FD-33388 ID-CITIES 7-31-97



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

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

July 22, 1997

ENV RONMENTAL DOCUMENT

Dear Ms. Kaiser:

Thank you for allowing us to submit comments regarding the environmental impact statement for CSX Corporation and CSX Transportation, Norfolk Southern Corporation and Norfolk Southern Railway Company., Docket No. 33388.

There are two railroad lines passing through Fairfield County; one is the Indiana Central Railroad and the other is Conrail. The Indiana Central enters the county adjacent to S.R. 33 at Canal Winchester and then basically parallels S.R. 33 and leaves the county at the Hocking County line. The Conrail system enters the county in Pickerington, then passes through Baltimore, Thurston, Pleasantville, Rushville and Bremen before leaving the county adjacent to and immediately south of Ohio Route 37 at the Perry County line.

Both railroad lines pass through, or at the very least, in close proximity to numerous water supply fields. This raises the major concern of a hazardous material spill occurring which could render a community water supply unusable. We would like to make you aware of this concern and also our request to be permitted to review and comment on the report you generate before the Surface Transportation Board takes final action on this matter.

Thank you for your assistance in this matter.

Yours truly,



MAYOR AND COUNCIL

CITY OF NEWARK

220 Elkton Road • P.O. Box 390 • Newark, Delaware 19715-0390

302-366 7070 • Fax 302-366 7067 • http://www.udel.edu/Newark/DE/usa.htm

ENVIRONMENTAL 1997 DOCUMENT

The Office of the Secretary
Case Control Unit STB Finance Docket #3388
Surface Transportation Board
1925 K Street NW
Washington, DC 20423-0001



Attention: Elaine Kaiser, Chief Section of Environmental Analysis

Dear Ms. Kaiser:

Thank you for all the guidance you have given us thus far in filing our public input regarding the CSX/Norfolk Southern/Conrail reorganization. As confirmed by Newark Planning Director, Roy Lopata, it has long been our policy to urge reduction of rail freight through town.

Our circumstances are serious in that we have three CSX atgrade crossings (75% of our east-west transversal arteries) which if blocked for any length of time, can have a devastating effect on emergency response efficiency. Further more, these at-grade crossings serve thousands of pedestrians and bicycles daily because of their adjacent proximity to the University of Delaware. It seems at least one person is killed or seriously injured on these tracks every year.

I have heard that a daily increase of four to six trains is projected for this track line in Newark, but I have also heard skeptical comments about the potential for the buying and selling of "track miles" within the railroad industry. These numbers are not necessarily accounted for through regular train schedules.

Finally, I am concerned by the growth projections for the northeastern corridor. While removing freight from roads and putting it on rail is environmentally and economically advantageous, I am afraid that in ten years if we have not obtained grade crossing improvement, we will see our city truly standing still having rendered itself untraversable and ultimately unlivable. To whose advantage will this be? The rest of the east may have its products and goods efficiently delivered, but it should not be at the cost of the safety and future of our city.

The Office of the Secretary Page Two July 28, 1997

Please refer to the statistics and information that has been forwarded to you by our City Planning Department. If you have any questions, please call me at 302-368-4225. Again, thank you for your attention.

Sincerely,

Maxey & Juner Nancy H. Turner Council Member District Five

NHT:pmf
cc - Anne P. Canby, Secretary, DelDOT
Area Legislators
WNTRC Members



Evansville Urban Transportation Study

Civic Center Complex, Room 316, 1 N.W. Martin Luther King, Jr. Blvd. Evansville, IN 47708-1833 (812) 426-5230 FAX-(812) 426-5231 Hearing Impaired/TDD (812) 426-5483

ROSE M. ZIGENFUS, M.P.A. EXECUTIVE DIRECTOR

ENVIRONMENTAL DOCUMENT

July 24, 1997





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

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

Dear Ms. Kaiser:

The Evansville Urban Transportation Study (EUTS), the state-designated metropolitan planning organization for the Evansville, Indiana and Henderson, Kentucky urbanized area, has received the Railroad Control Application (Finance Docket No. 33388) for the proposed CSX and Norfolk Southern acquisition of Conrail, Incorporated. Upon review of this document, EUTS offers the ollowing comments:

1. Throughout the Railroad Control Application, including Volume 6B/pages 136 & 164, Vanderburgh County, Indiana is incorrectly listed as a pollution attainment area. Vanderburgh County is, in fact, designated by USEPA as a marginal non-attainment county for ozone. We are currently in the process of requesting redesignation to ozone attainment maintenance. This request has not yet been officially approved and we continue to be classified as non-attainment. Obviously, any new sources of emissions must be considered carefully. Based on estimates provided in the Railroad Control Application, nearly 300 tons of additional Nitrogen Oxides will be produced yearly by the additional rail traffic in Vanderburgh County. After consultation with both the Evansville Environmental Protection Agency and the Indiana Department of Environmental Management, this is not a signalicant increase in the level of NOx when compared to the 1990 emissions inventory.

However, given that the USEPA has revised the federal standards for ozone attainment, these increased emissions could further affect the ability of Vanderburgh County to meet these more stringent ozone and particulate standards.

According to Volume 6A/page 31 of the Railroad Control Application, since Vanderburgh County is currently in ozone non-attainment status, then the proposed rail activities must be evaluated using the stricter STB air quality thresholds for impact analysis.

According to the Railroad Control Application, all increases in emissions caused by the added rail activity are expected to be offset by decreases in truck and other rail traffic, etc. However, these offsets are not required to be quantified. For non-attainment counties such as Vanderburgh, some local estimate of predicted diversions or reductions would be a reassuring gesture from the involved parties. Without some form of local estimate, it is impossible to accurately gauge the effect that this acquisition may have on Vanderburgh Obviously, we are in support of the predicted system-wide air quality improvements. Unfortunately, given that air quality designations are determined at the county level, accurate local estimates are a necessity.

Thank you for this opportunity to comment on the environmental ramifications of the CSX and Norfolk Southern acquisition of Conrail, Inc. Should you require additional information or have any questions, please contact me, or Brian E. Bishop at (812) 426-5230.

Sincerely,

Rose M. Zigenfus

Executive Director

RMZ/BB/jw

cc: Joyce Newland, IDEM Christine Terry, EEPA

Rase M. Zegerfes

FD-33388 ID-CITIES



METROPOLITAN PLANNING COMMISSION

110 EAST STATE STREET, P.O. BOX 8246 PHONE 912-651-1440 SAVANNAH, GEORGIA 31412 - 8246 FACSIMILE 912-651-1480

ENVIRONMENTALLY 23, 1997 DOCUMENT

JUL 3 0 1997 AMAIL

MANAGEMENT

STB 17

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

ATTENTION:

Elaine K. Kaiser, Chief

Section of Environmental Analysis

Environmental Filing

Dear Ms. Kaiser:

RE: Notice of Intent to Prepare an Environmental Impact Statement (EIS) and Request for Comments on Proposed EIS Scope in STB Finance Docket No. 33388, CSX Corporation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company-Control and Operating Leases/Agreements-Conrail, Inc. and Consolidated Rail Corporation.

Please be advised that this agency does not offer any comments on the above referenced issue.

Very truly yours,

Milton L. Newton, Jr.

Acting Executive Director

Milton neuton

MLN/gp

FD-33388 ID-GOV 7-30-97 STATE OF MICHIGAN

ENVIRONMENTAL DOCUMENT

TRANSPORTATION COMMISSION

Barton W. LaBelle Richard T. White Robert M. Andrews Jack L. Gingrass John C. Kennedy Betty Jean Awrey



JOHN ENGLER, GOVERNOR

DEPARTMENT OF TRANSPORTATION

TRANSPORTATION BUILDING, 425 WEST OTTAWA POST OFFICE BOX 30050, LANSING, MICHIGAN 48909 PHONE: (517) 373-2090 TDD NO.: (517) 373-0012 FAX NO.: (517) 373-0167

JAMES R. DESANA, DIRECTOR

July 17, 1997

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

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

Dear Ms. Kaiser:

Thank you for the opportunity to review the Draft Scope of the EIS relating to the proposed acquisition and division of Consolidated Rail Corporation. The Michigan Department of Transportation believes the draft scope will adequately address the environmental impacts of the transaction.

Please feel free to contact me directly (517-373-9058) if you have any questions.

Sincerely,

Larry B. Karnes Freight Planning Unit

Bureau of Transportation Planning

Larry & Karnes

FD-33388 ID-STATES STB

ENVIRONMENTAL DOCUMENT



SENATE
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

JUL 3 0 1997 P 9

MAIL

MANAGEMENT

STB 17

COMMITTEES

COMMITTEES
BANKING
COMBAT DRUG ABUSE
EDUCATION
FINANCE

HOCKESSIN, DELAWARE 19707
HOME: 302-234-3303
SENATE OFFICES
DOVER: 302-739-4136 (FAX - 5049)

DOVER: 302-739-4136 (FAX - 5049)
WILMINGTON: 302-577-8714
E-MAIL: LSORENSON@LEGIS.STATE.DE.US

LIANE M. SORENSON

417 SNUFF MILL HILL

July 25, 1997

Office of the Secretary, Case Control Unit STB Finance Dockett #33388, Surface Transportation Board 1925 K Street, NW Washington, DC 20423-0001

Attn: Elaine K. Kaiser, Chief

Section of Environmental Analysis,

Environmental Filing

Dear Ms. Kaiser:

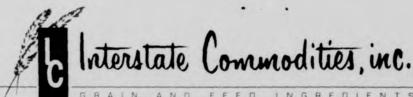
I am writing today on behalf of the citizens of the 6th Senatorial District which I am proud to represent, in reference to the proposed reorganization of the CSX, Forfolk Southern and CONRAIL Railroad's freight rail operations within the City of Newark, Delaware. It has come to my attention that this proposal will increase freight rail traffic through the heart of Newark. Estimates on the amount of increase range from 1.9 to 10 trains per day.

It is imperative to understand that this rail line runs right through this small university city and crosses many bicycle and pedestrian walkways. The combination of freight lines and university congestion is unique to the City of Newark and it must be taken into serious consideration before authorization is given for any increase.

I represent part of the City of Newark, but I am also employed at the University of Delaware. I share the University's and the City's concern about student pedestrian and bicycle safety in downtown Newark. Our local residents and small businesses are also rightfully concerned about air quality, noise and the close proximity of the rail lines to their homes and businesses.

July 25, 1997 I hope you will take these legitimate concerns under thoughtful consideration during your deliberations. Please feel free to call me if you have any questions . I invite you to visit our City, to see for yourself the unique hazard created when a university community and freight rail lines are combined. Thank you for your time and consideration of my comments. Sincerely, Liane Sorenson State Senator LS/jd 86325

FD-33388 ID-BUSINESS



ENVIRONMENTAL 21, 1997 DOCUMENT

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



Subject. Proposed EIS Scope in STB Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company - - Control and Operating Leases/Agreements - Conrail, Inc. and Consolidated Rail Corporation

Interstate Commodities is a prominent shipper and receiver of commodities in the Argicultural Industry of the Northeastern United States. This company maintains facilities at Troy, New York and York, Pennsylvania for distribution of large inbound rail volumes of grain and feed ingredients to a wide base of end users such as dairy farms, poultry producers and feed manufacturers all located in the six New England states and New York, Pennsylvania and Maryland.

Interstate Commodities believes that the acquisition of Conrail by CSXT and Norfolk Southern will be a beneficial transaction with respect to the health of the rail industry and its ability to compete with the trucking industry for long haul freight movement.

The major issue for our company and its physical plant facility here at Troy, New York is the availability of competitive rail service to this region. The transportation section of the 15,000 page Environment Report filed by CSX Transportation and Norfolk Southern is silent on existing interchange and trackage right agreements as they are in effect today with present rail carriers and possible future rail successors and short line railroads. Absent a discussion in the report of inherited or "grandfathered" trackage rights along with recently negotiated trackage rights could mean that long time multi carrier competitive access to Troy, New York has not been assured.

Troy, New York, a city of 75,000 residents, is served by rail on what is known as the "Troy Branch". The trackage is 5.7 miles in length originating at the Albany, New York Hudson River Rail Bridge and running straight north on the east side of the river to the southend of the city of Troy. The Troy branch business has grown rapidly over the last several years. Some 1,200 railcars will be delivered to the Troy yard in 1997 of which 800 will be switched to our company plant sidings. Interstate Commodities has operated the Troy rail facility for 48 years having started activity in 1949.

The Troy branch is owned and operated by Conrail. Up to and until 1963, the Troy branch was directly served by both New York Central on the Troy branch and the Delaware and Hudson Railroad from Albany County via a rail bridge from Green Island, New York to the City of Troy and then south through the city to our plant location in south Troy. In 1963, urban development closed down Delaware and Hudson Railroad access via this route. It was then agreed to by New York Central (now Conrail) and Delaware and Hudson (now St. Lawrence & Hudson-CPRS) to continue service to Troy by granting trackage rights to the Delaware and Hudson from Albany, New York to Troy over the Troy branch owned by New York Central (now Conrail). These arrangements were authorized on May 29, 1963 by the INTERSTATE COMMERCE COMMISSION in Finance dockets 22277, 22278, 22279, 22280, 22281, 22282 and 22283 (copy of these dockets attached). Note that 22277 states that "Under the proposed modified plan of operation by the proprietary carriers, substantially the same freight service will be provided as in the past, although a different routing will necessarily be used." A prior "private agreement" was made on September 17, 1962 by New York Central and Delaware and Hudson which outlines the terms of the agreement between both carriers (copy attached).

Our reasonable goal at Interstate Commodities is the <u>continued</u> availiability of rail service on the two existing railroads to Troy, New York, the history of which is previously outlined in this letter. Further, the Surface Transportation Board filing and Environmental Report does not deal with the Norfolk Southern Haulage and Trackage Agreement being worked out with CP Rail and the Boston and Maine. CP Rail/SLH has thus far been silent regarding local capital district changes to their system as a result of the Conrail acquisition.

Interstate Commodities request that the Surface Transportation Board consider the information provided herein with respect to continuation of competitive rail service to Troy and the Albany Capital District. Our company has grown into an important source of feed stuffs in the Eastern United States area that is a vital link to the agricultural food production pipeline (i.e. milk, eggs, broilers, pork and beef) to millions of consumers in this dense northeastern corridor. Competitive rail service from midwestern rail grain and processor sources to our Troy, New York facility for storage-transfer and delivery by our truck fleet is critical to Interstate Commodities' ability to contribute to the lower cost food delivery system here in the great Northeast.

Thank you for the opportunity to comment on the Draft Scope of the EIS on the acquistion of Conrail by CSXT at Norfolk Southern and related issues.

ery truly yours,

Victor A. Oberting, Jr.

CERTIFICATE AND ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3, held at its office in Washington, D. C., on the 29th day of May, A. D. 1963.

Finance Docket No. 22277

TROY UNION RAIL ROAD CO. ABANDONMENT BETWEEN TROY AND GREEN ISLAND, N. Y.

Finance Docket No. 22278

NEW YORK CENTRAL RAILROAD CO. ABANDONMENT IN COLONIE, GREEN ISLAND AND TROY, N. Y.

Finance Docket No. 22279

NEW YORK CENTRAL RAILROAD CO. ACQUISITION OF TRACKAGE IN TROY, N. Y.

Finance Docket No. 22280

NEW YORK CENTRAL RAILROAD CO. -- TRACKAGE RIGHTS -- DELAWARE & HUDSON RAILROAD CORP.

Pinance Docket No. 22281

DELAWARE & HUDSON RAILROAD CORP. ABANDONENT BETWEEN GREEN ISLAND AND TROY, N. Y.

Finance Docket No. 22282

DELAWARE & HUDSON RAILROAD CORP. -- TRACKAGE RIGHTS -- NEW YORK CENTRAL RAILROAD CO.

Finance Docket No. 22283

BOSTON & MAINE RAILROAD ABANDONMENT IN GREEN ISLAND AND TROY, N. Y.

No. 29813

TROJAN SCRAP IRON CORPORATION v. BOSTON & MAINE RAILROAD

Investigation of the matters and things involved in these proceedings having been made, and said Division on the date hereof, having made and filed a report containing its findings of fact and conclusions thereon, which report is made a part hereof:

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It is hereby certified, That, subject to the conditions for the protection of railway employees referred to in said report, the present and future public convenience and necessity (1) permit in Finance Docket No. 22277 the abandonment by The Troy Union Rail Road Company of its entire line of railroad in Rensselser County, N. Y., and its leasehold right in the bridge and railroad across the Hudson River in Rensselser and Albany Counties, N. Y., described in the report aforesaid; (2) permit

in Finance Docket Mo. 22278 the abandonment by The New York
Central Railroad Company of a portion of its line of railroad
in Albany County, M. Y., and the abandonment of operations over
the owned and leased line of The Troy Union Rail Road Company
in Rensselaer and Albany Counties, M. Y., described in the
report; (3) require in Finance Docket Mo. 22279 the acquisition
and operation by The New York Central Railroad Company of portions
of tracks owned by the Boston and Maine Railroad and The Troy
Union Rail Road Company for use as industrial spurs in
Rensselaer County, M. Y., described in the report aforesaid;
(4) permit in Finance Docket No. 22281 the abandonment by The
Delaware and Hudson Railroad Corporation of a line of railroad
in Albany and Rensselaer Counties, M. Y., including a bridge
across the Hudson River, and operations over the line of The
Troy Union Rail Road Company in Rensselaer County, M. Y.,
described in the report aforesaid; and (5) permit in Finance
Docket No. 22283 the abandonment by the Boston and Maine Railroad
of a portion of its line of railroad in Rensselaer County, M. Y.,
and the abandonment of operations over the owned and leased line
of The Troy Union Rail Road Company in Rensselaer and Albany
Counties, M. Y., described in the report aforesaid:

It is ordered, That, subject to the conditions for the protection of railway employees referred to in the report aforesaid, the acquisition in Finance Docket No. 22280 by The New York Central Railroad Company of trackage rights over the line of the Delaware and Hudson Railroad Corporation in Albany County, N. Y., and the acquisition in Finance Docket No. 22282 by the Delaware and Hudson Railroad Corporation of trackage rights over the line of The New York Central Railroad Company in Albany and Rensselaer Counties, N. Y., as described in the report aforesaid, upon the terms and conditions set forth in the applications filed herein and in the agreements dated September 17 and 19, 1962, be, and they are hereby approved and authorized;

It is further ordered, That the proceeding in No. 29813 be, and it is hereby, reopened, and the order therein dated July 20, 1948, be, and it is hereby, vacated;

It is further ordered, That this certificate and order shall be effective 35 days from the date of service hereof: provided, however, that the abandonments herein permitted shall not be accomplished until operations commence over the lines herein authorized to be acquired and over the trackage of The New York Central Railroad Company and the Delaware and Hudson Railroad Corporation, as herein authorized;

It is further ordered, That when making such changes or cancellations in tariffs as may be required, the carriers may do so upon notice to this Commission and to the general public by not less than 10 days' filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act, and shall in schedules making such changes refer to this certificate and order by date and docket number; and that concurrences and powers of attorney applicable to interstate and foreign commerce may be revoked upon not less than 10 days' notice to this Commission;

It is further ordered, That, if the authorizations herein granted are exercised, the carriers shall submit for the consideration and approval of this Commission two copies of the

journal entries showing the retirement and acquisition of the lines involved herein; and

It is further ordered, That no changes or modifications in the terms and conditions of the trackage rights herein authorized are to be effected and no additional parties shall be permitted to exercise such trackage rights without prior approval of this Commission; and unless the transactions herein authorized are consummated within 18 months of the date of service hereof, this certificate and order shall be of no further force and effect.

By the Commission, Division 3.

HAROLD D. McCOY Secretary

(SEAL)

THIS AGREEMENT, made this 17th day of September, 19 62, by and between THE NEW YORK CENTRAL HAILHOAD COMPANY, hereinefter called the CENTRAL, and THE DELAWARE AND HUDSON HAILHOAD COMPORATION, hereinefter called the DELAWARE:

WITHESSETH TRATE

WHEREAS, the CENTRAL controls and operates a line of railroad, a part of which extends from a connection with the tracks of the DELAWARE near DELAWARE'S "LA"CABIN at Livingston Avenue in the City of Albany,

New York, to Reasselser, New York, and another line of railroad connecting therewith, a part of which extends from said Reasselser to a connection with the present tracks of the Troy Union Railroad Company at Madison Street in the City of Troy, New York, said parts of lines combined to be considered for the purposes of this agreement as being six and one-half (6.5) miles in length, and being hereinafter referred to as the "trackage section", over which the DELAWARE desires to operate its trains, and

WHEREAS, the CESTRAL is willing to grant such privilege, subject to the terms hereof,

MOW, THEREFORE, in consideration of the premises and of the mutual conditions and agreements hereinafter set forth, the parties hereto do covenant and agree as follows:

FIRST: The CENTRAL hereby grants to the DELAWARE, during the term and subject to the conditions of this agreement, the right to use eaid trackage section jointly with the CENTRAL and any other parties to whom the CENTRAL may grant similar rights, for the purpose of operating thereover such and so many of its trains, propelled by engines and manned by crews of the DELAWARE, as it may from time to time find desirable to operate thereover, for the transportation of freight routed over the DELAWARE'S line for movement to or from consignees or shippers located in Troy beyond the terminus of the trackage section at said connection of New York Central and present Troy Union Railroad tracks. The DELAWARE shall not have the right to handle

traffic originating at or destined to points on the trackage section, but the DELAWARE shall not be restricted from handling in its trains any traffic which originates or terminates at Troy, New York, on tracks beyond the present connection of CENTRAL and Troy Union Hailroad, or on tracks of the CENTRAL at Troy, New York, presently used by the DELAWARE to reach the plant of the Republic Steel Corporation pursuant to an agreement dated January 1, 1907, and supplements thereto.

