (IN)  
Subdivision: C E & D  
Segment: Vincennes, IN to Evansville, IN  
Segment ID: C-025  
City: Vincennes  
Street: Buntin St  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: DEIS incorrectly classified.  
Notes:  
Crossing does not meet thresholds using 1992-1996 data.

Crossing: 342425H (IN)  
Subdivision: C E & D  
Segment: Vincennes, IN to Evansville, IN  
Segment ID: C-025  
City: Vincennes  
Street: S 15<sup>th</sup> St  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 342829D (IN)  
 Subdivision: C E & D  
 Segment: Vincennes, IN to Evansville, IN  
 Segment ID: C-025  
 City (\*): Haubstadt (Stacer in DEIS)  
 Street: Stacer Rd  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: Crossing does not meet thresholds using 1992-1996 data

Crossing: 342850J (IN)  
 Subdivision: Evansville Terminal  
 Segment: Vincennes, IN to Evansville, IN  
 Segment ID: C-025  
 City: Evansville  
 Street: Ohio St  
 DEIS present device: flashing lights  
 DEIS recommended device: gates  
 Status: gates funded and scheduled

Crossing: 155632M (IN)  
 Subdivision: Garrett  
 Segment: Willow Creek, IN to Pine Jct, IN  
 Segment ID: C-027  
 City: Gary  
 Street: Countyline Rd  
 DEIS present device: flashing lights  
 DEIS recommended device: gates  
 Status: DEIS incorrectly classified.  
 Notes:  
 Crossing does not meet thresholds using 1992-1996 data.

Crossing: 155633U (IN)  
 Subdivision: Garrett  
 Segment: Willow Creek, IN to Pine Jct, IN  
 Segment ID: C-027  
 City: Gary  
 Street: Hobart Rd  
 DEIS present device: flashing lights  
 DEIS recommended device: gates  
 Status: current state project for preexisting conditions/ not yet funded

Crossing: 155637W (IN)  
 Subdivision: Garrett  
 Segment: Willow Creek, IN to Pine Jct, IN  
 Segment ID: C-027  
 City: Gary  
 Street: Lake St  
 DEIS present device: gates  
 DEIS recommended device: 4-quadrant gates or median barriers  
 Status: Crossing does not meet thresholds using 1992-1996 data

Crossing: 155645N (IN)  
 Subdivision: Garrett  
 Segment: Willow Creek, IN to Pine Jct, IN  
 Segment ID: C-027  
 City: Gary  
 Street: Clarke Rd  
 DEIS present device: flashing lights  
 DEIS recommended device: gates  
 Status: gates funded and scheduled

Crossing: 232122V (OH)  
 Subdivision: Saginaw  
 Segment: Carleton, MI to Toledo, OH  
 Segment ID: C-040  
 City (\*): Toledo (Alexis in DEIS)  
 Street: Conneau (State Line Rd)  
 DEIS present device: gates  
 DEIS recommended device: 4-quadrant gates or median barriers  
 Status: Crossing does not meet thresholds using 1992-1996 data  
 Notes:

Ohio PUCO analyzed crossing after the installation of gates and found no accidents since gates installed.

Crossing: 518507F (OH)  
 Subdivision: N/A  
 Segment: Berea, OH to Greenwich, OH  
 Segment ID: C-061  
 City: Wellington  
 Street: Pitts Rd  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: flashing lights and gates funded and scheduled

Crossing: 532688W (OH)  
 Subdivision: N/A  
 Segment: Bucyrus, OH to Adams, IN  
 Segment ID: C-062  
 City (\*): Lafayette (City not identified in DEIS)  
 Street: Lafayette Rd  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: flashing lights and gates funded and scheduled

Crossing: 502682Y (OH)  
 Subdivision: N/A  
 Segment: Crestline, OH to Bucyrus, OH  
 Segment ID: C-064  
 City: Galion  
 Street: Biddle Rd  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: flashing lights and gates funded and scheduled



Crossing: 155755Y (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Deshler  
Street: Main St  
DEIS present device: flashing lights  
DEIS recommended device: gates  
Status: flashing lights and gates funded and scheduled

Crossing: 155789T (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City (\*): Weston (Bowling Green in DEIS)  
Street: Range Line Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data  
Notes:  
Ohio PUCO determined no improvements warranted.

Crossing (\*): 155794P (OH) (155794T in DEIS)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City (\*): Tontogany (Bowling Green in DEIS)  
Street: Kellogg Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 155798S (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City (\*): Tontogany (Tontogany in DEIS)  
Street: Washington St  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data

Crossing: 155799Y (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City (\*): Tontogany (Tontogany in DEIS)  
Street (\*): Tontogany Rd (Tontogany Rd in DEIS)  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data  
Notes:  
Ohio PUCO determined no improvements warranted.

Crossing: 155804T (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Haskins  
Street: Middletown Pike  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 155812K (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Perrysburg  
Street (\*): Five Point Rd (Fire Point Rd in DEIS)  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data  
Notes:  
Ohio PUCO determined no improvements warranted.

Crossing: 155814Y (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Perrysburg  
Street: Roachton Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data  
Notes:  
Ohio PUCO determined no improvements warranted.

Crossing: 155818B (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Perrysburg  
Street: Eckel Jct Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 155819H (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Perrysburg  
Street: Eckel Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data  
Notes:  
Ohio PUCO determined no improvements warranted.

Crossing: 155820C (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Perrysburg  
Street: Eckel Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data  
Notes:  
Ohio PUCO determined no improvements warranted.

Crossing: 155821J (OH)  
Subdivision: Toledo  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Perrysburg  
Street: W Boundary St  
DEIS present device: gates  
DEIS recommended device: 4-quadrant gates or median barriers  
Status: consultation with state may be appropriate

Crossing: 155838M (OH)  
Subdivision: Toledo Terminal  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Rossford  
Street: Ford Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 155839U (OH)  
Subdivision: Toledo Terminal  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Rossford  
Street: Bates Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data  
Notes:

Ohio PUCO determined no improvements warranted.

Crossing: 155840N (OH)  
Subdivision: Toledo Terminal  
Segment: Deshler, OH to Toledo, OH  
Segment ID: C-065  
City: Rossford  
Street (\*): Schreier Rd (Schrick Rd. in DEIS)  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Crossing does not meet thresholds using 1992-1996 data  
Notes:

Ohio PUCO determined no improvements warranted.

Crossing: 155419P (IN)  
Subdivision: Garrett  
Segment: Deshler, OH to Willow Creek, IN  
Segment ID: C-066  
City (\*): Nappanee (Elkhart in DEIS)  
Street: CR 9  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Current state project for preexisting conditions/ not yet funded.  
Notes:  
Crossing does not meet thresholds using 1992-1996 data.

Crossing: 155391B (IN)  
 Subdivision: Garrett  
 Segment: Deshler, OH to Willow Creek, IN  
 Segment ID: C-066  
 City (\*): Syracuse (Warsaw in DEIS)  
 Street (\*): Seventh St - Front (Seventh St in DEIS)  
 DEIS present device: flashing lights  
 DEIS recommended device: gates  
 Status: DEIS incorrectly classified.  
 Notes:  
 Crossing does not meet thresholds using 1992-1996 data. Current state project for preexisting conditions/ not yet funded.

Crossing: 155392H (IN)  
 Subdivision: Garrett  
 Segment: Deshler, OH to Willow Creek, IN  
 Segment ID: C-066  
 City (\*): Syracuse (Warsaw in DEIS)  
 Street: Huntington St  
 DEIS present device: gates  
 DEIS recommended device: 4-quadrant gates or median barriers  
 Status: Two extra gates are being installed, but NOT 4-quadrant gates or median barriers. Control circuitry being modernized.  
 Notes:  
 DEIS incorrectly classified.

Crossing: 155394W (IN)  
 Subdivision: Garrett  
 Segment: Deshler, OH to Willow Creek, IN  
 Segment ID: C-066  
 City (\*): Syracuse (Warsaw in DEIS)  
 Street: Main/Syr-Web  
 DEIS present device: flashing lights  
 DEIS recommended device: gates  
 Status: Current state project for preexisting conditions/ not yet funded

Crossing: 155395D (OH)  
 Subdivision: Garrett  
 Segment: Deshler, OH to Willow Creek, IN  
 Segment ID: C-066  
 City (\*): Syracuse (Warsaw in DEIS)  
 Street: Oak St  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: Crossing does not meet thresholds using 1992-1996 data



Crossing: 155484V (IN)  
Subdivision: Garrett  
Segment: Deshler, OH to Willow Creek, IN  
Segment ID: C-066  
City (\*): Walkerton (Portage in DEIS)  
Street (\*): CR 875 E  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: DEIS incorrectly classified.  
Notes:  
Current state project for preexisting conditions/ not yet funded. Crossing does not meet thresholds using 1992-1996 data.

Crossing: 155496P (IN)  
Subdivision: Garrett  
Segment ID: C-066  
Segment: Deshler, OH to Willow Creek, IN  
City (\*): Union Mills (Portage in DEIS)  
Street: 500 W  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: DEIS incorrectly classified.  
Notes:  
Crossing does not meet thresholds using 1992-1996 data.

Crossing: 155465R (IN)  
Subdivision: Garrett  
Segment: Deshler, OH to Willow Creek, IN  
Segment ID: C-066  
City (\*): Teegarden (Plymouth in DEIS)  
Street: First Rd - Smith  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Current state project for preexisting condition/ not yet funded  
Notes:  
Crossing does not meet thresholds using 1992-1996 data.

Crossing: 155476D (IN)  
Subdivision: Garrett  
Segment: Deshler, OH to Willow Creek, IN  
Segment ID: C-066  
City (\*): Walkerton (Plymouth in DEIS)  
Street: Thorn Rd  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Current state project for preexisting conditions/ not yet funded.  
Notes:  
Crossing does not meet thresholds using 1992-1996 data.

Crossing: 155372W (IN)  
Subdivision: Garrett  
Segment: Deshler, OH to Willow Creek, IN  
Segment ID: C-066  
City (\*): Kimmell (Kendallville in DEIS)  
Street (\*): CR 500 W  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: flashing lights and gates funded and scheduled

Crossing: 155380N (IN)  
Subdivision: Garrett  
Segment: Deshler, OH to Willow Creek, IN  
Segment ID: C-066  
City (\*): Cromwell (Kendallville in DEIS)  
Street: 900 W  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: Current state project for preexisting conditions/ not yet funded.  
Notes:  
Crossing does not meet thresholds using 1992-1996 data.

Crossing: 155615W (IN)  
Subdivision: Garrett  
Segment: Deshler, OH to Willow Creek, IN  
Segment ID: C-066  
City (\*): Portage (between Chestertown and Valparaiso in DEIS)  
Street: CR 900 North  
DEIS present device: gates  
DEIS recommended device: 4-quadrant gates or median barriers  
Status: DEIS incorrectly classified.  
Notes:  
Crossing does not meet thresholds using 1992-1996 data.

Crossing: 142366F (OH)  
Subdivision: Willard  
Segment: Deshler, OH to Willow Creek, IN  
Segment ID: C-066  
City: Defiance  
Street: Jackson St  
DEIS present device: flashing lights  
DEIS recommended device: gates  
Status: Flashing lights and gates in place.

STB

FD

33388

2-2-98

K

185503

4/4

Crossing: 155760V (OH)  
 Subdivision: Toledo  
 Segment: Deshler, OH to Toledo, OH  
 Segment ID: C-065  
 City: Deshler  
 Street: North St  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: Crossing does not meet thresholds using 1992-1996 data.  
 Notes:  
 Ohio PUCO determined that no improvements warranted.

Crossing: 518456X (OH)  
 Subdivision: N/A  
 Segment: Greenwich, OH to Crestline, OH  
 Segment ID: C-067  
 City: Shelby  
 Street: Main St  
 DEIS present device: flashing lights  
 DEIS recommended device: gates  
 Status: gates in place

Crossing: 518476J (OH)  
 Subdivision: N/A  
 Segment: Greenwich, OH to Crestline, OH  
 Segment ID: C-067  
 City: Shelby  
 Street: Base Line Rd  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: flashing lights and gates in place

Crossing: 228774H (OH)  
 Subdivision: Columbus  
 Segment: Marion, OH to Fostoria, OH  
 Segment ID: C-070  
 City (\*): Alvada (Fostoria in DEIS)  
 Street: Main St  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: DEIS incorrectly classified.  
 Notes:  
 Crossing does not meet thresholds using 1992-1996 data.

Crossing: 518382H (OH)  
 Subdivision: N/A  
 Segment: Marion, OH to Ridgeway, OH  
 Segment ID: C-071  
 City (\*): La Rue (City not identified in DEIS)  
 Street (\*): CR 245 (Marsh Rd in DEIS)  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: flashing lights and gates funded and scheduled

Crossing: 518391G (OH)  
 Subdivision: N/A  
 Segment: Marion, OH to Ridgeway, OH  
 Segment ID: C-071  
 City: La Rue  
 Street: Section St  
 DEIS present device: gates  
 DEIS recommended device: 4-quadrant gates or median barriers  
 Status: Crossing does not meet thresholds using 1992-1996 data.  
 Notes:

Ohio PUCO analyzed accident rates after gate was installed and determined that no further mitigation was warranted.

Crossing: 142178R (OH)  
 Subdivision: Willard  
 Segment: Willard, OH to Fostoria, OH  
 Segment ID: C-075  
 City: Tiffin  
 Street: Gillick Rd  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: flashing lights and gates funded and scheduled

Crossing: 142179X (OH)  
 Subdivision: Willard  
 Segment: Willard, OH to Fostoria, OH  
 Segment ID: C-075  
 City: Tiffin  
 Street: Morrison Rd  
 DEIS present device: passive  
 DEIS recommended device: flashing lights  
 Status: flashing lights and gates in place



Crossing: 228780L (OH)  
Subdivision: Columbus  
Segment: Willard, OH to Fostoria, OH  
Segment ID: C-070  
City: Fostoria  
Street: TWP 0180  
DEIS present device: passive  
DEIS recommended device: flashing lights  
Status: DEIS incorrectly classified.  
Notes:  
Crossing does not meet thresholds using 1992-1996 data.

Crossing: 511027V (MI)  
Subdivision: N/A  
Segment: Carleton, MI to Ecorse, MI  
Segment ID: S-020  
City: Taylor  
Street: Pennsylvania Rd  
DEIS present device: flashing lights  
DEIS recommended device: gates  
Status: Current state project for preexisting condition/ not yet funded

TABLE 3-1. EQUATIONS FOR CROSSING CHARACTERISTIC FACTORS

GENERAL FORM OF BASIC FORMULA:  $a = K \times EI \times DT \times MS \times MT \times HP \times HL$

CROSSING CHARACTERISTIC FACTORS							
CROSSING CATEGORY	FORMULA CONSTANT	EXPOSURE INDEX FACTOR	DAY THROUGH TRAINS FACTOR	MAXIMUM TIMETABLE SPEED FACTOR	MAIN TRACKS FACTOR	HIGHWAY PAVED FACTOR	HIGHWAY LANES FACTOR
	K	EI	DT	MS	MT	HP	HL
PASSIVE	0.0006938	$((e \times t + 0.2)/0.2)^{0.37}$	$((d + 0.2)/0.2)^{0.178}$	$e^{0.0077ms}$	1.0	$e^{-0.5966(hp-1)}$	1.0
FLASHING LIGHTS	0.0003351	$((e \times t + 0.2)/0.2)^{0.4106}$	$((d + 0.2)/0.2)^{0.1131}$	1.0	$e^{0.1917mt}$	1.0	$e^{0.1826(hl-1)}$
GATES	0.0005745	$((e \times t + 0.2)/0.2)^{0.2942}$	$((d + 0.2)/0.2)^{0.1781}$	1.0	$e^{0.1512mt}$	1.0	$e^{0.1420(hl-1)}$

$e$  = number of highway vehicles per day

$t$  = number of trains per day

$mt$  = number of main tracks

$d$  = number of through trains per day during daylight

$hp$  = highway paved? yes = 1.0 and no = 2.0

$ms$  = maximum timetable speed, mph

$hl$  = number of highway lanes

**TABLE 1**  
**CSX CROSSING SAFETY ANALYSIS - SUMMARY OF SEGMENTS NOT MEETING DEIS, OR NOT MEETING 92-96 THRESHOLDS (FOR SEGMENTS NOT OTHERWISE ELIMINATED)**

State	FRA ID	Segment	Subdivision	Street	City	From	To	DEIS Present Safety Device	DEIS Recommend Safety Device	1992-1996 Annual Accident Frequency Pre (A)	1992-1996 Annual Accident Frequency Post (A)	1992-1996 Annual Accident Frequency Difference	Upgrade Gate Crossing Based on 1992-1996 Data	DEIS Annual Accident Frequency Pre Acquisition	DEIS Annual Accident Frequency Post Acquisition	DEIS Annual Accident Frequency Difference	Upgrade Crossing Based on DEIS Data and Criteria	DEIS Incorrectly Identified	1992-1996 Threshold Not Met
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]	[11]	[12]	[13]	[14]	[15]	[16]	[17]	[18]	[19]	[20]
KY	345269J	c-021	Henderson	E 6th St	Hopkinsville	Evansville, IN	Amqui, TN	passive	flashing lights	0.1163	0.1277	0.0114	N	0.2534	0.2728	0.0194	Y		1
IN	342417R	c-025	C & D	Buntin St	Vincennes	Vincennes, IN	Evansville, IN	passive	flashing lights	0.1022	0.1120	0.0098	N	0.1453	0.1578	0.0125	N	1	*
IN	342829D	c-025	C & D	Stacer Rd	Haubstadt	Vincennes, IN	Evansville, IN	passive	flashing lights	0.1175	0.1286	0.0110	N	0.1646	0.1776	0.0130	Y		1
IN	155632M	c-027	Garrett	County Line Rd	Gary	Willow Creek, IN	Pine Jct, IN	flasher	gates	0.1358	0.1552	0.0194	N	0.1358	0.1552	0.0194	N	1	*
IN	155637W	c-027	Garrett	Lake St	Gary	Willow Creek, IN	Pine Jct, IN	gate	4 quadrant gates or median barriers	0.1223	0.1341	0.0118	N	0.2182	0.2453	0.0271	Y		1
OH	232122V	c-040	Saginaw	Conneau (State Line)	Toledo	Carleton, MI	Toledo, OH	gate	4 quadrant gates or median barriers	0.0270	0.0314	0.0044	N	0.1521	0.1646	0.0125	Y		1
OH	155789T	c-065	Toledo	Ramp Line Rd	Weston	Deshler, OH	Toledo, OH	passive	flashing lights	0.0120	0.0480	0.0360	N	0.0224	0.0744	0.0520	Y		1
OH	155798S	c-065	Toledo	Washington St	Tontogany	Deshler, OH	Toledo, OH	passive	flashing lights	0.0114	0.0462	0.0348	N	0.0214	0.0722	0.0508	Y		1
OH	155799Y	c-065	Toledo	Tontogany Rd	Tontogany	Deshler, OH	Toledo, OH	passive	flashing lights	0.0112	0.0455	0.0343	N	0.0210	0.0714	0.0504	Y		1
OH	155812K	c-065	Toledo	Five Point Rd	Perrysburg	Deshler, OH	Toledo, OH	passive	flashing lights	0.0123	0.0489	0.0366	N	0.0229	0.0755	0.0526	Y		1
OH	155814Y	c-065	Toledo	Roachton Rd	Perrysburg	Deshler, OH	Toledo, OH	passive	flashing lights	0.0153	0.0574	0.0421	N	0.0280	0.0852	0.0572	Y		1
OH	155819H	c-065	Toledo	Eckel Rd	Perrysburg	Deshler, OH	Toledo, OH	passive	flashing lights	0.0117	0.0469	0.0352	N	0.0218	0.0730	0.0512	Y		1
OH	155820C	c-065	Toledo	Eckel Rd	Perrysburg	Deshler, OH	Toledo, OH	passive	flashing lights	0.0129	0.0506	0.0377	N	0.0239	0.0774	0.0535	Y		1
OH	155839U	c-065	Toledo Terminal	Bates Rd	Rosford	Deshler, OH	Toledo, OH	passive	flashing lights	0.0120	0.0480	0.0360	N	0.0224	0.0743	0.0519	Y		1
OH	155840N	c-065	Toledo Terminal	Schreier Rd	Rosford	Deshler, OH	Toledo, OH	passive	flashing lights	0.0127	0.0501	0.0374	N	0.0236	0.0768	0.0532	Y		1
IN	155391B	c-066	Garrett	Seventh St - Front	Syracuse	Deshler, OH	Willow Creek, IN	flasher	gates	0.1381	0.1677	0.0296	N	0.1262	0.1540	0.0278	N	1	*
IN	155395D	c-066	Garrett	Oak St	Syracuse	Deshler, OH	Willow Creek, IN	passive	flashing lights	0.1168	0.1453	0.0286	N	0.1629	0.1952	0.0323	Y		1
IN	155484V	c-066	Garrett	CR 875 E	Walkerton	Deshler, OH	Willow Creek, IN	passive	flashing lights	0.0381	0.0523	0.0142	N	0.1443	0.1759	0.0316	N	1	*
IN	155496P	c-066	Garrett	500 W	Union Mills	Deshler, OH	Willow Creek, IN	passive	flashing lights	0.1029	0.1288	0.0259	N	0.1462	0.1779	0.0317	N	1	*
IN	155615W	c-066	Garrett	CR 900 North	Portage	Deshler, OH	Willow Creek, IN	gate	4 quadrant gates or median barriers	0.1465	0.1707	0.0242	N	0.1465	0.1707	0.0242	N	1	*
OH	155760V	c-065	Toledo	North St	Deshler	Deshler, OH	Toledo, OH	passive	flashing lights	0.0147	0.0555	0.0408	N	0.0270	0.0831	0.0561	Y		1
OH	228774H	c-070	Columbus	Main St	Alvada	Marion, OH	Fostoria, OH	passive	flashing lights	0.1018	0.1150	0.0132	N	0.1442	0.1609	0.0167	N	1	*
OH	518391G	c-071	N/A	Section St	La Rue	Marion, OH	Ridgeway, OH	gate	4 quadrant gates or median barriers	0.0178	0.0233	0.0055	N	0.1808	0.2037	0.0229	Y		1
OH	228780L	c-070	Columbus	TWP 0180	Fostoria	Marion, OH	Fostoria, OH	passive	flashing lights	0.0394	0.0469	0.0075	N	0.1469	0.1638	0.0169	N	1	*
<b>TOTALS:</b>																		8	16

(\*) - indicates crossing does not meet 1992-96 threshold, in addition to being incorrectly identified in DEIS





TABLE 2

[illegible]





EXHIBIT 6

ANALYSIS OF THE METHODOLOGY FOR ESTIMATING TRAFFIC  
DELAY AT RAILROAD/HIGHWAY AT-GRADE CROSSINGS  
AS USED IN THE DRAFT ENVIRONMENTAL IMPACT STATEMENT  
FOR THE PROPOSED CONRAIL ACQUISITION

February 2, 1998

Submitted to:

CSX Corporation and CSX Transportation, Inc.