14289-A

SECOND: It is the intent of this agreement that trains of the DELAWARE shell be operated over the CENTRAL'S Albany Passenger Station tracks and so-called "Maiden Lane" bridge, as shown in red coloring on the print attached as Exhibit "A" and hereby made a part of this agreement, using such tracks via that route as the Division Superintendent of the CENTRAL may from time to time designate, and as may be necessary for the proper and efficient operation of the DELAWARE'S trains. However, in the event that the CENTRAL discontinues the use of said Maiden Lane bridge for passage of its own trains, or if in emergencies a change in routing of DELAWARE'S trains becomes necessary, the CENTRAL may at any time direct that trains of the DELAMARE shall be operated over CENTRAL'S so-called Livingston Avenue freight bridge between Albany and Rensselaer, as shown in green coloring on the attached Exhibit "A", using such tracks via that route as the Division Superintendent of the CENTRAL may designate, and as may be necessary for the proper and efficient operation of the DELAMARE'S trains. When IMLAMARE'S trains are so routed, the trackage involved shall be subject to all conditions applying to the trackage section, including liability for damages, and the distance shall, for the purposes of this agreement, be considered the same as via the Maiden Lane bridge route.

Trains of the CEFTEAL shall at all times have priority over trains of the same class of the DELAWAGE.

THIRD: The CHITRAL shall not be held liable for or on account of any delay to trains of the DYLAWARE, regardless of cause. It is understood, however, that in all cases, the CENTRAL shall make diligent effort to expedite the movement of trains of the DYLAWARE.

FOURTH: If by reason of mechanical failure or for any other cause a train or engine of the DELAMARE becomes stalled and unable to proceed under its own power on the trackage section, or if, in emergencies, crippled or otherwise defective cars are set out of DELAMARE'S trains on the trackage section, the CINTRAL shall furnish motive power or such other assistance as may be necessary to promptly move the disabled equipment off the trackage section, and the DELAMARE shall reimburse the CENTRAL for the cost of rendering such assistance.

If it becomes necessary to make repairs to, or to adjust or transfer the lading of, said crippled or defective cars in order to move them off the trackage section, such work shall be done by forces of the CENTRAL, and the DELAMARE shall reimburse the CENTRAL for the cost thereof in accordance with the then current Code of Rules of the Association of American Railroads.

FIFTH: For the trackage rights herein granted, the DELAMARE shall pay to the CENTRAL during the term of this agreement, the following amounts:

- (a) For each train or light engine operated over the trackage section, the sum of Three Dollars and Fifty Cents (\$3.50) per train-mile, or enginemile, as the case may be. It is understood and agreed that this rate is based on the trackage rate currently appearing in the Standard Form of Detour Agreement adopted by the Association of American Railroads, and is subject to revision to the same extent and at the same time as the rate appearing in said Standard Form is revised.
- (b) For motive power or other assistance furnished under Article.

 WOURTH hereof, charges according to the Rules of the General Managers!

 Association of New York covering the Preparation of Joint Facility and Other

 Bills between Carriers, or successor organization, currently in effect at the

 time of billing.

The DELAWARE chall also pay all fines, penalties, costs and expenses imposed upon or incurred by the CHMTRAL by reason of any violations by the DELAWARE of the Safety Appliance or other Federal or State Laws, and

the DELAMARE shall hold the CENTRAL harmless therefrom.

The DELAWARE shall be responsible for all per diem, mileage or other rental charges accruing against equipment in the trains operated by the DELAWARE over the trackage section.

All charges hereunder shall be payable within thirty (30) days after the receipt of proper bills.

SLATE: The CENTRAL shall have entire charge and control of the operation and maintenance of the trackage section. CENTRAL agrees at all times during the continuance of this agreement to keep and maintain the trackage section in good and sufficient condition and repair in accordance with good railroad standards and practices and suitable for the operation of locomotives, care and trains, but by such agreement CENTRAL does not guarantee the condition of tracks or other facilities upon the trackage section, or that the operation thereover will not be interrupted.

For the operation of its trains over the trackage section, the DELAWARE shall furnish engine crews and train crews properly qualified in the Operating Rules of the CENTRAL, or reimburse the CENTRAL for pilots furnished when crews of the DELAWARE are not so qualified.

If any employees of the DELAWARE shall neglect or refuse to abide by the rules and regulations established by the CENTRAL governing the operation and maintenance of the trackage section, such employees, upon written request of the CENTRAL, shall be prohibited from working on or about the trackage section.

EXPERTE: Liability for all loss of or damage to property, and injury to or death of persons and all expenses incidental thereto (except the ordinary expense of investigating claims), including the obligation to pay compensation or any other obligation arising under any occupational disease law or under any other State or Federal law (all hereinafter collectively referred to as "damage") in any manner originating or occurring upon or in connection with the operation or maintenance of the property and facilities referred to in this agreement, shall be governed by the following provisions:

herein granted, shall, for the purposes of this Article, be considered the joint property of the parties hereto;

- (2) Employees of the CENTRAL (except train and engine crows in other than joint work train service) charged with the duty of the operation, care or maintenance of the property and facilities used jointly hereunder, and the tools, equipment and other property used by such employees in the operation, care or maintenance of such jointly used property and facilities shall, for the purposes of this Article, be considered the joint suployees and joint property of the parties hereto when so engaged or used:
- (3) All cars in possession of either party hereto, together with the contents of or passengers in such cars, shall, for the purposes of this Article, be considered the sole property and/or responsibility of that party;
- (h) When any damage occurs in connection with the separate operations of either party hereto on the trackage section, that party shall assume all expense in connection with such damage;
- (5) When any damage occurs on the trackage section in connection with the operation of engines, cars, or trains of both parties, each party hereby agrees to assume:-
 - (a) All damage to its sole property, to property(including passengers) in its care or custody, and to its sole employees;
 - (b) One-helf of all other damage so occurring.
- (6) Each party shall adjust the claims of its own suployees, but no settlement for which the other party is to be held solely responsible, and no settlement in excess of Three Thousand Dollars (\$3,000.00) for which the other party is to be held jointly responsible, shall be made by either party without the concurrence of such other party;
- (7) As between the parties hereto, each hereby agrees that it will pay and defend all claims or suits for which it is by the foregoing provisions made answerable, and will thus compensate or save harmless, as

the case may be, the other party in respect of every such claim or suit and all consequent "ost and expense; and

(8) In every case of death or injury occurring to an employee of either party hereto, where compensation to such employee or employee's dependents is required to be paid under any workmen's compensation or occupational disease law, and either or both of the parties hereto under the foregoing provisions of this Article, are required to pay, or to contribute to the payment of said compensation, if such compensation is required to be paid in installments over a period of time, the future payments shall be divided between the parties hereto in the same proportions as the first payment. Neither party shall be released from paying its proportions of any such future installments by reason of the expiration or other termination of this agreement prior to any of the respective dates upon which any such future installments are to be paid. EIGHTH: The CENTRAL will promptly pick up and remove all wrecks which may occur upon the trackage section, and all cars, rolling stock and equipment and salvage from the same so picked up and removed, which is owned by or under the management and control of or being used by the DELAWARS at the time of such wreck, shall be promptly delivered to it.

The cost of picking up and removing wrecks, including rental of equipment used in connection therewith, shall be borne in accordance with the distribution of liability for damage in connection with such wreck under the provisions of Article SEVENTH hereof.

NINTH: In the case of any difference or dispute as to the construction or interpretation of this agreement, upon which the parties thereto are unable to agree, the matter concerning which there is a controversy shall be submitted to competent and disinterested arbitrators, one of whom shall be appointed by the CENTRAL and the other by the DELAWARE. In the event that the two arbitrators so appointed cannot agree, they shall select a third, and their decision, or that of the majority of them, shall be final,

conclusive and binding upon the parties horeto. In the case either of the parties shall fail to appoint an arbitrator as aforesaid within the period of twenty (20) days after written notice is given by the other party to make such appointment, then, and in that event, the arbitrator appointed by the party not in default shall appoint a competent and disinterested arbitrator for the defaulting party, and the two so appointed shall select a third. The three so chosen shall hear and decide such difference or dispute, and their decision, or that of the majority of them, shall be final, conclusive and binding upon the parties hereto. Both parties hereto renounce all right to take legal measure, action, or proceeding, except such as may be necessary and proper to enforce said decision.

The expense of any arbitration bersunder shall be borns by the party against whom the decision of said arbitrators shall be rendered, and, if a divided sward be made, in proportions fixed by said arbitrators. TEHTH! This agreement shall take effect on the day of 19 , and shall so continue in full force and effect until either of the parties here to shall have given to the other not less than one (1) year's written notice of its intention to terminate the same upon a date to be specified in said notice, or until such time as the CENTRAL may abandon the portion of its railroad between Rensselaer and the present connection with the Troy Union Railroad aforesaid, which portion of railroad it operates under an Indenture of Lease from the Froy and Greenbush Railroad Association dated February 3, 1851. In the event that the CENTRAL shall be permitted to so abandon said portion of its line, it shall give to the DELAWARE written notice of its intention so to do, and shall use its beat influence to induce the said Troy and Greenbush Railroad Association to enter into an arrangement with the DELAWARE whereby the DELAWARE will be enabled to operate its trains over so much of the Troy and Greenbush Railroad as is necessary for the DELAWARE to connect with the CENTRAL at said Rensselaer.

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DELIVERED: All of the covenants and agreements herein contained shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto; provided, however, that the HELAWARE shall not assign or transfer its rights under this agreement without the consent, in writing, of the CENTRAL, except that the rights granted to the DELAWARE herein shall pass to the successors, if any there should be, of the DELAWARE, entitled to the property and franchises of the HELAWARE.

THERET: It is further expressly understood and agreed that if the subject matter of this agreement or any part thereof is within the furiodiction with respect to approval of the Interstate Commerces Commission, or any other public sutherity, this agreement shall become effective and binding upon the parties hereto when, but not until, it shall have been approved by such authority.

IN WITHERS WHEREOF, the parties hereto have caused this agreement to be executed, in duplicate, by their respective officers, thereunto duly authorized, the day and year first above written.

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Attest:	THE NEW YORK 9	ENTRAL RAILECAD COMPANY
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ASSISTANT Decreta	1/// /22	J. Nach
		CORPORATION CORPORATION
Attest:		
Mistaling	whathing (Seal)	Thus
Assistant Secretar	(Seal)	CONT. THE VENERAL POWAGES
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noed in full in the permanent series of Interstate Commerce Commission reports.

INTERSTATE COMMERCE COMMISSION 3 FD-22277

Finance Docket No. 2227

SERVICE DATE JUNE 6, 1963

THUY UNION FAIL ROAD CO. ABANDOIMENT BETWEEN TROY AND GREEN ISLAND, N. Y.

Decided May 29, 1963

- (1) In Finance Docket No. 22277, certificate and order issued permitting abandonment by The Troy Union Rail Road Company of its entire line of railroad in Rensselaer County, M. Y., and its leasehold right in the bridge and railroad across the Hudson River in Rensselaer and Albany Counties, M. Y. Conditions prescribed.
- (2) In Finance Docket No. 22278, certificate and order issued permitting abandonment by The New York Central Railroad Company of a portion of its line of railroad in Albany County, N. Y., and abandonment of operations over the owned and leased line of The Troy Union Rail Road Company in Rensselaer and Albany Counties, N. Y. Conditions prescribed.
- In Finance Docket No. 22279, certificate and order issued authorizing the acquisition and operation by The New York Central Railroad Company of portions of tracks owned by the Boston and Maine Railroad and The Troy Union Rail Road Company for use as industrial spurs in Rensselaer County, N. Y. Conditions prescribed.
- In Finance Docket No. 22280, acquisition by The New York Central Railroad Company of trackage rights over the line of the Delaware and Hudson Railroad Corporation in Albany County, N. Y., approved and authorized. Conditions , prescribed.
- In Pinance Docket No. 22281, certificate and order issued (5) permitting the abandonment by The Delaware and Hudson Railroad Corporation of a portion of its line of railroad in Albany and Rensselaer Counties, N. Y., including a bridge across the Hudson River, the abandonment of operations over the line of The Troy Union Rail Road Company in Rensselaer County, N. Y. Conditions prescribed

1 - This report also embraces Finance Dockets Nos. 22278, New York Central Railroad Co. Ktandonment in Colonie, Green Island and Troy, N. Y.1 22279, New York Central Railroad Co. Acquisition of Trackage in Troy, N. Y.; 22280 New York Central Rail oad Co.--Trackage Rights Delaware & Hudson Railroad Corp.; 22261, Delaware & Hudson Ray road Corp. Abandonment Between Green Island and Troy,
N. Y.; 22282, Delaware & Hudson Railroad Corp. Trackage Rights
New York Central Railroad Co., 22283, Baston & Maine Railroad
Abandonment in Green Island and Troy, N. Y.; and No. 29813, Trojan

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- (6) In Finance Docket No. 22282, acquisition by The Delaware and Hudson Railroad Corporation of trackage rights over the line of The New York Central Railroad Company in Albany and Rensselaer Counties, N. Y., approved and authorized.
- (7) In Finance Docket No. 22283, certificate and order issued permitting abandonment by the Boston and Maine Railroad of a portion of its line of railroad in Rensselaer County, N. Y., and operations over the owned and leased line of The Troy Union Rail Road Company in Rensselaer and Albany Counties, N. Y. Conditions prescribed.
- (8) In No. 29813, order of July 20, 1948, vacated.

Gerald E. Dwyer for The Troy Union Rail Road Company and The New York Central Railroad Company.

Donald D. Dart and John F. Reilly for The Delaware and Hudson Railroad Corporation.

Neal Holland and John J. Nee for the Boston and Maine Railroad.

REPORT OF THE COMMISSION

DIVISION 3, COMMISSIONERS TUGGLE, MURPHY AND TUCKER:

Description filed on Cotober 2, 1962, in Finance Docket

No. The Troy Union Rail Road Company (The total of the Interstate under the provisions of section 1(18)-(20) of the Interstate Commerce Ret to permit the abandonment of (a) its entire line of railroad consisting of a main track from Madison Street to Hoosick Street, a distance of 1.7 miles, and the wye connection extending from said main track to a point west of liver Street, a distance of about 0.4 mile, in the City of Troy, densselaer County, N. Y., and (b) its leasehold right in the pridge and railroad of the Delaware and Hudson Railroad Corporation (Dah) extending across the Hudson River from the westerly end of Troy Union's wye track in the City of Troy, to the center line of George Street in the Town of Green Island, Albany County, N. Y., a distance of about 0.35 mile.

By application filed on October 2, 1962, in Binance Docket
No. 22278, The New York Central Railroad Company (600)

the abandonment of its line of railroad extending from milevost

20.6 in the Town of Colonie, Albany County, N. Y., to the end of
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By application filed on October 2, 1962, in Finance Docket No. 22279, Central seeks a certificate under section 1(18)-(20) of the act authorizing the purchase of portions of tracks for use as industrial spurs now owned by the Boston and Maine Railroad (Dan), in the vicinity of Adams Street, about 0.3 mile of track, and the southerly 0.2 mile segment of Troy Union in the City of Troy, at a purchase price of \$1.00 for each portion. The spur tracks proposed to be acquired from Troy Union will connect at its south end with the line of Central, and those proposed to be acquired from Bam will be connected with Central's present line of railroad by the construction of a new connection. The chief purposes of the spur tracks are to serve industries located thereon and on the tracks of the so-called Front Street Railroad subsequent to the abandonment of Troy Union and the Adams Street Branch of the Boston and Maine Railroad, comment abandonment applications for which are filed herein;

No. 22280, Central seeks authority under section 5(2) of the

of the present passenger station at Albany to a proposed connection between the two railroads in the Town of Colonie, Albany County, M. Y., a distance of approximately 6.5 miles. The terms and conditions under which Central proposes to acquire such trackage rights are contained in an agreement entered into between Central and D&H on September 19, 1962. The purpose of obtaining trackage rights is to enable Central to operate its trains between Albany and Green Island so it can continue to serve industries located on its line of railroad in Cohoes and Green Island subsequent to abandonment by the Troy Union. Central now operates between Troy and Green Island and Cohoes via Troy Union. Under the agreement, which is to remain in effect until either party gives to the other not less than one year's written notice, Central will pay D&H \$3.50 per train mile for each train operated over the line. The value of the property involved in this transaction, as found by the Commission, is \$438,697. The net cost of additions and betterments made after the date of valuation is \$652,810. There will be no increase in total fixed charges as a result of the trackage rights transaction. No guarantee or assumption of payment of dividends or fixed charges is contemplated.

By application filed October 2, 1902, in Finance Docket No. 22281, Dan seeks a certificate under the provident of section 1(18)-(20) of the act to permit (a) the abandonment of a portion of its line of railroad extending from a point 50 feet west of the center line of George Street in the Town of Green Island, easterly 1,902 feet, or about 0.36 mile, to a point of connection with the tracks of Troy Union in the City of Troy, including the bridge which carries said line across the Budson River

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between the Counties of Albany and Rensselser, M. T., and (b) the abandonment of operations over the line of Troy Union in Troy.

By application filed October 2, 1902, in Finance Docket No. 22282, D&H seeks authority under section 5(2) of the act to acquire trackage rights over tracks of Central extending from a connection with the tracks of D&H near its "LA" tower at Livingston Avenue in the City of Albany to Rensselaer, M. Y., and another line of railroad connecting therewith, a part of which extends from Rensselaer to a connection with the present tracks of Troy Union at Madison Street in the City of Troy, a distance of 6.5 miles. The terms and conditions under which D&H proposes to acquire such trackage rights are contained in an agreement entered into between Central and D&H on September 17, 1962, the purpose of which is to enable D&H to operate its trains between Albany and Troy to a connection with the present tracks of Troy Union in Troy. Under the terms of the agreement, which is to remain in effect until either party gives to the other not less than one year's written notice, D&H will pay to Central \$3.50 per train mile for each train operated over the line. The value of the property involved in this transaction is \$758,000. The net cost of additions and betterments made after the date of valuation is \$82,993. There will be no increase in fixed charges as a result of the trackage rights transaction. No guarantee or assumption of payment of dividends or fixed charges is contemplated.

Each of the trackage rights agreements between Central and D&H contains the usual provisions relating to priority of movements, the distribution of liability, the care and maintenance of the properties and facilities and the arbitration of disputes

with respect to the construction or interpretation of the agreement.

By application filed Coteber 2, 1962, in Finance Docket No. 22283, Ban seeks a certificate under section 1(18)-(20) of the effect operation (a) the abandonment of the entire line of its so-called Adams Street Railroad from valuation station 10085443 to a point of connection with the Front Street Railroad owned by the City of Troy at valuation station 10106447.3, City of Troy, a distance of 0.40 mile, and (b) the abandonment of operations over the owned and leased line of Troy Union which is proposed to be abandoned pursuant to authority requested in Finance Docket No. 22277, pages. In addition, Ban requests the vacating of this Commission's order in No. 29813, which requires Ban to furnish transportation to and from the industries on the Front Street track owned by the City of Troy and located in the City of Troy.

The circumstances and reasons for the entry of the order in No. 29813 are given in the report accompanying the order. Among other things it was determined in that proceeding that the so-called Front Street Railroad is not an independent railroad. The order provides that it continue in force until the further order of this Commission. As explained hereinbefore, under the modified plan of operation at Troy, Central will serve the industries located on the Front Street tracks that are now served by Ban. While our findings will provide for reopening the proceeding and vacating the order in No. 29813, it is expected that Central will continue to furnish transportation to

^{2 -} Trojan Scrap Iron Corp. v. Boston & M. R., 270 I.C.C. 727, decided July 20, 1948.

7. D. No. 22277

and from those industries on the Front Street track to the same extent that transportation service is now furnished by Basi.

No representations have been made by any State authority.

Except for the Railway Labor Executives' Association, no protest to the granting of the applications has been presented. No other railroad has requested to be included in the transaction.

A hearing is not required in the public interest. The various matters involved have been recalled from the Finance Board or assigned to us for concurrent decision.

As more specifically set forth in its application, Troy
Union seeks to abandon its entire line of railroad and its
leasehold right in the bridge and railroad of the D&H across the
Hudson River. Troy Union operates no trains. It is a terminal
railroad whose capital stock is owned 50 percent by Central and
25 percent each by D&H and B&M, and its properties are used
jointly by the 3 proprietary companies. In 1960 and 1961, Troy
Union's operating losses amounted to \$356,900 and \$288,985,
respectively, which were apportioned to each of the proprietary
carriers in proportion to their stock ownership. Each of the
three proprietary carriers seeks to abandon its respective freight
operations over the owned and leased lines of Troy Union.
There is no passenger service over the lines to be abandoned.

Central seeks to purchase as an industrial spur the southerly 0.2 mile of the main track of Troy Union on which are located the principal industries. As indicated, Central will also purchase portions of the tracks of B&M in the vicinity of Adams Street in Troy and near the 0.2 mile segment of Troy Union. All of the other transactions proposed herein, including the acquisition of trackage rights by Central and D&H over the lines of

each other, the abandonment by DaH of 1,902 feet of its line between Green Island and Troy, the abandonment by Central of 0.3 mile of its line in Green Island and Colonie, and the abandonment by BaH of its Adams Street line in Troy are made necessary by the proposed abandonment of Troy Union. The net salvage value of the track facilities of Troy Union is about \$9,000 and most of its land will be sold to the City of Troy for \$1. The major portion of the line to be bought by the City is for the purpose of urban renewal.

Under the proposed modified plan of operation by the proprietary carriers, substantially the same freight service will be provided as in the past. although a different routing will necessarily be used. In addition, substantial savings will accrue to all the proprietary carriers. Had the proposed related transactions been effective in 1960 and 1961, Central estimates that it would have had respective savings of \$98,405 and \$102,332. Those figures take into consideration Central's expected increase in traffic and expenses incidental thereto, and its proportionate savings in Troy Union losses. D&H will save its proportion of the operating losses of Troy Union, which amounted to \$89,225 in 1960 and \$72,246 in 1961. Trackage rights costs between D&H and Central are expected to offset each other. Ban will also save the same proportion of operating losses as D&H. In addition, Ban expects to achieve annual savings on maintenance of way of \$2,000 and local tax savings of \$312 annually. Bem savings shown do not reflect operating revenues accruing to it from the line to be abandoned, amounting to \$15,494 in 1960, and \$22,841 in 1961.

In our opinion, the proposed interrelated transactions will be beneficial to the carrier applicants and to the public generally and should be approved.

The Railway Labor Executives' Association protests the proposed transactions on the grounds that serious and substantial adverse effect may result to certain employees of the carriers involved should the transactions be approved. While there is no evidence to indicate that any employees will be adversely affected, it is possible that some employees may be so affected, including those employees of Proy Union. As shown hereinbefore, all of the proprietary companies of Troy Union are to be beneficiaries of the modified plan of operation -- a plan which, in order to be workable, necessarily includes the abandonment of Troy Union. Thus, the protection of employees of Troy Union as well as those employees of the proprietary companies will be in the public interest and consistent with the general purposes of the Interstate Commerce Act, even though the entire operation of Troy Union is to be abandoned. Compare Seaboard Air Line R. Co .-Trackage Rights -- Atlantic Coast Line R. Co., 312 I.C.C. 797, decided April 25, 1962. Our approval of the transactions herein will be made subject to the same conditions for the protection of employees, including those of Troy Union, as were prescribed in Oklahoma Ry. Co. Trustees Abandonment, 257 I.C.C. 177. Any cost incident to the protection of employees of Troy Union should be borne by the proprietary companies in proportion to their ownership in Troy Union, and our findings will so provide.

Subject to conditions for the protection of railway employees referred to, the costs in respect of those employees of Troy Union to be borne proportionately to ownership by the proprietary

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companies, we find in Finance Docket No. 22277 that the present and future public convenience and necessity permit abandonment by the Troy Union Rail Road Company of its entire line of railroad in Rensselaer County, N. Y., and its leasehold right in the bridge and railroad across the Hudson River, in Rensselaer and Albany Counties, N. Y., described herein.

Subject to the conditions for the protection of employees previously referred to, we find in Finance Docket No. 22278 that the present and future public convenience and necessity permit The New York Central Railroad Company (a) to abandon 0.3 mile of its line in the Towns of Colonie and Green Island, Albany County, N. Y., and (b) to abandon operations over the owned and leased line of The Troy Union Rail Road in Rensselser and Albany Counties, N. Y., described herein.

Subject to the conditions for the protection of employees previously referred to, we find in Finance Docket No. 22279 that the present and future public convenience and necessity require the acquisition and operation by The New York Central Railroad Company of portions of tracks owned by the Boston & Maine Railroad and The Troy Union Railroad, for use as industrial spurs, in Rensselaer County, N. Y.

Subject to the conditions for the protection of employees previously referred to, we find in Finance Docket No. 22280 that the acquisition by The New York Central Railroad Company of trackage rights over the line of The Delaware and Hudson Railroad Corporation in Albany County, N. Y., as described herein, is a transaction within the scope of section 5(2) of the Interstate Commerce Act, that the terms and conditions proposed are just and reasonable, and that the proposed transaction will be consistent with the public interest.

Subject to the conditions for the protection of employees previously referred to, we find in Finance Docket No. 22281, that the present and future public convenience and necessity permit The Delaware and Hudson Railroad Corporation (a) to abandon a line of railroad in the Counties of Albany and Rensselaer, N. Y., including a bridge across the Hudson River, and (b) to abandon operations over the line of The Troy Union Rail Road Company, Rensselaer County, N. Y., described herein.

Subject to the conditions for the protection of employees previously referred to, we find in Finance Docket No. 22282 that the acquisition by The Delaware and Hudson Railroad Corporation of trackage rights over the line of The New York Central Railroad Company in Albany and Rensselaer Counties, N. Y., as described herein, is a transaction within the scope of section 5(2) of the Interstate Commerce Act, that the terms and conditions are just and reasonable, and that the proposed transaction will be consistent with the public interest.

Subject to the protection of employees previously referred to, we find in Finance Docket No. 22283 that the present and future public convenience and necessity permit the Boston and Maine Railroad (a) to abandon a portion of its line of railroad in Rensselaer County, N. Y., as described herein, and (b) to abandon operations over the owned and leased line of The Troy Union Rail Road Company in Rensselaer and Albany Counties, N. Y., described herein.

We further find that the proceeding in No. 29813 should be reopened and the order of this Commission dated July 20, 1948, therein should be vacated.

An appropriate certificate and order will be issued.

FD-33388 ID-CITIES

NEFCO

NORTHEAST OHIO FOUR COUNTY REGIONAL PLANNING & DEVELOPMENT ORGANIZATION

969 Copley Road, Akron, Ohio 44320-2992

(330) 836-5731 • Fax (330) 836-7703

Christopher Smeiles, Chairman

Joseph Hadley, Jr., Executive Director

July 22, 1997

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

ENVIRONMENTAL DOCUMENT



Title: Norfolk Southern Ohio Rail Restructuring

Regional Application Identification (RAI) Number: OH970723-0798-RAIL-SUM

NEFCO has reviewed the project notification information for the above referenced project and is issuing a recommendation. Conditional comments are being issued by the NEFCO Areawide Clearinghouse based on comments received by METRO RTA. Therefore, it is recommended that the applicant respond to the questions raised before proceeding with this application. I am also attaching other responses that were received on this application.

M' TRO RTA would like to ensure that regional efforts to preserve a commuter rail line are not undermined by the rail restructuring process.

If necessary, you may contact Kirt Conrad, 'ETRO RTA, 416 Kenmore Blvd., Akron, Ohio, 44301, regarding the above and the attached concerns. He can be reached by phone at (330) 762-0854. The applicant is responsible for contacting reviewers to discuss and clarify questions or concerns stated in comments generated by the intergovernmental review. The reviewer's name, agency and phone number are included in the completion letter.

A copy of this letter and all attached comments wil! be submitted to the applicant. The applicant must send a statement to NEFCO and you indicating what consideration was given to the comments and how they were addressed.

Upon meeting the conditions for coordination as outlined in this letter, or its attachments, the Area Clearinghouse recommends that this proposal be considered for funding. Please contact our office should a final letter of completion be required.

Sincerely, Sylviak Clum-Ley

Sylvia R. Chinn-Levy

Intergovernmental Review Coordinator

SRC:rlm

INTERGOVERNMENTAL REVIEW SUMMARY

Project: Norfolk Southern Ohio Rail Restructuring

Description: Norfolk Southern plans to acquire portions of Conrail and has submitted a

proposed Operating Plan for Ohio.

Applicant: Norfolk Southern Corp

Funding Source: N/A

RAI No.: OH970723-0798-RAIL-SUM

Proposed Funding

Federal: \$N/A
Applicant: \$N/A
State: \$N/A

Local: \$N/A Other: \$N/A Total: \$N/A

Letters Sent: 26

Responses Received

No Comment: 2 - Akron Police Dept., AMATS

Clearance: 2 - League of Women Voters, METRO RTA

No Delay, Answer Questions:

Conditional Clearance:

Delay:

Staff Recommendation: Staff recommends clearance of this project.

Committee Recommendation: The IGR Committee recommends that clearance of this project be granted only on the condition that an intergovernmental review of detailed documents from the U.S. Surface Transportation Board has been completed.

Intergovernmental Review Resolution Number: FY1998-003

RESOLUTION OF THE NEFCO BOARD

WHEREAS, NEFCO has been designated by the Governor of the State of Ohio as the Area Clearinghouse for Summit County, effective March 28, 1984, and has accepted the responsibility for the review of all applications for federal or state funding that originate in or affect the NEFCO Region which require Intergovernmental Review in accordance with Executive Order 12372; and

WHEREAS, it is the responsibility of the NEFCO Board to solicit review and comments from units of local government and interested parties through the Project Review Notification and Review System procedures which were formally adopted March 28, 1984; and

WHEREAS, the NEFCO Intergovernmental Review Committee has reviewed the following Statewide Project:

Statewide Project

1. Norfolk-Southern Ohio Rail Restructuring (OH970723-0798-RAIL-SIJM)

NOW, THEREFORE, BE IT RESOLVED, by the NEFCO Board:

- NEFCO recommends that clearance of this project should only be <u>granted on the condition</u> that an intergovernmental review of detailed documents from the U.S. Surface Transportation Board has been completed.
- II. Be it further resolved that the Executive Director is hereby authorized to transmit a certified copy of this resolution, and any comments, to the applicant and to the funding agency as is appropriate.

Certified as action taken by the NEFCO General Policy Board at its meeting of July 16, 1997

John P. Dougherty, Secretary NEFCO General Policy Board

Memorandum

DATE:

July 8, 1997

TO:

Sylvia Chinn-Levy, NEFCO

FROM:

Kirt Conrad, METRO

RE:

Review of N-S Ohio Rail Restructuring (CH970723-

0798-RAIL-SUM)

We feel this project should be given clearance. However, we would like Norfolk Southern to consider the efforts of transportation agencies in Northeast Ohio when operating this plan. METRO, GCRTA, and Stark Area Regional Transit Authority (SARTA) are attempting to secure federal transportation funding for this project. The former Conrail Mainline between Hudson and Cleveland has been identified by AMATS as the preferred alignment for such a commuter rail line in their Statement of Long-Term Needs.

PROJECT TITLE: N	Norfolk Southern Ohio Rail Restruct	uring	
APPLICANT: Norfolk Southern Corp			
FEDERAL FUNDING SOURCE: N/A			
RAI NUMBER: OH970723-0798-RAIL-SUM			
PROPOSED FEDERAL: \$N/A	FUNDING	PROGRAM: New	
APPLICANT: \$N/			
STATE: \$N/	A		
LOCAL: \$N/A			
OTHER: \$N/			
TOTAL: \$N/	A		
PROJECT DESCRIPTION: Norfolk Southern plans to acquire portions of Conrail and has submitted a proposed Operating Plan for Ohio. For clarification of the attached map, please call NEFCO.			
Please check the appropriate comment and provide supporting information. Comments may be attached or <u>printed</u> at the bottom of this page.			
No Comment			
Clearance of this project should be granted			
Clearance of this project should not be delayed, but applicant should answer the reviewer's questions or concerns			
Clearance of this project should only be granted on the condition that the applicant use the recommendations in the enclosed comments			
Clearance of this project should be <u>delayed</u> , until the applicant has satisfactorily addressed the concerns stated in the enclosed comments			
Signature Omi	+ Haltuen	Please Return To:	
Signature	1 Journal of	Sylvia Chinn-Levy, IGR Coordinator	
Agency Least	year Woman Unices	NEFCO	
. 11-	11/200	969 Copley Road	
Date 1/1 3	58/97	Akron, OH 44320-2992	
Thank you for your participation in this valuable review and comment process.			
JUL 0 1 97			

PROJECT TITLE: Norfolk Southern Ohio Rail Restructuring APPLICANT: Norfolk Southern Corp. FEDERAL FUNDING SOURCE: N/A RAI NUMBER: OH970723-0798-RAIL-SUM PROPOSED FUNDING PROGRAM: New FEDERAL: SN/A APPLICANT: \$N/A STATE: SN/A LOCAL: SN/A OTHER: SN/A TOTAL: SN/A PROJECT DESCRIPTION: Norfolk Southern plans to acquire portions of Conrail and has submitted a proposed Operating Plan for Ohio. For clarification of the attached map, please call NEFCO. Please check the appropriate comment and provide supporting information. Comments may be attached or printed at the bottom of this page. X No Comment Clearance of this project should be granted Clearance of this project should not be delayed, but applicant should answer the reviewer's questions or concerns Clearance of this project should only be granted on the condition that the applicant use the recommendations in the enclosed comments Clearance of this project should be delayed, until the applicant has satisfactorily addressed the concerns stated in the enclosed comments Signature 2 Britis Please Return To: Sylvia Chinn-Levy, IGR Co **NEFCO** 969 Copley Road 6-25-97 Date Akron, OH 44320-2992 Thank you for your participation in this valuable review and comment process. in FCO

FD-33388 ID-CITIES



PUBLIC WORKS DEPARTMENT

CITY OF NEWARK

220 Elkton Road / P.O. Box 390 / Newark, Delaware 19715-0390 / 302-366 7040 Pax 302-36 July 21, 1997

> ENVIRONMENTAL DCCUMENT

The Office of Secretary
Case Control Unit, STB Finance Docket #33388
Surface Transportation Board
1925 K Street, NW,
Washington, DC 20423-0001

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

RE: Comments on Proposed EIS Scope in STB Finance Docket #33388, CSX Corp. and CSX Transportation, Inc. Norfolk Southern Corp.and Norfolk Southern Railway Company - Control and Operating Leases/Agreements - Conrail, Inc. and Consolidated Rail Corporation

Dear Ms. Kaiser:

As the Public Works Director for the City of Newark, I have been involved in transportation congestion issues that have plagued the City for years. Unfortunately, increased urbanization onto existing infrastructure, has caused an increase in congestion. Due to the large scope of money to enhance and upgrade the traffic level of service for existing infrastructure or putting in new relief roads, such as a bypass, the City of Newark has had to do their best at managing a poor situation by other means, such as rerouting truck traffic.

One of the primary problem areas is our Main Street, which is also the location of one of the rail crossings within the City. We have finally spurred interest of a major intersection reconfiguration, which hopefully will help to alleviate some of the traffic congestion. This rail crossing is an integral part of this intersection and any increase volume of trains utilizing this intersection could very well offset any gains in traffic congestion relief.

I feel very strongly that the increase in train traffic, even at the minimal anticipated increase of 2 trains per day, would be a detriment to traffic flows and an added irritant to the residents living along these train tracks. Impact statements submitted for approval normally downplay the negative aspects of the request, in this case, the number of additional trains per day. I could foresee this number increasing very easily in the future, which would only compound the negative results. I urge the Surface Transportation Board to take this negative impact to our community into the consideration when reviewing this proposal.

Thank you for the opportunity to have a voice in this decision-making process.

Very truly yours,

RICHARD M. LAPOINTE PUBLIC WORKS DIRECTOR

RML/tk

cc: Roy Lopata, Planning Director



ELECTRIC DEPARTMENT

CITY OF NEWARK

220 Elkton Road / P.O. Box 390 / Newark, Delaware 19715-0390 / 302-366-7050 FE

ENVIRONMENTAL July 22, 1997 DOCUMENT

Ms. Elaine Kaiser, Chief Section of Environmental Analysis Environmental Filing Office of the Secretary Case Control Unit STB Finance Docket #33388 Surface Transportation Board 1925 K Street, NW Washington, D.C. 20423-0001

Dear Ms. Kaiser:

I have written this letter to comment on the proposed Environmental Impact Statement (EIS) scope concerning the CSX/Norfolk Southern/Conrail railroad reorganization.

The City of Newark operates a large electrical distribution substation directly adjacent to the New London Road and Main Street at grade crossing. This important substation feeds various parts of the City including the western section of Newark, Main Street and the University of Delaware Campus. The equipment at this location is critical to the residents of Newark and the local economy and cannot be taken out of service.

As the substation is adjacent to the railroad tracks, it is in a vulnerable position if an accident or derailment should occur. The results could be a long unplanned outage along with life, health and safety concerns.

Increasing the trains at this crossing would make the electrical substation even more vulnerable in the future due to the increased probability of train accidents or derailments.

The EIS should take this information into account.

If you should have any questions please feel free to contact me at 302-366-7050.

Sincerely,

RICK VITELLI, DIRECTOR ELECTRIC DEPARTMENT

RV/cm

OKI Ohio•Kentucky•Indiana Regional Council of Governments

Larry Crisenbery, President James Q. Duane, Executive Director

July 18, 1997

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

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



Thank you for giving us the opportunity to comment on the proposed EIS Scope which relates to the acquisition of Conrail by Norfolk Southern and CSX. In reviewing the proposed Scope, we find it to be very comprehensive. There is, however, one item we would like to be considered for inclusion. Under the Impact Category: Transportation System, point A:

The EIS will:

Describe system-wide effects of the proposed operational changes, constructions, and rail line abandonments and evaluate potential environmental impacts on commuter rail service and interstate passenger service.

With the overlapping of rail services in some areas, it is expected that some railroad yards may become redundant, thus becoming a candidate for closure. With this in mind, we thought it would be helpful to know of any railroad yards which are being considered for abandonment.

If you have any questions regarding this comment, please contact me at (513) 621-6300.

Sincerely.

Reginald Victor

Transportation Engineer

Enclosures

Serving the Counties of

Boone • Butler • Campbell • Clermont • Dearborn • Hamilton • Kenton • Warren

FD-33388 ID-CITIES

CAMBRIA COUNTY PLANNING COMMISSION



ENVIRONMENTAL DOCUMENT

P.O. BOX 89 EBENSBURG, PA 15931 (814)472-2106

July 22, 1997

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

ATTENTION: Elaine K. Kaiser, Chief

Section of Environmental Analysis

Environmental Filing

Dear Secretary:

RE: CSX, NS and Conrail Consolidation

Draft EIS Scope

This correspondence is to acknowledge receipt of your letter of July 3, 1997 submitting information on the proposed scope of environmental issues to be addressed in the draft EIS for the above-referenced consolidation effort. The Cambria County Planning Commission has reviewed the proposed EIS scope of work and found it to be consistent with our planning objectives. Also, the Planning Commission has received and reviewed the Environmental Report (ER) and found no planned railroad abandonments and/or construction projects proposed for Cambria County. Therefore, the Planning Commission has no additional comments to offer from what was previously submitted during the preparation of the ER.

David L. Belz

Principal Planner

cc: Cambria County Commissioners



MITCHELL COUNTY

P.O. BOX 409, BAKERSVILLE, NC 28705

704-688-2139

ENVIRONMENTAL DOCUMENT

July 18, 1997

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

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



Dear Ms. Kaiser:

We in Mitchell County have approximately 41 miles of CSX trackage originating in Kentucky and terminating in South Carolina. We would like to comment on several items that the EIS is going to address as follows:

- With 41 miles of CSX in the County, we have numerous grade track crossings with no crossing gates - given the fact that the crossing traffic may be light, the fact remains that CSX carries many, many different hazardous materials and the potential for probable accidents is very high.
- The potential for derailment, and other incidents is very high because of the type of terrain that the rail line is built through and upon, and also because of its proximity to a major river, "The Toe," that runs into Tennessee and the river system in that state.
- The very fact that the proposed merger will put increased traffic on the 41 miles within Mitchell County is a factor. The increased traffic will put a strain on the railroad bed, the rails and the crews that maintain same. This in effect proposes to be a probable environmental hazard.
- We are and have been in the dark as to what CSX transports through the county, because they consistently refuse to furnish us with any waybills or statements of what they carry in a timely manner.

- We have never been the recipient of any contingency plans that they may have to address any accidental spills.
- We have never had access to a copy of their safety practices and protocols, nor do we have access to their safety records on derailments, accidents, or spills.

We are not against the merger, per se, but we feel that a lot of study needs to be given to the situations that we have addressed above, as to whether we can have our concerns studied in light of what they will do if the merger is permitted.

Sincerely,

Mike Robinson County Manager

MR/nk

PIKE COUNTY BOARD

ENVIRONMENTAL PITTSFIELD, ILLINOIS 62363 DOCUMENT Phone 217/285-6812



Jan. 28, 1997

Mr. Gabe Hernandez Burns & McDonnell

9400 Ward Parkway

Kansas City, Mo. 64114

CENTRAL ADMINISTRATIVE LINIT

DOCUMENT # 8/5/97 2:09:41 PM

Dear Mr. Hernandez:

In response to your letter of Jan. 17 informing me of probable increased train traffic through Pike County after Norfolk Southern acquires Conrail, the Pike County Board has expressed no adverse opinion about a reasonable increase in train traffic.

Of far greater concern are the extremely rough highway crossings in Griggsville and south of New Salem. We would like to see these reconstructed as soon as possible. Also of concern are the tardy whistle blowings at crosses in the county, especially east of Kinderhook and in Kinderhook.

Will you please relay these complaints to Norfolk Southern, Conrail, and the Surface Transportation Board. Thank you.