Submitted by:

ICF Kaiser

9300 Lee Highway

Fairfax, Virginia 22031

## Summary

ICF Kaiser reviewed the highway/rail at-grade crossing delay analysis used in the Draft Environmental Impact Statement (DEIS) for the Conrail Acquisition. A delay analysis like the one used in the DEIS can be appropriate as a screening tool to determine which crossings, if any, might cause a delay problem. However, the particular analysis used in the DEIS should not be used for a final characterization of impacts or a determination of mitigation. More specifically:

1. The 30-second delay criterion used for determining significant impact needs further evaluation;
2. The use of the Level of Service (LOS) criteria from the Transportation Research Board's Highway Capacity Manual (HCM), which was designed for signalized intersections, may not directly transfer to highway/rail at-grade crossings;
3. The analysis over-estimates stopped vehicle and average vehicle delays; and
4. The analysis did not include field observations that would indicate critical information such as actual queue size, actual average daily traffic (ADT), and the number of trains passing during the peak morning and evening traffic periods.

The approach in the DEIS tends to over-estimate the potential impacts of the transaction on railroad crossing delay. Determining whether significant (or even adverse) impacts might occur based on an approach that excludes site-specific information and input from the cognizant transportation agencies is inherently imprecise. Correctly implemented, parts of the methodology used in the DEIS could serve as an initial screening tool for examining a large number of crossings. However, this methodology is too simple to be used as a decision-making tool where large capital expenditures or operational changes are suggested as a possible solution (e.g., grade separations or changes in train speed). Efforts to calculate crossing-specific delay times without conducting field work (e.g., placing each crossing into the context of its surrounding road network, identifying nearby grade-separated crossings, observing actual queues and train lengths, as well as the number of trains that occur during peak morning and evening traffic periods) will result in a rough approximation of actual delay time. The discussion below includes an overview of the methodology used in the DEIS and addresses the use of the LOS criteria and the estimation of delay per stopped vehicle.

## **Overview of the Methodology Used in the DEIS**

The DEIS analyzed traffic delay at highway/rail at-grade crossings to determine the potential impact on roadway performance. This approach is greatly expanded as compared to SEA's previous environmental documents. Using single-train event delays and delays occurring over an entire day as impact measures, the DEIS applied the average delay for all vehicles to determine an acceptable LOS for highway/rail at-grade crossings (LOS category "C" or better). Next, it established a criterion of 30-seconds for crossing delay per individual vehicle as a significant impact. However, the DEIS did not explain its selection of this 30-second criterion (whether this value came from earlier work or a recent derivation is not indicated). On the other hand, for measuring impacts to emergency response vehicles, the DEIS acknowledges that "[t]here are no national standards for measuring emergency response vehicle delay or the significance of any delay impacts." (reference Vol. 1, page 4-44) Absent any government standards or research to the contrary, the same conclusion should apply to common vehicle delay. Although estimated increases in delay can be used as an indicator of a potential delay problem, the actual need for any mitigation must consider a number of site-specific factors, not just vehicle delay, and must ultimately be determined by the transportation agency having jurisdiction over the road in question.

## **Use of Highway Capacity Manual Level of Service Criteria**

LOS criteria are used to measure delay at signalized intersections and on stretches of highway. The DEIS used the LOS criteria for signalized intersections as a method for analyzing highway/rail at-grade crossing delays. The LOS criteria for signalized intersections, which are stated in terms of the average stopped delay per vehicle for a 15-minute analysis period, measure factors such as driver discomfort and frustration, fuel consumption, and lost travel time. Although not explicitly stated, the DEIS apparently characterized all highway/rail at-grade crossings as signalized intersections. The DEIS's table (reference page C-14), which correlates LOS and average delay per vehicle, is somewhat similar to the one found in the HCM entitled "Level-of-Service Criteria For Signalized Intersections." However, the HCM table

draws a correlation between LOS and delay per stopped vehicle,<sup>1</sup> not LOS and average delay for all vehicles<sup>2</sup> as presented in the DEIS.

In using the LOS criteria for highway/rail at-grade crossings, the DEIS did not acknowledge fundamental differences in operational characteristics between signalized intersections and grade crossings. Traffic signals and highway/rail at-grade crossings differ because traffic signals continuously operate in uniform cycles (red-green cycles) throughout most of the day as opposed to sporadic crossing events at highway/rail at-grade crossings.

### Estimation of Delay Per Stopped Vehicle

In Volume 5A, Appendix C, pages C-11 and C-12 of the DEIS (as corrected by the errata dated January 21, 1998), crossing delay per stopped vehicle was calculated using the following equation which the DEIS sources to the Institute of Transportation Engineers, "Transportation and Traffic Engineering Handbook," Second Edition, 1982:

$$D_A = \frac{D_C \times (S_c / S_c - S_q)}{2} \quad [1]$$

where:

$D_A$	= crossing delay per stopped vehicle, in minutes
$D_C$	= time the train takes to pass the highway/rail at-grade crossing, including time for gate closing and opening, in minutes
$S_c$	= vehicle departure rate per minute per lane; (the basis for this is a rate of 1,400 vehicles per hour per lane, according to field measurements)
$S_q$	= vehicle arrival rate per minute per lane; (the basis for this is the daily traffic volumes for the roadway)
2	= factor to account for the average of the minimum and maximum vehicle delay

This equation does not appear in the "Transportation and Traffic Engineering Handbook" in this form to represent a relationship of delay per stopped vehicle. The equation the DEIS used to calculate crossing delay per stopped vehicle resembles the equation in the "Transportation and

<sup>1</sup> The DEIS defines this as the average amount of time a stopped vehicle would have to wait when traffic is stopped to let a train pass (reference Vol. 1, page 3-17).

<sup>2</sup> The DEIS defines this as the average delay experienced by all vehicles that would cross the tracks. This average delay figure includes both vehicles that would and would not be delayed by trains (reference Vol. 1, page 3-18).



Traffic Engineering Handbook," for calculating the duration of the queue. The correct equation found in the publication that calculates the average minutes of vehicle delay is presented on the same page as the above equation in the "Transportation and Traffic Engineering Handbook." The equation is expressed as follows,

$$d = r/2 (1 - s_r/q) \quad [2]$$

where:

d	= average minutes of vehicle delay
r	= duration of blockage (in minutes)
s <sub>r</sub>	= flow rate (vehicles per minute) at bottlenecks during blockade
q	= average arrival rate of traffic (vehicle per minute) upstream of bottleneck

When the roadway is completely blocked (i.e., s<sub>r</sub> = 0), as in the case of an at-grade railroad crossing, the equation reduces to:

$$d = r/2 \quad [3]$$

When an additional 0.30 minutes is added to allow for the waiting line of vehicles to dissipate, the equation resembles the average delay time equation presented in the Applicants' Environmental Report, Volume 6A, Appendix D, page 246. This equation was developed by the Stanford Research Institute "Guidebook for Planning to Alleviate Urban Railroad Problems, prepared for the Federal Railroad Administration and Federal Highway Administration, August 1974, RP-31, Volume 3, Appendix C and has been used previously in the Environmental Assessments prepared for the BN/SF and UP/SP mergers.

$$D_a = D_c/2 + 0.3 \quad [4]$$

where:

D <sub>a</sub>	= average delay time in minutes
D <sub>c</sub>	= time required for the train to pass the crossing in minutes
+0.3	= a constant to allow the waiting line of vehicles to dissipate

This equation more accurately reflects the crossing delay per stopped vehicle description presented earlier in the DEIS (reference Vol. 1, page 3-17) which states that the DEIS assumed that vehicles arrive at a crossing at a uniform rate and that the average delay for any particular roadway is half the time the crossing is activated, plus the time required for vehicles to clear the queue after the train has passed. However, rather than using this equation, which better reflects their description, the DEIS adopts equation [1] presented above. The rationale for the use of this equation is unclear.

### **The Importance of Field Observations**

Field observations are important because generic modeled calculations may be revealed to be too conservative. For example, field observations could determine that during the most congested period of vehicular traffic, no trains block the crossing. Actual conditions may also show that during the peak train interval, very few vehicles use the roadway. At the site-specific level, various combinations of train length, train speed, vehicle arrival frequencies, and train frequencies should be considered based on actual conditions to decide the critical delay period.

### **Specific Vehicle Delay Time Calculations**

In Table 1, LOS has been recalculated using the best available information for three grade crossings recommended for consultation. The table displays the inputs used in the DEIS's calculation of crossing delay per vehicle for these three crossings. The table also shows the average delays (in both minutes and seconds) for all vehicles and the resultant LOS category. Table 1 shows that when the best available information is used, the DEIS's criterion for mitigation (a decrease to LOS D) is not met.

**TABLE 1. VEHICLE DELAY TIME CALCULATIONS FOR RAILROAD/HIGHWAY GRADE CROSSINGS USING DEIS METHODOLOGY AND BEST AVAILABLE INFORMATION**

DEIS RECOMMENDED MITIGATION: CONSULT WITH APPROPRIATE AUTHORITIES																													
State	City	Site ID	Segment Description	Crossing	Length of Train (ft)			Train Speed (mph) <sup>1</sup>			Blocked Crossing Time for Train= D <sub>i</sub> (minutes)			Number of trains per day (N)			Average Daily Traffic (ADT) in DEIS	ADT (best available information) <sup>2</sup>	No. of Road Lanes (NL)	Crossing Delay per Vehicle= D <sub>i</sub> (minutes)		Average Delay for all Vehicles (minutes)		Avg. Delay for all Vehicles (seconds)		Errata LOS		LOS (Using best available data)	
					Pre	Post	Δ	Pre	Post	Δ	Pre	Post	Δ	Pre	Post	Δ				pre	post	pre	post	pre	post	pre	post	pre	post
IL	Blue Island	C-010	Barr Yard, IL to Blue Island Jct, IL	Dixie Hwy / Western Avenue	6,000	6,200	200	10	25	15	7.32	3.32	-4.00	17.0	32.9	15.9	15,400	21,000	4	5.32	2.41	0.92	0.37	55.16	21.95	B	D	E	C
IL	Blue Island	C-010	Barr Yard, IL to Blue Island Jct, IL	Broadway/135 <sup>th</sup> St	6,000	6,200	200	10	25	15	7.32	3.32	-4.00	17.0	32.9	15.9	7,250	NA	2	4.67	2.12	0.81	0.32	48.35	19.24	B	D	E	C
KY	Hopkinsville	C-021	Evansville, IN to Amqui, TN	E 9 <sup>th</sup> St	6,000	6,200	200	25	25	0	3.23	3.32	0.09	23.4	32.7	9.3	16,000	9,040	2	2.21	2.27	0.23	0.34	13.89	20.52	C	D	B	C

1. The pre-Transaction speeds are based on actual operating speeds. The post-Transaction speed for Dixie Highway/Western Avenue and Broadway/135th Street reflect speed increases resulting from implementation of the CSX Operating Plan.
2. The best available ADT is based on more recent data collected by telephone from the Kentucky Transportation Cabinet and the City of Blue Island Planning Office.





# Proposed CSX Rail Network Cleveland, Ohio

To Boston and NJ/NY



To Toledo & Chicago

To Indianapolis & Chicago

EXHIBIT 7



STB

FD

33388

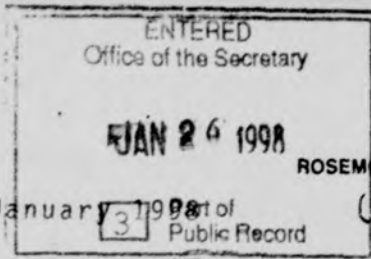
1-23-98

K

185355

**Belknap Freeman, PE**

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

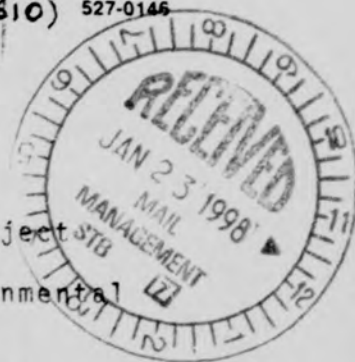


119 HICKORY LANE  
ROSEMONT, PENNSYLVANIA 19010

(610) 527-0146

Attention:

Elaine K. Kaiser  
Environmental Project  
Director  
Section of Environmental  
Analysis



**Re: Comments - Draft EIS Proposed Conrail Acquisition**

Dear Ms. Kaiser:

In conjunction with Section 6.3.3 Draft EIS "Comment Period", Column 4, chapter 6, Page 6-14, December 1997, of the Draft Environmental Impact Statement relative to "Proposed Conrail Acquisition"; that which follows are comments arranged as individual exhibits. In review of the six volumes of the Draft EIS, it is felt a response to a multitude of isolated specific cases would be self defeating, as in the limited time frame involved to develop a "Final EIS", would cause a large number of such comments would become lost. Also, the major points on which I have focused in this submission would lose their significance.

The attached seven exhibits; which cover the gist of my comments, and part of my response, are as follows:

- Exhibit I Rail Highway Crossings
- Exhibit II Electric Traction Issues and Clearances
- Exhibit III Federal Railroad Administration Report
- Exhibit IV Taking of Property Rights
- Exhibit V Mitigation Rules
- Exhibit VI Environmental Justice Analysis
- Exhibit VII Abandonments -Military Infrastructure

Overall, consider the Draft EIS an overkill in respect to its contribution in any respect towards assisting to making an improved self sustaining transportation system. (Yes there are a few constructive comments). One must recognize that both NS and CSX are competitive enterprises; both by design with each other; and more significantly, being unable to raise rates against their competition by trucks and other means of transportation. One must exercise prudent judgement as to the luxury of being able to accomplish every thing one might want to accomplish and in addition, every thing others think one should do as well; keeping in mind the shipper has the option of taking his business else where or even site his business at another location.

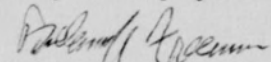
K

Receipt of a "final" copy of the EIS will be appreciated when it is published.

If someone is offended by my style, sorry; for it at times is harsh to force ones attention to what I am saying.

Thanking you in advance, I remain,

Very truly yours,

  
Belknap Freeman, PE

Enclosures:

Seven Exhibits.

Sent Certified  
Return Receipt

Ten copies included to insure appropriate distribution.

## Exhibit I Rail Highway Crossings

### Draft EIS Proposed Conrail Acquisition Docket 33388

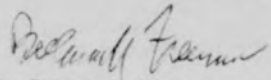
#### Comments - Letter 19 January '98 to SEA of STB

In the "Section of Environmental Analysis" (SEA) text, all the way through the report, suggested mitigation strategies to address significant highway/rail at grade crossings problems, to the casual reader, place the onus on the railroads. There are few who would read, say foot note 4, at the bottom of page 7-7 of Volume 4, which reads in part:

"...Therefore, it is not SEA's intent at this time to recommend that the Board require a separated grade crossing where the local community finds this approach undesirable or is unwilling to fund an appropriate share."

As the Surface Transportation Board is an outgrowth of the former Interstate Commerce Commission, in the realm of "Safety", as related to Rail Highway Crossings at Grade, under the heading of References" as laid out starting on Page R-1 of Volume 4 of the Draft EIS, it is of concern to note the failure to include the Interstate Commerce Commission's Docket # 33440 of February 1964, titled "Prevention of Rail Highway Grade Crossing Accidents Involving railway Trains and Motor Vehicles".. In order to refresh ones memory, and motivate one to go back to "square one" prior to attempting to "reinvent the wheel", of the Docket's Findings, the 13th of 14 is cited from its page 87 of the docket, as follows:

"(13) That highway users are the principal recipients of the benefits flowing from rail-highway grade separations or from special protection at rail highway grade crossings. For this reason, the cost of installing and maintaining such systems and protective devices is a public responsibility and should be financed with public funds the same as highway traffic devices."

  
Belknap Freeman, PE  
Rosemont, PA 19010  
19 January '98

**Exhibit II Electric Traction Issues and Clearances**  
**Draft EIS Proposed Conrail Acquisition Docket 33388**  
**Comments Letter 19 January '98 to SEA of STB**

Scattered throughout the various Volumes of the Draft Environmental Statement are references to "actions" to be taken to improve overhead clearances. As an example, attention is invited to Table 5-DC-11 (Page DC-21, Volume 3B) where it states "CSX has proposed to increase the clearance of the Virginia Avenue Tunnel as part of a long standing project". In Volume 3B, Page VA -3, "NS plans significant capacity improvements on its Shenandoah Corridor, including raising clearances between Riverton and Roanoke".<sup>How</sup> prior to any concept of acquisition of Conrail, jointly by NS & CSX, Conrail had accomplished considerable work, partly paid for by the State of Pennsylvania, to raise overhead clearances on the former Main Line of the original Pennsylvania Railroad. In addition to these efforts, Conrail also paid Amtrak to raise the height of the electric traction catenary where possible at various tight sites (e.g. Across the Perryville Bridge over the Susquehanna River - MP 60).

Now comes Business Development of Amtrak, who have commissioned LTK Engineering Services, to accomplish various studies to determine how Amtrak might maximize the opportunity of obtaining an additional revenue stream from the assets of its right of way. The principal scenario has the "vision" of eliminating the need for Amtrak's existing 138,000 Volt 25 Hertz transmission lines (Which net the New York - Washington together as one continuous system - without interruptions to trains and as seen by the utilities, a benign load), and to reuse the existing space to build new transmission lines that may be employed to "wheel electric power". To implement such a proposal would involve expenditure of redistributed tax dollars to convert Amtrak's existing 25 Hertz 12,500 Volt catenary to a concept of 60 Hertz catenary at 25,000 Volts.

Further, as height of the electric traction catenary is already a limiting factor on use of doubler stack container loads, Business Development would in one step decrease the existing overhead clearance almost a foot all over the New York - Washington and Harrisburg Routes (As added spacing would be required between the catenary and its supports from overhead structures such as overhead bridges and tunnels, and additional clearance would be required between the catenary contact wire and the dynamic height of the vehicle below). One might cite specific overhead clearance figures at assorted spots here and there on a before and after basis; but that would be "hog wash", for the overall clearance would be reduced every where.



Besides the risk of Amtrak's Business Development ever attempting to implement its "vision", there are two other electric traction issues that might be mentioned as involving the Draft EIS.

The Table 2-4 "Shared Assets Rail Line Segments that might exceed the Broad Thresholds For Environmental Analysis" Page 2-21 of Volume 1 of the Draft EIS more than substantiate that there is an anticipated increase use of the existing NE Corridor of Amtrak (As well as numerous other references such as Table 4-7 on Page 4-25 of Volume 1).

On page 197 and 204 of Volume 2 (NS Safety Integration Plan, reference is made to NS crews operating over the NE Corridor should be qualified on the operating rules of Amtrak. In such a situation, it should be highlighted that besides qualification in NORAC Operating Rules, that qualification in the "Electrical Operating Instructions" (AMT-2) be specifically mentioned, as not to be overlooked.

On page 221 of Volume 2, as well as page 44 of the DOT Preliminary Comments, mention is made of the necessity to resolve the software and compatibility of various computer systems on the various properties. When operating under the catenary system, it is imperative that such computer systems identify in an accurate manner, car height, car height and specific features of a load such as use of a tarpaulin cover. (When the NE Corridor, pre Amtrak days, really carried a major volume of freight, "Height Detectors" were employed in the area of MP 83, in advance of the last freight yard before the tunnels in Baltimore such as to have the opportunity to drill "excess height cars" that might have inadvertently got by the system. It was essential to maintain excellent track surface at the site of the "height detector" to prevent vertical bounce [ dynamic clearance ] and tarpaulin covered loads were always a problem as they fluttered in the wind or air stream as a result of the trains travel).

As CSX has its own right of way somewhat parallel to the Corridor, and NS is at risk to being subject to loss of available overhead clearance in their use of the Amtrak NE Corridor, by possible mischief on the part of Business Development, so much for competition !!!! (This is particularly significant when one considers "container and trailer loads" are a major area for rail traffic growth when competitive service times are possible).

*Belknap Freeman*  
Belknap Freeman, PE  
Rosemont, PA 19010  
19 January 1998

### **Exhibit III Federal Railroad Administration**

#### **Draft EIS Proposed Conrail Acquisition Docket 33388**

#### **Comments - Letter 19 January, '98 to SEA of STB**

The Federal Railroad Administration (FRA), under the umbrella or caption of the United States Department of Transportation, submitted Preliminary Comments, in their submission of October 21, '97, as presented in Volume 2 "Safety Integration Plans", in particular, the verified statement of Edward R. English.

Not to nit pick; but to improve the text of the FRA preliminary comments, that which follows are intended to be constructive.

On page numbered 19 of English's paper, in the caption relating to "NORAC Rule Book", as many of the Northeast facilities such as Metro North, NJ Transit, Amtrak and SEPTA are arranged with electric traction facilities, for emphasis as to its importance, both for operating safety and the safety for the individual; that qualification in Electric Traction Operating Rules (e.g Amtrak's AMT-2) be included just as well as reference to NORAC Operating Rules.

This same comment applies in other sections of the FRA preliminary report such as its paragraph "c) Railroad Operating Rules" as found on its page numbered 30.

On page 36 there is reference to increased levels of double stack intermodal traffic anticipated by NS, yet expanding this to the entire acquisition effort, it can be recognized the concept of "increased clearance height" is an extensive issue else where. (Prior comments in Exhibit II of this critique). Attention is invited to the issue, that the FRA, in their oversight of the Northeast Corridor Improvement Program have been supportive of the same mischief credited to Business Development of Amtrak, in Exhibit II, with the "vision" of converting the electric traction facilities of the NE Corridor New York to Washington from their present versatile 25 Hertz benign configuration to a "cheap and dirty" 60 Hertz configuration. The ultimate outcome of such a proposal would be to decrease all overhead clearances by approximately a "foot"; thus to restrict further any opportunity for expansion of high loads than even as presently existing..

The FRA Preliminary report on its page 39, raises many questions as to the application of continuous cab signals and train and/or speed control concepts on the various systems (or lack thereof). The report ought to support an evaluation of the use of a sixty hertz track code as contrasted with use of 100 Hertz (particularly in today's realm of 100 Hertz inverters) (e.g. Immunity from induced

energy from commercial sources, the improved selectivity of higher carrier frequency making it possible to add aspects, rather than be limited to a simple "stop" or "go". The ability to improve coupling with the track rails, thus carry across track discontinuities in the track structure, etc.

.The FRA have not faced the issue of use of 60 Hertz in association with rule books which state the "cab signal" does not apply when negotiating track crossovers, not has the FRA addressed the issue of Amtrak locomotives operating in the Northwest in their cab signal territory, being forced to disable or cut out their "speed control" feature; yet over a period of years, spending both the taxpayers money and that of the railroads involved as well [in the millions?] in the quest for a more exotic system, which at best has yet been recognized only as a non vital system, dependent upon existing wayside signal systems for ultimate safety].

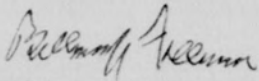
In paragraph e) S & T C Concerns- Other, the reports page 41, there are three issues which might well be expanded.

The concept of any Positive Train Control concept must be examined not only from the standpoint of where it is going, maintenance and obsolescence to be considered as well as cost; but whether it could be successful in being able to handle existing rail traffic levels as experienced else where (e.g. the six track configuration west of Elizabeth, NJ, of Amtrak) to say nothing of increased growth. Also how it might stack up with and compare with such developments as the nine aspect continuous cab signal system presently in service, say in Amtrak's New England territory. After all the FRA touts "interoperability").

The concept of signalman's territory is interesting and for "horror stories" Miami, Fla, comes to mind, with a maintained from Atlanta, GA (No body local wanting territory, low seniority, to hold job must travel) Who is to cover on week-ends in reasonable time? What on the impact of, or intent of the hours of service rules, involved with the time required to commute from Atlanta, GA to Miami? (Part 218 of Title 49 CFR).

The reference to "CSAO Areas" raise numerous concerns as the FRA report mentions; but to add emphasis, certain issues ought to also be considered. One is the issue of control of "hours of service" under the hours of service rules for signal forces. The second is concern for the organizational characteristics and responsibility for signal plans and implementation of the FRA's rules and regulations, record keeping, et al, especially in light of such statements --(In the report, the comment was made that signal and communications work tasks at CSAO's would be accomplished by contractors, with no mention as to whom or where would the coordination, supply of and review of plans and specifications would be handled in such an environment).

In its section , page 48, in the FRA report, leans heavy on the subject of Rail Highway Crossings. It conveys the impression of a heavy burden of cost on the railroads, and fails to recognize such historic background as exemplified by the earlier ICC Order in their Docket 33440 (Which is not known to have been declaimed null and void). [Previously mentioned in Exhibit 1 of this set of comments in response to the Draft EIS.].



Belknap Freeman, PE  
Rosemont, PA 19010  
19 January '98



## Exhibit IV Taking of Property

### Draft EIS Proposed Conrail Acquisition Docket 33388

#### Comments Letter 19 January '98 to SEA of STB

The Draft Environmental Impact Statement in several individual instances, brings up the subject of Cultural and Historic Resources; for example, on page 7-17 of Volume 4, when it reads:

"13. NS shall undertake no construction or modification of the Shellpot Bridge near Wilmington, Delaware, until completion of the Section 106 process of the Historic Preservation Act (16 USC 470f as amended)."

[see also page DE-12 of Volume 3A, where it states the Delaware State Historical Society has determined that the Shellpot Bridge is eligible for inclusion in the National Register of Historic Bridges, and the proposed rehabilitation may effect the bridge.] (See also Page 204 of NS Safety Intergration Plan, Volume 2, where it indicates NS would intend to rehab the bridge and associated branch to by-pass the Amtrak Main Line through the Wilmington Station Area).

I find such a restriction, "taking of property". Not a building with only local utilization; but rather a facility that serves a wider purpose in Interstate Commerce, particularly as it serves to by pass freight trains around another establishment that was blessed with the anointment of being a Historic Facility. (Remember back a few years, before Amtrak chased the freight off the Corridor, that was a function the bridge previously served).

It is repugnant to impose a delay to a logical problem only on the basis that "just now" it is considered a possible eligible structure for inclusion in the National Register of Historic Bridges and may be impacted by any rehabilitation needs.

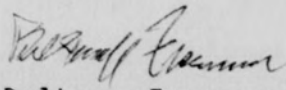
If this seems a harsh attitude towards "Federal Supremacy" and the bureaucrats who tend to such matters; maybe it is because of my continued dislike of a situation some twenty years ago concerning the redistribution of tax dollars I was involved with to relocate an entire telephone exchange and its associated cable plant out of the Wilmington Train Station within a critical time frame, allegedly only because we had previously raised the floor some 4 inches than the original station floor that was to be restored, as part of preservation of a historic site.

Now that the effort to restore the station to its original appearance, are we risking its status as ~~we~~ delay



the use of the Shellpot as a means to keep freights away from the terminal? As a result, are we going to experience a displaced load on a freight train that passing through the station, will serve to damage the overhanging platform shelter structures??

The rationale' of these comments also apply to other sites, such as Illinois, where suddenly we have a problem associated with a historic place, evidently not of sufficient importance to have been addressed previously; but now all of a sudden a big problem. Is it a case of one seeing an opportunity only now to make an issue of an object only when one might hold a project hostage as a means to accomplish ones own agenda????



Belknap Freeman, PE  
Rosemont, PA 19010  
19 January 1998

## Exhibit V Mitigation Rules

Draft EIS Proposed Conrail Acquisition Docket 33388

### Comments Letter 19 January 1993 to SAE of STB

In Volume 4, "SEA's Preliminary Recommended Environmental Mitigation" as outlined in Chapter 7, page 7-12, under caption "7.2.2 Recommended Regional Mitigation", sub title "Safety: Passenger Operations", reads in part:

"By establishing those passenger trains as "superior", trains moving in the same or opposite direction on the same track <sup>freight trains</sup> would be clear of the track at least 15 minutes before and 15 minutes after the expected arrival of a passenger train at any point. This requirement would not apply when any is moving in the opposite direction, away from a passenger train."

This is a proposed rule that is capable of creating massive delays; also it is poorly written. It is obvious, its author has never been in the situation on a locomotive of a passenger train, say # 574, operating in "manual block territory", receiving a train order which read: "Train 574 you are running 2½ hours late" - which interpreted, says, as you are 2½ hours late, stay that way - do not try to make up scheduled time Why?? Because in "Manual Block Territory", where there are "Yard Limits", a yard crew, who by the rules must clear up 15 minutes prior to the scheduled time of arrival of a "passenger train", is given the same train order "Train 574 you are running 2½ hours late"; thus allowing the yard crew the additional time to complete or continue his work.

Now the "SEA" paragraph as written employs the word "expected" -- what if the passenger train is running late?? And how does he stay that way?? And how does the freight train know??

To implement the SEA proposed rule could cause a considerably longer delay than a half hour (15 minutes before and 15 minutes after) as the track layout and specific train were matched to get him in the right place in order to execute the minimum of 15 minutes.

In a manual block operation, the only unit delayed is the local "switcher" within a well defined limit for the "yard limits". In a manual block territory, it is only that way because there is insufficient traffic to justify an installation of an appropriate signal system.

When one starts to place serious arbitrary cumulative delays on through freight trains, one over looks the impact

that many such moves have schedules; scheduled times to pass blocks of cars for "meets" for other through freight trains with coordination of schedule critical times, et all. (I have lived through the situation where our BNY 16 had a higher priority than our passenger train - account of the guaranteed delivery of Ford Motor's cars of "roof panels" in the train every night and the General Supt of Transportation knew how to find me if I managed to screw it up).

The proposed SEA rule as it is presented in the Draft EIS lacks the opportunity to determine just what impact it has as a mischief maker as the listing of track segments that precede the rule as presented on page 7-12, fail to indicate type of operation (CTC, Automatic Block, Manual Block, APB, Train Order, etc.) or number of tracks, sidings, siding length, et all. (The listings in Volume 3A, Chapter 5 "State Settings, Impacts and Proposed Mitigation" Pages 5-14 to 5-47 inclusive, provide no clue as to the extenuating circumstances surrounding such a requirement).

In Volume 3B, Pages MI-8 and MI-9, the infinite wisdom and significance of "Federal Supremacy" unfolds when the SEA, in the middle of page MI-8 state in part:

"Given the limited number of passenger train accidents, SEA was unable to accurately predict either the severity, location or timing of actual accidents. SEA therefore focused on estimating the potential risks of accidents..."

Out of this admission of "bankruptcy" as to ones qualification to be an "oracle", as stated in the next to last sentence of the first paragraph of page MI-9, the SEA go on to state:

"....It is SEA's preliminary recommendation that all freight trains, both opposing, and moving in the same direction as passenger trains, be clear of the main tracks at least 15 minutes prior to the estimated arrival of the passenger train..."

This further demonstrates that in the pious dignity of all the SEA's outpourings, we say one thing in one part of a Volume and something else in the same Volume. For example, on page MI-9 as cited above, we employ the words "estimate arrival", while on page 5-28 of the same Volume, we state "expected arrival", which represents two different situations if taken literally.

Has anyone made a study of siding lengths, spacing of sidings, type of control, number of following trains, impact on hours of service of crews, et all???

*Belknap Freeman*  
Belknap Freeman, PE  
19 January 1998

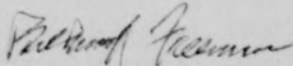
**Exhibit VI Environmental Justice Analysis**

**Draft EIS Proposed Conrail Acquisition Docket 33388**

**Comments Letter 19 January '98 to SEA of STB**

Appendix K is an interesting document in several respects. Firstly it is not conducive to good race relations in its singling out and defines areas that are given a stigma of being below par. There is an impression of building "expectations", yet not identifying anything constructive as a consequence of what any increased activity might be, such as added jobs from the area in say a "yard activity".

It does provide as a useful tool, as an indication where a higher level of security may be required; but it does not define the extent of exposure to "mother's little darlings" who are turned out on their own, to wander, and at times are injured or cause injury or damage to a railroad property. (At times, to even bring a lawsuit against the railroad for its failure to provide what the plaintiff defines as an appropriate "baby sitting function" in having failed to prevent their being injured and/or to protect them from their own folly. (There is no cap on the limits of liability for a railroad in some of these situations).



Belknap Freeman, PE  
Rosemont, PA 19010  
19 January 1998

**Exhibit VII Abandonments - The Military Infrastructure**

**Draft EIS Proposed Conrail Acquisition Docket 33388**

**Comments Letter 19 January '98 to SEA of STB**

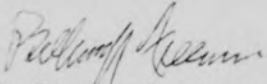
In a review of Volume 6 "Abandonments", on the NS references, there are comments as to clients who will have to resort to "trucks". (But no depth of data as to just what type shipper is involved).

As a personal matter, my interests include the military, and am sufficiently naive as to still believe rail access to a military facility is still a national asset; especially with the down grade and de-activation of a major number of military facilities in recent years.

The format of the Environmental Impact Statement covers many areas, which would enter the category of "who cares" if we were to become involved in another World War II type conflict, where our very existence was at stake. Yet in the format of the EIS, there is no mention, even a negative response, as to abandonment of any form of military support infrastructure in the EIS.

Our movement of troops and supplies by air in today's activity is highly vulnerable to supply of fuel, aircraft and pilots; not an arrangement adopted to a lengthy engagement.

(As late as last week, in a trip to McGuire Air Force Base (and its adjacent Fort Dix facility) it is still with concern, to drive over a former rail-highway crossing area with the evidence of the former rail right of way extending through the trees). Having spent almost five years on Active duty in WW II in Panama, England Africa and Italy, originally having been originally drafted prior to the start of the War, and after 26 active years in the Reserve Program, now a retired Colonel, one must recognize my strong feelings in this area.

  
Belknap Freeman, PE  
Rosemont, PA 19010  
19 January '98



STB

FD

33388

1-21-98

K

28839

1/2

Comment Date: February 2, 1998

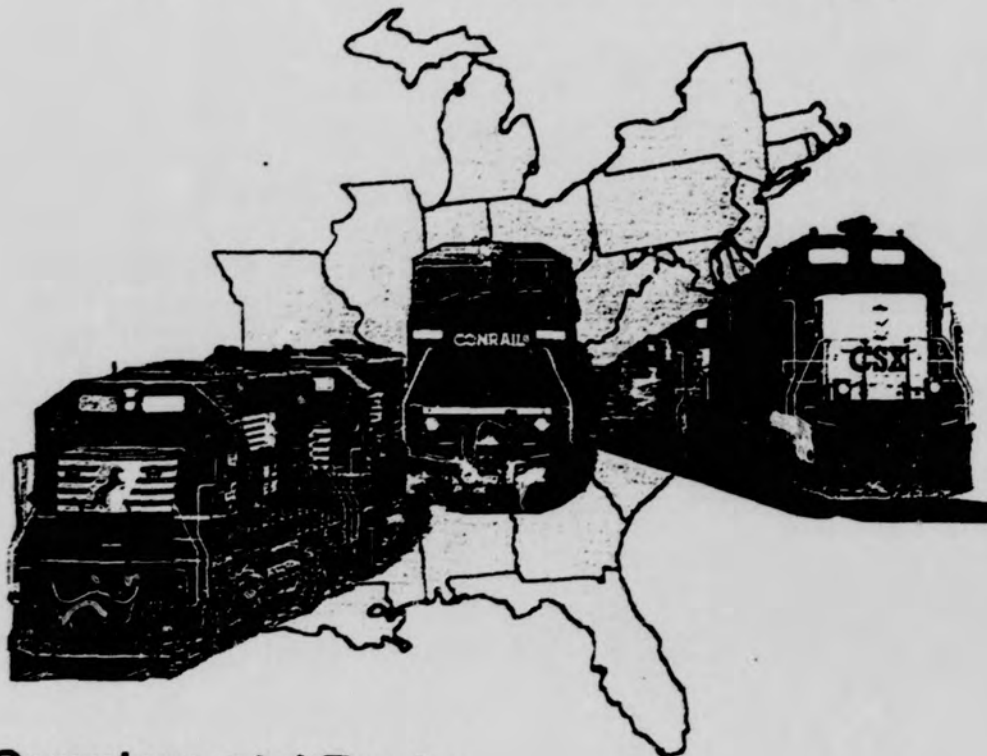
# **DRAFT ENVIRONMENTAL IMPACT STATEMENT**

Finance Docket No. 33388

## **"PROPOSED CONRAIL ACQUISITION"**

**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**



## **Supplemental Errata**

*prepared by:*

**Surface Transportation Board  
Section of Environmental Analysis**

1925 K Street, NW • Washington, DC 20423-0001

*Information Contacts:*

**Elaine K. Kaiser, Chief**  
Section of Environmental Analysis  
888-869-1997

**Michael J. Dalton**  
Environmental Specialist  
888-869-1997

28839

SERVICE DATE: LATE RELEASE JANUARY 21, 1998

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.

NORFOLK SOUTHERN CORPORATION AND

NORFOLK SOUTHERN RAILWAY COMPANY

-- CONTROL AND OPERATING LEASES/AGREEMENTS --

CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 63

Dated: January 21, 1998

NOTICE TO THE PARTIES:

On December 12, 1997, the Surface Transportation Board (Board) served the Draft Environmental Impact Statement (Draft EIS), prepared by the Board's Section of Environmental Analysis (SEA), regarding potential environmental impacts of the proposed acquisition of Conrail, Inc. by Norfolk Southern Railroad and CSX Railroad. On January 12, 1998, SEA issued an Errata to the Draft EIS in an effort to facilitate review of the document, to clarify some of its information, and to correct data discrepancies. The purpose of this notice is to provide you with a Supplemental Errata to the Draft EIS.

During its ongoing analysis, SEA identified an error in the calculations used to determine average daily traffic delay at highway/rail at-grade crossings. This error overstates the average daily traffic delay at highway/rail at-grade crossings. The Supplemental Errata, enclosed with this notice, addresses this issue and provides recalculated values for traffic delay. This Supplemental Errata also describes the resulting changes in SEA's preliminary mitigation recommendations for traffic delay, and related environmental justice analysis.

This Supplemental Errata does not change or alter SEA's analysis, results, or preliminary mitigation recommendations in other environmental impact areas, nor does it affect the integrity of the information contained in the Draft EIS unrelated to traffic delay.

SEA is seeking public comment on the Draft EIS, which it will consider in preparing a Final EIS. Public comments are due to SEA by February 2, 1998. If you have any questions or comments, please call SEA's toll-free Environmental Hotline at 1-888-869-1997.

Vernon A. Williams

Secretary

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

## **Overview**

During its ongoing analysis, the Section of Environmental Analysis (SEA) identified an error in the calculation of vehicle crossing delay presented in the Draft Environmental Impact Statement (Draft EIS). This error has the effect of reducing the "Crossing Delay per Stopped Vehicle" and the "Average Delay for all Vehicles" by a factor of approximately two. Correcting this error reduces the impact of the proposed Conrail Acquisition on highway/rail at-grade crossing vehicular delay. The findings, conclusions, and preliminary recommended environmental mitigation presented in this Draft EIS Supplemental Errata supercede the applicable discussions presented in Chapter 5 and Chapter 7 of the Draft EIS.

This Draft EIS Supplemental Errata describes changes to SEA's analysis of highway/rail at-grade crossing delay. This Draft EIS Supplemental Errata also contains changes to tables and text in Chapters 5 and 7 of the Draft EIS, including some changes related to SEA's analysis of potential environmental justice impacts. This Draft EIS Supplemental Errata contains the following tables:

- Table 1 - Supplemental Errata.
- Table 2 - Comparison of Highway/Rail At-Grade Crossing Delay Mitigation - Compares the Draft EIS mitigation with the revised recommended mitigation.
- Table 7-7 (Revised) - Preliminary Highway/Rail At-Grade Crossings That May Warrant Traffic Delay Mitigation.
- Revised Highway Rail At-Grade Crossing Vehicle Delay and Queues Tables in Chapter 5 of the Draft EIS - 5-AL-5, 5-GA-6, 5-IL-11, 5-IN-9, 5-KY-8, 5-MD-9, 5-MI-10, 5-NY-9, 5-OH-11, 5-PA-9, 5-TN-7, 5-VA-7, and 5-WV-5.

## **Supplemental Errata Highway/Rail At-Grade Crossing Delay**

The delay calculation in the Draft EIS incorrectly assumed that all vehicles blocked at a crossing would experience delay for the entire time a train passes, including time for the gate closing and opening, plus the dispersal time. The description of Crossing Delay per Stopped Vehicle in the methods discussion in Chapter 3, Section 3.7.1 of the Draft EIS correctly notes that the average amount of time a vehicle would experience delay is half the time it takes for a train to pass, including time for gate closing and opening.

plus the time for vehicles to disperse after the train has passed. The revised analysis presented in this Draft EIS Supplemental Errata correctly assumes that the vehicles experiencing delay are those that arrive while the crossing gate is activated.

The revised equation for determining Crossing Delay per Stopped Vehicle follows. This equation reflects the averaging factor of two (2) and replaces the equation in Appendix C, Section C.4.3, page C-12 of the Draft EIS.

$$D_A = \frac{D_c (S_c / S_c - S_q)}{2}$$

where:

- $D_A$  = Crossing delay per stopped vehicle, in minutes.
- $D_c$  = Time the train takes to pass the highway/rail at-grade crossing, including time for gate closing and opening, in minutes.
- $S_c$  = Vehicle departure rate per minute per lane. The basis for this is a rate of 1,400 vehicles per hour per lane, according to field measurements.
- $S_q$  = Vehicle arrival rate per minute per lane. The basis for this is the daily traffic volumes for the roadway.
- 2 = Factor to account for the average of the minimum and maximum vehicle delay.

The revised traffic delay calculations result in fewer highway/rail at-grade crossings that may warrant mitigation. Using the revised equation for the Crossing Delay per Stopped Vehicle, SEA has revised state-by-state delay tables and Table 7-7, Preliminary Highway/Rail At-Grade Crossings That May Warrant Traffic Delay Mitigation. In addition, SEA has prepared Table 2, which compares the changes in traffic delay mitigation with those in the Draft EIS.

### **Supplemental Errata Environmental Justice Analysis**

The revised traffic delay calculations and mitigation also affect the Environmental Justice analysis. Four crossings in Maryland, at Decatur Street, Upshur Street and Annapolis Road on rail line segment C-030 and at Hollins Ferry Road on rail line segment C-032, occur close to environmental justice populations. The crossing delay impacts in the Draft EIS were the only significant effects on these populations. Because these crossings are now below the level of significance for crossing delay and no longer warrant mitigation, potential environmental justice impacts would not occur. These changes are shown in Table 1, Supplemental Errata.



January 21, 1998

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

**Table 1  
 Supplemental Errata**

Chapter	Section	Subject	Page Number	Paragraph Number <sup>a</sup>	Change
5	5.3	Table 5-2	5-27	Rows 5 and 7	Delete rows 5 and 7. Rail Line Segments C-030 and C-032.
5	5.3	Table 5-2	5-47	Row 4	Delete row 4. Rail Line Segment C-030.
5	5-MD.17.2	Table 5-MD-28	MD-41	Rows 1 and 3	Delete rows 1 and 3. Rail Line Segments C-030 and C-032.
5	5-MD.17.2	Environmental Justice	MD-41, MD-42	1, 2 on MD-41; 1-5 on MD-42	Delete all discussion of impacts (total of 7 paragraphs) for the Alexandria Jct., MD - Benning, DC Rail Line Segment (C-030).
5	5-MD.17.2	Environmental Justice	MD-43, MD-44	3-6 on MD-43; 1, 2 on MD-44	Delete all discussion of impacts (total of 5 paragraphs) for the Baltimore to Relay Rail Line Segment (C-032).
5	5-DC.11.12	Table 5-DC-10	DC-18	Row 1	Delete row 1. Rail Line Segment C-030.
5	5-DC.11.12	Environmental Justice	DC-18	1, 2	Delete all discussion of impacts (total of 2 paragraphs) for the Alexandria Jct., MD - Benning, DC Rail Line Segment (C-030).

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

**Table 1  
 Supplemental Errata**

Chapter	Section	Subject	Page Number	Paragraph Number <sup>a</sup>	Change
7	7.2	Table 7-1	7-10	Row 6 Column 2	For Illinois, delete Preliminary Recommended Mitigation No. 10.
7	7.2	Table 7-1	7-10	Row 7 Column 2	For Indiana, delete Preliminary Recommended Mitigation No. 9.
7	7.2	Table 7-1	7-10	Row 8 Column 2	For Kentucky, delete Preliminary Recommended Mitigation No. 10 and add Preliminary Recommended Mitigation No. 11.
7	7.2	Table 7-1	7-10	Row 10 Column 2	For Maryland, delete Preliminary Recommended Mitigation No. 9.
7	7.2	Table 7-1	7-11	Row 5 Column 2	For Ohio, delete Preliminary Recommended Mitigation No. 9.
7	7.2	Table 7-1	7-11	Row 6 Column 2	For Pennsylvania, delete Preliminary Recommended Mitigation No. 11.
7	7.2.3	Transportation: Highway/Rail At- Grade Crossing Delay	7-15	3	Delete Preliminary Recommended Mitigation No. 9.