Sincerely,

Allan A. Seiler Chairman, Pike County Board P.O. Box 67 Pittsfield, IL 62363 217-285-4205 FD-33388 ID-GOV 7-23-97 K JUL-18-1997 16:05

THE

1 614 297 2496 P.01

Ohio Historic Preservation Office

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

CENTRAL ADMINISTRATIVE UNIT
REC'D: 13 11 12 13 3 6 PM

July 18, 1997

Post-IF Fax Note 7671 Dub 3/18 proper 23
To RICK STARZAK From DAVID SNYDER
Co/Dogs MYRA FRANK CO OHOD
Phone 5 Phone 6 614-297-247-2
Fax 213-627-6353 Pax P C14-297-2494

OHIO HISTORICAL SOCIETY SINCE 1885

ENVIRONMENTAL DOCUMENT

Mr. Rick Starzak Myra Frank & Associates 811 W 7th, Suite 800 Los Angeles, CA 90017

Re: Inventory of railroad bridges, Ohio

Dear Mr. Starzak,

The purpose of this correspondence is to provide some preliminary comments in response to questions raised during our telephone conversation on June 27, 1997, regarding the proposed Conrail Acquisition project. The comments of the Ohio Historic Preservation Office (OHPO) are submitted in accordance with provisions of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 [36 CFR 800]); the Surface Transportation Board serves as the lead federal agency.

The proposed Conrail Acquisition project will likely require consideration of eligibility of and impacts to structures representing a number of different property types including structures along railroad grades, depots and other buildings along the rail lines, and structures associated with railroads. Railroad bridges will likely comprise the largest number of properties, and it needs to be made clear that this broad category includes a range of property types including but not limited to bridges, trestles, tunnels, and culverts, both for railroad use and for other transportation use to cross rail lines. Provisions of the National Historic Preservation Act and its implementing regulations [36 CFR 800.4] establish a process based on identification of any property which may be eligible for inclusion in the National Register of Historic Places, evaluation of National Register eligibility for each identified property, and assessment of effect for each eligible property. Our purpose here is to begin to apply the principles and standards established in the National Historic Preservation Act Section 106 review process to this undertaking. We provide recommendations for both survey and recordation standards.

The survey must provide systematic and comprehensive data on identified properties and these data must be comparable to data documenting other resources in the inventories maintained by the OHPO. We look for surveys to address the following fundamental questions: What is the coverage area? How was this area delineated? How was this area covered? Why was this coverage chosen? Is the coverage appropriate to the identification needs [36 CFR 800.4]? What kinds of properties are expected? Why are other kinds of properties not expected? How are the properties to be identified? Would the property be recognized if it is there? Who is conducting the survey? What are the qualifications of the person or persons conducting the survey?

Each identified architecture property is to be recorded on either an Ohio Historic Inventory form or an Ohio Historic Bridge Inventory form. The forms have fields for basic locational information. Nearly all of the already completed OHI Bridge Inventory forms have black and white contact prints. Photographs and photographic images should be at the quality of original photographic prints. The address should provide more information than the railroad mile post designation. Each form requires a

JUL-18-1997 16:06

OMPO

Mr. Rick Starzak July 18, 1997 Page 2

sketch map and plan map showing the location. That is, it is not acceptable to have one map for all of the forms. Fields on association, date, alteration, design, architect, engineer, and builder/manufacturer will generally require additional research. Provided that the research has examined the range of available archival sources and references, it is preferable to leave a field blank rather than making an uniformed guess. It is expected that the basic primary sources will be consulted. These should be listed on the forms. Contact prints are commonly affixed to the forms provided that the negatives are properly stored in an accessible archive. As Stephen C. Gordon emphasizes in his detailed manual on completing the Ohio Historic Inventory the amount and level of information needed requires close attention to established guidelines.

Evaluations of National Register significance are based on systematic survey data. Evaluations are not made in a vacuum. The recording of properties provides us with documentation of the tangible evidence of a community's history, heritage and special character, and help us better understand the uncommon history of common things. The National Register is not a quota system and is not only for high style architecture. The four criteria [36 CFR 60.4] set forth reasonable and logical standards to evaluate each property to determine if that property should be recognized for significant contributions.

In compiling data, we suggest that it may be useful to organize the survey to obtain data from several different systems and to make comparisons among these systems in consideration of eligibility. The major rail lines in Ohio were constructed as part of major systems (such as B & O) and there may be significant differences in the types of architecture and engineering solutions comparing different systems. In the Ohio highway bridge inventory, an objective system of evaluation was developed in agreement among this office, the Ohio Department of Transportation, and others, and applied systematically to the inventory. We suggest that the work for this project should be complementary to such an approach. Enclosed please find a list of inventoried selected pool bridges for Ohio.

Information recorded should include (see Gordon's How to Complete the Ohio Historic Inventory, Pages 170 - 178) at least the following: Date(s) of construction (with supporting documentation), Length. Terminal points for railroad lines, Grade (highest and lowest points). Gauge. Engineer, Major associated structures, Cuts, Earthfill, Tunnels (dimension of bore, materials, ventilation). Trestles and Viaducts (number of spans and lengths, number of piers, materials). Bridges (type, truss design, number of spans, number of roadways, number of walkways, measurements, abutment/pier materials, owner's name and address, original site, legal load condition, preservation and endangerment, other survey information, history and significance, and description of environmental setting).

The inventory should include photographs, measurements, and sketch drawings as appropriate. Photograph views for bridges, trestles, tunnels, etc., should include: superstructure overall, elevation - both sides, portal/deck - both sides, approaches - both sides, superstructure details - members, connections, bearings, superstructure - abutments, wing wells, piers, substructure details, and noteworthy features. Photographs for other types of properties should include appropriate elevations and settings. Photographs should include black and white prints and color slides. Measurements should include for the overall superstructure and for each span as appropriate: length, width (parapet to parapet), height, and thickness. For more complicated structures, mapping, measurements and photographs should be keyed to sketch drawings. Photographs for reports should be 3x5 in., preferably color.

P. 4

JUL-18-1997 16:07

DHPD

1 614 297 2496 P.P.3

Mr. Rick Starzak July 18, 1997 Page 3

What is the cut-off date of construction for recording structures? How was this date determined? Were there important or noteworthy changes in technology, railroad organization, or railroad law at about this time? Were there important historical events at this time that had a direct influence on the railroads?

How is the date of construction determined? If railroad records are used, are they checked for accuracy? Are dates of modifications recorded? Is the structure (property) still in use? An assessment of the condition of the property should be given with specific information identifying problems areas.

In Ohio, Delaware, and other states, evaluations of highway bridges made use of an advisory committee and broad based survey data. Following systematic survey efforts that extended state-wide and resulted in the compilation of a database, the inventory was examined systematically to analyze and define bridge types and to identify important engineering advancements and historical events associated with bridge construction. A system of criteria was developed to rank each bridge or structure for each property type based on prevalence of significant characteristics (for example, length and number of spans, age, condition, noteworthy features, noteworthy manufacturer/designer, noteworthy historical association, noteworthy technological innovations, and height).

Given the number of bridges and other railroad structures that are likely to be involved in considering the acquisition, we recommend that the review process work to establish a formal system for evaluation of railroad structures using the preliminary sample obtained through field observations combined with systematic data from the railroads on the numbers of different property types indicated from their records (organized systematically by location and county). Central to this process is a systematic definition of property types associated with railroads. The definition of property types will require a good deal of organization and thought. Property types should include different kinds of bridges and other structures, many of which come readily to mind, as well as property types (and materials) that are not common and perhaps were not common when they were being constructed, and property types may include landscape features. In addition, we suggest that the evaluation could benefit from information from the HAER collections, standards and guidelines.

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

Sincerely.

David Snyder, Archaeology Reviews Manager

Technical and Review Services

DMS/ds

Enclosures (not all enclosures sent via FAX)

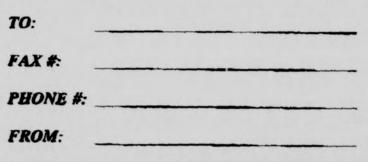
OHPO

Ohio Historic Preservation Office

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

TUL-18-1997 16:07

DIRECTIONS BY FAX



FAX #:

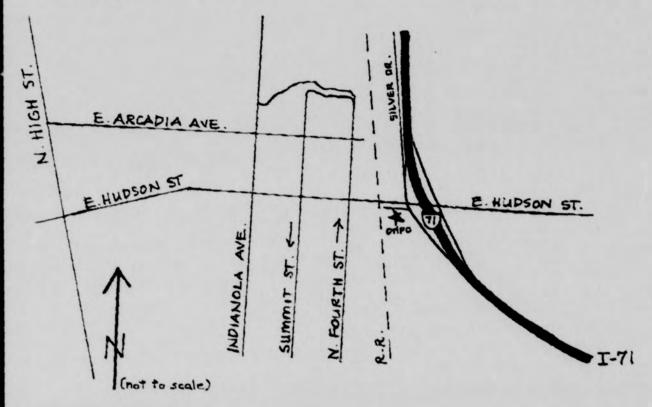
614/297-2496



OHIO HISTORICAL SOCIETY SINCE 1885

PHONE #: 614/297-2470

Directions to the Ohio Historic Preservation Office: 567 East Hudson Street is at the southwest corner of Hudson and 1-71, one exit north of 17th Avenue. From the north, exit I-71 at Hudson, cross Hudson Street, then turn right at the first driveway. From the south, exit I-71 at Hudson, turn left, and travel west one block on Hudson. Turn left at the light and turn right into the first driveway.



FD-33388 ID-GOV



Wildlife Resources Section **Operations Center** P.O. Box 67 Elkins, West Virginia 26241-0067 Telephone (304) 637-0245 Fax (304) 637-0250



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Parks and Recreation (304) 558-2764 FAX (304) 558-0077

Wildlife Resources (304) 558-2771 FAX (304) 558-3147

Conservation **Education and** Litter Control (304) 558-3370 FAX (304) 558-2768

(304) 558-3380 FAX (304) 558-2768 FAX (304) 558-3680

FAX (304) 558-2768

July 18, 1997

ENVIRONMENTAL DOCUMENT

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

Attention: Elaine K. Kaiser

Chief, Section of Environmental Analysis **Environmental Filing**

Dear Ms. Kaiser:



The West Virginia Division of Natural Resources (WVDNR) has reviewed the Environmental Report associated with the Railroad Control Application referred above. The WVDNR anticipates few adverse impacts to fish and wildlife to result from the acquisition of Conrail by CSX and Norfolk Southern in West Virginia.

James W. Rawson, Supervisor **Environmental Coordination**

iwr



FD-33388 ID-FEDSUSDA 7-18-97



Natural Resources Conservation Service Parkade Center, Suite 250 601 Business Loop 70 West Columbia, Missouri 65203

ENVIRONMENTAL July 16, 1997 DOCUMENT

JUL 1 8 1997 MANA MANAGEMENT

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

RE: Notice of Intent to Prepare an Environmental Impact Statement (EIS) and Request for Comments of Proposed EIS Scope in STB Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company - Control and Operating Leases/Agreements-Conrail, Inc. and Consolidated Rail Corporation.

Dear Ms. Kaiser:

We have no comments at this time concerning this proposal. If specific information concerning the Soil Resources within the state of Missouri is required the Natural Resources Conservation Service would be glad to contribute. Our office phone number is 573-876-0907.

Thank you for the opportunity to comment.

Sincerely,

DENNIS K. POTTER Soil Scientist, Liaison FD-33388 7-18-97

LANCASTER COUNTY

Transportation Coordinating Committee

MEMBERS

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
LANCASTER COUNTY BOARD OF COMMISSIONERS
LANCASTER COUNTY PLANNING COMMISSION
CITY OF LANCASTER
RED ROSE TRANSIT AUTHORITY

50 North Duke Street PO Box 83480 Lancaster, PA 17608-3480

TELEPHONE: (717) 299-8333

FAX: (717) 295-3659

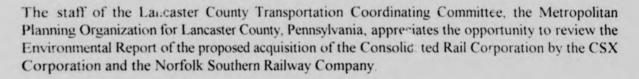
ENVIRONMENTAL DOCUMENT

10 July 1997

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

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

Dear Ms Kaiser:



Our review of Volumes 6A, 6B, and 6C uncovered very little information about current Conrail operations in Lancaster County, Pennsylvania. In Volume 6A, Section 8.1.2, Freight Operations over Lines Owned by Amtrak, no mention is made of the New Holland Branch or the Lititz Branch. Both of these branches are reached via Amtrak's Keystone Corridor between Philadelphia and Harrisburg. Thus, the report may be overlooking the fact that the freight operator can only serve those branch lines by interchanging with and operating over Amtrak's Keystone Corridor.

Volume 6B provides detailed analysis of the potential environmental impacts on a state by state basis including Pennsylvania. The proposed acquisition calls for Norfolk Southern to operate most of Conrail's current lines in Pennsylvania, including all of Conrail's in Lancaster County. Only the rail line segment between Steelton, PA and Shocks, PA is addressed in your analysis (Section 19.1.1.111). From Figure 2-21.2 we deduced that Shocks is very near Columbia, PA on the line between Harrisburg. PA and Perryville, MD. From Columbia, there is a Conrail branch line east to the Dillerville Junction with the Amtrak line.



Our belief is that due to the number of businesses located on all of the branch lines in Lancaster County, there is potential for increasing rail freight volumes in our county by providing improved rail freight services. If rail freight volumes were increased in Lancaster County, it would have an overall beneficial effect on transportation related emissions due to truck-to-rail diversions.

According to Volume 6C, there are no proposed construction projects and no proposed abandonments in Pennsylvania. Although we are pleased to see no abandonments, we are disappointed that there are no construction projects contemplated either.

We trust you will consider our comments in your deliberations about the proposed acquisition. If you have any questions about our comments, please call Chris Neumann, Chief Transportation Planner, at (717) 299-8333.

Sincerely,

Ronald T. Bailey
Executive Director

RTB/CRN/mml

copy: Members of Lancaster County Transportation Coordinating Committee Timothea Kirchner, County Administrator

SATRANS/CONRAIL STB



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas M. Duncan
County Executive

July 16, 1997

ENVIRONMENTAL DOCUMENT

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

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

Dear Ms. Kaiser:

I would like to respond to your Notice of Intent to Prepare an Environmental Impact Statement for the railroad consolidation plan (STB Finance Docket No. 33388). The Environmental Report includes most of the items that are of concern to our organization with one exception. It is our understanding that the owners of the rail lines have the ability to preempt passenger trains with their freight trains. Our concern is that if the time schedules of the passenger/commuter trains are not reliable, users will return to using their automobiles for transportation, exacerbating air pollution in our area. We would appreciate an evaluation of this concern in the Environmental Impact Statement.

The railroad's Environmental Report indicates that other items that require our review, such as air quality, noise and the natural environment will be included in the Environmental Impact Statement. We will conduct a comprehensive review of the document when it is produced. Please include our Department on your distribution list. If you require any clarifications on our request, please call Edward Herbert in our Office at 301-217-2177.

Sincerely,

Ellen Scavia, Chief

Ellen Alama

Office of Environmental Policy and Compliance

cc: E. Herbert

Augusta - Richmond County

Office of the Administrator

Room 801 • City-County Bldg (11)
530 Greene Street
Augusta, Georgia 30911
(706) 821-2400 FAX (706) 821-2819

Charles R. Oliver, PE CPA Administrator

July 16, 1997

Ms. Elaine K. Kaiser, Chief Section of Environmental Analysis Office of the Secretary Case Control Unit STB Finance Docket No. 33388 Surface Transportation Board 1925 K Sheet, N.W. Washington, DC 20423-0001 ENVIRONMENTAL DOCUMENT

Dear Ms. Kaiser:

It appears from the provided background information that the Augusta, Georgia, area will only be marginally affected by the consolidation of Conrail with the CSX and Norfolk Southern rail systems. At the present time, CSX and NS are the only providers of rail services through our area. There are no Conrail lines. As we understand it, the proposed transaction would take existing Conrail facilities and operations and divide them between CSX and NS. The transaction would expand CSX and NS service and competition in areas where Conrail was the only carrier. In as much as Conrail does not presently serve the Augusta area, the effects of the consolidation would be limited to the impact of the transaction on the overall operations of existing CSX and NS service in Augusta. Tables in the Environmental Report do not indicate the need for environmental assessment because of any changes the transaction will have in the Augusta area. The tables indicate that both NS and CSX anticipate bringing a couple fewer trains per day through the Augusta area, but it is unclear whether this is the result of the splitting up of Conrail or the result of internal operations decisions.

If this reduction in service provides safety and air quality benefits without economic detriment to local users of rail service, the proposed changes would be beneficial to our area. We would request that the proposed EIS look at the economic effects of any service reductions on existing CSX and NS lines.

Sincerely,

Charles R. Oliver

Charles R. Oliver, C.P.A., P.E. Administrator

CRO/mrk

xc: The Honorable Larry E. Sconyers, Mayor

Members of Commission

Mr. George Patty, Planning Commission

Mr. Clifford A. Goins, Interim Assistant Director of Engineering, Public Works Department

Mr. Michael Greene, Interim Assistant Director of Operations, Public Works Department

FD-33388 ID-CITIES 7-18-97



PLANNING DEPARTMENT

CITY OF NEWARK

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

ENVIRONMENTAL DOCUMENT

July 15, 1997



The Office of the Secretary
Case Control Unit STB Finance Docket #33388
Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423-0001

Attention: Elaine Kaiser, Chief Section of Environmental Analysis

Dear 1 Is. Kaiser:

Thank you very much for your letter of July 3, 1997 to Newark City Manager Carl Luft concerning the Notice of Intent to prepare an Environmental Impact Statement (EIS) and request for comments on the proposed EIS scope concerning the CSX/Norfolk Southern/CONRAIL railroad reorganization. Because the major east coast seaboard route of the CSX Railroad—which will be impacted by this rail reorganization—runs through the heart of our community, we recommend that the EIS take into account the following:

- 1. Any increase in level of operations on the CSX line. While we recognize that the Environmental Report provided by the railroads to the Surface Transportation Board indicates an increase in rail freight on the CSX line of 1.9 trains per day, we note that we have been informed previously that the rail reorganization could result in an increase of 4 to 10 trains daily. In any case, simply counting the number of trains per day as an environmental impact "threshold," does not take into account the possibility of circumventing this "threshold," by making existing trains longer.
- The CSX line currently crosses busy streets at three locations in the heart of our community. The traffic counts at these at-grade crossings significantly exceed the 5,000 vehicle trips per day count noted in the environmental report as a "threshold" for detailed environmental review. The volume of traffic ranges anywhere from 7,700 trips to 26,900 trips daily at the New London Road and Main Street at-grade crossings. In this regard, it is important to note that the

Delaware Department of Transportation is at the verge of implementing a significant reconfiguration of the intersection where two of the three at-grade crossings (Main Street/New London Road) are located. This will mean an increase in auto and truck traffic through the intersection which will be significantly impacted by any increase in rail freight.

- 3. It has long been a policy of Newark to urge a <u>reduction</u> of rail freight through the heart of our community. In fact, we have repeatedly asked the Federal Railroad Administration and the railroads involved to consider abandoning the CSX line and re-routing traffic around our community using the Northeast Corridor Rail line.
- At the at-grade crossings -- especially a crossing at North College Avenue -thousands of pedestrians cross daily from the north to the central campus of the
 University of Delaware.
- The environmental impact review should, at a minimum, evaluate the potential
 for eliminating at-grade crossings in Newark on the CSX line especially in light
 of increased probability of train accidents and derailments.
- 6. We are concerned about increase in rail freight which will result in an increase in the transport of hazardous materials through the heart of our community, the CSX line runs adjacent to single family home development, busy shopping areas, nursing homes, schools, day care facilities, University of Delaware dormitories and classroom facilities, howing for the elderly, and off-campus student housing rental units.
- 7. Any increase in freight traffic the CSX line will significantly impact the ability of police and fire vehicles via appropriate emergency services. All the fire facilities the City Police Station are located on the southside of the CSX line. A considerable portion of the City's population -- at least 50% -- lives on the other side of the rail line from these City services.
- Two of the three at-grade crossings of the CSX line cross major state highways
 Routes 2, 273 and 896. These are major facilities that handle considerable regional auto and truck traffic.
- 9. We are concerned about air quality and noise impacts resulting from any increased in rail freight on the CSX line. In particular, the proximity of the line to residences, housing for the elderly, and student dormitories make air quality, noise and related environmental impact assessments particularly important.
- 10. The EIS should address the impact of any increase in rail freight on the CSX line on important National Register properties located in close proximity to the rail line. These include the following:

A. Saint Thomas Episcopal Church -- 21 Elkton Road

B. Old First Presbyterian Church -- West Main Street

C. Deer Park Hotel -- 108 West Main Street

D. Delaware College Historic District

Thank you very much for this opportunity to comment on the proposed EIS scope for the railroad reorganization. We look forward to hearing from you concerning this matter of great importance to our community. If you have any questions please do not hesitate to contact me.

Sincerely,

Roy H. Lopata Planning Director

RHL:mc

cc: Carl F. Luft, City Manager

Maureen Feen y Roser, Associate Planner

David Roselle, President, UD

Members, WNTRC

Anthony DiGiacomo, WILMAPCO

David Campbell, Chief, Rail Services, Delaware Transit Corp.

Senator William V. Roth, Jr.