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

**Table 1  
 Supplemental Errata**

Chapter	Section	Subject	Page Number	Paragraph Number <sup>1</sup>	Change
7	7.2.3	Transportation: Highway/Rail At-Grade Crossing Delay	7-15 to 7-16	4	For Preliminary Recommended Mitigation No. 10, delete references to Illinois and Kentucky; change "five separated grade crossings" to " <b>a separated grade crossing</b> "; and delete sub-paragraphs a, c, and d.
7	7.2.3	Transportation: Highway/Rail At-Grade Crossing Delay	7-16 to 7-17	1, 2	For Preliminary Recommended Mitigation No. 11, delete Pennsylvania and add <b>Kentucky</b> ; change "ten" to " <b>nine</b> " highway/rail at-grade crossings; and add " <b>(Revised)</b> " after reference to Table 7-7. In paragraph 2 of Preliminary Recommended Mitigation No. 11, delete first sentence and replace with the following:  "Three of the five highway/rail at-grade crossings in Erie, Pennsylvania listed in Table 7-7 (Revised) meet SEA's criteria for mitigation. The two that do not meet the criteria are in such close proximity to those that meet the criteria that they are to be included with those recommended for mitigation. In Lafayette, Indiana, SEA's preliminary determination is that the ten highway/rail at-grade crossings are recommended for mitigation. This is due to the unique conditions in this community with close proximity of these crossings to each other within an urban setting and the resultant effect on traffic delay along these roadways."
7	7.2.6	Table 7-9	7-48	Rows 1 and 3	Delete rows 1 and 3, Rail Line Segments C-030 and C-032.

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

**Table 1  
Supplemental Errata**

<b>Chapter</b>	<b>Section</b>	<b>Subject</b>	<b>Page Number</b>	<b>Paragraph Number<sup>a</sup></b>	<b>Change</b>
7	7.2.6	Table 7-9	7-48	Row 2 Column 1	Add <b>DC</b> for Rail Line Segment C-031.

<sup>a</sup> Paragraph numbering begins with the first full paragraph on a page, unless this column notes otherwise. For tables, numbering of rows starts directly below the table header row.

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

**Table 2  
Comparison of Highway/Rail At-Grade Crossing Delay Mitigation**

State	County	City Name	Segment Number	Roadway Name	Draft EIS LOS Change	Revised LOS Change	Draft EIS Mitigation	Revised Recommended Mitigation
IL	Cook	Calumet Park	C-010	DIXIE HWY	D to E	B to D	Grade Separation	Consultation
IL	Cook	Calumet Park	C-010	BROADWAY-135TH ST	D to E	B to D	Grade Separation	Consultation
IL	Cook	Evergreen Park	C-011	95TH ST	D to E	C to D	Consultation	Consultation
IN	De Kalb	Garrett	C-066	RANDOLPH ST	F to F	D to F	Grade Separation	Grade Separation
IN	Madison	Alexandria	N-040	S. R. 9	-30 sec. delay*	-30 sec. delay*	Consultation	Consultation
IN	Madison	Alexandria	N-040	HARRISON ST	-30 sec. delay*	-30 sec. delay*	Consultation	Consultation
IN	Tippecanoe	Lafayette	N-045	FERRY ST	C to D	B to C	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-045	MAIN ST	C to D	B to C	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-045	COLUMBIA ST	C to D	B to C	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-045	SOUTH ST S.R. 26	C to D	B to C	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-045	9TH ST	C to D	B to C	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-045	4TH ST U.S. 231	C to D	B to C	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-046	UNDERWOOD ST	B to D	B to C	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-046	18TH ST	B to D	B to C	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-046	17TH & SALEM ST	B to D	B to B	Complete Lafayette Bypass	Consultation
IN	Tippecanoe	Lafayette	N-046	UNION ST	B to D	B to C	Complete Lafayette Bypass	Consultation
IN	Vanderburgh	Evansville	C-025	W. MARYLAND ST	C to D	B to C	Increase speed 5 mph	None - No significant effect
IN	Vanderburgh	Evansville	C-025	W. FRANKLIN ST	C to D	B to C	Consultation	None - No significant effect
IN	Vanderburgh	Evansville	C-025	OHIO ST	C to D	B to C	Consultation	None - No significant effect
KY	Christian	Hopkinsville	C-021	E. 9TH ST	D to E	C to D	Grade Separation	Consultation
KY	Hopkins	Madisonville	C-021	W. NOBLE AVE	D to E	C to D	Grade Separation	Consultation
MD	Baltimore City	Baltimore City	C-032	HOLLINS FERRY RD	C to D	B to B	Increase speed 5 mph	None - No significant effect
MD	Prince George's	Hyattsville	C-030	DECATUR ST	C to D	B to B	Increase speed 5 mph	None - No significant effect
MD	Prince George's	Bladensburg	C-030	UPSHUR ST	C to D	B to B	Increase speed 5 mph	None - No significant effect



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

**Table 2  
Comparison of Highway/Rail At-Grade Crossing Delay Mitigation**

State	County	City Name	Segment Number	Roadway Name	Draft EIS LOS Change	Revised LOS Change	Draft EIS Mitigation	Revised Recommended Mitigation
MD	Prince George's	Bladensburg	C-030	ANNAPOLIS RD	C to D	B to C	Increase speed 5 mph	None - No significant effect
OH	Butler	Hamilton	C-063	VINE ST	E to E	C to D	Consultation	Consultation
OH	Cuyahoga	Brookpark	C-074	HUMMEL RD	B to D	A to B	Increase speed 5 mph	None - No significant effect
OH	Cuyahoga	Brookpark	C-074	ENGLE RD	B to D	A to C	Increase speed 5 mph	None - No significant effect
OH	Hamilton	Cincinnati	C-063	WINTON RD	E to E	D to D	Consultation	None - No significant effect
OH	Hamilton	Cincinnati	C-063	MITCHELL AVE	E to E	D to D	Consultation	None - No significant effect
OH	Hamilton	Cincinnati	C-063	TOWNSHIP AVE	E to E	C to D	Consultation	Consultation
OH	Lorain	Wellington	C-061	MAIN ST	B to D	A to B	Increase speed 5 mph	None - No significant effect
PA	Erie	Erie	N-070	PEACH ST	C to E	B to C	Reroute to CSX Corridor	Reroute to CSX Corridor
PA	Erie	Erie	N-070	SASSAFRAS ST	D to E	B to D	Reroute to CSX Corridor	Reroute to CSX Corridor
PA	Erie	Erie	N-070	CHERRY ST	C to E	B to D	Reroute to CSX Corridor	Reroute to CSX Corridor
PA	Erie	Erie	N-070	LIBERTY ST	C to E	B to D	Reroute to CSX Corridor	Reroute to CSX Corridor
PA	Erie	Erie	N-070	RASPBERRY ST	C to E	B to C	Reroute to CSX Corridor	Reroute to CSX Corridor
PA	Westmoreland	W. Newton	C-033	MAIN ST	C to D	B to C	Consultation	None - No significant effect

\* Significant traffic delay impact involves increased delay per stopped vehicle

January 21, 1998

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

**Table 7-7 (Revised)  
 Preliminary Highway/Rail At-Grade Crossings That May Warrant Traffic Delay Mitigation**

State	County, City	Segment and FRA Crossing ID		Crossing Name	Warning Device Type	LOS Change	Acquisition-Related Train Traffic			Recommended Mitigation
							Pre-	Post-	Change	
IL	Cook, Calumet Park	C-010	163415H	Dixie Hwy.	Gates	B to D	17.0	32.9	15.9	Consultation
	Cook, Calumet Park	C-010	163416P	Broadway - 135 <sup>th</sup> St.	Gates	B to D	17.0	32.9	15.9	Consultation
	Cook, Evergreen Park	C-011	163433F	95 <sup>th</sup> St.	Gates	C to D	19.5	22.9	3.4	Consultation
IN	De Kalb, Garrett	C-066	155330K	Randolph St.	Gates	D to F	21.4	47.7	26.3	Grade Separation
	Madison, Alexandria	N-040	474600L	SR 9	Flashing lights	>30 sec. delay <sup>a</sup>	2.6	11.8	9.2	Consultation
	Madison, Alexandria	N-040	474601T	Harrison St.	Gates	>30 sec. delay <sup>a</sup>	2.6	11.8	9.2	Consultation
	Tippecanoe, Lafayette	N-045	484295F	Ferry St.	Gates	B to C	23.6	41.0	17.4	Consultation
	Tippecanoe, Lafayette	N-045	484296M	Main St.	Gates	B to C	23.6	41.0	17.4	Consultation
	Tippecanoe, Lafayette	N-045	484298B	Columbia St.	Gates	B to C	23.6	41.0	17.4	Consultation

January 21, 1998

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

**Table 7-7 (Revised)  
 Preliminary Highway/Rail At-Grade Crossings That May Warrant Traffic Delay Mitigation**

State	County, City	Segment and FRA Crossing ID		Crossing Name	Warning Device Type	LOS Change	Acquisition-Related Train Traffic			Recommended Mitigation
							Pre-	Post-	Change	
	Tippecanoe, Lafayette	N-045	484300A	South St., SR 26	Gates	B to C	23.6	41.0	17.4	Consultation
	Tippecanoe, Lafayette	N-045	484301G	9 <sup>th</sup> St.	Gates	B to C	23.6	41.0	17.4	Consultation
	Tippecanoe, Lafayette	N-045	484309L	4 <sup>th</sup> St., U.S. 231	Gates	B to C	23.6	41.0	17.4	Consultation
	Tippecanoe, Lafayette	N-046	484290W	Underwood St.	Flashing lights	B to C	18.4	40.2	21.8	Consultation
	Tippecanoe, Lafayette	N-046	484292K	18 <sup>th</sup> St.	Flashing lights	B to C	18.4	40.2	21.8	Consultation
	Tippecanoe, Lafayette	N-046	484293S	17 <sup>th</sup> & Salem St.	Flashing lights	B to B	18.4	40.2	21.8	Consultation
	Tippecanoe, Lafayette	N-046	484294Y	Union St.	Gates	B to C	18.4	40.2	21.8	Consultation
KY	Christian, Hopkinsville	C-021	345267V	E. 9 <sup>th</sup> St.	Gates	C to D	23.4	32.7	9.3	Consultation
	Hopkins, Madisonville	C-021	345331S	W. Noel Ave.	Flashing lights	C to D	23.4	32.7	9.3	Consultation
OH	Butler, Hamilton	C-063	152407K	Vine St.	Gates	C to D	28.2	31.2	3.0	Consultation
	Hamilton, Cincinnati	C-063	152355V	Township Ave.	Gates	C to D	28.2	31.2	3.0	Consultation

January 21, 1998

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

**Table 7-7 (Revised)  
 Preliminary Highway/Rail At-Grade Crossings That May Warrant Traffic Delay Mitigation**

State	County, City	Segment and FRA Crossing ID		Crossing Name	Warning Device Type	LOS Change	Acquisition-Related Train Traffic			Recommended Mitigation
							Pre-	Post-	Change	
PA	Erie, Erie	N-070	471901W	Peach St.	Gates	B to C	13.0	25.2	12.2	Reroute trains to CSX corridor
	Erie, Erie	N-070	471902D	Sassafras St.	Gates	B to D	13.0	25.2	12.2	Reroute trains to CSX corridor
	Erie, Erie	N-070	471906F	Cherry St.	Flashing lights	B to D	13.0	25.2	12.2	Reroute trains to CSX corridor
	Erie, Erie	N-070	471908U	Liberty St.	Flashing lights	B to D	13.0	25.2	12.2	Reroute trains to CSX corridor
	Erie, Erie	N-070	471911C	Raspberry St.	Flashing lights	B to C	13.0	25.2	12.2	Reroute trains to CSX corridor

Significant traffic delay involves increased delay per stopped vehicle, which is not related to traffic level of service.

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

Table 5-AL-5 (Revised)  
Alabama  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues

County	Seg. No.	Crossing FRA ID	Roadway Name	Number of Roadway Lanes	ADI	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
Mobile	N-001	7252834		2	11 820	74	30	4 869	142	28	1 81	2 61	A	12 5	30	5 000	246	28	1 85	4 60	A	
Person	N-001	7253763		2	5 909	74	40	4 869	57	11	1 14	1 33	A	12 5	40	5 000	99	11	1 17	2 33	A	



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

**Table 5-GA-6 (Revised)  
Georgia  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg. No.	Crossing TRAIL ID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition								Post Acquisition								
						Trains per day	Tram Speed (mph)	Tram 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	Tram Speed (mph)	Tram 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
Wilkes	N-023	718450J	3RD ST SR16	2	7,976	27.2	50	4,869	242	13	1.05	3.84	A	32.9	50	5,000	298	13	1.07	4.81	A	
Wilkes	N-022	718058A	MCDANIEL ST	2	8,275	27.2	35	4,869	7	17	1.38	6.51	B	32.9	35	5,000	401	18	1.41	8.20	B	
Wilkes	N-023	718062K	SR54 HENDERSON	4	9,000	27.2	25	4,869	461	12	1.57	9.63	B	32.9	25	5,000	570	12	1.60	12.17	B	
Wilkes	N-022	718065F	SAW HILL AVE	2	11,237	27.2	35	4,869	442	23	1.56	7.37	B	32.9	35	5,000	545	24	1.60	9.29	B	

**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 TRAID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition							Post Acquisition							Level of Service	Level of Service with Mitigation	
						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)
Deer	C-022	5328551	THOMAS RD	2	5,500	24	50	4,800	15	9	0.96	0.31	A	64	50	6,200	47	11	1.14	1.16	A	
Deer	N-044	4781961	MAYSVILLE RD	2	5,100	13.6	50	4,800	77	8	0.95	1.72	A	27.3	50	5,000	158	8	0.96	3.59	A	
Deer	N-041	4782261	ANTHONY BLVD	3	16,330	13.6	30	4,800	362	26	1.73	4.61	A	27.3	30	5,000	741	26	1.77	9.64	B	
Deer	N-043	4780135	ANTHONY BLVD	2	15,120	6.6	35	4,800	144	31	1.89	2.16	A	9.6	35	5,000	214	32	1.93	3.28	A	
Deer	N-044	4782401	INGLE RD	2	11,000	19.0	30	4,800	340	26	1.74	6.47	B	34.9	30	5,000	638	26	1.78	12.39	B	
Deer	N-044	4782411	ARDMORE AVE	2	10,290	19.0	30	4,800	318	24	1.69	6.27	B	34.9	30	5,000	597	25	1.73	12.01	B	
Deer	N-044	4782103	LANDIN	4	12,950	19.0	50	4,800	275	10	1.00	2.53	A	34.9	50	5,000	514	11	1.01	4.82	A	
Deer	N-044	4782370	BROOKLYN AVE	2	12,200	19.0	30	4,800	377	29	1.84	6.83	B	34.9	30	5,000	708	29	1.88	13.08	B	
Deer	N-044	4782380	SUJMAN AVE	2	5,070	19.0	30	4,800	157	12	1.38	5.12	B	34.9	30	5,000	294	12	1.41	9.81	B	
Deer	N-046	4842055	MAIN ST	2	5,780	18.4	35	4,800	154	12	1.26	4.01	A	40.2	35	5,000	343	12	1.28	9.12	B	
Elkhart	C-006	1553201	SOUTHWAY	2	6,000	21.4	50	6,000	166	11	1.15	3.77	A	47.7	50	6,200	379	11	1.16	8.82	B	
Elkhart	C-006	1553306	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 (1)
Ellettsburg	N-040	4745506	KILGORE	2	10,481	2.6	20	4,800	62	34	2.57	1.68	A	11.8	20	5,000	287	35	2.43	7.98	B	
Ellettsburg	N-040	4745525	WHITE RIVER BLVD	4	6,870	2.6	30	4,800	20	8	1.31	0.66	A	11.8	30	5,000	135	8	1.33	3.14	A	
Ellettsburg	N-040	4745531	NICKOLS	2	6,733	2.6	30	4,800	28	16	1.47	0.74	A	11.8	30	5,000	132	16	1.50	3.52	A	
Ellettsburg	N-040	474565A	TILLOTSON	4	19,025	2.6	30	4,800	81	22	1.64	0.83	A	11.8	30	5,000	373	23	1.67	3.93	A	
Ellettsburg	N-040	474566G	JACKSON ST	2	5,007	2.6	30	4,800	21	12	1.38	0.70	A	11.8	30	5,000	98	12	1.41	3.31	A	
Elkhart	C-006	1554201	CR 7	2	5,314	21.4	50	6,000	147	10	1.11	2.68	A	47.7	50	6,200	336	10	1.13	8.60	B	
Ellettsburg	C-025	3424751	BROADWAY	2	7,929	22.3	35	6,000	301	19	1.66	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	4,800	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	4,800	422	21	1.33	3.38	A	34.9	50	5,000	789	22	1.35	6.43	B	
Huntington	N-044	4782743	LAFONTAINE ST	2	8,600	19.0	50	4,800	182	14	1.08	2.75	A	34.9	50	5,000	341	14	1.10	5.23	B	
Keokuk	C-023	1636205	SHUFFIELD 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	
Keokuk	C-023	1636215	HOUMA AVE	3	10,500	27.6	25	6,000	649	27	2.04	15.13	C	33.3	25	6,200	806	27	2.10	19.30	C	
Keokuk	C-023	1636271	CALAMIT 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	
Keokuk	C-023	1636324	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	
Keokuk	C-023	1636351	INDIANAPOLIS R20	4	13,650	27.6	25	6,000	841	22	2.02	15.03	C	33.3	25	6,200	1047	23	2.08	19.17	C	
Keokuk	C-023	1636375	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	
Keokuk	C-023	1636383	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	
Keokuk	C-023	1636391	LUCLIP 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	
Keokuk	C-023	1636433	STATE ROUTE 112	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	
Keokuk	C-024	5229020	5TH AVE	4	13,220	0.0	30	6,000	0	18	1.73	0.99	A	5.0	30	6,200	131	19	1.77	2.10	A	
Keokuk	C-024	5229155	CLARKE RD	2	7,500	0.0	50	5,600	0	13	1.14	0.80	A	5.0	50	6,200	50	14	1.23	0.98	A	
Keokuk	C-026	5228831	ILLINOIS ST	2	7,880	1.0	35	6,000	13	19	1.60	0.33	A	5.0	35	6,200	109	20	1.64	1.72	A	
Keokuk	C-027	15563251	COLUMBIANE RD	2	7,500	22.1	50	6,000	215	14	1.20	4.12	A	38.6	50	6,200	384	14	1.25	7.55	B	

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

Table 5-IL-11 (Revised)  
Illinois  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues

County	Seg. No.	Crossing FRAID	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
Cook	C-010	163415H	DIXIE HWY	4	15,400	17.0	20	6,000	711	30	2.54	14.04	B	32.9	20	6,200	1415	31	2.61	28.78	D	D(b)
Cook	C-010	163416P	BROADWAY-135TH ST	2	7,250	17.0	20	6,000	335	28	2.49	13.80	B	32.9	20	6,200	666	29	2.56	28.29	D	D(b)
Cook	C-011	163446G	71ST ST	2	12,500	19.5	35	6,000	414	31	1.95	7.75	B	22.9	35	6,200	500	31	2.00	9.60	B	
Cook	C-011	163539H	MADISON FAU 1419	4	10,500	19.5	25	6,000	459	17	1.91	10.03	B	22.9	25	6,200	554	17	1.97	12.45	B	
Cook	C-011	163423A	115TH ST	4	17,200	19.5	20	6,000	910	34	2.63	16.69	C	22.9	20	6,200	1100	35	2.70	20.75	C	
Cook	C-011	163425N	111TH ST	4	14,100	19.5	20	6,000	746	28	2.47	15.71	C	22.9	20	6,200	902	28	2.55	19.54	C	
Cook	C-011	163437H	87TH ST	6	27,000	19.5	20	6,000	1429	35	2.67	16.96	C	22.9	20	6,200	1727	36	2.75	21.09	C	
Cook	C-011	163433F	95TH ST	4	27,800	19.5	20	6,000	1472	54	3.33	21.18	C	22.9	20	6,200	1778	56	3.43	26.34	D	D(b)
Madison	N-032	480328C	PUNTOON RD	4	7,700	10.0	50	4,869	86	6	0.91	1.21	A	15.0	50	5,000	131	6	0.92	1.89	A	
Madison	N-032	480327V	20TH ST	2	5,900	10.0	35	4,869	85	12	1.26	2.19	A	15.0	35	5,000	130	13	1.29	3.42	A	
Montgomery	N-032	480056S	UNION	2	10,800	10.0	40	4,869	141	20	1.39	2.18	A	15.0	40	5,000	216	21	1.42	3.40	A	
Pike	N-033	479967Y	MACON	2	5,800	22.7	50	4,869	147	9	0.97	2.95	A	39.1	50	5,000	258	9	0.99	5.27	B	
Mcmon	N-045	479854T	ACORHEES	2	11,100	23.6	50	4,869	292	18	1.20	3.79	A	41.0	50	5,000	517	18	1.22	6.83	B	
Mcmon	N-045	479856G	BOWMAN	2	8,800	23.6	50	4,869	232	14	1.09	3.44	A	41.0	50	5,000	410	14	1.11	6.20	B	
Mcmon	N-045	479862K	MAIN	4	15,600	23.6	30	4,869	599	18	1.53	7.04	B	41.0	30	5,000	1063	19	1.56	12.75	B	
Mcmon	N-045	479863S	S ST	4	5,600	23.6	30	4,869	215	7	1.28	5.90	B	41.0	30	5,000	382	7	1.31	10.68	B	