Senator Joseph R. Biden

Representative Michael N. Castle

FD-33388 ID-CITIES



NEWARK BUSINESS ASSOCIATION

170 EAST MAIN STREET/POST OF MENTALL DOCUMENTAL

715-0024/302-366-1680/Fax 302-366-1751 **July 14, 1997**

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



Dear Ms. Kaiser:

Downtown Newark, formerly the Newark Business Association, representing over 75 business and community leaders in Newark, Delaware, is very concerned about the proposed reorganization of the CSX Norfolk Southern, and CONRAIL's freight rail operations and the resulting increase in freight rail traffic. Since the CSX Rail Line crosses three at-grade locations in Newark, a small town, this increased rail traffic will have an adverse impact on Newark's quality of life.

We, as a business association, are very concerned about the negative impact this increased traffic will have on public safety. Many pedestrians and bicyclists cross the tracks on their way to and from University classes and shopping on Main Street in Newark. More rail traffic means more safety hazards when crossing the tracks.

The already frequent trains through the heart of Newark cause delays for emergency, fire, ambulance, and police vehicles. Increased numbers of trains per day will exacerbate this situation which will only go from bad to worse.

The tracks are in close proximity to many University of Delaware dormitories, residential neighborhoods and high density housing for the elderly. The increase in train traffic will add even more to the noise pollution and air quality will be even worse in these highly populated areas with added emissions from vehicles waiting at the train crossings.

The trains already greatly impede traffic on Main Street, our central business district. With the frequent street closings due to trains



NEWARK BUSINESS ASSOCIATION

170 EAST MAIN STREET/POST OFFICE BOX 24/NEWARK, DELAWARE 19715-0024/302-366-1680/FAX 302-366-1751

passing through the center of town, it is very difficult to move traffic at a steady pace through the heart of Newark. This proposed increase of up to 50% in the number of trains will make an already difficult traffic situation worse.

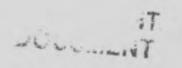
The increased transportation of hazardous materials in such close proximity to residential areas is very risky. A few years ago we had a large train derailment in Newark in the backyards of a housing development. It was an extremely dangerous situation for the residents and could have been even worse if the cargo included hazardous materials.

Downtown Newark works closely with the community and is committed to improvement and growth for our town. We see no positive impact for our town resulting from the freight rail reorganization, only negative. I strongly urge you to reconsider the proposal which will increase rail traffic through our community and cause so many more problems.

Sincerely,

Leve N Janneman

Gene N Danneman President, Downtown Newark formerly Newark Business Association FD-33388 ID-GOV 7-17-97 K





ENVIRONMENTAL DOCUMENT

GERRI HOBDY

SISTANT SECRETARY

PHILLIP J. JONES State of Couisiana SECRETARY

LIEUTENANT GOVERNOR

OFFICE OF THE LIEUTENANT GOVERNOR DEPARTMENT OF CULTURE, RECREATION & TOURISM

OFFICE OF CULTURAL DEVELOPMENT

July 14, 1997

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

Re: Notice of Intent to Prepare an Environmental Impact Statement and Request for Comments

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

State of Louisiana

Dear Ms. Kaiser:

Reference is made to your letter dated July 3, 1997, regarding the above. Based on the information provided, it is our opinion that the only activities that could affect historic properties will be the abandonment of railroad bridges and depots, and the construction of new lines. As such, we will need to review any proposed projects of these types. We feel that the following types of projects will have no effect on significant cultural resources, and as such, we will not need to review these activities: the transfer of ownership of lines and/or facilities from one company to another, expanded operations or additions or decreases in traffic on existing lines, and changes in activity at rail yards and intermodal facilities.

We look forward to working with your agency to resolve any concerns that occur. Should you have any questions or need any further assistance, please contact Mr. Mike Mahady at the Division of Archaeology at (504) 342-8170.

Sincerely,

Gerri Hobdy

State Historic Preservation Officer

GH:MM:s

ENVIRONMENTAL DOCUMENT



Commissioners

KARL ZOBRIST Chair

HAROLD CRUMPTON

SHEILA LUMPE

CONNIE MURRAY

M. DIANNE DRAINER Vice Chair

Missouri Dublic Service Commission

POST OFFICE BOX 360 JEFFERSON CITY, MISSOURI 65102 573-751-3234 573-751-1847 (Fax Number) 573-526-5695 (TT) http://www.ecodev.state.mo.us/psc/

July 14, 1997

CECIL I. WRIGHT **Executive Secretary** SAM GOLDAMMER Director, Utility Operations GORDON L. PERSINGER Director, Policy & Planning

VACANT Director, Utility Services DONNA M. KOLILIS

Director, Administration DALE HARDY ROBERTS

Chief Administrative Law Judge DANA K. JOYCE

General Counsel

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

RE:

STB Finance Docket No. 33388

Dear Ms. Kaiser:

I recently received your letter of July 3 with regard to this docket and the Notice of Intent to Prepare an Environmental Impact Statement and Request for Comments concerning the CSX/Norfolk Southern purchase of Conrail assets.

The Missouri Public Service Commission no longer has any jurisdiction over railroads. All powers, duties and functions of this Commission relating to common carriers in general, including railroad corporations, were transferred on July 1, 1985 to another agency.

Therefore, I am forwarding your letter and enclosures to Mr. Stephen R. Waters, who is Director of the Missouri Division of Motor Carrier and Railroad Safety, P.O. Box 1216, Jefferson City, Missouri 65102, telephone (573) 751-1114, fax (573) 526-3651. Please correct your records accordingly.

Very truly your

Karl Zobrist

KZ:nh

cc: Mr. Stephen R. Waters

FD-33388 ID-FEDS 7-17-97



United States Department of the Interior

Suite 322 315 South Allen Street State College, Pennsylvania 16801-4850

July 15, 1997

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

ENVIRONMENTAL DOCUMENT



Re:

Notice of Intent to Prepare an Environmental Impact Statement (EIS) and Request for Comments on Proposed EIS Scope in STB Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company - Control and Operating Leases/Agreements-Conrail, Inc. and Consolidated Rail Corporation.

Dear Ms. Ka.ser:

This refers to your letter of July 3, 1997, requesting Fish and Wildlife Service comments on the subject Notice of Intent to Prepare an Environmental Impact Statement, as well as on the proposed EIS scope that was sent as an attachment to your letter.

At this time, we do not have any comments to offer on the Notice or proposed scope. However, if you determine during the preparation of the EIS that the proposed work will affect streams, wetlands or federally listed endangered or threatened species, you may wish to contact us as early as possible in the planning stages of your project so that impacts to these resources can be avoided or minimized.

We appreciate the opportunity to offer comments at this early stage in project planning. Please contact Edward Perry of my staff at 814-234-4090 if you have any questions regarding this response.

Sincerely,

David Densmore

Supervisor

FD-33388 ID-CITIES



County of Roanoke

K

(540) 772-2005

COUNTY ADMINISTRATOR ELMER C. HODGE (540) 772-2004 P.O. BOX 29800 5204 BERNARD DRIVE ROANOKE, VIRGINIA 24018-0798 FAX (540) 772-2193

July 8, 1997

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Office of the Secretary Case Control Unit STB Finance Docket No. 33388

STB Finance Docket No. 33388
Surface Transportation Board
1925 K Street, N. W.

Washington, D. C. 20423-0001

Dear Sir or Madam:

ATTENTION: Ms. Elaine K. Kaiser, Chief

Section of Environmental Analysis

Environmental Filing

This is in response to your letter of July 3, 1997, asking for written comments on the proposal that Norfolk Southern and CSX Corporation acquire control of Conrail, Inc. and divide its assets.

This project has been reviewed for possible environmental impact, and we are confident that the existing facilities can handle increased traffic along the rail segments that would be affected. There are no negative issues that would be of a concern to our community.

We in Roanoke County want to go on record as being in staunch support of Norfolk Southern's proposed acquisition. If you need further information, please let me know.

Very truly yours,

Elmer C. Hodge County Administrator

ECH/meh

ENVIRONMENTAL DOCUMENT

EN CHMENTAL

NMENTA MOUNT ROGERS PLANNING DISTRICT COMMISSION

COY HILL, Chairman THOMAS P. CASSELL, JR., Vice-Chairman SAMUEL S. BURKETT, Treasurer THOMAS G. TAYLOR, Executive Director

1021 Terrace Drive

Marion, Virginia 24354

Phone 540-783-5103

Fax 540-783-6949

July 10, 1997



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

Re:

Comments on Proposed EIS Scope in STB Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company - Control and Operating Leases/Agreements-Conrail, Inc. And Consolidated Rail Corporation.

Dear Ms. Kaiser:

The Mount Rogers Planning District Commission (MRPDC) member jurisdictions include six (6) counties, twelve (12) incorporated towns, two (2) cities, and is presently traversed by only the Norfolk Southern Railway (see enclosed map). After reviewing the Railroads Environmental Report (ER), MRPDC Staff has determined that Smyth, Washington, and Wythe Counties, the towns of Glade Spring, Rural Retreat, and the City of Bristol, would directly affected by the proposed rail merger as discussed in the ER.

Per the Railroad's ER, Staff has also determined the Norfolk Southern Railway's (NSR) impact within this district, as a result of the abovementioned merger, should at most be minimal, as it anticipates no rail abandonments, and only minor improvements to existing rail facilities within the district. The proposed improvements, would occur with sidings at the towns of Rural Retreat and Glade Spring, and the City of Bristol, these should not adversely affect the environmental quality within our district. To that end, what, if any, will be the impacts in the towns of Abingdon, Chilhowee, Marion, and Wytheville, which NSR lines also pass through and by.

From the air quality and noise impact perspectives (Sections 21.1, 22.2), no jurisdiction within our district meets the STB thresholds which are requisite for inclusion in the EIS. Also, Staff concurs with the ER's determinations related to its transportation, safety, and grade crossing estimations (Sections 22.3, 22.4 and 22.4.1) when it states that overall numbers for safety should improve as a result of decreased over-the-road truck traffic.

Elaine K. Kaiser July 10, 1997 Page 2

However, the MRPDC believes that the safety element, especially at grade crossing, rates both special and additional attention, especially if NS rail traffic is significantly increased over its current levels. To that end, we want to know more precisely what the anticipated figures for rail traffic increases will be, as it relates to ER section 22.4.1.

As to the issues of transportation of hazardous materials and hazardous waste site/spill on the right-of-way, Staff believes the existing NS policies and operating procedures concerning this area to be in need of additional exploration; this would become especially significant to all our impacted jurisdictions, if a substantial rail traffic increase is realized within the District.

Lastly, the MRPDC position on increased rail traffic through our District is predicated upon the understanding that our member jurisdictions want all crossings to be signaled (either light or gate), obedience to posted speed limits in municipal boundaries to be maintained at all times, and will expect reasonable time limitations on NSR initiated vehicle traffic stoppages at all grade crossings.

Thank you for the opportunity to comment on the physical and operational changes that would be associated with the proposed railway merger as it correlates to the MRPDC's impacted member jurisdictions. If you have any questions or need additional information, please contact me at (540) 783-5103.

Sincerely,

Michael T. Jones Transportation Planner

encl.

cc: Mr. David Barrett

Mr. Henry Booker

Mr. Cellell Dalton

Ms. Mary Ann Evans

Mr. Raymond Matney

Mr. Graham Newman

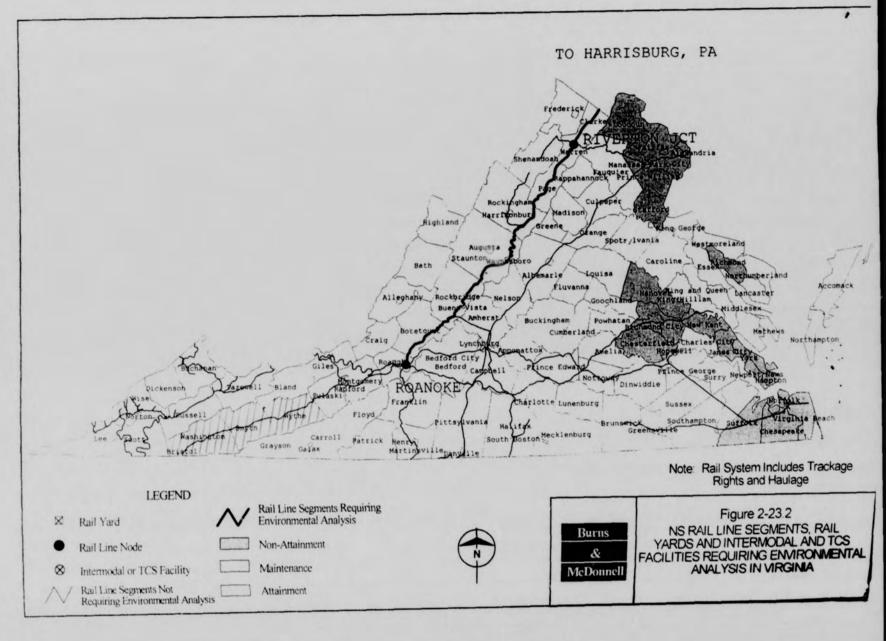
Mr. Marvin Perry

Mr. Mark Reeter

Mr. Paul Spangler

Mr. Wayne Sutherland





Wilmington Area Planning Council

850 Library Avenue, Suite 100 Newark, Delaware 19711 302-737-6205; Fax 302-737-9584 e-mail: wilmapco@ix.netcom.com web site: www.wp.com/wilmapco

July 10, 1997



Mayor of Newark

Anne P Canby
Delaware Dept of Transportation
Secretary

Robert W. Coy. Jr. Delaware Economic Development Office

James G Crouse

Thomas P Gordon New Castle County County Executive

William C. Manlove Cecil County Commissioner

Henry M Kay Maryland Dept of Transportation Regional and Local Plenning Manager

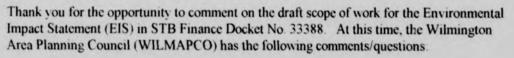
Nancy J. Shevock
Delaware Transit Corporation
Director

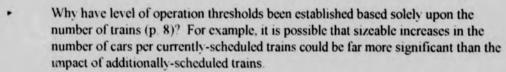
James H. Sills, Jr. Mayor of Wilmington

WILMAPCO Executive Director
G. Alexander Taft

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

Dear Ms. Kaiser:





- With respect to grade crossing safety factors (p. 9), the draft scope of work proposes to address only "rail highway grade crossing factors." This suggests addressing only train motor vehicle conflicts. Please note that within walking distance of our offices are three grade crossings (CSX-Class I) that "we high numbers of pedestrians and bicyclists -- including University of Delawa Jents, faculty, and staff. Therefore, WILMAPCO believes that urban street grade ssings be addressed, as well.
- With respect to addressing vehicular delays at grade crossings (p.10), this aspect of transportation system impacts is good, but only if a broader impact threshold (p. 8) is established. Also, why not additionally consider vehicular delays at grade crossings with respect to their impacts on energy and air quality?
- With respect to addressing impacts on land use (p. 10), why consider only impacts created by construction and abandonment? "Anticipated changes in levels of operations on rail lines" (p. 8) could clearly have impacts on adjacent land uses in the urbanized area and the cities through which Class I rail lines run in the WILMAPCO region: Charlestown, Elkton, Elsmere, Newark, Newport, North East, Perryville, Port Deposit, and Wilmington.



ENVIRONMENTAL DOCUMENT





- With respect to addressing energy impacts (p. 11), why not additionally address vehicular delays at grade crossings?
- With respect to addressing air quality impacts and thresholds measures (p. 11), we again question
 whether these measures are adequate, especially relying solely on the number of trains.
- With respect to addressing air quality impacts (p. 11), the draft scope of work proposes to evaluate emissions increases if the proposed transaction affects a Class I or a non attainment area. Please be advised that in the WILMAPCO region the proposed transaction affects a Class I and a non-attainment area in a substantial portion of the urbanized area and the cities of Charlestown, Elkton, Elsmere, Newark, Newport, North East, Perryville, Port Deposit, and Wilmington.
- With respect to addressing the air quality impacts of vehicular delays at grade crossings (p. 12), we
 question the adequacy of the thresholds cited in Section 5B (p. 11).
- With respect to addressing the noise impacts (p. 13), we again question the adequacy of the thresholds cited in Section 5A (p. 11).
- With respect to addressing the noise impacts (p. 13), we wonder if longer durations of noise even with no increase in decibel levels would create adverse impacts in our urbanized areas and cities. Such extended durations could be a function of the length of trains and/or train speeds.
- With respect to addressing the impacts on biological resources (p. 13), why would one consider only the impacts of abandonment and construction, but not the "anticipated changes in levels of operations on rail lines" (p. 8)?
- With respect to addressing the impacts on socioeconomic issues (p. 14), will the EIS include the impacts of noise and vibration in our urbanized area and cities?
- With respect to addressing the impacts on environmental justice (p. 14), why would the EIS consider only the impacts of abandonment and construction, but not the "anticipated changes in levels of operations on rail lines" (p. 8)?
- With respect to addressing the impacts on cultural and historic resources (p. 14), why would one
 consider only the impacts of abandonment and construction, but not the "anticipated changes in
 levels of operations on rail lines" (p. 8)?
- With respect to addressing the impacts on cultural and historic resources (p. 14), we are hopeful that will the EIS would include the impacts of noise and vibration in our urbanized area and cities, especially in the CBD of Newark which includes the Deer Park Hotel and the University of Delaware and in the historic Trolley Square area of Wilmington which includes the Logan House.

If WILMAPCO has any additional written comments or questions, they will be transmitted to you prior to the deadline of August 6, 1997. Because WILMAPCO does not have standing in STB Finance Docket No. 33388, we appreciate this opportunity for input, and we will share our comments and questions on this matter with the Delaware and Maryland Departments of Transportation.



Elaine K. Kaiser Page 3 July 10, 1997

Thank you, again, for this opportunity for input.

Sincerely,

G. Alexander Taft, Executive Director

CC: Eugene Abbott, DelDOT Eli Cooper, DelDOT Missy Cassidy, MDOT Henry Kay, MDOT



FD-33388 ID-FEDSUSDA 7-16-97



UNITED STATES DEPARTMENT OF AGRICULTURE Natural Resources Conservation Service

771 Corporate Drive Suite 110 Lexington, KY 40503-5479 (606)224-7350 fax (606)224-7399

July 8, 1997

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

We have no comments with regard to the proposed environmental impact statement scope in STB Finance Docket No. 33388.

We appreciate the opportunity to review your information.

Sincerely,

DAVID G. SAWYER State Conservationist

ENVIRONMENTAL DOCUMENT

FD-33388 ID-GOV

State of North Carolina Department of Environment, Health and Natural Resources Division of Coastal Management

James B. Hunt, Jr., Governor Jonathan B. Howes, Secretary Roger N. Schecter, Director

July 2, 1997



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

Attn: Elaine K. Kaiser, Chief

Section of Environmental Analysis

Environmental Filing

REFERENCE:

DCM97-20 Environmental Report for CSX and Norfolk Acquisition of

Conrail, Inc., and Consolidated Rail Corporation

Dear Ms. Kaiser:

The State of North Carolina has reviewed the referenced document describing the proposed control and operating leases/agreements between the subject railway companies and the anticipated environmental impacts of the proposed action. We understand that some railways owned by these companies transit the coastal zone of North Carolina.

It appears that the proposed activity will produce no significant impacts on the North Carolina coastal zone. It involves no construction or other development activity in North Carolina. As long as there is no new transport of hazardous materials through the coastal zone, no formal consistency certification as per 15 CFR 930.58 will be required for this action at this time. If at any time significant new shipments of hazardous materials are to be transported through the coastal zone of North Carolina, consistency certification that the proposed transport is consistent with the North Carolina Coastal Management Program will be required.

If you have any questions please call me or Ms. Caroline Bellis at (919) 733-2293. Thank you for your consideration of the North Carolina Coastal Management Program.

DOCUMENT

Singerely,

Stephen B. Benton
Consistency Coordinator

P.O. Box 27687, Raleigh, North Carolina 27611-7687 Voice 919-733-2293



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STATE CLEARINGHOUSE FOR FEDERAL PROGRAMS DATE 07/02/97

07/09/97

MS APPLICANT NO.: MS970707-008

IMPACT AREA(S):

CONTACT: ENVIRONMENTAL HOTLINE

PHONE: (888) 869-1997

FEDERAL AGENCY: STB

FUNDING: FEDERAL

APPLICANT:

SURFACE TRANSPORTATION BOARD SEC. OF ENVIRONMENTAL ANALYSIS

1925 K ST. NW, 5TH FLOOR

WASHINGTON

DC 20423-0001

CENTRAL ADMINISTRATIVE UNI REC'D: 7/18/97

TOTCUMENT # 4/18/97/1:26:53

APPLICANT OTHER

LOCAL TOTAL

DESCRIPTION: NOTICE OF INTENT TO PREPARE AN EIS AND REQUEST FOR COMMENTS

ON PROPOSED EIS SCOPE IN STB FINANCE DOCKET NO. 33388,

CSX CORPORATION & CSX TRANSPORTATION, INC., NORFOLK SOUTHERN CORPORATION & NORFOLK SOUTHERN RAILWAY COMPANY. WRITTEN

COMMENTS DUE NO LATER THAN AUGUST 6, 1997.

CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER

455 NORTH LAMAR STREET - JACKSON, MS 39202 (601) 359-6762

- THIS IS AN ACKNOWLEDGEMENT ONLY -

STATE AGENCIES MUST REVIEW CERTAIN PROPOSALS PRIOR TO RECEIVING MISSISSIPPI INTERGOVERNMENTAL REVIEW PROCESS CLEARANCE. THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY REVIEWS PROPOSALS INVOLVING CONSTRUCTION, SUCH AS A HIGHWAY OR AN APARTMENT COMPLEX FOR COMPLIANCE WITH CULTURAL RESOURCES AND HISTORIC PRESERVATION. MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY, OFFICE OF POLLUTION CONTROL, REVIEWS APPLICATIONS IN ACCORDANCE WITH THE FEDERAL WATER POLLUTION CONTROL ACT. THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES REVIEWS APPLICATIONS FOR CONSISTENCY WITH THE COASTAL PROGRAM.

IF APPLICATIONS ARE FOR PROJECTS OF LOCAL IMPACT, THEY SHOULD BE SENT TO THE APPROPRIATE PLANNING AND DEVELOPMENT DISTRICT AT THE SAME TIME. PLEASE NOTE THAT ONE OF OUR REQUIREMENTS IS THE USE OF STANDARD FORM 424. THE DEPARTMENT OF FINANCE AND ADMINISTRATION PREPARES AND DISTRIBUTES A WEEKLY LOG LISTING PERTINENT INFORMATION CONTAINED ON THIS FORM. OUR ADDRESS IS 455 NORTH LAMAR STREET 39202 AND OUR PHONE NUMBER IS (601) 359-6762.

> ENVIRONMENTAL DOCUMENT



TENNESSEE HISTORICAL COMMISSION

July 10, 1997

DEPARTMENT OF ENVIRONMENT AND CONSERVATION 2941 LEBANON ROAD NASHVILLE, TN 37243-0442 (615) 532-1550

Ms. Elaine K. Kaiser Surface Transportation Board 1925 K. Street, NW Washington, DC 20423-0001 ENVIRONMENTAL DOCUMENT

RE: STB, CSX/NORFOLK SOUTHERN/CONRAIL, UNINCORPORATED, MULTI COUNTY

Dear Ms. Kaiser:

The Tennessee State Historic Preservation Office has reviewed the above-referenced undertaking for compliance by the participating federal agency or applicant for federal assistance with Section 106 of the National Historic Preservation Act. The Advisory Council on Historic Preservation has codified procedures for implementing Section 106 of the Act at 36 CFR 800 (51 FR 31115, September 2, 1986).

After considering the documentation submitted, it is our opinion that the undertaking will have no effect upon National Register of Historic Places listed or eligible properties. This determination is made either because of the location, scope and/or nature of the undertaking, and/or because of the size of the area of potential effect; or because no listed or eligible properties exist in the area of potential effect; or because the undertaking will not alter any characteristics of an identified eligible or listed property that qualify the property for listing in the National Register or alter such property's location, setting or use. Therefore, this office has no objections to your proceeding with the project.

If you are applying for federal funds, license or permit, you should submit this letter as evidence of compliance with Section 106 to the appropriate federal agency, which, in turn, should contact this office as required by 36 CFR 800. If you represent a federal agency, you should submit a formal determination to this office for comment. You may direct questions or comments to Joe Garrison (615)532-1559. This office appreciates your cooperation.

Sincerely,

Herbert L. Harper

Executive Director and

Deputy State Historic

Preservation Officer

HLH/jyg



STATE OF DELAWARE

THE PUBLIC SERVICE COMMISSION

1560 SOUTH DUPONT HIGHWAY DOVER, DELAWARE 19901

ENVIRONMENTAL DOCUMENT

July 11, 1997

TELEPHONE: (302) 739 - 4247 TELECOPIER: (302) 739 - 4849

Mr. Gerald L. Esposito, Director, Div. of Water Resources
Department of Natural Resources and Environmental Control
89 Kings Highway
Dover, Delaware 19901

Dear Mr. Esposito:

Attached please find a letter from the Surface Transportation Board concerning a Notice of Intent to Prepare an Environmental Impact Statement ("EIS") and a Request for Comments on the Proposed EIS Scope for certain railroads. This letter was sent to us because in some states the Public Service Commission regulates railroads.

Since your agency is concerned with environmental issues, I wanted to make sure you received a copy of this letter in case you want to file comments.

If you have any questions, please contact me.

Yours truly,

Connie S. McDowell
Chief of Technical Services

1- mes Sipperell

ATTACHMENT

cc: Elaine K. Kaiser, Chief, Section of Environmental Analysis

Surface Transportation Board



CENTRAL ADMINISTRATIVE UNIT

THE PUBLIC SERVICE COMMISSION

1560 SOUTH DUPONT HIGHWAY DOVER, DELAWARE 19901

> TELEPHONE: (302) 739 - 4247 TELECOPIER: (302) 739 - 4849

July 11, 1997

Mr. John M. Anderson, Assistant Director of Operations Delaware Transit Corporation Blue Hen Corporate Center 655 Bay Road, Suite 4G Dover, Delaware 19901

Dear Mr. Anderson:

Attached please find a letter from the Surface Transportation Board concerning a Notice of Intent to Prepare an Environmental Impact Statement ("EKS") and a Request for Comments on the Proposed EIS Scope for certain railroads. This letter was sent to us because in some states the Public Service Commission regulates railroads.

Since your agency oversees railroads in this state, I wanted to make sure you received a copy of this letter in case you want to file comments.

If you have any questions, please contact me.

Yours truly,

Connie S. McDowell
Chief of Technical Services

Connie S. Mc) weel

ATTACHMENT

cc: Elaine K. Kaiser, Chief, Section of Environmental Analysis

Surface Transportation Board

CENTRAL ADMINISTRATIVE UNIT

DOCUMENT # 7/18/97 11.39:10 Am



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

George Allen Governor

Becky Norton Dunlop Secretary of Natural Resources Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 658-4021

http://www.deq.state.va.us

Thomas L. Hopkins Director

(804) 698-4000 1-800-592-5482

MEMORANDUM

To:

Reviewers (see below)

From:

Ellie Irons >

Date:

July 8, 1997

Subject:

Request for Comments on Proposed EIS Scope in Surface Transportation Board 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

ENVIRONMENTAL

DOCUMENT

Corporation.

I am forwarding a copy of a Notice of Intent to prepare an EIS sent to us by the Surface Transportation Board. STB has determined that an EIS is necessary to evaluate potential environmental impacts associated with the proposed transaction involving Norfolk Southern and CSX acquiring control of Conrail and for subsequent division of Conrail's assets. The proposed transaction involves over 44,000 miles of rail lines and related facilities covering a large portion of the eastern United States. STB is in the process of preparing the required EIS and is soliciting your comments on the Scope of the EIS as well as any comments you may have on the Draft scope which is enclosed. The deadline for comments is **August 6**, 1997. DEQ-Office of Environmental Impact Review is not coordinating scoping comments. If you would like to comment, please send your comments directly to:

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

Attention: Elaine K. Kaiser Chief, Section of Environmental Analysis Environmental Filing. Please send me a copy of your comments as well. DEQ will coordinate the review of the Draft EIS which results from this effort. For more information, contact Michael Dalton, SEA Project Manager, Conrail Control Transaction (202) 565-1530 or Dana White, SEA Environmental Specialist, (202) 565-1552.

Enclosures

cc. Elaine K. Kaiser, STB

List of Reviewers:

John R. Davy, DCR
Raymond T. Fernald, DGIF
Tony Watkinson, VMRC
David Dutten, DHR
Christopher Collins, VDOT
Eugene K. Rader, DMME
Joseph P. Hassell, DEQ-OWPS
Dona Huang, DEQ-ADA
James Saunders, DEQ-OTAW.

FD-33388 ID-GOV 7-15-97

OFFICERS

AMES W McFARLAND Chairman

> CAROL CRANSHAW Vice-Chairman

MICHAEL W JANUS Secretary-Treasurer

CENTRAL ADMINISTRATIVE UNIT REC'D: SOUTHERN RAPID RAIL TRANSIT DOCUMENT # 7 15 97 12:55:40 PM

July 3, 1997

MASONIC TEMPLE BUILDING
333 ST CHARLES AVENUE
NEW ORLEANS • LOUISIANA • 70130-3120

ENVIRONMENTAL

DOCUMENT

MEMBERS

LOUISIANA

SOV M J. MIKE FOSTER, JR.
SIDNEY J. BARTHELEMY
CAROL CRANSHAW
GEORGE DEMENT
WAYNE WADDELL
R. H. 'BILL' STRAIN
4 3 "SONNY" WOODALL

Surface Transportation Board 1925 K Street, N.W. Washington, DC, 20423-0001

Finance Docket No. 33388

Ms. Elaine K. Kaiser

Environmental Filing

MISSISSIPPI

GOV KIRK FORDICE
LLOYD J COMPTON
LROY B LETCHER, IN
L KAY JOHNSON
MICHAEL W, JANUS
ROBERT L ROBINSON
CATHERINE J STRANGE

AL BAMA

GOV. FOB JAMES
J DANNY COOPER
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EVA GOLSON
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AMES W MCFARLAND
JIMMY BUTTS

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Staff

Washington, DC 20423-0001

Chief Section of Environmental Analysis

Office of the Secretary. Case Control Unit

Dear Ms. Kaiser:

For some weeks now, this Commission has been following with interest, and some degree of concern, media reports of the progress of the proposed merger involving Conrail, CSX and Norfolk Southern railroads.

While we've been impressed with the air of cooperation and progress that seems to mark the private merger negotiations thus far, we also have serious concerns about the possible negative impact that this merger might have on rail passenger ser ice along the Gulf Coast CSX corridor, both now and in the future. This concern is based in large measure on the Commission's recent experience with the Gulf Coast Limited. a demonstration rail passenger service that operated daily between New Orleans and Mobile during the nine (9) month period, 6/28/96 through 3/31/97.

During this period. ...which actually included an initial three month demonstration period (July - September, 1996), plus a six month extension authorized by Congress (October, 1996 - March, 1997). ...this small (generally one locomotive and two coaches), fast train operating only two times per day, actually exceeded Amtrak's ridership criteria for a successful demonstration. ...despite numerous, virtually daily time delays imposed by CSX to accommodate freight movements. (See Train Delay report, attached.) The duration of the delays ranged in time from several minutes to several hours. It is obvious that delays of this magnitude and frequency represent unacceptable obstacles, or, indeed, fatal flaws, in the efficient operation of rail passenger service along this route. These facts obviously do not agree with statements made on page 129 of the Environmental Report submitted by CSX/Norfolk Southern which refers to

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Amtrak trains receiving "operating priority "over freight trains, now and in the future. This clearly was not the case during the nine (9) month operation of the *Gulf Coast Limited*.

The CSX position regarding rail passenger service along the Gulf Coast Corridor also was stated earlier at a meeting in Jacksonville, Florida, on April 8th. During this meeting, which was scheduled by the Rail Commission, Commission members met with CSX officials at the CSX office to discuss the prospects for rail passenger service along the corridor, in general, and, in particular, the problem of delays caused by freight movements. Although the CSX officials were most open and gracious, they made quite clear their position that there simply was no capacity on their track between Mobile and New Orleans for passenger rail, even with existing and proposed track improvements.

When and if the Conrail/CSX/NS merger is approved by the Surface Transportation Board (STB), to what extent, we wonder, will additional freight movements along the Gulf Coast Corridor (generated by the merger), even further aggravate an existing passenger rail situation that is intolerable, now, even before the merger has taken place. Are we to assume that with or without the merger, the prospect of moving passengers and freight on a shared track is too complex, or costly, or bothersome an issue to be resolved? Can we then never anticipate a world class national rail passenger system in the United States? And, finally, how, might we ask, can our nation ever hope to compete effectively in the global economy that will dominate the 21st Century, if we're unable or unwilling to establish and agree among ourselves on the proper use of existing, limited, basic infrastructure resources (i.e., shared tracks) that will be essential elements of effective competition in the global marketplace?

Please understand, we do not necessarily oppose the merger. But, neither are we very comfortable with it, at this point. Quite frankly, we don't feel that adequate information concerning the merger is available to us, or to the general public. We feel confident, however, that as the STB goes through its review process prior to making a decision on the merger, findings and data developed by the Board throughout the review process, will be provided to interested and/or affected parties.

In addition to the seemingly dim prospect of being able to implement reasonable rail passenger schedules and frequencies, on shared tracks, Ms. Elaine K. Kaiser July 3, 1997 Page 3

with reasonable, minimum time delays, we also have related interests which touch on other issues associated with the merger pertaining to public safety, and environmental concerns (air pollution, energy conservation, land use, and economic development). We submit that in years past, when rail passenger service, nationwide, was much more farreaching and dominant than it is today, "shared track conflicts" between passenger and freight service were not nearly so numerous and frequent as those we now experience. We also note, in a more current view, that other freight rail carriers. ...notably Norfolk Southern. ..do not seem to experience such conflicts to nearly the same degree as does CSX. This suggests that, perhaps, the solution to the problem might actually be something as simple as a willingness by the affected parties to meet and work out a reasonable agreement or compromise.

This Commission is convinced that the movement of people and goods along this dynamic corridor. by rail, is and must continue to be a reasonable option offered to industry, and to the traveling public as a viable transportation alternative. To further emphasize the future need, and the potential national prominence of passenger rail in this Gulf Coast Corridor, the Tri-State Commission, in cooperation with the New Orleans Aviation Board and State Department of Transportation, currently has pending with the Federal Railroad Administration (FRA) a formal request for official federal (FRA) designation of a Deep South High Speed Rail Corridor that would connect Houston, Texas, and Jacksonville, Florida, generally along the CSX Gulf Coast Corridor. Also pending with FRA is an application submitted by the Rail Commission for federal (FRA) funds in the amount of \$200,000.00 (to be matched with an equal amount of local (state) funds) to initiate a Phase II High Speed Corridor Analysis Study along the proposed route. This application, if approved by FRA, would complement and expand the Commission's earlier \$70,000.00 Feasibility Study funded entirely with local (state) funds.

In conclusion, it is our hope that the Surface Transportation Board and the three freight rail carriers involved in the proposed merger, initiate with affected local, state and regional transportation agencies. . .and with the public. . .a

In 1950, the following six (6) passenger trains provided daily rail passenger service along the Gulf Coast Corridor between New Orleans and Mobile: The Pan American, The Hummingbird. The Azalean, The New Crescent and The Piedmont Limited. Despite a much greater number of passenger trains on the track, and the total absence of today's highly sophisticated rail signal/communication technology, passenger/freight schedule conflicts were less frequent and severe then as they are now.

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continuing high level of dialogue and communication throughout the STB review process. This exchange of information, problems and objectives should be initiated at the earliest possible date, and should be conducted in an atmosphere of open, cooperative, good faith communication. With this in mind, we would ask that the STB kindly provide us with data or information compiled by the Board during the merger review process that is pertinent to our Deep South Gulf Coast area.

Finally, we respectfully suggest, regarding this merger issue, that all affected parties would do well to try to resolve, not highlight or exploit, our differences. We can, and must, find a mutually efficient, equitable way to coexist and to prosper.

Sincerely,

Dille Her Her Cliph James W. McFarland

Chairman

JWMcF/JleB/pg Enclosure

cc: Members, Rail Commission

Hon. Members. Louisiana, Mississippi, Alabama Congressional Delegatior.s Dames & Moore (for CSX Com.)

Burs & McDonnell (for Norfolk Southern Corp.)

TRAIN DELAYS

FOR

AMTRAK

TRAINS 23 & 24

RESULTING FROM
VARIOUS FREIGHT MOVEMENTS

TRAIN	MONTH	DELAYS	TRAIN		Mis.	- Hrs.
1&2	JUL		TRAIN	MONTH	DELAYS	1200
		184	23 & 24	JUL	510	- 1.
1&2	AUG	279	23 & 24	AUG		4 5'5
1 & 2	SEP	211	The second secon		651	11.4
182	OCT	579	23 & 24	SEP	729	121
1& 2			23 & 24	OCT	752	
	NOV	673	23 & 24	NOV	1427	12.5
1& 2	DEC	1027	23 & 24	DEC		
1 & 2	JAN	1418			2517	12.0
GRAND TO			23 & 24	JAN	1699	12.2
	IAL	4371	23 & 24	FEB	192	3.2
			GRAND TOTA	AL	8477	= 141.3 km (14.14 : 10 = 12.6 = 523
						- 14 15 Mile (Mile sure alice - 62)

treavery of dela	43 July 1	Days o Delays	Total
Month Sul.	~ 20	11	31
Sept	27	3	30
Nov	30	0	30
JAN	30	1	25 (Rt. Closed 6 dA)
104	1 1 ldu	37 au	208 da
	(82.2%)	(11.84)	(100.040)

ATE	TRAIN	MINUTES	LOCATION	REASON	Belalis 18
2-Jul	24	15	NE MICHOUD	MAIN BLOCKED	1
9-Jul	24	7	BEAUVOIR	MEET Q601	
	24	8	ST ELMO	Q145-09	> delay.
10-Jul	24	16	ORANGE GROVE	MEET ENG 7845	15mis.
11-Jul	24	5	BROOKLEY	MEET CSX R145	
13-Jul	24	5	LAKE CATHERINE	MEET Q579 ENG 7752	
14-Jul	24	6	NOUPT JCT	APPR FOLLOWING CSX 602	
15-Jul	24	45	MICHOUD	MY205 & Q615	
	24	17	MICHOUD-N LK CATH	SIGS ACCT 618 ENG 7787 WAS AHEAD	3 delays
	24	10	ST ELMO	MEET SSW9701 Q601	1/ 72 min.
16-Jul	24	20	MP685.8-678	FOLLOWING TRAIN Q602-16	1
17-Jul	24	30	BROOKLEY	MEET CSY 7720 & FOLLOW STO THE	
20-Jul	24	3	OCEAN SPRINGS	MEET CSX 7730 & FOLLOW 572 ENG7754 BROOKLEY-MOE MEET ENG UP2408	
23-Jul	24	5	GAUTIER	MEET CSX Q615	
28-Jul	24	15	674-N BROOKLEY		
1-Jul	23	7	ORANGE GROVE	TAKE SIDING MEET R101 ENG 5918	
	23	15	OCEAN SPRINGS	TAKE SIDING MEET CSX 5917 & SP7833 N	2 deleys
4-Jul	23	22	CLAIRBORNE	TAKE SIDING MEET CSX 8324 Q612	1 22min.
	23		LAKE CATHERINE	MEET 2 TRAINS CSX 9016 & Q606 3601 MEET 8077	2 delays
5-Jul	23		HARBIN	MEET CSX 85N	142min.
7-Jul	23	9	678-683	MEET CSX 7915	
	23	12	689-696	MEET CSX 5887 TRAIN101	3 derys
	23		GAUTIER	MEET UP3397	126min.
8-Jul	23		BROOKLEY		
	23		BEAUVOIR	TAKE SIDING MEET CSX TRAIN 606	2 16/4-15
11-Jul	23		OCEAN SPRINGS	MEET CSX 156 57208	19mis.
13-Jul	23	15	ST ELMO	MEET 144 ENG 9046	1
14-Jul	23		GAUTIER	MEET CSX 9034	
	23		HARBIN	MEET 144 ENG 9007	3 dewys
15-Jul	23	-	OCEAN SPRINGS	MEET 572 ENG 7752	12min.
17-Jul	23		883-N. PAG	MEET R144	
	23	-	OCEAN SPRINGS	FOLLOW Q605 ENG 5882	3 delays,
	23		777-S. LK CATH	TAKE SIDING MEET R144	185 min.
19-Jul	23		OCEAN SPRINGS	MEET 2 TRAINS 7754 & 6015	O TIMO
21-Jul	23		DCEAN SPRINGS	TAKE SIDING MEET Q572 ENG 7681	
24-Jul	23		742-754	MEET 144 ENG 9005 TAKE SIDING FOLLOW Q601-22	

July 20 da Daby

28-Jul	23	10	MOE-PAG	FOLLOW TRAIN 101 ENG 5913	
	23	20	PAG-BIX	FOLLOW TRAIN 101 ENG 5913	\ 3 deiny
	23	13	RIGOLETS-GENTILLY	FOLLOW Q615 ENG 7652	743 mis
			\$1		/ '
1-Aug	24	5	713-PAG	FOLLOW CSX 602	
	24	8	N. PAG-704	FOLLOW CSX 602	
2-Aug	24	4	NOL-BAS	FOLLOW CSX 618	
	24	2	S ST ELMO	FOLLOW CSX 145	
3-Aug	24	2	S. BEAUVOIR	MEET ENG 7747	
9-Aug	24	109	NE TOWER-PEARL R.	CSX Q61809 & Q60209	
11-Aug	24	6	OCEAN SPRINGS	MEET CSX Q601-10	
13-Aug	24	24	NOL-BAS	APPRS FOLLOW Q618	
14-Aug	24	12	NOL-BAS	FOLLOW & PASS Q618 @ CLAIRBORNE	
	24	14	HARBIN	RUN AROUND Q602 ENG SP8304	
15-Aug	24	2	S GAUTIER	MEET Q601 HI-WIDE	
19-Aug	24	2	HARBIN	FOLLOW 618 ENG 7566	
	23	4	BEAUVOIR	618 ENG 7566	
20-Aug	24	8	NOUPT JCT	BLOCKED BY Q605	
21-Aug	24	9	BROOKLEY	Q602 ENG 8480 AHEAD	
22-Aug	24	8	ORANGE GROVE	MEET R145	
23-Aug	24	9	BROOKLEY	ON ENG 6204 R145 JOB	
24-Aug	24	15	ST ELMO	MEET 145 ENG 9007	
25-Aug	24	9	724.5-722.5	APPRS A/C CSX 605 ENG 5912	
27-Aug	24	6	ST ELMO	TAKE SIDING MEET R101	
	24	5	IC 668.6	IC TRAIN XING INTERLOCKING	
29-Aug	24	14	NOUPT JCT	BLOCKED BY KCS ENG 638	
	24	20	IND CANAL-LK CATH	FOLLOW 618 CSX ENG 7750	3 klmis.
-	24	20	BROOKLEY	MEET R145 ENG 8227	154 mis.
31-Aug	24	37	BROOKLEY	MEET Q601 ENG SSW9679	
1-Aug	23	2	ST ELMO	MEET O 601 ENG SOTOOT METHOD	
2-Aug	23	4	MICHOUD	MEET Q 601 ENG SP7367 WITH HI-WIDE YD JOB CSX SWITCHING	
5-Aug	23	6	OCEAN SPRING	TAKE SIDING MEET COVERS THE HE	
	23	3	BEAUVOIR	TAKE SIDING MEET CSX606 FING UP 6050	
7-Aug	23	8	ORANGE GROVE	APPRS A/C CSX 572 HEAD-IN MEET R102 & 144	
	23	6	N GENTILLY		
8-Aug	23	26	TO ORANGE GROVE	RUN AROUND CSX606	
10-Aug	23	13	GAUTIER	FOLLOW R101 ENG CSX 5878	
				MEET CSX 5839/5878	