(b) Recommend consultation between railroad and community

**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 TRAID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition								Post Acquisition								
						Trams per day	Tram Speed (mph)	Tram 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	Trams per day	Tram Speed (mph)	Tram 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
Lake	C-027	155645N	CLARK RD	2	7,250	221	50	6,000	207	14	1.19	4.08	A	38.6	50	6,200	371	14	1.22	7.47	B	
Lake	N-042	822929H	CALUMET AVE	2	7,500	434	45	5,000	433	14	1.23	8.53	B	60.3	45	5,000	554	13	1.13	10.05	B	
Madison	N-040	474000L	S R 9	2	14,351	26	40	4,800	40	27	1.64	0.67	A	11.8	20	5,000	393	48	2.92	9.58	B	* (b)
Madison	N-040	474001T	HARRISON ST	2	5,809	26	40	4,800	20	11	1.14	0.47	A	11.8	20	5,000	161	20	2.03	6.66	B	* (b)
Porter	C-026	822867K	WASHINGTON ST	2	13,090	10	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	822869V	NAPOLTON ST	2	5,296	10	35	6,000	9	13	1.45	0.30	A	5.0	35	6,200	46	13	1.49	1.56	A	
Porter	C-006	155623N	CROCKER	2	6,800	214	50	6,000	188	13	1.17	3.88	A	47.7	50	6,200	430	13	1.20	9.08	B	
Porter	C-006	155628N	WILLOW CREEK RD	2	6,477	214	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-006	155478S	LIBERTY-MICHIGAN	2	5,942	214	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	236	25	4,800	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	236	25	4,800	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	236	25	4,800	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	236	25	4,800	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	2	8,565	236	25	4,800	381	15	1.63	8.72	B	41.0	25	5,000	676	16	1.67	15.82	C	(c)
Tippecanoe	N-045	484309J	4TH ST S R 231	2	12,060	236	25	4,800	536	33	2.12	11.29	B	41.0	25	5,000	952	33	2.16	20.49	C	(c)
Tippecanoe	N-046	484290W	CINDERWOOD ST	2	5,557	184	25	4,800	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	184	25	4,800	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	184	25	4,800	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	184	25	4,800	345	27	1.93	8.02	B	40.2	25	5,000	771	28	1.97	18.30	C	(c)
Vanderburgh	C-025	342846L	W. MARYLAND ST	2	5,720	223	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	223	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	223	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	190	50	4,800	118	9	0.96	2.45	A	34.9	50	5,000	221	9	0.98	4.67	A	
Wabash	N-044	478305V	WYASH ST	2	9,840	190	35	4,800	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



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

**Table 5-KY-8 (Revised)  
 Kentucky  
 Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg. No	Crossing FRA ID	Roadway Name	Number of Roadway Lanes	ADI	Pre Acquisition								Post Acquisition								
						Trains per day	Tram Speed (mph)	Tram 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	Tram Speed (mph)	Tram 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
Christian	C-021	345254U	SKYLINE DRIVE	2	7.000	23.4	40	6.000	251	15	1.39	5.99	B	32.7	40	6.200	359	16	1.43	8.80	B	
Christian	C-021	345267V	E 9TH ST	2	16.000	23.4	25	6.000	839	52	3.08	19.39	C	32.7	25	6.200	1206	53	3.17	28.64	D	D(b)
Henderson	C-021	345400X	WASHINGTON ST	2	6.665	23.4	40	6.000	239	15	1.38	5.91	B	32.7	40	6.200	342	15	1.41	8.69	B	
Hopkins	C-021	345331S	W NOEL AVE	2	6.098	23.4	20	6.000	387	24	2.39	18.20	C	32.7	20	6.200	557	25	2.46	26.94	D	D(b)

(b) Recommend consultation between railroad and community



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

**Table 5-MD-9 (Revised)  
 Maryland  
 Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg. No.	Crossing FRV ID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition							Post Acquisition									
						Trains per day	Tram Speed (mph)	Tram 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	Tram Speed (mph)	Tram 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
Prince George's	C-032	140239X	HOLLINS FERRY RD	2	6,969	39.6	35	6,000	469	17	1.54	12.48	B	42.7	35	6,200	519	18	1.59	14.18	B	
Prince George's	C-032	140867D	BUSH ST	2	6,900	39.6	40	6,000	418	15	1.39	10.09	B	42.7	40	6,200	463	16	1.42	11.45	B	
Montgomery	C-003	140488D	FOREST GLEN RD	2	11,400	23.8	45	6,000	380	23	1.52	6.07	B	30.8	45	6,200	504	24	1.56	8.29	B	
Montgomery	C-003	140507F	NSUMMIT AVE	3	14,300	23.8	50	6,000	348	14	1.20	4.44	A	30.8	50	6,200	461	14	1.23	6.03	B	
Montgomery	C-003	140509J	CHESTNUT ST	2	10,500	23.8	55	6,000	302	18	1.27	4.37	A	30.8	55	6,200	400	19	1.30	5.92	B	
Montgomery	C-003	140494G	RANDOLPH	4	41,000	23.8	50	6,000	1263	38	2.39	8.83	B	30.8	50	6,200	1674	39	2.45	12.00	B	
Prince George's	C-030	140253I	DECATUR ST	2	8,000	18.7	25	6,000	335	26	2.12	10.65	B	24.3	25	6,200	448	27	2.18	14.63	B	
Prince George's	C-030	140257V	LIPSICUR ST	2	5,900	18.7	25	6,000	247	19	1.96	9.84	B	24.3	25	6,200	330	20	2.01	13.52	B	
Prince George's	C-030	140258C	ANNAPOLIS RD	5	29,250	18.7	25	6,000	1226	38	2.48	12.45	B	24.3	25	6,200	1638	39	2.55	17.10	C	
Prince George's	C-034	140899J	SUNNYSIDE AVE	2	5,070	33.4	50	6,000	219	9	1.10	5.69	B	37.1	50	6,200	249	10	1.12	6.64	B	
Prince George's	C-034	140905K	QUEENSBURY RD	2	6,000	33.4	50	6,000	250	11	1.13	5.88	B	37.1	50	6,200	295	11	1.16	6.86	B	

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

**Table 5-MI-10 (Revised)  
Michigan  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

Location	Seg. No.	Crossing FRA ID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition							Post Acquisition								Level of Service	Level of Service with Mitigation
						Tram per day	Tram Speed (mph)	Tram 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	Tram per day	Tram Speed (mph)	Tram 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.)		
Albion	N-120	545389C	MICHIGAN AVE	2	13,431	54	35	5,600	117	31	1.93	2.01	A	120	35	5,000	238	29	1.77	3.76	A	
Albion	N-120	545405I	20TH ST	2	6,229	54	20	5,600	86	23	2.26	3.74	A	120	20	5,000	173	21	2.05	6.85	B	
Albion	N-120	545407N	HILLMIER RD	4	12,650	54	50	5,600	84	11	1.09	0.87	A	120	50	5,000	171	10	1.01	1.65	A	
Albion	N-120	545284N	MILWAUKEE ST	4	19,378	54	40	5,600	152	20	1.47	1.38	A	120	40	5,000	310	19	1.35	2.59	A	
Albion	N-120	545285V	MICHIGAN AVE	3	23,966	54	40	5,600	188	33	1.99	1.88	A	120	40	5,000	384	31	1.83	3.52	A	
Albion	N-120	545286Q	COOPER ST (MI-100)	2	7,800	54	40	5,600	61	16	1.36	1.28	A	120	40	5,000	125	15	1.25	2.40	A	
Albion	N-120	545289N	BLACKSTONE ST	2	8,036	54	40	5,600	63	17	1.37	1.39	A	120	40	5,000	129	15	1.26	2.42	A	
Albion	N-120	545290S	STEWART AVE	2	6,340	54	40	5,600	50	13	1.29	1.21	A	120	40	5,000	101	12	1.18	2.27	A	
Albion	N-120	545292T	N. WISNER ST	2	13,007	54	40	5,600	102	27	1.71	1.60	A	120	40	5,000	208	25	1.57	3.01	A	
Albion	N-120	545293M	WILLOWWOOD ST	2	6,408	54	40	5,600	50	15	1.29	1.22	A	120	40	5,000	103	12	1.19	2.28	A	
Albion	N-120	545294I	ROBINSON RD	4	12,000	54	50	5,600	80	11	1.08	0.86	A	120	50	5,000	164	10	1.00	1.63	A	
Albion	N-121	545281I	S. ELM AVE	4	7,637	20	35	5,600	36	9	1.31	0.73	A	121	35	5,000	136	8	1.20	2.56	A	
Albion	N-121	545276W	11TH ST	4	9,200	20	50	5,600	33	8	1.03	0.44	A	121	50	5,000	127	8	0.95	1.56	A	
Albion/Albion	N-120	545426C	BURGESS	2	8,576	54	45	5,600	62	16	1.29	1.11	A	12	45	5,000	126	15	1.18	2.09	A	
Albion/Albion	N-120	545472D	OLIVER ST	3	5,800	54	30	5,600	57	10	1.48	1.35	A	12	30	5,000	116	9	1.35	3.24	A	
Albion/Albion	N-120	545476P	MICHIGAN	2	14,750	54	30	5,600	145	39	2.34	2.76	A	12	30	5,000	294	35	2.13	5.11	B	
Albion/Albion	N-120	545462X	PARK ST	2	16,000	54	30	5,600	157	42	2.50	2.95	A	120	30	5,000	319	38	2.29	5.47	B	
Albion/Albion	N-120	545418K	MI-96 DICKMAN RD	2	7,649	54	50	5,600	51	14	1.15	0.92	A	120	50	5,000	104	13	1.06	1.73	A	
Albion/Albion	N-120	545459D	MICHIGAN AVE	2	6,600	54	50	5,600	44	12	1.10	0.88	A	120	50	5,000	90	11	1.02	1.67	A	
Albion/Albion	N-120	545454E	HARRISON ST	2	5,975	54	30	5,600	50	16	1.50	1.88	A	120	30	5,000	119	14	1.46	3.49	A	
Albion	C-6040	232148N	STEWART RD	4	12,330	210	40	6,000	413	14	1.35	5.43	B	33.1	40	6,200	641	14	1.38	8.64	B	
Albion	C-6040	232147R	ELM	2	9,600	210	40	6,000	324	21	1.55	6.22	B	33.1	40	6,200	502	22	1.59	9.90	B	
Albion	C-6040	232146J	FRONT ST	3	16,237	210	35	6,000	605	26	1.81	8.07	B	33.1	35	6,200	938	27	1.85	12.85	B	
Albion	C-6040	232140I	DIAMOND RD	2	8,510	210	40	6,000	285	19	1.48	5.94	B	33.1	40	6,200	442	19	1.51	9.44	B	
Albion/Albion	N-121	545212K	DIXBORO RD	2	5,869	20	40	5,600	25	12	1.27	0.64	A	121	40	5,000	95	11	1.16	2.25	A	
Albion/Albion	N-121	545215I	GLEDHNS RD	2	8,840	20	40	5,600	37	19	1.42	0.72	A	121	40	5,000	143	17	1.31	2.53	A	
Albion/Albion	N-121	545214J	MI-52	2	13,740	20	40	5,600	58	29	1.77	0.89	A	121	40	5,000	232	26	1.63	3.15	A	
Albion/Albion	N-121	545209K	LEFORD ST	3	10,790	20	40	5,600	45	15	1.33	0.67	A	121	40	5,000	174	14	1.22	2.37	A	
Albion/Albion	N-121	545207N	FORREST ST	4	10,000	20	40	5,600	42	10	1.23	0.62	A	121	40	5,000	161	10	1.13	2.18	A	
Albion/Albion	N-121	545206G	CROSS ST	3	8,000	20	30	5,600	34	11	1.24	0.63	A	121	40	5,000	129	10	1.14	2.21	A	
Albion	N-121	545176S	GUTHRIE RD	2	8,917	20	50	5,600	32	16	1.21	0.52	A	121	50	5,000	123	15	1.11	1.84	A	
Albion	N-121	545169G	MONROE ST	2	5,000	20	50	5,600	18	9	1.04	0.45	A	121	50	5,000	69	8	0.96	1.59	A	
Albion	N-121	511945I	CENTRAL	4	11,700	20	15	5,600	108	27	2.85	3.27	A	121	15	5,000	407	24	2.58	11.14	B	
Albion	N-121	512363H	LOVELL	4	11,370	20	15	5,600	109	27	2.85	3.27	A	121	15	5,000	410	24	2.58	11.16	B	
Albion	N-121	545178I	JOHN DALY RD	3	10,000	20	50	5,600	36	12	1.11	0.47	A	121	50	5,000	138	11	1.02	1.68	A	
Albion	N-121	545182N	HENRY RUFF RD	2	10,000	20	50	5,600	36	18	1.26	0.54	A	121	50	5,000	138	16	1.16	1.92	A	

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

**Table 5-MI-10 (Revised)  
Michigan  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg. No.	Crossing ID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition							Post Acquisition									
						Tram per day	Tram Speed (mph)	Tram 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	Tram per day	Tram Speed (mph)	Tram 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
Wayne	N-121	545184H	MERRIMAN RD	5	15,454	29	50	5,600	55	11	1.09	0.47	A	12.1	50	5,000	212	10	1.00	1.65	A	
Wayne	N-121	545186X	VENOY AVE	4	7,325	29	50	5,600	26	6	0.99	0.43	A	12.1	50	5,000	101	6	0.92	1.52	A	
Wayne	N-121	545187E	HOWE AVE	4	6,762	29	50	5,600	24	6	0.99	0.42	A	12.1	50	5,000	93	6	0.91	1.50	A	
Wayne	N-121	545193H	HAGGERTY RD	2	5,830	29	50	5,600	21	10	1.07	0.46	A	12.1	50	5,000	80	10	0.99	1.65	A	
Wayne	N-121	545191E	DIANNAN RD	2	5,560	29	50	5,600	20	10	1.06	0.46	A	12.1	50	5,000	76	9	0.98	1.62	A	
Wayne	S-020	511020X	INKSTER RD	2	5,742	20	25	5,600	24	17	1.84	0.93	A	11.2	25	5,000	124	16	1.67	4.33	A	
Wayne	S-020	511027Y	PENNSYLVANIA RD	2	10,568	20	25	5,600	45	32	2.22	1.13	A	11.2	25	5,000	228	29	2.02	5.23	B	
Wayne	S-020	511032S	NORTHLINE RD	4	23,050	20	25	5,600	97	35	2.32	1.18	A	11.2	25	5,000	497	32	2.11	5.46	B	
Wayne	S-020	511033Y	ALLEN RD	4	32,236	20	25	5,600	136	49	2.93	1.49	A	11.2	25	5,000	695	45	2.66	6.90	B	
Wayne	S-020	511037B	LONDON RD	2	7,240	20	25	5,600	31	22	1.94	0.99	A	11.2	25	5,000	156	20	1.77	4.57	A	
Wayne	S-020	511039P	CHAMPAIGNE	2	7,676	20	25	5,600	32	23	1.97	1.00	A	11.2	25	5,000	166	21	1.85	4.65	A	
Wayne	S-020	511816L	WILL CARLETON DRIVE	2	5,789	20	35	5,600	19	13	1.40	0.54	A	11.2	35	5,000	96	12	1.28	2.54	A	

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

**Table 5-NY-9 (Revised)  
 New York  
 Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg. No	Crossing FRAID	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
Albany	C-054	508705Y	COOKS CROSSING	2	7,450	38.7	40	5,600	419	16	1.34	9.06	B	45.2	40	6,200	529	17	1.45	12.37	B	
Montgomery	N-070	471766F	LAMPHERE ST	2	9,300	13.0	35	4,869	175	19	1.44	3.24	A	25.2	35	5,000	346	20	1.47	6.55	B	
Frederick	C-051	520067S	SHELDON AVE	2	5,808	40.6	50	5,600	290	10	1.07	6.43	B	45.9	50	6,200	353	11	1.15	8.43	B	
Frederick	N-070	471711F	LAKE AVE	2	7,363	13.0	50	4,869	107	12	1.03	1.79	A	25.2	50	5,000	211	12	1.05	3.60	A	



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

**Table 5-OH-11 (Revised)  
Ohio  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg No	Crossing TRAID	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
Franklin	N-072	481472N	FINCH LN	2	9,810	26.0	40	4,809	314	18	1.33	5.43	B	34.3	40	5,000	449	19	1.36	7.44	B	
Franklin	N-073	481467H	WILBOR	2	8,678	26.0	40	4,809	295	16	1.27	5.18	B	34.3	35	5,000	439	18	1.43	8.09	B	
Franklin	N-073	481470H	COOK	2	11,424	26.0	40	4,809	388	22	1.43	5.82	B	34.3	40	5,000	523	22	1.45	7.99	B	
Franklin	C-063	152346W	WINTON RD	4	21,820	28.2	20	0.000	1670	43	2.89	26.59	D	31.2	20	0.200	1902	44	2.98	31.15	D	
Franklin	C-063	152347D	MILCHELL AVE	2	11,930	28.2	20	0.000	1143	58	3.52	32.31	D	31.2	20	0.200	1301	60	3.62	57.86	D	
Franklin	C-063	152355A	TOWNSHIP AVE	2	9,270	28.2	20	0.000	710	36	2.70	24.80	C	31.2	20	0.200	808	37	2.78	29.05	D	Dth
Franklin	C-063	152356A	SEYMOUR	2	6,560	28.2	35	0.000	314	16	1.52	8.75	B	31.2	35	0.200	357	16	1.56	10.20	B	
Franklin	C-063	152357E	NORTHHEND	2	6,360	28.2	35	0.000	314	16	1.52	8.75	B	31.2	35	0.200	357	16	1.56	10.20	B	
Franklin	C-063	152368W	WYOMING AVE	2	7,210	28.2	35	0.000	346	18	1.56	8.97	B	31.2	35	0.200	346	16	1.55	10.13	B	
Franklin	C-063	152370N	MARION RD	2	6,260	28.2	35	0.000	300	15	1.50	8.65	B	31.2	35	0.200	393	18	1.60	10.45	B	
Franklin	C-063	152376N	SHARON RD	3	14,040	28.2	35	0.000	675	23	1.70	9.70	B	31.2	35	0.200	341	16	1.54	10.09	B	
Franklin	C-063	152380D	PRINCETON PIKE	4	25,630	28.2	35	0.000	1229	31	1.98	11.38	B	31.2	35	0.200	764	24	1.74	11.38	B	
Franklin	C-063	152380K	CRISTINVILLE RD	4	8,740	28.2	35	0.000	419	11	1.41	8.09	B	31.2	35	0.200	1396	32	2.03	13.27	B	
Franklin	N-076	524743V	AVINE ST	4	5,660	33.9	35	5.000	467	10	1.33	8.70	B	31.2	35	0.200	476	11	1.44	9.44	B	
Franklin	N-076	524746I	BLUFF ST	2	11,060	33.9	35	5.000	604	26	1.73	11.32	B	38.6	35	5.000	387	9	1.22	8.31	B	
Franklin	N-078	524719N	SMALLEY RD	2	9,680	11.7	35	5.000	182	22	1.63	3.68	A	18.9	35	5.000	270	21	1.49	4.99	A	
Franklin	N-078	524707D	HAWCK RD	2	6,200	11.7	35	5.000	117	14	1.42	3.21	A	18.9	35	5.000	173	13	1.30	4.35	A	
Franklin	N-078	524712A	KEMPER RD	2	5,980	11.7	35	5.000	113	14	1.41	3.19	A	18.9	35	5.000	167	13	1.29	4.32	A	
Franklin	N-078	524713G	READING RD	4	11,820	11.7	35	5.000	223	14	1.41	3.18	A	18.9	35	5.000	329	13	1.29	4.31	A	
Franklin	N-078	524740J	TOWNSHIP AVE	2	7,520	11.7	35	5.000	142	17	1.49	3.38	A	18.9	35	5.000	210	16	1.37	4.57	A	
Franklin	N-078	524722J	WYOMING ST	2	9,270	11.7	35	5.000	175	21	1.69	3.62	A	18.9	35	5.000	258	20	1.47	4.90	A	
Franklin	N-078	524742S	MURRAY ST	3	5,830	11.7	35	5.000	110	9	1.31	2.96	A	18.9	35	5.000	201	20	1.47	4.90	A	
Franklin	C-062	522679A	MAIN ST	2	6,310	5.9	40	5.000	54	13	1.29	1.32	A	13.9	40	6.200	162	8	1.20	4.02	A	
Franklin	C-062	518481F	MAIN ST	2	5,100	14.5	50	5.000	91	9	1.04	2.24	A	31.3	15	6.200	138	14	1.39	3.65	A	
Franklin	C-060	523839I	LAKE ST SR 528	2	8,810	48.3	50	5.000	524	10	1.20	8.57	B	54.2	50	6.200	229	11	1.22	6.56	B	
Franklin	C-060	523803G	HOPKINS RD	2	8,850	48.3	50	5.000	526	16	1.20	8.59	B	54.2	50	6.200	633	17	1.29	11.16	B	
Franklin	C-060	523800G	PELTON RD	2	5,650	48.3	50	5.000	336	10	1.07	7.60	B	54.2	50	6.200	636	17	1.30	11.17	B	
Franklin	C-060	523793A	URR ST	2	8,300	48.3	50	5.000	491	15	1.18	8.40	B	54.2	50	6.200	406	11	1.15	9.89	B	
Franklin	C-060	523790K	HEIDT R RD (L 361ST)	2	5,450	48.3	50	5.000	324	10	1.06	7.55	B	54.2	50	6.200	596	16	1.27	10.93	B	
Franklin	C-060	523789J	E 301ST	2	11,170	48.3	50	5.000	664	26	1.33	9.47	B	54.2	50	6.200	392	10	1.14	9.82	B	
Franklin	C-060	523787A	FLOYD RD	2	7,400	48.3	50	5.000	440	13	1.14	8.11	B	54.2	50	6.200	803	21	1.43	12.33	B	
Franklin	N-074	472017F	LAKE ST	2	8,810	13.0	50	4.809	128	14	1.09	1.89	A	36.6	50	5.000	532	14	1.22	10.56	B	
Franklin	N-074	472019H	LIBERTY ST	2	7,580	13.0	35	4.809	142	16	1.34	3.03	A	36.6	35	5.000	366	14	1.11	5.53	B	
Franklin	N-074	472040A	CHESTNUT ST	2	5,980	13.0	35	4.809	112	12	1.27	2.85	A	36.6	35	5.000	409	16	1.37	8.88	B	
Franklin	N-074	472044H	MENSTER AVE	4	19,260	13.0	50	4.809	270	15	1.13	1.96	A	36.6	50	5.000	323	13	1.29	8.36	B	
Franklin	N-074	472045I	JACKSON ST	2	5,230	13.0	50	4.809	76	8	0.95	1.66	A	36.6	50	5.000	801	16	1.15	5.72	B	
Franklin	N-074	472046R	HUNTER RD	2	6,360	13.0	50	4.809	92	10	0.99	1.72	A	36.6	50	5.000	218	9	0.97	4.84	A	
Franklin	N-074	472048I	HOPKINS RD	2	5,460	13.0	50	4.809	79	9	0.96	1.67	A	36.6	50	5.000	265	10	1.01	5.04	B	
Franklin	N-074	472050W	URR ST	2	8,570	13.0	50	4.809	124	14	1.08	1.88	A	36.6	50	5.000	257	9	0.98	4.88	A	
Franklin	N-074	472064N	RUSH RD	4	6,104	13.0	50	4.809	89	5	0.88	1.54	A	36.6	50	5.000	336	14	1.10	5.48	B	
Franklin	N-074	472068R	FLOYD RD	2	7,400	13.0	35	4.809	139	15	1.33	3.01	A	36.6	35	5.000	246	5	0.90	4.50	A	
Franklin	N-074	472068R	FLOYD RD	2	7,400	13.0	35	4.809	139	15	1.33	3.01	A	36.6	35	5.000	399	16	1.36	8.82	B	



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

Table 5-OH-11 (Revised)  
Ohio  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues

County	Seg. No.	Crossing ID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition							Post Acquisition							Level of Service	Level of Service with Mitigation
						Trains per day	Tram Speed (mph)	Tram 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	Tram Speed (mph)	Tram Length (feet)	No. of Veh. Delayed per day	Max. No. of Veh. in Queue per lane	Crossing Delay per stopped veh. (min./veh.)		
Allen	C-002	532707Y	N JACKSON ST	2	6,200	5.0	35	5,600	59	14	1.42	1.62	A	13.0	35	6,200	150	16	1.54	4.49	A
Allen	C-002	532710G	MAIN ST	4	8,800	5.0	35	5,600	84	10	1.34	1.52	A	13.0	35	6,200	215	11	1.45	4.21	A
Allen	C-002	532714I	N HIGHWAY ST	2	7,850	5.0	35	5,600	75	18	1.51	1.72	A	13.0	35	6,200	190	20	1.64	4.77	A
Allen	C-002	532719I	COLLE ST	2	7,300	5.0	35	5,600	69	17	1.48	1.69	A	13.0	35	6,200	177	18	1.61	4.67	A
Allen	C-002	532720M	CABLE RD	5	18,080	5.0	40	5,600	100	16	1.34	1.38	A	13.0	40	6,200	408	17	1.45	3.81	A
Allen	C-002	532722H	EAST TOWN RD	2	12,300	5.0	50	5,600	89	22	1.40	1.22	A	13.0	50	6,200	227	23	1.51	3.33	A
Allen	C-002	532733W	ROHSCH CROSSLING	5	7,260	5.0	40	5,600	62	6	1.14	1.18	A	13.0	40	6,200	158	7	1.24	3.24	A
Ashtabula	C-000	523885I	BROADWAY AVE	2	6,140	48.3	50	5,600	365	11	1.08	7.74	B	54.2	50	6,200	441	12	1.17	10.07	B
Ashtabula	N-070	471072I	LAKE ST	2	5,500	13.0	50	4,800	80	9	0.96	1.67	A	25.2	50	5,000	158	9	0.98	3.36	A
Ashtabula	N-070	471083Y	MAIN AVE	4	5,350	13.0	55	4,800	101	6	1.13	2.55	A	25.2	55	5,000	199	6	1.15	5.14	B
Ashtabula	N-075	471080W	WEST AVE	2	8,000	13.0	35	4,800	150	17	1.37	3.08	A	36.6	35	5,000	432	17	1.39	9.02	B
Ashtabula	N-075	472008G	BROADWAY AVE	2	7,320	13.0	50	4,800	106	12	1.03	1.79	A	36.6	50	5,000	304	12	1.05	5.22	B
Darke	C-003	152382S	WILHELM ST	2	7,030	28.2	40	6,000	304	15	1.39	7.22	B	31.2	40	6,200	344	16	1.43	8.41	B
Darke	C-003	152380P	SYMMES RD	2	6,210	28.2	40	6,000	268	14	1.35	7.01	B	31.2	40	6,200	304	14	1.39	8.16	B
Darke	C-003	152302N	LAUREL ST	2	6,800	28.2	35	6,000	329	17	1.54	8.85	B	31.2	35	6,200	374	17	1.58	10.32	B
Darke	C-003	152304I	CENTRAL	2	5,800	28.2	35	6,000	282	14	1.48	8.54	B	31.2	35	6,200	321	15	1.52	9.95	B
Darke	C-003	152407K	VINE ST	2	7,030	28.2	20	6,000	538	27	2.47	22.71	C	31.2	20	6,200	613	28	2.54	26.60	D
Darke	N-078	524698G	TYLERVILLE RD	2	11,590	11.7	40	5,000	197	24	1.60	3.25	A	18.9	40	5,000	292	22	1.47	4.43	A
Darke	N-078	524677N	CENTRAL	2	8,740	11.7	25	5,000	216	27	2.06	6.11	B	18.9	25	5,000	318	24	1.87	8.18	B
Darke	N-078	524678V	FIRST ST	2	7,430	11.7	25	5,000	184	23	1.96	5.81	B	18.9	25	5,000	270	21	1.78	7.77	B
Lancaster	C-002	532583H	SANDUSKY AVE	2	9,710	5.0	35	5,600	92	23	1.63	1.86	A	13.0	35	6,200	236	24	1.77	5.14	B
Lancaster	C-002	532588S	MANSHIELD ST	2	8,480	5.0	35	5,600	81	20	1.55	1.77	A	13.0	35	6,200	206	21	1.68	4.80	A
Lancaster	C-007	518443W	MAIN ST	2	12,030	14.5	40	5,600	253	25	1.63	4.11	A	31.3	40	6,200	591	27	1.76	10.39	B
Lancaster	N-073	481561P	HOPKIN	2	6,030	26.0	50	4,800	175	10	0.98	3.41	A	34.3	45	5,000	253	11	1.07	5.41	B
Lancaster	C-001	524363S	BAGLEY RD	4	10,950	14.5	50	5,600	195	10	1.06	2.27	A	54.2	50	6,200	787	10	1.14	9.83	B
Lancaster	C-001	524367I	COLUMBIARD	2	7,240	14.5	50	5,600	129	13	1.13	2.42	A	54.2	50	6,200	520	14	1.22	10.49	B
Lancaster	C-074	523071H	WILMETH RD	2	5,560	17.4	35	5,600	120	13	1.39	3.60	A	47.3	35	6,200	459	14	1.31	14.91	B
Lancaster	C-074	523073W	UNION RD	4	15,110	17.4	35	5,600	326	18	1.50	3.87	A	47.3	35	6,200	1246	19	1.62	16.05	C
Lancaster	N-078	472698H	CONCORD RD	2	5,310	13.0	35	4,800	100	11	1.24	2.79	A	36.6	35	5,000	287	11	1.26	8.17	B
Lancaster	N-078	472695Y	DELLE RD	2	15,430	13.0	50	4,800	224	25	1.49	2.59	A	36.6	50	5,000	642	25	1.51	7.55	B
Lancaster	N-080	472187A	WEST 110 ST	2	5,970	13.5	35	4,800	116	12	1.27	2.96	A	34.1	35	5,000	300	13	1.29	7.79	B
Lancaster	N-080	472192W	WEST 117 ST	4	15,610	13.5	35	4,800	305	16	1.36	3.17	A	34.1	35	5,000	785	17	1.38	8.34	B
Lancaster	N-080	472201I	HUNTS RD	2	5,300	13.5	35	4,800	107	11	1.24	2.89	A	34.1	35	5,000	296	11	1.26	7.61	B
Lancaster	N-080	472245I	COLUMBIARD	2	11,320	13.5	50	4,800	170	18	1.21	2.19	A	34.1	50	5,000	430	19	1.23	5.74	B
Lancaster	N-080	472248N	DOVER CENTER RD	2	7,650	13.5	50	4,800	115	12	1.04	1.88	A	34.1	50	5,000	296	12	1.06	4.92	A
Lancaster	N-080	472252D	BRADLEY RD	2	5,670	13.5	50	4,800	85	9	0.97	1.75	A	34.1	50	5,000	220	9	0.98	4.58	A
Lancaster	C-006	142356A	GILSWAY AVE	2	10,120	21.4	50	6,000	280	19	1.33	4.43	A	47.7	50	6,200	640	19	1.37	10.37	B
Lancaster	C-006	142374E	U.S. 24	2	5,910	21.4	50	6,000	164	11	1.13	3.76	A	47.7	50	6,200	374	11	1.16	8.79	B
Lanc	N-073	472306G	WATERS ST	2	6,260	15.0	50	4,800	109	10	0.99	2.06	A	27.0	50	5,000	192	10	1.01	3.70	A
Lanc	N-073	472308X	STATE ST	2	5,330	15.0	50	4,800	93	9	0.95	1.99	A	27.0	45	5,000	176	9	1.05	4.15	A
Lanc	N-085	481608S	SR 101 TOTTEN	2	5,950	14	15	1,800	24	25	2.54	1.24	A	11.7	15	5,000	207	26	2.61	10.80	B

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

Table 5-OH-11 (Revised)  
Ohio  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues

County	Seg. No.	Crossing TRAID	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
Columb.	C-0001	5185351	TWNSBORO-LEVEY RD	2	6,020	14.5	50	5,600	107	11	1.08	2.31	A	54.2	50	6,200	433	11	1.16	10.03	B	
Columb.	C-0001	5185351A	MAIN ST	2	5,550	14.5	40	5,600	171	12	1.26	3.19	A	54.2	40	6,200	480	13	1.36	13.93	B	
Columb.	C-0001	5185351N	N. MAIN ST	2	8,120	14.5	50	5,600	145	14	1.17	2.50	A	54.2	50	6,200	583	16	1.26	10.85	B	
Columb.	C-0001	5185351	DIARRHON AVE	2	7,870	14.5	50	5,600	140	14	1.16	2.48	A	54.2	50	6,200	566	15	1.25	10.75	B	
Columb.	N-0000	4722581	AVON CENTER RD	2	6,500	13.5	50	4,800	101	11	1.00	1.81	A	34.1	50	5,000	260	11	1.02	4.75	A	
Columb.	N-0000	4722608	MILLER RD	2	5,110	13.5	50	4,800	77	8	0.95	1.71	A	34.1	50	5,000	198	8	0.96	2.29	A	
Columb.	N-0000	472286X	COLORADO AVE	2	6,270	13.5	35	4,800	123	13	1.28	2.99	A	34.1	35	5,000	315	13	1.31	7.88	B	
Columb.	N-0000	4722507H	OHLEIN AVE	2	11,060	13.5	35	4,800	216	23	1.55	3.63	A	34.1	35	5,000	536	23	1.58	9.55	B	
Columb.	N-0000	4722503H	LEAVITT RD	2	9,660	13.5	50	4,800	145	16	1.13	2.64	A	34.1	50	5,000	374	16	1.15	5.34	B	
Columb.	C-0040	532121N	DIXIE (D. BROOK)	4	5,290	21.0	40	6,000	172	6	1.20	4.81	A	33.1	40	6,200	275	6	1.23	7.66	B	
Columb.	N-077	509436X	OAKDALE AVE	2	5,070	48.0	50	5,600	353	13	1.08	7.64	B	61.8	50	5,000	417	10	0.99	8.34	B	
Columb.	C-0081	1410811	BRIDGE ST	2	7,840	32.6	45	6,000	358	16	1.31	7.19	B	30.6	45	6,200	445	16	1.35	9.18	B	
Columb.	N-082	544716X	OLIHARD RD	2	7,698	11.7	30	5,100	104	20	1.70	4.34	A	23.8	30	6,200	362	22	1.85	10.44	B	
Columb.	C-071	5184151	CENTER ST	2	6,550	16.1	40	5,600	153	14	1.30	3.61	A	31.8	40	6,200	325	15	1.40	8.42	B	
Columb.	N-075	481538X	SILVER	2	6,780	26.0	30	4,800	270	15	1.45	7.35	B	34.3	30	5,000	364	15	1.48	10.11	B	
Columb.	N-075	481541D	N. MAIN SR 4	2	8,770	26.0	50	4,800	254	14	1.09	3.78	A	34.3	50	5,000	342	14	1.11	5.18	B	
Columb.	N-073	481530R	BARKS	2	7,120	26.0	35	4,800	268	15	1.32	5.93	B	34.3	35	5,000	360	15	1.35	8.18	B	
Columb.	N-071	481531N	PROSPECT	2	8,880	26.0	35	4,800	334	18	1.41	6.38	B	34.3	35	5,000	449	19	1.44	8.76	B	
Columb.	N-073	481532E	BUFFETOUNTAIN	3	11,740	26.0	30	4,800	497	18	1.53	7.76	B	34.3	30	5,000	669	19	1.56	10.68	B	
Columb.	N-073	481536X	CENTER	4	8,290	26.0	30	4,800	351	10	1.34	6.79	B	34.3	30	5,000	473	10	1.37	9.31	B	
Independen.	N-078	524672H	WASHINGTON ST	2	7,403	11.7	40	5,600	126	15	1.34	2.73	A	18.0	40	5,000	187	14	1.23	3.73	A	
Independen.	N-078	524678S	WESTWARD AVE	2	5,110	11.7	30	5,600	109	13	1.55	3.05	A	18.0	30	5,000	161	12	1.41	5.32	B	
Independen.	N-078	524678X	SELLARS	4	11,390	11.7	40	5,600	194	12	1.26	2.55	A	18.0	40	5,000	287	13	1.36	3.50	A	
Independen.	N-078	524674H	ALEXBELL RD	2	10,460	11.7	40	5,600	178	22	1.52	3.09	A	18.0	40	5,000	267	20	1.39	4.22	A	
Independen.	N-078	524674H	ALEX RD	4	11,700	11.7	40	5,600	190	12	1.25	2.58	A	18.0	40	5,000	295	11	1.16	3.52	A	
Independen.	N-078	524675H	ELM ST	2	5,240	11.7	40	5,600	89	11	1.24	2.53	A	18.0	40	5,000	132	10	1.14	3.44	A	
Independen.	N-078	524674G	CENTRAL	2	11,420	11.7	40	5,600	194	24	1.58	3.23	A	18.0	40	5,000	288	22	1.45	4.40	A	
Independen.	N-078	524675E	LEWIS AVE	2	5,420	11.7	40	5,600	92	11	1.25	2.54	A	18.0	40	5,000	137	10	1.14	3.46	A	
Independen.	N-070	4775541	WATER ST	2	7,530	7.7	35	4,800	84	16	1.34	1.79	A	25.5	35	5,000	302	16	1.37	6.59	B	
Independen.	C-0007	5184581	NO. CANTON	2	7,630	14.5	50	5,600	136	14	1.15	2.46	A	31.3	50	6,200	317	15	1.23	6.15	B	
Independen.	C-0007	518458X	MAIN ST	2	8,700	14.5	50	5,600	155	15	1.20	2.56	A	31.3	50	6,200	361	17	1.29	6.41	B	
Independen.	N-070	477668W	KILBOURNE	2	6,330	7.7	35	4,800	135	25	1.88	3.25	A	25.5	35	5,000	480	26	1.93	12.06	B	
Independen.	N-070	4776687H	MAIN ST	2	7,230	7.7	35	4,800	80	15	1.33	1.77	A	25.2	35	5,000	290	15	1.35	6.51	B	
Independen.	N-070	477711X	ST. AVE	4	19,380	7.7	35	4,800	281	26	1.91	3.32	A	25.2	26	5,000	1015	27	1.95	12.24	B	
Independen.	N-071	4816661	US 224	2	5,270	26.0	50	4,800	153	8	0.95	3.32	A	34.6	50	5,000	267	9	0.97	4.58	A	
Independen.	N-084	5015410	PATTERSON	2	5,150	26.4	35	5,600	219	12	1.37	6.98	B	30.1	35	5,000	229	14	1.28	6.68	B	
Independen.	N-084	5015411	STOW RD	2	6,300	26.4	30	5,600	208	11	1.09	4.27	A	30.1	30	5,000	274	10	1.01	4.15	A	
Independen.	C-0002	532559R	WASHINGTON	2	7,860	5.9	35	5,600	74	18	1.51	1.72	A	13.0	35	6,200	180	20	1.64	4.76	A	
Independen.	N-078	5246651	CARRIDGE	2	5,490	11.7	40	5,600	93	11	1.24	2.55	A	18.0	40	5,000	138	11	1.15	3.47	A	
Independen.	C-0005	1558711	BOULEVARD (WEST)	4	17,870	0.0	25	6,000	17	21	2.00	0.32	A	14.2	25	6,200	471	21	2.05	8.06	B	
Independen.	C-0005	155871X	INDIAN ST	2	6,288	0.0	25	6,000	8	20	1.90	0.32	A	14.2	25	6,200	266	21	2.04	8.01	B	

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

**Table 5-OH-11 (Revised)  
 Ohio  
 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							Level of Service	Level of Service with Mitigation	
						Trains per day	Tram Speed (mph)	Tram 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)	Trains per day	Tram Speed (mph)	Tram 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)			
Wood	C-0605	155829N	LOUISIANA	4	7,170	0.6	25	6,000	10	12	1.81	0.29	A	14.2	25	6,200	235	12	1.86	7.39	B	
Wood	N-0777	509855K	DROUILLARD	2	5,770	48.0	50	5,600	341	10	1.07	7.59	B	61.5	50	5,000	403	9	0.99	8.28	B	
Wyandot	C-0700	228752H	LINCOLNWAY WEST	2	5,600	17.8	40	6,000	153	12	1.32	4.33	A	27.4	40	6,200	241	13	1.36	7.01	B	

(b) Recommend consultation between railroad and community

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

**Table 5-PA-9 (Revised)  
Pennsylvania  
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							Level of Service	Level of Service with Mitigation	
						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.)
Delaware	C-082	5848658	14TH ST	2	7,144	28.0	35	6,000	351	17	1.55	9.17	B	38.3	35	6,200	477	18	1.60	12.80	B	
Delaware	N-094	502237G	COLUMBIA AVE	2	7,106	42.4	40	5,600	437	15	1.33	9.80	B	40.1	40	5,000	465	14	1.22	9.57	B	
Delaware	N-091	502264I	STATE HILL	2	7,123	11.1	35	5,600	127	17	1.47	3.15	A	19.6	35	5,000	206	15	1.35	4.67	A	
Delaware	N-091	502199A	TENTH ST	2	7,790	11.1	35	5,600	138	18	1.50	3.22	A	19.6	35	5,000	223	16	1.38	4.78	A	
Delaware	N-091	5022008	18TH ST	2	7,501	11.1	35	4,800	120	16	1.34	2.58	A	19.6	35	5,000	217	16	1.37	4.74	A	
Delaware	N-094	502366S	BERRY RD	2	5,500	42.4	40	5,600	339	12	1.25	9.24	B	40.1	40	5,000	360	11	1.15	9.02	B	
Delaware	C-084	140641S	MAIN ST	2	6,855	22.0	40	6,000	240	15	1.38	5.83	B	26.4	40	6,200	284	16	1.42	7.07	B	
Delaware	C-084	140640B	OAK LANE	2	14,510	22.0	40	6,000	569	32	1.94	8.16	B	26.4	40	6,200	602	33	1.99	9.90	B	
Delaware	C-084	140647H	ASHJ AND AVE	2	5,820	22.0	40	6,000	204	13	1.33	5.61	B	26.4	40	6,200	241	13	1.37	6.80	B	
Delaware	C-084	140649W	SOUTH AVE	2	14,995	22.0	40	6,000	520	33	1.90	8.37	B	26.4	40	6,200	622	34	2.04	10.16	B	
Delaware	C-084	140650E	AMOS AND AVE	2	11,425	22.0	40	6,000	401	25	1.67	7.03	B	26.4	40	6,200	474	26	1.71	8.52	B	
Delaware	C-084	140652L	SWARTHMORE AVE	2	23,458	22.0	40	6,000	822	52	3.65	15.36	C	26.4	40	6,200	973	53	3.75	18.64	C	
Delaware	C-084	140654T	FAIRVIEW RD	2	9,662	22.0	40	6,000	339	21	1.55	6.51	B	26.4	40	6,200	401	22	1.59	7.90	B	
Delaware	C-084	140670C	MEETINGHOUSE RD	2	7,862	22.0	40	6,000	276	17	1.44	6.05	B	26.4	40	6,200	326	18	1.48	7.34	B	
Delaware	C-084	140675R	NAAMANS RD	2	6,695	22.0	40	6,000	235	15	1.38	5.79	B	26.4	40	6,200	278	15	1.41	7.02	B	
Delaware	N-070	471803G	ASH ST	2	5,290	13.0	35	4,800	94	11	1.23	2.78	A	25.2	35	5,000	197	11	1.26	5.62	B	
Delaware	N-070	471894N	PARADE ST	4	15,000	13.0	35	4,800	282	16	1.34	3.02	A	25.2	35	5,000	557	16	1.37	6.09	B	
Delaware	N-070	471901W	PIACH ST	4	11,110	13.0	35	4,800	420	23	2.51	11.39	B	25.2	35	5,000	834	24	2.57	23.17	C	(d)
Delaware	N-070	471902D	SASSAFRAS ST	2	11,110	13.0	35	4,800	420	47	3.13	14.20	B	25.2	35	5,000	834	48	3.20	28.84	D	(d)(c)
Delaware	N-070	471906F	CHERRY ST	2	9,220	13.0	35	4,800	349	39	2.89	13.10	B	25.2	35	5,000	692	40	2.95	26.61	D	(d)(c)
Delaware	N-070	471908L	LIBERTY ST	4	18,284	13.0	35	4,800	691	38	2.88	13.09	B	25.2	35	5,000	1372	39	2.95	26.52	D	(d)(c)
Delaware	N-070	471911C	RASPBERRY ST	2	5,400	13.0	35	4,800	204	23	2.50	11.32	B	25.2	35	5,000	405	23	2.55	23.00	C	(d)
Delaware	N-070	471913R	GREEN GARDEN RD	2	7,940	13.0	50	4,800	115	13	1.05	1.83	A	25.2	50	5,000	227	13	1.07	3.68	A	
Delaware	N-070	471915E	PITTSBURG RD	2	7,004	13.0	50	4,800	102	11	1.01	1.77	A	25.2	50	5,000	201	11	1.03	3.53	A	
Delaware	C-082	505738I	MONTGOMERY	2	6,400	28.0	35	5,600	298	15	1.43	7.90	B	38.3	35	5,000	361	14	1.31	8.89	B	
Delaware	N-094	502338I	FRONT ST-LINCOLN	2	5,760	42.4	25	5,600	517	18	1.84	19.78	C	40.1	25	5,000	545	16	1.67	18.98	C	
Delaware	N-094	502341B	SEVENTH ST	2	5,426	42.4	25	5,600	486	17	1.82	19.54	C	40.1	25	5,000	512	15	1.65	18.75	C	
Delaware	N-094	502365P	RAILROAD ST	2	7,247	42.4	40	5,600	446	15	1.33	9.85	B	40.1	40	5,000	475	14	1.22	9.62	B	
Delaware	C-033	145489R	MAIN ST	2	9,195	27.7	30	6,000	490	25	1.91	12.22	B	32.8	30	6,200	597	26	1.96	15.27	C	