	23	2	HARBIN	MEET CSX 7764	
11-Aug	23	5	ORANGE GROVE	MEET 9018	
	23	4	BEAUVOIR	572 ENG 7802	
12-Aug	23	14	ORANGE GROVE	CSX 5911 R102	
	23	15	OCEAN SPRINGS	Q612 ENG 7576	4 delays
	23	10	N CLAIRBORNE	Q606 UP9025	51mib.
	23	12	S CLAIRBORNE	Q615 ENG 7760	
13-Aug	23	8	OCEAN SPRINGS	R144 ENG 9050	
	23	12	BEAUVOIR	572 ENG 7764, Q606 ENG3479	
15-Aug	23	4	OCEAN SPRINGS	UP2482	
18-Aug	23	2	PAG-BIX	572 ENG 7571	
19-Aug	23	5	NOT TOWER	NS 294	-
20-Aug	23	11	GENTILLY/LAKE CATH	FOLLOW Q615 ENG8480, MEET Q808ENG UP4148	
25-Aug	23	12	BROOKLEY	MEET R102 ENG 5808	
	23	12	ST ELMO	MEET CSX ENG 7687	
	23	55	BAS-NOL	MEET Q606 ENG 6834	
27-Aug	23	7	LAKE CATHERINE	MEET ENG 7792	
28-Aug	23	6	IC 668.6	IC COAL TRAIN XING INTERLOCKING	-
	23	5	BEAUVOIR	MEET Q572	
-	23	5	LAKE CATHERINE	MEET CSX ENG 5533	
29-Aug	23	11	ORANGE GROVE	MEET 144 ENG 9042	
30-Aug	23	12	CHOCTAW	BLOCKED BY R102-30	-
1-Sep	24	8	IND CANAL-S LAKE CATH	Foundation	
3-Sep	24	10	IC INTERLOCK	FOLLOW Q618-01 ENG 7662	
5-Sep	24	3	768-758	IC TRAIN	
0 000	24	69	704-CHOCTAW	FOLLOW Q618	
6-Sep	24	9	ST ELMO	FOLLOW Q602+ X576-05	
8-Sep	24	2	CHEF-S. LK CATH	CSX 145&619 TRAINS 7685	
12-Sep	24	3	E CITY	FOLLOW 618	
. 2 оср	24	13	ST ELMO	SP 9294	3 de la 13
-	24	14		MEET 601	30 m/s
13-Sep	24	10	ST ELMO-CHOCTAW	CSX 576	1
. С ССР	24	5	N GAUTIER	MEET CSX 602	
15-Sep	24	2	BROOKLEY	MEET CSX 7598	
16-Sep	24	23	790-784	CSX 618 AHEAD	
17-Sep	24	3	ST ELMO	MEET Q 601-15 SP8494	
11-оср	24	3	N SDL-PEARL R	Q618ENG 8184 AHEAD	

Page 3

18-Sep	24	28	ST ELMO	MEET Q601 ENG 8015	
19-Sep	24	6	GAUTIER	MEET R145 ENG 9014	
	24	6	ST ELMO	MEET 8627 Q601	
	24	11	S. BROOK-IC	602 ENG 9262 AHEAD	
20-Sep	24	15	GAUTIER	CSX 5854 & STOP SIG	
21-Sep	24	9	BROOKLEY	MEET R145 ENG 9022	
22-Sep	24	12	683-IC XING	FOLLOW Q602 ENG 7782	
23-Sep	24	31	NOL-BAS	FOLLOW Q618 ENG 8226 TO CLAIRBORNE	
29-Sep	24	6	BROOKLEY	TAKE SIDING CSX Q501-28	
30-Sep	24	20	TO LAKE CATH	Q618 ENG 8630	
1-Sep	23	14	MICHOUD	TAKE SIDING MEET Q608 ENG UP 3592	
3-Sep	23	5	BEAUVOIR	MEET Q572	
	23	15	BIX-GUF	FOLLOW ENG 9652 Q601	
5-Sep	23	10	HARBIN	MEET Q572 ENG 7676	
	23	14	LAKE CATH	MEET Q602 ENG 9053	
6-Sep	23	6	728-737	FOLLOW W877	
	23	1	GUF-N HARBIN	FOLLOW W877	
	23	10	LAKE CATH	MEET Q606 ENG UP 3264	
7-Sep	23	25	MADISON ST	STOP SIG/CSX R102	
8-Sep	23	28	ORANGE GROVE	MEET UP 2480 #576	
	23	17	INTO GENTILLY	FOLLOW CSX 7042#579	-
9-Sep	23	13	PAG-S. OCEAN	FOLLOW CSX 579 ENG 84	
10-Sep	23	11	SAUTIER	TAKE SIDING MEET CSX ENG 9006 R144	
11-Sep	23	8	GAUTIER	TAKE SIDING MEET Q572 ENG 8580	
	23	8	LAKE CATH	TAKE SIDING MEET Q606	
12-Sep	23	10	ORANGE GROVE	TAKE SIDING MEET R144 ENG CSX 9048	
	23	8	HARBIN	MEET 2: CSX 7879, UP 3518	
14-Sep	23	14	GAUTIER	MEET CSX 9041/ STOP SIG, RES SPEED	
15-Sep	23	3	BEAUVOIR	MEET HI-WIDE X 57614	
17-Sep	23	5"	BAS-NOL	MEET M732 ENG CSX 5535	
18-Sep	23	6	BROOKLEY	TAKE SIDING MEET CSX 7506	
	23	22	ORANGE GROVE	TAKE SIDING MEET CSX 9048 & 7634	2 delays
20-Sep	23	26	ST ELMO	MEET CSX R144	/28mis.
23-Sep	23	8	BAYSIDE	LINE XOVER SW FOR U241 ENG 14	
24-Sep	23	8	ST ELMO	Q812 ENG 7528 TAKE SIDING	
	23	20	N MICHOUD	TAKE SIDING 572 ENG SSW 8053	
25-Sep	23	9	BROOKLEY	MEET R102 ENG 5942	

-	23	5	ST ELMO	TAKE SIDING MEET 8257	1 -1
	23	5	GAUTIER	TAKE SIDING MEET ENG 8083 R144-25	Salays
26-Sep	23	10	ST ELMO	MEET R102 ENG 7676	119 mins.
	23	5	TO CLAIRBORNE	FOLLOW 619	-
27-Sep	23	12	678-N ST ELMO	FOLLOW R145 5939	-
	23	10	MICHOUD	TAKE #2 TRACK FOR CSX606	+
29-Sep	23	7	BEAUVOIR	MEET 572 ENG CSX 7057	+
ru	23	2	HARBIN	MEET UP3815	+
	23	10	BAS-NOL	MEET X576 ENG 5041	-
30-Sep	23	26	799.3-IND CANAL	HEAD IN TRK RD-1 GENTILLY, TRAIN AHEAD, LINE XOVER	-
1-Oct	23	3	BROOKLEY		
	23	9	OCEAN SPRINGS	PASS HI&WIDE X 10230	
2-Oct	24	2	CHEF MENTEUR	MEET R144 ENG CSX 9021	1
4-Oct	24	9	N ST ELMO	Q618PASSED AT LK CATH	
		-	N ST ELMO	STOP TRAIN Q615 ENG 7500	
14-Oct	24	20	TO LAKE CATH	FOLLOW 618	
15-Oct	24	5	NE-PUBLIC BELT	SP 8536 SWITCHING	
16-Oct	24	3	MICHOUD	Q615-14 HI&WIDE	
17-Oct	24	3	CARROLLTON JCT	BLOCKED BY NS TRAIN	
	24	7	BEAUVOIR	734 APPR, S BEAUV APPR, MEET CSX 7790	
19-Oct	24	7	ORANGE GROVE	MEET 579 ENG 7520	
20-Oct	24	4	758-N NICHOLSON	APPR 758, 756, RED 754 A/C MEET R101	
21-Oct	24	29	NOL-BAS	IN SIGS ACCT ON 24 PUNISHED ALTER	
22-Oct	24	20	NE-784	IN SIGS ACCT Q618-21 RUNNING AHEAD	
24-Oct	24	3	NOL-BAS	TRAIN AHEAD N GENTILLY TO 784 K526 ENG 7886 APPR SIG 784 FOLLOW CSX 618-24	
	24	107	BAS-GUF	APPP SIG S HAPPIN STOP SIG SHAPPING	
	24	5	GUF-BIX	APPR SIG S HARBIN, STOP SIG N HARBIN, CSX 602-24 IN EN	
	24	7	OCEAN SPRINGS	TAKE SIDING, MEET Q238 ENG 7686	15 delas
	24	17	PAG-MOE	FOLLOW CSX M732 ENG 5546	139 min.
26-Oct	24	32	N GENTILLY	ENG 9030 HEAD IN YARD R0101-25	
27-Oct	24	18	799 3	CSX R105 HEAD IN GENTILLY YD	
	24	2	ORANGE GROVE	MEET 605 WIDE LOAD	
	24	24	ST ELMO	TAKE SIDING MEET Q579	
29-Oct	24	133	LAKE CATH	Q618 AHEAD, Q579 IN EMERG	
	24	23	781.9-758	Q618 AHEAD, FLAGGING SIG	
31-Oct	24	2	NE TOWER	RED SIG THEN CLR A/C RAIL TRAFFIC AHEAD	

	24	5	PEARL R-758	FOLLOW CONTROL THE
2-Oct		6	GAUTIER	FOLLOW CSX732 ENG 2708
	23	6	RIGOLETS	MEET R144
4-Oct	23	14	MICHOUD	RED SIG A/C TRAIN AHEAD, CSX 615 LK CATH
		1	I I I I I I I I I I I I I I I I I I I	HEAD IN TRK 2 LET CSX 612 ENG 8488 N BY
15-Oct	23	14	GAUTIER	
	23	14	GUF-BAS	MEET Q612 ENG 8442
	23	19	BAS-NOL	APPR @ 742, S HARBIN, 749, RED @ BAS ACCT 605 ENG 3379 RUNNIN
16-Oct	23	16	GAUTIER	RED @ RIGOLETS DRAW ACCT 615 ENG 8037
	23	4	CHEF-MICHOUD	MEET Q612 SP/804
18-Oct	23	15	742-749	TRAIN AHEAD K527-14
19-Oct	23	9	GUF-BAS	TRAIN AHEAD R105-17 ENG 5824
	23	5		FOLLOW CSX105
23-Oct	23	12	BAS-NOL	FOLLOW R101
	23	12	CLAIRBORNE MICHOUD	TAKE SIDING MEET UP3170 Q606
26-Oct	23	11	THE RESERVE AND ADDRESS OF THE PARTY OF THE	TAKE #2 TRK MEET CSX 8108
	23	12	PAG-BIX	APPR 720, RESTR N END OCEAN SPRINGS FOR TRAIN 7794 N
	23	7	HARMON	
	23	11	BAS-NOL	FOLLOW TRAIN 617
27-Oct	23	+	NOT	WAIT ON TRAIN TO CLEAR
	23	4	S ORANGE GROVE	ACCT Q615 ENG 7793 AHEAD
PM	23	16	S. GAUTIER	Q615 ENG 7793 RUNNING AHEAD
28-Oct	23	6	GUF-BAS	Q615 ENG 7793 AHEAD
20-00		19	669.8-683	FOLLOW CSX Q617
. 29-Oct	23	6	MICHOUD	FOLLOW Q619
. 29-001	23	15	MICHOUD	TAKE SIDING MEET Q606 UP 3433
2 1			,	MINE CIDING MEET Q606 UP 3433
2-Nov	23	17	MP713	FOLLOW CSX 619
3-NOV	23	16	ORANGE GROVE	MEET 2 TRAINS 640 FMG 440
- 4 414	23	26	MICHOUD & L CATH	MEET 2 TRAINS - 612 ENG 146 & R144 ENG 5816
4-Nov	23	20	L CATH	X576 ENG 6888 & R101 ENG 5073
7-Nov	23	15	CLAIBORNE	MEET CSX X578 ENG 5513 & X550 ENG SP8373
8-Nov	23	5	ST ELMO	MEET 579 ENG 9001
9-Nov	23	5	BEAUVOIR	FOLLOWING R101
10-Nov	23	9	BROOKLEY	STOP SIG MEET CSX 572
12-Nov	23	13	MOE-PAG	MET 3 TRAINS
14-Nov	23	3	NICHOLS	MEET R144 ENG 5919
16-Nov	23	11	O. GROVE	MEET 572 ENG 7824
			TO CHOVE	MEET CSX 5888

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	23	31	L CATH	MEET CSX 5848	
17-Nov	23	50	L CATH & MICHOUD	MET TRAINS	
18-Nov	23	20	GAUTIER	MEET CSX R144 ENG 5919	
	23	21	OCEAN SPRING	MEET Q606 ENG 7638 & K526 ENG 8703	
	23	15	FRANCE RD	MEET SSW8077	
19-Nov	23	16	OCEAN SPRINGS	MEET K526	-
	23	11	GENTILLY	FOLLOW R101	
20-Nov	23	80	BROOKLEY	MEET R102 & K526	
	23	28	GAUTIER	MEET X578 ENG 8077	
21-Nov	23	22	BEAUVOIR	MEET CSX ENG 8199 & ENG 7533	
	23	17	CLAIBORNE	MEET UP 3280	
	23	10	L CATH	MEET R102 CSX ENG 9031	
22-Nov	23	25	OCEAN SPRINGS	MEET CSX Q812 ENG 8557	
	23	12	BEAUVOIR	MEET CSX Q522 ENG 8504	
	23	9	HARBIN	MEET CSX R105 ENG 5901	
	23	6	CLAIBORNE	MEET CSX Q572 ENG 7650	
23-Nov	23	6	ST ELMO	PASS R10222	
	23	16	ORANGE GROVE	AROUND 7776, Q105 AHEAD	_
	23	25	PAG-BIX	Q105 RUNNING AHEAD	
	23	8	HARBIN	IN SIDING AROUND Q105	
	23	15	BAS-NOL	K807 AHEAD	
24-Nov	23	9	CHOCTOW YD	BLOCKED BY CSX 579	
	23	19	MADISON	BLOCKED BY 602 CSX ENG 7615	
25-Nov	23	15	MADISON ST	MEET CSX K522-25 CSX 7582	
	23	30	BEAUVOIR	MEET CSX Q606 ENG 3645	
	23	13	L CAT	MEET R144 ENG 5819	
26-Nov	23	6	MOE	DELAYED BY CSX 615	
	23	11	BROOKLEY	FOLLOW CSX 615	
	23	25	GAUTIER	MEET CSX 7010 & 5949	
	23	7	OCEAN SPRINGS	MEET CSX 7547	
27-Nov	23	7	MOE	BLOCKED BY Q615	
	23	8	BROOKLEY	MEET CSX ENG 5860	
	23	34	TO PAG	FOLLOW Q615	
	23	34	GAUTIER	MEET CSX 144 ENG 8629, RUNAROUND Q615	
	23	3	PUBLIC BELT JCN	BLOCKED BY UP3916	
28-Nov	23	8	OCEAN SPRINGS	MEET Q572 ENG 7659	
	23	8	L CATH	Q601	

30-Nov	23	29	CLAIBORNE	MEET Q606 ENG 7454	
1-Nov	24	58	GENTILLY YARD	Q618 AHEAD	
	24	4	GAUTIER	#102 AHEAD	
3-Nov	24	6	BROOKLEY	MEET CSX 7663 S	
5-Nov	24	5	PEARL RIVER	FOLLOW Q618 ENG 7879	
	24	9	N BROOKLEY	FOLLOW Q602	
6-Nov	24	24	ST ELMO	SIGS ACCT #238 RUNNING AHEAD	
7-Nov	24	12	S BROOKLEY-MOE	FOLLOW CSX 106-07	
10-Nov	24	3	CLAIBORNE	MEET CSX 725 ENG 5544	
-	24	14	BROOKLEY	MEET CSX 619 ENG 8048	
11-Nov	24	26	HARBIN	MEET Q615 ENG 7614	
	24	11	ST ELMO	SIDING & PASS R106 ENG 5828	
12-Nov	24	2	GAUTIER	MEET CSX Q601-10	
	24	17	ST ELMO	MEET CSX Q601-11	
13-Nov	24	34	GENTLY-CLAIB	FOLLOW 618 ENG 7571	
	24	18	TO BROOKLEY	FOLLOW Q602 ENG 8291	
15-Nov	24	3	HARBIN	MEET Q 60215 HI-WIDE	
16-Nov	24	51	GENTLY-L CATH	FOLLOW 618 ENG 8263	
17-Nov	24	6	BROOKLEY	FOLLOW CSX 602	
18-Nov	24	31	GENTLY-L CATH	FOLLOW 602 ENG 7912	
19-Nov	24	9	L CATH	MEET CSX R145 ENG 5870	
21-Nov	24	15	IND CANAL-784	FOLLOW CSX Q602	
	24	38	770 - S NICHOLS	SIGS FOLLOW CSX R106	
	24	4	ST ELMO	FOLLOW X578-20	
22-Nov	24	6	BROOKLEY	THRU SIDING ADOLIND OSSA TALO TALO	
23-Nov	24	54	GENTLY-L CATH	BLOCKED BY 602 CSX ENG 7615	
24-Nov	24	19	TO L CATH	FOLLOW Q602 ENG 8702	
	24	8	BROOKLEY	PASS Q612	
25-Nov	24	15	MICHOUD	MEET CSX 8175	
29-Nov	24	37	N GENTILLY	MEET CSX 605	
30-Nov	24	39	ORANGE GROVE	TAKE SIDING CSX 7538 Q601	
				TARE SIDING CSX 7538 Q801	
2-Dec	24	10	CLAIBORNE	HEAD IN FOR MIZE ENG 2570 TO THE	
	24	12	ST ELMO	HEAD IN FOR M725 ENG 2578 TO PASS ON MAIN	
3-Dec	24	18	NOL-BAS	TAKE SIDING FOR Q601 ENG 2578 TO PASS ON MAIN	
	24	17	PAG-MOE	APPR SIGS: FOLLOW Q618 TO L CATH	
4-Dec	24	81	NOL-BAS	APPR SIGS: FOLLOW 7631 FOLLOW #144 - 602 & 572	

Nov. -O-None 30-Delan

	24	3	GUF-BIX	FOLLOW #802
	24	4	BIX-PAG	FOLLOW #602
	24	50	PAG-MOE	FOLLOW #602
5-Dec	24	16	NOL-BAS	
	24	14	PAG-MOE	FOLLOW 618 CSX ENG 8063
8-Dec	24	30	GAUTIER	MEET 601 ENG CSX 8085 AND RUNAROUND CSX ENG 8047 @ ORAN
12-Dec	24	10	FRENCHMAN ST	
2-Dec	23	10	MOE-PAG	NS TRAFFIC AHEAD
3-Dec	23	10	PAG-BIX	RUNNING BEHIND 8070 S
	23	3	BIX-GUF	FOLLOW Q619 & Q579 AHEAD
	23	4	GUF-BAS	FOLLOW Q619 & Q579 AHEAD
4-Dec	23	11	PAG-BIX	FOLLOW Q619 & Q579 AHFAD
7-Dec	23	12	GAUTIER	SIGS STOP S. OCEAN SPRINGS FOR 7659 N
8-Dec	23	23	CLAIBORNE	RES SIG: MEET CSX 7659
9-Dec	23	14	BAS-NOL	MEET 2 TRAINS: W066 ENG 6472 & Q606 UP 3124
10-Dec	23	5	MOE-PAG	HEAD IN PASS TRK TO MEET 0606 UP2358
	23	18	PAG-BIX	YELLOW SIG & FOLLOW K523
13-Dec	23	13	MOE	FOLLOW K523
	23	35	MOE-PAG	Q619 ENG 7640 DEPART BEFORE #23
	23	15	PAG-BIX	FOLLOW Q619 ENG 7640
	23	23		FOLLOW Q619 ENG 7640
-	23	8	GUF-BAS	FOLLOW Q619 ENG 7640 TO HARRIN & FOLLOW BASE FOLLOW
	23	21	BAS-CLAIBORNE	FOLLOW R145 ENG 5847
	23	and the second	CLAIBORNE	TAKE SIDING, MEET X550-13 & R106
	23	6	CLAIBORNE - L CATH	FOLLOW R145
16-Dec	23	20	N GENTILLY-CUT OFF	HEAD THRU YD, WAIT FOR SP CUT & UP ENG TO CLEAR
10-Dec	23	8	GAUTIER	MEET R144 ENG 5888
		6	OCEAN SPRINGS	MEET CSX 572 ENG 8012
17-Dec	23	24	HARBIN	MEET X576 ENG UP 3345 THRU SIDING ADDITION
17-000	23	14	MOE-PAG	MEET X576 ENG UP 3345, THRU SIDING AROUND M579 SOUTHBOUND WAITING ON ORDERS AND THRU SIDING AT ST. ELMO
18-Dec	23	18	GUF-NOL	RED SIGNAL AT BAS BRIDGE AND GENTILLY YARD
19-Dec	23	15	MOE	CSX TRAIN ORDERS MACHINE BROKEN
10 0	23	9	MICHOUD	TAKE TRACK 2 00 608 ENCINE HE S
19-Dec	24	3	NICHOLSON	TAKE TRACK 2 @ 608 ENGINE UP 349 BY THEN BACK TO TRACK 1
20-Dec	23	16	MOE - CHOCTAW	
	23	22	742- BAS	WAITING ON SIGNAL AND RED SIGNAL REASON UNKNOWN
	24	2	HARBIN	THE THE NAS HARRIN PED 740 DAY COALLY
	24	11	MP P720	MEET CSX Q 605, HI-WIDE LOAD APPROACH SIGNAL / FOLLOW CSX Q 602