(c) Recommend consultation between railroad and community regarding NS mitigation plan (Appendix S)

(d) Recommend consultation between railroad and community regarding NS mitigation plan due to close proximity of this crossing to other crossings in Line



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

**Table 5-TN-7 (Revised)  
 Tennessee  
 Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg. No	Crossing TRAID	Roadway Name	Number of Roadway Lanes	ADT	Pre Acquisition							Post Acquisition							Level of Service	Level of Service with Mitigation
						Trains per day	Tram Speed (mph)	Tram 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.)	Trains per day	Tram Speed (mph)	Tram 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.)		
Davidson	C-090	350207W	CRAIGHEAD	4	8,400	40.8	40	6,000	525	9	1.26	9.44	B	48.4	40	6,200	638	9	1.29	11.79	B
Davidson	C-090	350208D	BERRY RD	2	6,100	40.8	40	6,000	381	13	1.35	77.09	B	48.4	40	6,200	464	14	1.38	12.60	B
Davidson	C-090	348027Y	DAVIDSON RD	2	7,000	40.8	40	6,000	437	15	1.39	10.44	B	48.4	40	6,200	532	16	1.43	13.03	B
Davidson	C-090	349218M	THOMPSON LANE	4	21,600	40.8	50	6,000	1141	20	1.37	8.70	B	48.4	50	6,200	1386	21	1.41	10.83	B
Davidson	C-090	349226L	UNAKANTICHI	2	8,000	40.8	50	6,000	422	15	1.22	7.75	B	48.4	50	6,200	513	15	1.25	9.65	B
Robertson	C-021	348124H	MAIN ST	2	5,790	23.4	40	6,000	207	13	1.33	5.73	B	32.7	40	6,200	297	13	1.37	8.42	B



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

**Table 5-VA-7 (Revised)  
Virginia  
Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg. No.	Crossing FRAID	Roadway Name	Number of Roadway Lanes	ADI	Pre Acquisition								Post Acquisition								
						Trains per day	Tram Speed (mph)	Tram 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	Tram Speed (mph)	Tram 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
Stafford	N-100	408135B	SR 608	2	5.476	3.9	40	4,869	28	10	1.12	0.69	A	12.1	40	5,000	88	11	1.15	2.55	A	
Stafford	C-103	623641B	CENTRAL RD	2	5.130	18.4	50	6,000	122	10	1.10	3.14	A	23.0	50	6,200	156	10	1.13	4.12	A	
Stafford	N-091	408599F	SR 7	2	5.315	11.3	35	4,869	87	11	1.74	2.42	A	19.0	35	5,000	156	11	1.26	4.44	A	
Stafford City	C-103	723755R	ATLANTIC ST	3	11.250	18.4	50	6,000	2.8	14	1.20	3.43	A	23	50	6,200	343	14	1.23	4.50	A	
Stafford	C-102	860450F	ENGLAND ST	2	7.775	17.8	50	6,000	1.0	14	1.21	3.35	A	24.8	50	6,200	256	15	1.24	4.90	A	
Stafford	C-102	860437F	HUNGARY RD	2	5.910	17.8	50	6,000	136	11	1.13	3.13	A	24.8	50	6,200	194	11	1.16	4.57	A	
Stafford	N-100	408699K	EAST MAIN ST	2	7.485	3.9	40	4,869	38	14	1.21	0.74	A	12.1	40	5,000	121	14	1.24	2.39	A	
Stafford City	C-103	623663D	LAHKE RD	2	10.320	18.4	50	6,000	246	19	1.34	3.84	A	23.0	50	6,200	315	20	1.38	5.04	B	
Stafford City	C-103	623668M	BROAD ROCK RD	2	13.570	18.4	50	6,000	323	25	1.56	4.47	A	23.0	50	6,200	414	26	1.60	5.86	P	
Stafford City	C-103	623672C	WALMSLEY BLVD	2	8.636	18.4	50	6,000	206	16	1.25	3.58	A	23.0	50	6,200	263	16	1.28	4.70	A	

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

**Table 5-WV-5 (Revised)  
 West Virginia  
 Highway/Rail At-Grade Crossing Vehicle Delay and Queues**

County	Seg. No.	Crossing (RAID)	Roadway Name	Number of Roadway Lanes	ADI	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
Jefferson	NA-094	46-076111	SR 90	2	8,900	11.1	40	4,860	1.28	17	1.28	2.22	A	10.6	40	5,000	2.00	17	1.30	4.08	A

STEPHEN M FONTAINE  
MASSACHUSETTS CENTRAL RAILROAD CORPORATION  
ONE WILBRAHAM STREET  
PALMER MA 01069 US

JOHN R NADOLNY, VICE PRESIDENT & GENERAL COUN  
BOSTON & MAINE CORPORATION  
IRON HORSE PARK  
NO BILLERICA MA 01862 US

RICHARD B. KENNELLY, JR  
CONSERVATION LAW FOUNDATION  
62 SUMMER STREET  
BOSTON MA 03110 US

JAMES E HOWARD  
90 CANAL STREET  
BOSTON MA 02114 US

JAMES F. MCCRAIL  
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSP  
10 PARK PLAZA ROOM 3170  
BOSTON MA 02116-3969 US

JOHN D CIRAME  
COMMONWEALTH OF MASSACHUSETTS  
TEN PARK PLAZA  
BOSTON MA 02116-3969 US

WILLIAM D ANKNER PHD  
R 1 DEPT OF TRANSPORTATION  
TWO CAPITOL HILL  
PROVIDENCE RI 02903 US

ELAINE L CLARK  
MAINE DEPT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA ME 04333 US

ROBERT D. ELDER  
STATE OF MAINE DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA ME 04333 US

JOHN K DUNLEAVY  
ASSISTANT ATTORNEY GENERAL  
133 STATE STREET STATE ADM BLDG  
MONTPELIER VT 05633-5001 US

JAMES F SULLIVAN  
CT DEPT OF TRANSPORTATION  
P O BOX 317546  
NEWINGTON CT 06131 US

EDWARD J RODRIQUEZ  
PO BOX 298  
67 MAIN ST  
CENTERBROOK CT 06409 US

RICHARD C CARPENTER  
1 SELLECK STREET SUITE 210  
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND  
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE  
300 LIGHTING WAY  
SECAUCUS NJ 07094-1588 US

HONORABLE ROBERT G. TORRICELLI  
U. S. HOUSE OF REPRESENTATIVES  
1 RIVER FRONT PLAZA, 3RD FLOOR  
NEWARK NJ 07102 US

J WILLIAM VAN DYKE  
NJ TRANSPORTATION PLANNING AUTHORITY  
ONE NEWARK CENTER 17TH FLOOR  
NEWARK NJ 07102 US

EDWARD LLOYD  
RUTGERS ENVIRONMENTAL LAW CLINIC  
15 WASHINGTON STREET  
NEWARK NJ 07102 US

PHILIP SIDO  
UNION CAMP CORPORATION  
1600 VALLEY ROAD  
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ  
DURKIN & BOGGIA ESQS  
PO BOX 378  
71 MT VERNON STREET  
RIDGEFIELD PARK NJ 07660 US

TIMOTHY G CHELIUS  
18 N EAST AVENUE  
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR  
GRUCCIO PEPPER  
517 EAST LANDS AVE  
VINELAND NJ 08360 US

JOHN F. MCHUGH  
MCHUGH & SHERMAN  
20 EXCHANGE PLACE 51ST FLOOR  
NEW YORK NY 10005 US

ANTHONY BOTTALICO  
UTU  
420 LEXINGTON AVENUE ROOM 458-460  
NEW YORK NY 10017 US

WALTER E ZULLIG JR  
METRO-NORTH COMMUTER RAILROAD COMPANY  
347 MADISON AVE  
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK  
347 MADISON AVENUE  
NEW YORK NY 10017-3706 US

JAMES W HARRIS  
THE METROPOLITAN PLANNING ORGANIZATION  
1 WORLD TRADE CENTER STE 82 EAST  
NEW YORK NY 10048-0043 US

HUGH H. WELSH  
LAW DEPT., SUITE 67E  
ONE WORLD TRADE CENTER  
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.  
NEW YORK & ATLANTIC RAILWAY  
405 LEXINGTON AVENUE 50TH FLOOR  
NEW YORK NY 10174 US

SAMUEL J NASCA  
UTU STATE LEGISLATIVE DIRECTOR  
35 FULLER ROAD SUITE 205  
ALBANY NY 12205 US

HONORABLE ALFONSE M. D'AMATO  
UNITED STATES SENATE  
LEO O'BRIEN OFFICE BUILDING, ROOM 420  
ALBANY NY 12207 US

WILLIAM C VAN SLYKE  
152 WASHINGTON AVENUE  
ALBANY NY 12210 US

DANIEL B. WALSH  
BUSINESS COUNCIL OF NEW YORK STATE, INC.  
152 WASHINGTON AVENUE  
ALBANY NY 12210 US

DIANE SEITE  
CENTRAL HUDSON GAS & ELECTRIC CORP  
284 SOUTH AVENUE  
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS  
1900 STATE TOWER BLDG.  
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN  
P O BOX 908  
48398 OLD GOOSE BAY ROAD  
REDWOOD NY 13679 US

GARY EDWARDS  
SCHEMSET RAILROAD  
7725 LAKE ROAD  
BARKER NY 14012 US

SHEILA MECK HYDE CITY ATTORNEY  
CITY HALL  
342 CENTRAL AVENUE  
DUNKIRK NY 14048 US

JOHN F COLLINS  
COLLINS, COLLINS, & KANTOR PC  
267 NORTH STREET  
BUFFALO NY 14201 US

HONORABLE ALFONSE D'AMATO  
UNITED STATES SENATE  
111 W. HURON STREET, ROOM 620  
BUFFALO NY 14202 US

ERNEST J IERARDI  
NIXON HARGRAVE DEVANS DOYLE LLP  
PO BOX 1051  
CLINTON SQUARE  
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF  
65 WEST BROAD ST STE 101  
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK  
107 GRANT COURT  
ORLEAN NY 14760 US

DAVID W. DONLEY  
3361 STAFFORD ST  
PITTSBURGH PA 15204-1441 US

HENRY M. WICK, JR.  
WICK, STREIFF, ET AL  
1450 TWO CHATHAM CENTER  
PITTSBURGH PA 15219 US

JOHN A. VUONO  
VUONO & GRAY  
2310 GRANT BUILDING  
PITTSBURGH PA 15219 US

R J HENEFELD  
PPG INDUSTRIES INC  
ONE PPG PLACE  
PITTSBURGH PA 15272 US

M E PETRUCCELLI  
PPG INDUSTRIES INC  
ONE PPG PLACE  
PITTSBURGH PA 15272 US

RICHARD R WILSON  
1126 EIGHT AV STE 403  
ALTOONA PA 16602 US

DONALD W DUNLEVY  
230 STATE STREET  
UTU STATE LEG DIR  
PA AFL-CIO BLDG 2ND FL  
HARRISBURG PA 17101-1138 US

HONORABLE THOMAS J RIDGE  
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA  
225 MAIN CAPITOL BUILDING  
HARRISBURG PA 17120 US

JOHN J GROCKI  
GRA INC  
115 WEST ONE JENKINTOWN STA  
JENKINTOWN PA 19046 US

WILLIAM R THOMPSON  
CITY OF PHILADELPHIA LAW DEPT  
1600 ARCH ST 10TH FLOOR  
PHILADELPHIA PA 19103 US

DAVID BERGER  
BERGER AND MONTAGUE, P. C.  
1622 LOCUST ST  
PHILADELPHIA PA 19103-6305 US

JOHN K. LEARY, GENERAL MANAGER  
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH  
1234 MARKET STREET 5TH FLOOR  
PHILADELPHIA PA 19107-3780 US

WILLIAM P. QUINN  
GOLLATZ, GRIFFIN, EWING  
PO BOX 796  
213 WEST MINER STREET  
WEST CHESTER PA 19381-0796 US

J E THOMAS  
HERCULES INCORPORATED  
1313 NORTH MARKET STREET  
WILMINGTON DE 19894 US

E C WRIGHT  
RAIL TRANSPORTATION PROCUREMENT MANAGER  
1007 MARKET STREET, DUPONT BLDG 3100  
WILMINGTON DE 19898 US

TERRENCE D JONES  
KELLER & HECKMAN  
1001 G ST NW STE 500 WEST  
WASHINGTON DC 20001 US

PETER A GILBERTSON  
REGIONAL MRS OF AMERICA  
122 C ST NW STE 850  
WASHINGTON DC 20001 US

BRUCE KNIGHT  
NATIONAL CORN GROWERS ASSOCIATION  
122 C ST NW SUITE 510  
WASHINGTON DC 20001-2109 US

KURT W CARR  
BUREAU FOR HISTORIC PRESERVATION  
P O BOX 1026  
HARRISBURG PA 17108-1026 US

D J O'CONNELL  
GENERAL CHAIRPERSON UTU  
410 LANCASTER AVE STE 5  
HAVERFORD PA 19041 US

G CRAIG SCHELTER  
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI  
2600 CENTRE SQUARE WEST 500 MARKET ST  
PHILADELPHIA PA 19102 US

JOHN J EHLINGER JR  
OBERMAYER REBMAN MAXWELL & HIPPEL  
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T  
PHILADELPHIA PA 19103-1895 US

JOHN J COSCIA, EXECUTIVE DIRECTOR  
DELAWARE VALLEY REGIONAL PLANNING COMMISSION  
111 SOUTH INDEPENDENCE MALL EAST  
PHILADELPHIA PA 19106 US

ERIC M. HOCKY  
GOLLATZ, GRIFFIN, EWING  
213 WEST MINER STREET  
WEST CHESTER PA 19381-0796 US

HON JOSEPH R BIDEN, JR.  
UNITED STATES SENATE  
844 KING STREET  
WILMINGTON DE 19801 US

WILLIAM A. MCCURDY, JR.  
LEGAL DEPARTMENT-D-7064  
1007 MARKET STREET  
WILMINGTON DE 19898 US

FREDERICK H SCHRANCK  
PO BOX 778  
DOVER DE 19903 US

JAMES HOWARD  
COALITION OF NORTHEASTERN GOVERNORS  
400 NORTH CAPITOL STREET, SUITE 382  
WASHINGTON DC 20001 US

MARTIN W. BERCOVICI  
KELLER & HECKMAN  
1001 G ST NW SUITE 500 WEST  
WASHINGTON DC 20001 US

RICHARD G SLATTERY  
AMTRAK  
60 MASSACHUSETTS AVENUE N E  
WASHINGTON DC 20002 US



STB

FD

33388

1-21-98

K

28839

2/2

ROSS B CAPON  
NATIONAL ASSOCIATION OF RAILROAD PASSENGERS  
900 2ND ST NE SUITE 308  
WASHINGTON DC 20002 US

DONALD F GRIFFIN  
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES  
10 G STREET NE STE 460  
WASH DC 20002 US

JOSEPH GUERRIERI, JR.  
GUERRIERI, EDMOND, ET. AL  
1331 F STREET N W, 4TH FLOOR  
WASHINGTON DC 20004 US

PATRICK R PLUMMER  
GUERRIERI EDMOND & CLAYMAN PC  
1331 F ST NW  
WASH DC 20004 US

DEBRA L. WILLEN  
GUERRIERI, EDMOND & CLAYMAN PC  
1331 F STREET N W, 4TH FLOOR  
WASHINGTON DC 20004 US

DREW A HARKER  
ARNOLD & PORTER  
555 TWELFTH STREET NW  
WASHINGTON DC 20004 US

DENNIS G LYONS  
ARNOLD & PORTER  
555 TWELFTH STREET NW  
WASHINGTON DC 20004 US

GEORGE W MAYO JR  
HOGAN & HARTSON L.L.P.  
555 THIRTEENTH STREET NW  
WASHINGTON DC 20004-1109 US

WILLIAM W MILLAR  
AMERICAN PUBLIC TRANSIT ASSOCIATION  
1201 NEW YORK AVE., NW  
WASHINGTON DC 20005 US

ALICE C. SAYLOR  
THE AMERICAN SHORT LINE RAILROAD ASSOCIATION  
1120 G STREET, N. W., SUITE 520  
WASHINGTON DC 20005 US

DANIEL DUFF  
AMERICAN PUBLIC TRANSIT ASSOCIATION  
1201 NEW YORK AV NW  
WASH DC 20005 US

L JOHN OSBORN  
SONNENSCHN NATH & ROSENTHAL  
1301 K STREET NW STE 600 EAST  
WASH DC 20005 US

MARK H SIDMAN  
WERNER & BRODSKY, SIDMAN & KIDER  
1350 NEW YORK AVE., NW., STE. 800  
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB  
WEINER BRODSKY SIDMAN & KIDER  
1350 NEW YORK AVENUE NW  
WASHINGTON DC 20005 US

LOUIS E GITOMER  
BALL JANIK LLP  
1455 F STREET NW SUITE 225  
WASHINGTON DC 20005 US

KARL MORELL  
BALL JANIK LLP  
1455 F STREET NW SUITE 225  
WASHINGTON DC 20005 US

EDWARD WYTKIND, EXECUTIVE DIRECTOR  
LARRY J WILLIS ESQ TRANSP TRADES DEPT AFLCI  
1000 VERMONT AVENUE, NW STE 900  
WASHINGTON DC 20005 US

CLARK EVANS DOWNS  
JONES DAY REAVIS & POGUE  
1450 G STREET NW  
WASHINGTON DC 20005-2088 US

WILLIAM A. MULLINS  
TROUTMAN SANDERS LLP  
1300 I STREET NW SUITE 500 EAST  
WASHINGTON DC 20005-3314 US

FRITZ R KAHN  
1100 NEW YORK AVENUE NW SUITE 750 WEST  
WASHINGTON DC 20005-3934 US

NICHOLAS J. DIMICHAEL  
DONELAN, CLEARY, WOOD & MASER, PC  
1100 NEW YORK AVENUE N W STE 750  
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD  
DONELAN, CLEARY, WOOD, & MASER, PC  
1100 NEW YORK AVENUE, NW, SUITE 750  
WASHINGTON DC 20005-3934 US

JOHN K MASER III  
DONELAN, CLEARY, WOOD, MASER  
1100 NEW YORK AVE NW SUITE 750  
WASHINGTON DC 20005-3934 US

ANDREW P. GOLDSTEIN  
MCCARTHY, SWEENEY ET AL.  
1750 PENNSYLVANIA AVE NW  
WASHINGTON DC 20006 US

DANIEL J. SWEENEY  
MCCARTHY, SWEENEY & HARKAWAY, P. C.  
1750 PENNSYLVANIA AVE NW, STE 1105  
WASHINGTON DC 20006 US

FRANCIS G. MCKENNA  
ANDERSON & PENDLETON  
1700 K ST NW SUITE 1107  
WASHINGTON DC 20006 US

G. PAUL MOATES  
SIDLEY & AUSTIN  
1722 EYE STREET NW  
WASHINGTON DC 20006 US

ROBERT P. VOM EIGEN  
HOPKINS AND SUTTER  
888 16TH STREET N W STE 700  
WASHINGTON DC 20006 US

JAMES R WEISS  
PRESTON GATES ELLIS ET AL  
1735 NEW YORK AVENUE NW SUITE 500  
WASHINGTON DC 20006 US

ERIKA Z JONES  
MAYER BROWN & PLATT  
2000 PA AV NW  
WASH DC 20006-1882 US

RICHARD A. ALLEN  
ZUCKERT, SCOUT, RASENBERGER  
888 17TH STREET N W STE 600  
WASHINGTON DC 20006-3939 US

ALICIA M SERFATY  
HOPKINS & SUTTER  
888 - 16TH STREET NW  
WASHINGTON DC 20006-4103 US

CHARLES A SPITULNIK  
HOPKINS & SUTTER  
888 SIXTEENTH ST NW  
WASH DC 20006-4103 US

RACHEL DANISH CAMPBELL  
HOPKINS & SUTTER  
888 SIXTEENTH STREET NW  
WASHINGTON DC 20006-4103 US

STEVEN J. KALISH  
MCARTHY, SWEENEY & HARKAWAY  
1750 PENNSYLVANIA AVE NW  
WASHINGTON DC 20006-4502 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI  
CORN REFINERS ASSOC  
1701 PA AV NW  
WASH DC 20006-5805 US

ROBERT G. SZABO  
V.NESS FELDMAN  
1050 THO JEFFERSON STREET,NW  
WASHINGTON DC 20007 US

CHRISTOPHER C O'HARA  
BRICKFIELD BURCHETTE & RITTS PC  
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR  
WASHINGTON DC 20007 US

EDWARD D. GREENBERG  
GALLAND KHARASCH & GARFINKLE P C  
1054 THIRTY-FIRST STREET NW  
WASHINGTON DC 20007-4492 US

CHARLES H. WHITE, JR.  
GALLAND, KHARASCH & GARFINKLE, P. C.  
1054 THIRTY-FIRST STREET NW  
WASHINGTON DC 20007-4492 US

MICHAEL F MCBRIDE  
LEBOEUF LAMB GREENE & MACRAE  
1875 CONNECTICUT AVENUE NW  
WASHINGTON DC 20009 US

PAUL M. DONOVAN  
LAROE, WINN, ETAL  
3506 IDAHO AVE NW  
WASHINGTON DC 20016 US

JOHN D. HEFFNER, ESQ.  
REA, CROSS & AUCHINCLOSS  
1920 N STREET NW SUITE 420  
WASHINGTON DC 20036 US

HELEN M. COUSINEAU  
CARLOS RODRIGUEZ & ASSOCIATES  
1710 RHODE ISLAND AVENUE, NW  
WASHINGTON DC 20036 US

HAROLL P JR QUINN  
NATIONAL MINING ASSOCIATON  
1130 17TH STREET NW  
WASHINGTON DC 20036 US

STEPHEN H BROWN  
VORYS SATER SEYMOUR AND PEASE  
1828 L STREET N W  
WASHINGTON DC 20036 US

C MICHAEL LOFTUS  
SLOVER & LOFTUS  
1224 SEVENTEENTH STREET N W  
WASHINGTON DC 20036 US

ROBERT A. WIMBISH, ESQ.  
REA, CROSS & AUCHINCLOSS  
1920 N STREET NW SUITE 420  
WASHINGTON DC 20036 US

RICHARD S. EDELMAN  
HIGHS AW MAHONEY CLARKE  
1050 SEVENTEENTH STREET N W, SUITE 210  
WASHINGTON DC 20036 US

KELVIN J. DOWD  
SLOVER & LOFTUS  
1224 17TH STREET N W  
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY  
HIGHS AW, MAHONEY & CLARKE  
1050 SEVENTEENTH STREET NW SUITE 210  
WASHINGTON DC 20036 US

PAUL CUNNINGHAM  
HARKINS CUNNINGHAM  
1300 NINETEENTH STREET, NW STE. 600  
WASHINGTON DC 20036 US

PETER A. GREENE  
THOMPSON HINE FLORY  
1920 N STREET N W, SUITE 800  
WASHINGTON DC 20036 US

JOHN M. CUTLER, JR.  
MCCARTHY SWEENEY HARKAWAY  
1750 PENNSYLVANIA AVE N W SUITE 1105  
WASHINGTON DC 20036 US

GORDON P. MACDOUGALL  
1025 CONNECTICUT AVE NW SUITE 410  
WASHINGTON DC 20036 US

DONALD G AVERY  
SLOVER & LOFTUS  
1224 SEVENTEENTH STREET NW  
WASHINGTON DC 20036-3003 US

WILLIAM L. SLOVER  
SLOVER & LOFTUS  
1224 SEVENTEENTH STREET NW  
WASHINGTON DC 20036-3003 US

PAUL D. COLEMAN  
HOPPEL MAYER & COLEMAN  
1000 CONNECTICUT AVE NW SUITE 400  
WASHINGTON DC 20036-5302 US

L PAT WYNNIS  
SUITE 210  
1050 - 17TH STREET N W  
WASHINGTON DC 20036-5503 US

PAUL H. LAMBOLEY  
1020 NINETEENTH STREET, N.W., STE 400  
WASHINGTON DC 20036-6105 US

KEVIN M SHEYS  
OPPENHEIMER WOLFF & DONNELLY  
1020 NINETEENTH STREET N W SUITE 400  
WASHINGTON DC 20036-6105 US

PAUL LAURENZA  
OPPENHEIMER WOLFF & DONNELLY  
1010 NINETEENTH STREET NW SUITE 400  
WASHINGTON DC 20036-6105 US

JOHN L. OBERDORFER  
PATTON BOGGS LLP  
2550 M ST NW  
WASHINGTON DC 20037-1301 US

ARVID E ROACH II  
COVINGTON & BURLING  
PO BOX 7566  
1201 PENNSYLVANIA AVE N W  
WASHINGTON DC 20044-7566 US

KEITH A KLINDWORTH  
U S DEPT OF AGRICULTURE  
P O BOX 96456  
WASHINGTON DC 20090 US

THOMAS A. O'BRIEN  
US DEPARTMENT OF AGRICULTURE  
P O BOX 965456  
WASHINGTON DC 20090-6456 US

EILEEN S. STOMMES, DIRECTOR, T&M DIVISION  
AGRICULTURAL MARKETING SERVICE, USDA  
P. O. BOX 96456  
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS  
FEDERAL ENERGY REGULATORY COMMISSION  
888 - 1ST ST, N.E. STE 11F  
WASHINGTON. DC 20426 US

HON. BARBARA A. MIKULSKI  
UNITED STATES SENATE  
WASHINGTON DC 20510 US

HON. DAN COATS  
UNITED STATES SENATE  
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.  
UNITED STATES SENATE  
WASHINGTON DC 20510 US

HON. CHARLES ROBB  
UNITED STATES SENATE  
WASHINGTON DC 20510 US

HONORABLE ALFONSE M D'AMATO  
UNITED STATES SENATE  
WASHINGTON DC 20510 US

HONORABLE JACK REED  
U. S. SENATE  
WASHINGTON DC 20510 US

HON MIKE DEWINE  
U S SENATE  
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM  
UNITED STATE SENATE  
WASHINGTON DC 20510 US

HON. ROSA L DELAURO  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR  
UNITED STATES SENATE  
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR  
U S SENATE  
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER  
US SENATE  
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD  
UNITED STATE SENATE  
444 RUSSELL SENATE OFFICE BUILDING  
WASH DC 20510-0702 US

HONORABLE CONNIE MACK  
UNITED STATES SENATE  
WASHINGTON DC 20510-0904 US

HONORABLE JOHN BREAUX  
UNITED STATES SENATE  
WASHINGTON DC 20510-1803 US

HON ARLEN SPECTER  
UNITED STATES SENATE  
WASHINGTON DC 20510 3802 US

RICK SANTORUM  
UNITED STATES SENATE  
WASHINGTON DC 20510-3804 US

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

HON. LEE N. HAMILTON  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

MAJOR R. OWENS  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

HON ROBERT G TORRICELLI  
UNITED STATES SENATE  
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON THOMAS MANTON  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

JAMES MALONEY  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON NITA LOWEY  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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



HON MAURICE HINCHEY  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

BEN GILMAM  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON ED TOWNS  
U. S. HOUSE OR REPRESENTATIVES  
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON CHARLES SCHUMER  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON CHARLES RANGEL  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON MICHAEL FORBES  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON FLOYD FLAKE  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON ELIOT L ENGEL  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON GARY ACKERMAN  
U S HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON JERROLD NADLER  
U S HOUSE OF REPRESENTATIVES  
WASH DC 20515 US

HONORABLE ROBERT W. NEY  
U S HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON. RALPH REGULA  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HONORABLE TILLIE WALKER  
US HOUSE REPRESENTATIVES  
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASH DC 20515 US

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

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

HON BOB WISE  
U S HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

HON. ED BRYANT  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON. LOUIS E. STOKES  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

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

HON. THOMAS C SAWYER  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

HONORABLE PETER J. VISCLOSKY  
U S HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON. BARBARA B KEMNELLY  
U S HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HONORABLE JOHN J. LAFALCE  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON. BUD SHUSTER  
ATTN: MIKE RICK  
U S HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

HONORABLE ROD R BLAGOJEVICH  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515-1305 US

HONORABLE JAMES A. BARCIA  
US HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515-2205 US

HONORABLE MICHAEL MCNULTY  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515-3221 US

HONORABLE RICHARD BURR  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515-3305 US

HONORABLE SHERROD BROWN  
U S HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515-3513 US

HONORABLE BOBBY L. RUSH  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515-9997 US

MICHAEL P. HARMONIS  
DEPARTMENT OF JUSTICE  
325 SEVENTH STREET, NW  
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH  
US DEPARTMENT OF TRANSPORTATION  
400 SEVENTH STREET SW  
WASHINGTON DC 20590 US

JOSEPH R. POMPONIO  
FEDERAL RAILROAD ADMIN.  
400 7TH ST SW RCC-20  
WASHINGTON DC 20590 US

DAVID G ABRAHAM  
SUITE 400W  
7315 WISCONSIN AVENUE  
BETHESDA MD 20814 US

MITCHELL M. KRAUS  
TRANSPORTATION -COMMUNICATIONS INTERNATIONAL  
3 RESEARCH PLACE  
ROCKVILLE MD 20850 US

JOHN M ROBINSON  
9616 OLD SPRING ROAD  
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR.  
W. W. WHITEHURST & ASSOCIATES, INC.  
12421 HAPPY HOLLOW ROAD  
COCKEYSVILLE MD 21030 US

JOHN HOY  
P O BOX 117  
GLEN BURNIE MD 21060 US

ROBERT J WILL  
UNITED TRANSPORTATION UNION  
4134 GRAVE RUN RD  
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN  
CITIZENS ADVISORY COMMITTEE  
601 NORTH HOWARD STREET  
BALTIMORE MD 21201 US

LINDA A JANEY J D  
MARYLAND OFFICE OF PLANNING  
301 WEST PRESTON STREET  
BALTIMORE MD 21201-2365 US

CHARLES M CHADWICK  
MARYLAND MIDLAND RAILWAY INC  
P O BOX 1000  
UNION BRIDGE MD 21091 US

GARRET G SMITH  
MOBIL OIL CORPORATION  
3225 GALLOWES RD RM 8A903  
FAIRFAX VA 22037-0001 US

HENRY E. SEATON  
STE 201  
7700 LEESBURG PIKE  
FALLS CHURCH VA 22043 US

PETER Q. NYCE, JR.  
U. S. DEPARTMENT OF THE ARMY  
901 NORTH STUART STREET  
ARLINGTON VA 22203 US

THOMAS E. SCHICK  
CHEMICAL MANUF. ASSOC.  
1300 WILSON BOULEVARD  
ARLINGTON VA 22209 US

WILLIAM P. JACKSON, JR.  
JACKSON & JESSUP, P. C.  
P O BOX 1240  
3426 NORTH WASHINGTON BLVD  
ARLINGTON VA 22210 US

JENNIFER BRAUN  
JACKSON & JESSUP  
P O BOX 1240  
3426 NORTH WASHINGTON BOULEVARD  
ARLINGTON VA 22210 US

GERALD W. FAUTH, III  
G. W. FAUTH & ASSOCIATES INC.  
116 SOUTH ROYAL STREET  
ALEXANDRIA VA 22314 US

KENNETH E. SIEGEL  
AMERICAN TRUCKING ASSOC. INC  
2200 MILL ROAD  
ALEXANDRIA VA 22314-4677 US

ROBERT E MARTINEZ  
VA SECRETARY OF TRANSPORTATION  
P. O. BOX 1475  
RICHMOND VA 23218 US

RICHARD WALTON  
COMMONWEALTH OF VIRGINIA OFFICE OF THE ATTORNEY  
900 EAST MAIN STREET  
RICHMOND VA 23219 US

HONORABLE GEORGE ALLEN  
GOVERNOR, COMMONWEALTH OF VIRGINIA  
STATE CAPITOL  
RICHMOND VA 23219 US

L P KING JR  
GENERAL CHAIRPERSON UTU  
145 CAMPBELL AVE SW STE 207  
ROANOKE VA 24011 US

HONORABLE JOHN WARNER  
UNITED STATES SENATE  
P.O. BOX 8817  
235 FEDERAL BUILDING  
ABINGDON VA 24210-0887 US

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

TERRELL ELLIS  
CAEZEV  
P O BOX 176  
CLAY WV 25043 US

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

WILLIAM T BRIGHT  
P O BOX 149  
200 GREENBRIER ROAD  
SUMMERSVILLE WV 26651 US

FRANK N JORGENSEN  
THE ELK RIVER RAILROAD INC  
P O BOX 460  
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR  
NORTH CAROLINA RAILROAD COMPANY  
3200 ATLANTIC AV STE 110  
RALEIGH NC 27604-1640 US

GARLAND B GARRETT JR  
NC DEPT OF TRANSPORTATION  
P O BOX 25201  
RALEIGH NC 27611 US

PATRICK B SIMMONS  
NC DEPT OF TRANSPT  
1 S WILMINGTON STREET ROOM 557  
RALEIGH NC 27611 US

DAVID D KING  
BEAUFORT AND MOREHEAD RR CO  
PO BOX 25201  
RALEIGH NC 27611-5201 US

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

M W CURRIE  
GENERAL CHAIRPERSON UTU  
3030 POWERS AVENUE STE 2  
JACKSONVILLE FL 32250 US

J L RODGERS  
GENERAL CHAIRMAN UTU  
480 OSCEOLA AVENUE  
JACKSONVILLE FL 32250 US

J T REED  
GENERAL CHAIRPERSON UTU  
7785 BAYMEADOWS WAY STE 109  
JACKSONVILLE FL 32256 US

HONORABLE LAWTON CHILES  
OFFICE OF THE GOVERNOR  
THE CAPITOL  
TALLAHASSEE FL 32399-0001 US

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

WILLIAM L OSTEEN  
ASSOCIATE GENERAL COUNSEL TVA  
400 WEST SUMMIT HILL DRIVE  
KNOXVILLE TN 37902 US

J R BARBEE  
GENERAL CHAIRPERSON UTU  
P.O. BOX 9599  
KNOXVILLE TN 37940 US

HONORABLE KIRK FORDICE, GOVERNOR  
STATE OF MISSISSIPPI  
P O BOX 139  
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON  
GOVERNOR  
700 CAPITOL AVENUE, STE. 100  
FRANKFORT KY 40601 US

WILLIAM P HERNAN JR GENERAL CHAIRMAN  
P O BOX 180  
HILLIARD OH 43026 US

F R PICKELL  
GENERAL CHAIRPERSON UTU  
6797 NORTH HIGH ST STE 108  
WORTHINGTON OH 43085 US

THOMAS M O'LEARY  
OHIO RAIL DEVELOPMENT COMMISSION  
50 W BROAD STREET 15TH FLOOR  
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE  
U. S. HOUSE OF REPRESENTATIVES  
500 SOUTH FRONT STREET, ROOM 1130  
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION  
OHIO ATTY GENERAL OFFICE  
30 E BROAD STREET 16TH FLOOR  
COLUMBUS OH 43215 US

HONORABLE JOHN GLENN  
U. S. SENATE ATTN: ANISA BELL  
200 N HIGH STREET S-600  
COLUMBUS OH 43215-2408 US

JAMES R JACOBS  
JACOBS INDUSTRIES  
2 QUARRY LANE  
STONY RIDGE OH 43463 US

ROBERT J COOPER  
GENERAL CHAIRPERSON UTU  
1238 CASS ROAD  
MAUMEE OH 43537 US

ROBERT E GREENLESE  
TOLEDO-LUCAS COUNTY PORT AUTHORITY  
1 MARITIME PLAZA SUITE 700  
TOLEDO OH 43604 US

DAVID DYSARD  
TMACOG  
PO BOX 9508  
300 CENTRAL UNION PLAZA  
TOLEDO OH 43697-9508 US

RON MARQUARDT  
LOCAL UNION 1810 UMW  
R D #2  
RAYLAND OH 43943 US

MAYOR VINCENT M URBIN  
150 AVON BELDEN RD  
AVON LAKE OH 44012 US

CHARLES S HESSE, PRESIDENT  
CHARLES HESSE ASSOCIATES  
7777 BAINBRIDGE RD  
CHAGRIN FALLS OH 44023-2124 US

CHARLES HESSE  
CHARLES HESSE ASSOCIATES  
7777 BAINBRIDGE ROAD  
CHAGRIN FALLS OH 44023-2124 US

COLETTA MCNAMEE SR  
CUDELL IMPROVEMENT INC  
11500 FRANKLIN BLVD STE 104  
CLEVELAND OH 44102 US

ANITA R BRINDZA  
THE ONE FIFTEEN HUNDRED BUILDING  
11500 FRANKLIN BLVD SUITE 104  
CLEVELAND OH 44102 US

DANIEL R ELLIOTT III  
UNITED TRANSPORTATION UNION  
14600 DETROIT AVENUE  
CLEVELAND OH 44107 US

CLINTON J MILLER, III, GENERAL COUNSEL  
UNITED TRANSPORTATION UNION  
14600 DETROIT AVENUE  
CLEVELAND OH 44107-4250 US

C V MONIN  
BROTHERHOOD OF LOCOMOTIVE ENGINEERS  
1370 ONTARIO STREET  
CLEVELAND OH 44113 US

CHRISTOPHER C MCCracken  
ULMER & BERNE LLP  
1300 EAST NINTH STREET SUITE 900  
CLEVELAND OH 44114 US

DAVID ROLOFF  
GOLDSTEIN & ROLOFF  
526 SUPERIOR AVENUE EAST SUITE 1440  
CLEVELAND OH 44114 US

DAVID J MATTY  
CITY OF ROCKY RIVER  
21012 HILLIARD ROAD  
ROCKY RIVER OH 44116-3398 US

MICHAEL J GARRIGAN  
BP CHEMICALS INC  
4440 WARRENSVILLE CTR RD  
CLEVELAND OH 44128 US

C D WINEBRENNER  
GENERAL CHAIRPERSON UTU  
27801 EUCLID AV RM 200  
EUCLID OH 44132 US

GARY A EBERT  
CITY OF BAY VILLAGE  
350 DOVER CENTER ROAD  
BAY VILLAGE OH 44140 US

SYLVIA R. CHINN-LEVY  
NEFCO  
969 COPLEY ROAD  
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR  
EAST OHIO STONE COMPANY  
2000 W BESSON ST  
ALLIANCE OH 44601 US

D G STRUNK JR  
GENERAL CHAIRPERSON UTU  
817 KILBOURNE STREET  
BELLEVUE OH 44811 US

RICHARD E. KERTH, TRANS. MGR.  
CHAMPION INTERNAT'L CORP  
101 KNIGHTSBRIDGE DRIVE  
HAMILTON OH 45020-0001 US

BRAD F HUSTON  
CYPRUS AMAX COAL SALES CORP  
400 TECHNECENTER DRIVE STE 320  
MILFORD OH 45150 US

FAY D DUPUIS  
CITY OF CINCINNATI  
801 PLUM STREET  
CINCINNATI OH 45202 US

ROBERT EDWARDS  
EASTERN TRANSPORT AND LOGISTICS  
1109 LANETTE DRIVE  
CINCINNATI OH 45230 US

HONORABLE ROB PORTMAN  
U. S. HOUSE OF REPRESENTATIVES  
8044 MONTGOMERY ROAD, ROOM 540  
CINCINNATI OH 45236 US

MICHAEL P. FERRO  
MILLENNIUM PETROCHEMICALS, INC.  
11500 NORTHLAKE DRIVE  
CINCINNATI OH 45249 US



THOMAS R RYDMAN PRESIDENT  
INDIAN CREEK RAILROAD COMPANY  
3905 W 600 NORTH  
ANDERSON IN 46011 US

F RONALDS WALKER  
CITIZENS GAS & COKE UTILITY  
2020 N MERIDIAN STREET  
INDIANAPOLIS IN 46202-1393 US

HONORABLE DAN COATS,  
UNITED STATES SENATE  
1180 MARKET TOWER, 10 WEST MARKET STREET  
INDIANAPOLIS IN 46204 US

J PATRICK LATZ  
HEAVY LIFT CARGO SYSTEM  
PO BOX 51451  
INDIANAPOLIS IN 46251-0451 US

MICHAEL CONNELLY  
CITY OF EAST CHICAGO  
4525 INDIANAPOLIS BLVD  
EAST CHICAGO IN 46312 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL  
CITY OF GARY  
401 BROADWAY 4TH FLOOR  
GARY IN 46402 US

PETER J. VISCLOSKY  
215 WEST 35TH AVENUE  
GARY IN 46408 US

CARL FELLER  
DEKALB AGRA INC  
P. O. BOX 127  
4743 COUNTY ROAD 28  
WATERLOO IN 46793-0127 US

CHRISTOPHER J BURGER, PRESIDENT  
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS  
PO BOX 554  
KOKOMO IN 46903-0554 US

WILLIAM A BON, GENERAL COUNSEL  
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES  
26555 EVERGREEN ROAD SUITE 200  
SOUTHFIELD MI 48076 US

NICOLE HARVEY  
THE DOW CHEMICAL COMPANY  
2020 DOW CENTER  
MIDLAND MI 48674 US

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

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

HON JOHN ENGLER  
OFFICE OF THE GOVERNOR  
P O BOX 30050  
LANSING MI 48933 US

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

BYRON D. OLSEN  
FELHABER LARSON FENLON & VOGT PA  
601 SECOND AVENUE SOUTH 4200 FIRST BANK PLACE  
MINNEAPOLIS MN 55402-4302 US

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

THOMAS R BOBAK  
313 RIVER OAKS DRIVE  
CALUMET CITY IL 60409 US

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

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

WILLIAM F. COTTRELL  
ASST. ATTORNEY GENERAL  
100 W RANDOLPH ST - 12TH FLOOR  
CHICAGO IL 60601 US

THOMAS J. LITWILER  
OPPENHEIMER WOLFF & DONNELLY  
180 N STETSON AVE 45TH FLOOR  
CHICAGO IL 60601 US

THOMAS J HEALEY  
OPPENHEIMER, WOLFF, ETAL  
180 N STETSON AV 2 PRUDENTIAL PL  
CHICAGO IL 60601 US

KEVIN BRUBAKER  
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MI  
203 NORTH LASALLE ST, SUITE 1390  
CHICAGO IL 60601 US

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

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

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

ROGER A. SERPE  
INDIANA HARBOR BELT RR  
175 WEST JACKSON BOULEVARD SUITE 1460  
CHICAGO IL 60604 US

MARK H. SIDMAN  
LOUISVILLE & INDIANA RAILROAD COMPANY  
53 W. JACKSON BOULEVARD, STE 350  
CHICAGO IL 60604 US

SANDRA J. DEARDEN  
MDCO CONSULTANTS, INC.  
407 SOUTH DEARBORN, SUITE 1145  
CHICAGO IL 60605 US

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

THOMAS F. MCFARLAND, JR.  
MCFARLAND & HERMAN  
40 NORTH WACKER DRIVE, SUITE 1330  
CHICAGO IL 60606-3101 US

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

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

MERRILL L. TRAVIS  
ILLINOIS DEPT. OF TRANSPORTATION  
2300 S. DIRKSEN PARKWAY, RM 302  
SPRINGFIELD IL 62703-4535 US

K. N. THOMPSON  
UTU, GENERAL CHAIRPERSON  
11025-C GRAVOIS INDUSTRIAL PLAZA  
ST LOUIS MO 63128 US

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

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

MIKE SPANIS  
FINA OIL & CHEMICAL CO.  
8350 NORTH CENTRAL EXPRESSWAY, STE. 1620  
DALLAS TX 75206 US

ROBERT L. EVANS  
OXYCHEM  
P O BOX 809050  
DALLAS TX 75380 US

W DAVID TIDHOLM  
HUTCHESON & GRUNDY  
1200 SMITH STREET #3300  
HOUSTON TX 77002 US

DAVID L HALL  
COMMONWEALTH CONSULTING ASSOCIATES  
720 NORTH POST OAK ROAD SUITE 330  
HOUSTON TX 77024 US

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

STEVE M COULTER  
EXXON COMPANY USA  
PO BOX 3272  
HOUSTON TX 77253-3272 US

MONTY L PARKER  
CMC STEEL GROUP  
P O BOX 911  
SEGUIN TX 78156 US

STEPHEN M UTHOFF  
CONIGLIO & UTHOFF  
110 WEST OCEAN BLVD STE C  
LONG BEACH CA 90802 US

RICHARD WELSH  
NARPO  
50-505 GRAND TRAVERSE  
LA QUINTA CA 92253 US

J D FITZGERALD  
UTU, GENERAL CHAIRPERSON  
400 E EVERGREEN BLVD STE 217  
VANCOUVER WA 98660-3264 US