21-Dec		10	CLAIBORNE TO N F TO	WER APPROACH AND OFFI
28-Dec	24	131	NOL-BAS	WER APPROACH AND STOP SIGNALS
				APPR. SIGNALS NE TOWER, INDSTRL. CANAL,
				IN. GENT., 190- MICHOUD 700 784 LV CATUEDING
29-Dec	23	30	MOE-PAG	TO NICHOLSON
	23	47	BAS-NOL	STOP CHOCTAW CSY 9047 TO CLEAR
				APPR. 790 -RED MICHOLID INTO SIDING & Total
30-Dec	23	9	GAUTHIER	TOTAL TOTAL TOTAL TIME END OF GOOD TO THE TOTAL
30-Dec	24	85	LK. CATHERINE	11. THE OIDING MEET () 5/2-30 ENC 9004
	24	26	IK CATH MOUSE	WILE 1 431 - ENG. 7501
	24	6	LK. CATHNICHOLSON	FOLLOW TRAIN 808 - ENGINE 2482
	24	12	MP720-713	APPR. SIGNAL FOLLOW?
31-Dec	23	13	N.PAG - O. GROVE	FOLLOW TRAIN 106 ENGINE 7804
	23	57	HARBIN	MEET CSX 5887 - TOOK SIDING
		31	CLAIBORNE	MEET CSX 572 - ENG 3172
1-Jan	23	9		DISTRICT CONTRACTOR CO
2-Jan	23	-	IC TO BROOKLEY	APPR. IC INTERLOCKING , RED BROOKLEY
1-Jan	24	6	MOE-PAG	DARK SIGNAL 683
3-Jan	23	10	BAS-749	APPR LEAVING BAS DED DAVIS
o dan	23	5	ST. ELMO	APPR. LEAVING BAS, RED-BAY DRAW MEET CSX 8610 NORTH
		17	P.B.R.R. TO N.E.	APPR DR DED AIR TOWN
4 100	24	14	MP689 - ST. ELMO	APPR 683 ST FLMO MEET COV 650
4-Jan	23	6	OCEAN SPRINGS	
-	23	30	NORTH EAST TOWER	APPROACH SIGNAL, STOP SIGNAL MEET CSX 606
	23	5	BROOKLEY	- O O O O O O O O O O O O O O O O O O O
5-Jan	23	8	BROOKLEY	TS & MEET CSX FREIGHT ENGINE 9510
	23	4	GENTILLY	HOLD MAIN AND MEET R144
	24	30	NOL-BAS	RED SIGNAL CAUSE UNKNOWN
- 1			THE DAG	STOP SIG.CSX S. MAIN TO ME TOWER TO
				TO TO THE PROPERTY OF THE PARTY
6-Jan	24	35	NOL-GENTILLY	
7-Jan	24	32	NOL-BAS	FOLLOWING CBXT SP TRAIN
		-	INOL-BAS	FOLLOWING TRAIN AN 23 AHEAD ON S. SEN.
8-Jan	23	14	MOE DAG	
	23	100	MOE-PAG	SIGNAL 693 STOP AND PROCEED AND ALL
		100	BAS-NOL	THE CIGITALS RIGORERS DES CICALIA.
8-Jan	24	64	D. C	
-		61	PAG-MOE	N.O.T. WAIT FOR TRACK EQUIPMENT TO CLEAR N. MAIN TAKE SIDING O. GROVE, & MEET UP9023 (606) FOLLOWING
				3. GROVE, & MEET UP9023 (606) FOLLOWING

			The same	TO CLEAR 683 APPROACH 678 STOP PROCEED 674, APPROACH N. BROOKLEY, STOP IC XING IC TRAIN PASSING
3-Jan	24	41	PAG-MOE	APPROACH 689, APPROACH S. ST. ELMO, STOP N. ST. ELMO
3-Jan	24	41	PAG-MOE	INTH OF NICHOLSON
				SIDING AT NICHLOLSON FOR ENGINE 5567 S. SLOW CLEAR
			1	AFFROACH 158- SLOW APPROACH 756 WENT INTO
				DACKED OUT TO NOT. TO TOWER THEN PROCEED NORTH
-	-		1	CON INTERCHANGE TO CLEAR FOR TRAIN WHEN CLEADED
		25	NOL-BAS	APPR. FRENCHMEN ST., RESTRICTED NOT PULLED INTO
3-Jan	24	25	ST. ELMO NOL-BAS	MEET R105 - ENGINE 5901
2-Jan	24	20	ST. ELMO	SAWBY CSX 615 - ENGINE CSX 7875 - HEAD THUR SIDING
2-Jan	23	10	N. GAUTIER	LINE SWITCH AND PUT IN MOTOR
-	24	13	PUBLIC BELT	RED SIGNAL
-	24	11		RED SIGNAL
	24	3	FRENCHMEN N. E. TOWER	APPROACH RESTRICTED SPEED
1-Jan	24	8	EAST CITY	RES. SIGNAL
	23	5	-	STOP SIGANL NS TRAIN
	23	31	NE TOWER ST. ROCK	APPROACH SIGNAL WAITING ON CSX 615 TO CLEAR MAIN
- Juli	23	3	NE TOMES	TO CLEAR MAIN
	23	10	GENTILLY	APPROACH SIGNAL, STOP SIGNAL WAITING ON CSY 815
11-Jan	23	18	CLAIBORNE	APPROACH SIGNAL /FOLLOWING CSX OR18
- Juli	24	7		STOP SIGNAL / REDUCE SPEED
10-Jan	24	5	N. O. T.	STOP SIGNAL
	23	9	N. E. TOWER N. O. T.	STOP SIGNAL
1	23	5	ST. ELMO	MEET CSX Q572
-	23	6	ST FINO	N. ST. ELMO,
		0	BROOKLEY/ST. ELMO	STOP SIGNAL, SUSPENSION OF SIGNAL BROOKLEY TO
10-Jan	23	8	N. ST. ELMO /BROOKLEY	SUSPENSION OF SIGNALS NE. ST. FI MO TO RECOKLEY
-	24	4	LAKE CATHERINE	TAKE SIDING AND MEET CSX TRAIN ENGINE 9692
Juli	24	5 7	N.E. TOWER	STOP SIGNAL
9-Jan	24	-	NE TOWER	BROOKLEY 86/4.
-		-		TAKE SIDING MEET 614 CSX ENG 7558, STOP SIGNAL
3-Jail	23	34	MOE-PAG	APPR. I. C. XING, RESTRICTING SIGNAL N. RECOVIEY
9-Jan	23	24		I. C. CROSSING, STOP SIGNAL CHOCTAW FOLLOWING BOX
-		-		TARE SIDING AND MEET CSX 7690 (619) APPROACH SIGNAL
		-		063-078, APPR SIGNAL 674. RESTRICTING S RECOKLEY
		1		CSX 602, APPR. SIGNAL 689,687, STOP SIGNAL N. St. ELMO

13-Jan	23	1	1410110110	APPROACH CHOCTAW.
10-0411	23	15	MICHOUD	MEET UP 3153
14-Jan	24	3	NOT	NS 3203
14-5411		17	N GENTILLY-CHEF	STOP SIG FOLLOWING 618
	24	13	784-N. SIDE	APPR, FOLLOW 618
-	24	3	S. GAUTIER	RESTRICTING, TAKE SIDING
	24	5	N. PAG	STOP SIG, TRAIN 602 AHEAD
15-Jan	24	3		704 STOP SIG, TRAIN 602 AHEAD
15-Jan	24	30	OFIATI IOMEK	MEET NS 131 ENG CONNTON BELT 9632
-	24	5	LK CATH	MEET CSX 2687
42.	24	4		704 APPR SIG 7884
17-Jan	24	6	NE TOWER	STOP SIG, N/S FREIGHT
	24	25	N GENTILLY	MEET CSX 145, STOP SIG 7878
	24	10	LK CATH	PRES SIG, MEET CSX 8079
18-Jan	24	5		798 STOP & PROCEED MEET CAN BUY
	24	10	LK CATH	796 STOP & PROCEED MEET 619 ENG 7846 & 615 E 8098 FOLLOWING 618 ENG 7728
20-Jan	24	54	PAG-MOE	STOP ON OPANOS OFFICE
	24	29	PAG-MOE	STOP @ N ORANGE GROVE A/C 602 ENG 8213N STOPPED BY PECAN
21-Jan	24	8	787-784	
22-Jan	24	9	GENTILLY YD	APPR FOLLOWING 578, MEET M725
23-Jan	24	8	BROOKLEY	BLUE FLAG ON MAIN TRACK
25-Jan	24	20	NOL-BAS	MEET UP617 & HEAD THRU SIDING FOR UP602
	24	20	NOL-BAS	APPR SIG N GENTILLY, STOP & PROCEED 796, MEET CSX 615, ENG 8
	24	48	NOL-BAS	
27-Jan	24	24	796.2-784	THE COUNTY OF THE SIM DED DICK ATAR A THE
30-Jan	24	15	BROOKLEY	
31-Jan	24	5	BAS-GUF	HEAD IN & MEET 601 & BACK OUT
	24	2	GUF-BIX	APPR 749, APPR S HARBIN, APPR N HARBIN, RED @ 742 A/C 7686N
13-Jan	23	6	ORANGE GROVE	THE DESCRIPTION OF THE PROPERTY OF THE PROPERT
	23	15	MICHOUD	WILE 1 COX ENG 5815 #R144
14-Jan	23	24	MOE-PAG	MEET UP 3153
	23	45	MOE-PAG	APPR N BROOKLEY, RED S BROOKLEY, STOP FOR ENG 5833N
	23	4	BIX-GUF	THE THE TO NEAT PAY SILE NA STOD & DOCCETT
	23	56	BAS-NOL	
15-Jan	23	8	BROOKLEY	MESIKNER CATH STOPSIK CATH & PROCESSION
16-Jan	23	9	668 MP	THE STATE OF WILL IN THE WALL TO A DESCRIPTION OF THE PROPERTY
17-Jan	23	14	BROOKLEY TO 683	IC INTERLOCKER RED SIG
			DITOOKEET 10 883	FOLLOWING CSX 8030

-	23	7	S BEAUVOIR	RDOVEN DAIL AND THE	
	23	94	S. CLAIBORNE	BROKEN RAIL MP 741	
	23	11	GENTILLY	PEARL R. DRAW UNABLE TO LINE	
	23	22	FRENCHMAN ST	HEAD THRU YD & WRONG MAIN	
18-Jan	23	8	IND CANAL	STOP SIG	
19-Jan	23	13	674-ST ELMO	STOP SIG, CK & INSPECT BRIDGE	
	23	14	CLAIBORNE	FOLLOW 579 ENG 7658	
20-Jan	23	12	BEAUVOIR	MEET 144 ENG 5918	
21-Jan	23	2	MOE-PAG	MEET CSX 7518	
22-Jan	23	5	RIGOLETS	APPR 696, APPR N ORANGE GROVE A/C 5852N	
23-Jan	23	19	MOE-PAG	STOP SIG	
	23	16	PAG-BIX	SLOW ORDERS & FOLLOWING 579 ENG 7844S @ ST ELMO	
	23	10	BIX-GUF		CTODE
	23	4	GUF-BAS		210b B
	23	5	BAS-NOL	1742 STOP SIG. MEET O615 FNC 7884C @ HARRING	
25-Jan	23	6	MP 713	TO THE CANAL STOP NOT	
	23	2	MP 728	APPR SIG, FOLLOW R101 5940	
	23	1	MP734	SAME	
	23	2	KCS	SAME	
	23	27	MICHOUD	SAME	
26-Jan	23	7	OCEAN SPRINGS	STOP SIG, SEE-SAW WHEN CSX 606 ???	
	23	12	HARBIN	TARE SIDING & MEET CSX 144 ENG 5040	
	23	20	CLAIBORNE	TARE SIDING & MEET CSX 572 FMC 9222	
	23	5	BAS-NOL	TARE SIDING & MEET FNG CON 8770 & FNG CO	
27-Jan	23	14	787.3 & 790	THE TOTAL MICHOUD IN GENTILLY ALE TOWER	-
28-Jan	23	3	734-742	OTOF SIG TRAIN AHEAD	
29-Jan	23	6		FOLLOWED 615 ENG 7903 THI HE CLEARED ALLES	
30-Jan	23	15	777.9&LK CATH	THE OIDING & MEET SDREAD	-
31-Jan	23	55	PAG-BIX	FOLLOWING 615 TRAIN	
		1699	GENTILLY	BLOCKED BY CSX FREIGHTS.	

No Delays 30 da

Sheet4

DATE	TRAIN	MINUTES	LOCATION	DELCON
2-Feb	24	1	PROOKIEW	REASON
4-Feb	24		BROOKLEY	STOP SIG FOLLOWING 602
5-Feb	24		781.9	MEET 725 & BACK OUT
-	THE RESIDENCE OF THE PARTY OF T		INOT-DA2	APPR 758 TAKE SIDING A MIGUEL
1-Feb	23	28	BAS-NOL	APPR 758, TAKE SIDING @ NICHOLSON FOR F725 CSX 5554
				THE THE PARTY OF THE PARTY AND THE
2-Feb	23	6	MOE-PAG	
	23		PAG-BIX	APPR 693 ON Q579 CSX 7621
	23	THE RESERVE THE PERSON NAMED IN		TAKE SIDING N OCEAN SPRINGS FOR Q2572 CSX 8030
3-Feb	23			THE 120, APPR N BEALLYOID ON STELLD SAGE
	-		N OCEAN SPRINGS	MEET CSX 601
	23		RIGOLETS	STOP SIG CSX 605 AHEAD
	23	10	MICHOUD	MEET COV 572 & DAOM OUT
4-Feb	23	21	BIX-GUF	MEET CSX 572 & BACK OUT TRAIN AHEAD
				AFFR MP 128 RESTRICTING N PEAULOUP TAKE
6-Feb	23	35		
		22	DAG-NOL	APPR PUBLIC BELT, STOP SIG NE TOWER
7-Feb	23	23		140 E14G 3036
	23		OCEAN SPRINGS	MEET CSX 606
		192		** *** *** *** *** *** *** *** *** ***

FD-33388 ID-GOV 7-14-97

ENVIRONMENTAL DOCUMENT



MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS

SAM POLLES, Ph.D. Executive Director

July 9, 1997

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

Re: STB Finance Docket No. 33388 - Draft Scope of EIS

Dear Ms. Kaiser:

The Missisippi Department of Wildlife, Fisheries and Parks (MDWFP) has reviewed the draft scope of the EIS for the above referenced project. MDWFP concurs with the proposed scope of the EIS. Thank you.

Sincerely,

Wayne S. Watts, P.E.

Director of Environmental Quality and Recreational Management

cc: Dr. Sam Polles, Executive Director

FD-33388 ID-STATES 7-11-97

GEORGE C. EDWARDS GARRETT-ALLEGANY COUNTIES DISTRICT IA

MEMBER COMMITTEE ON APPROPRIATIONS HOUSE COMMITTEE ON RULES & EXECUTIVE NOMINATIONS

SUBCOMMITTEES TRANSPORTATION & THE ENVIRONMENT

CAPITAL BUDGET

CHAIRMAN WESTERN MARYLAND DELEGATION



HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401-1991

May 28, 1997

ANNAPOLIS OFFICE: 320 LOWE HOUSE OFFICE BUILDING ANNAPOLIS, MARYLAND 21401-1991 410-841-3435 TOLL FREE: 1-800-492-7122 EXT. 3435

DISTRICT OFFICE: P.O. BOX 658 GRANTSVILLE, MARYLAND 21536 (301) 895-5720

CENTRAL ADMINISTRATIVE UNI

Mr. Vernon A. Williams, Secretary Surface Transportation Board 12th and Constitution Avenue, NW Washington, D. C. 20423

REC'D: 7/11/97

Re:

STB Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc.; Norfolk Southern Corporation and Norfolk Southern Railway Corporation--Control and Operating Lease/Agreements--Conrail, Inc. And Consolidated Rail Corporation

Dear Secretary Williams:

I am writing to express my strong support for the restructuring of the Northeast rail system based on the pending partition of Conrail's lines between CSX and Norfolk Southern.

As a Maryland elected official, I am excited about the economic development potential this merger would provide. By increasing the market reach of both NS and CSX, and enhancing their ability to compete with motor carriers for more business, this restructuring promises to benefit shippers and communities throughout Maryland and the eastern half of the United States.

Additional freight moving on CSX will mean fewer trucks clogging our highways and more freight cars and locomotives coming into CSX's Maryland shops for repair and maintenance. This bodes well for local employment and our regional economy.

I urge the Surface Transportation Board to give this pro-competitive, balanced proposal consideration and approval.

Sincerely.

Delegate, District 1A

GCE:ms

FD-33388 ID-STATES

GEORGE C. EDWARDS

GARRETT-ALLEGANY COUNTIES
DISTRICT 1A

MEMBER

COMMITTEE ON APPROPRIATIONS

HOUSE COMMITTEE ON RULES

SUBCOMMITTEES: TRANSPORTATION & THE ENVIRONMENT

CAPITAL BUDGET

CHAIRMAN WESTERN MARYLAND DELEGATION



HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401-1991

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P.O. BOX 658 GRANTSVILLE, MARYLAND 21536 (301) 895-5720

(301) 746-5831 FAX: 746-5831



CENTRAL ADMINISTRATIVE UNIT

July 1, 1997

ECCUMENT # 2/15/97 10:19 53 AM

Mr. Vernon A. Williams, Secretary Surface Transportation Board 12th and Constitution Avenue, NW Washington, D. C. 20423 ENVIRONMENTAL DOCUMENT

Dear Secretary Williams:

I have previously written to you in support of the restructuring of Conrail into the Norfolk Southern and CSX Railroads. A concern has come to my attention since sending you my letter of May 28, 1997, and that is that the coalfields of Pennsylvania will have the opportunity to ship on the same track for Norfolk Southern routes or CSX routes and Md and WVA coalfields will not have that opportunity.

I represent the coal area of Maryland, and the industry has declined considerably over the last several years. Maryland, West Virginia, and Pennsylvania basically compete for much of the same business, but allowing Pennsylvania to ship both Norfolk Southern and CSX will put Maryland and West Virginia at a considerable disadvantage.

It is very unfair to allow one state the additional opportunity, especially when it is for the same industry. If one is to be fair, Maryland, Pennsylvania, and West Virginia should be treated equally which allows all three the opportunity to get out of the negative and into the positive.

Therefore, I am asking you to strongly consider taking the necessary action to insure that Maryland and West Virginia coal producers enjoy the same railroad opportunities that the Monogahela coal producers in Pennsylvania will have under the rail restructuring proposal.

Thank you for your time and consideration of this very important matter.

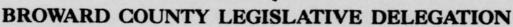
Page two July 1, 1997

Sincerely,

George C. Edwards
Delegate, District 1A

GCE:ms

CC: Parris Glendening, Governor of Maryland Adrienne Ottaviani, President, Maryland Coal Association FD-33388 ID-CITIES 7-9-97





Senator Howard Forman Chairman

Representative John Rayson Vice-Chairman

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District 33 Senator Walter 'Skip' Campbell 10094 McNab Road Tamarac, FL 33321





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

Attention:

Ms. Elaine K. Kaiser, Chief, Section of Environmental

Analysis Environmental Filing

Dear Ms. Kaiser

This letter is in response to receiving your Environmental Report (three volumes), which were mailed to this office.

I would greatly appreciate it if you would let me know why these volumes were sent to this office and what is supposed to be done with them, since there was no cover letter attached explaining the report's significance to this office.

Obviously, printing and mailing this publication was very costly and I am sure you would like to see these volumes put to good use. Your response would be greatly appreciated.

Very truly yours,

Sandy Harris
Executive Director

SH:yl

FD-33388 ID-GOV

WEEKLY LOG PGM=N150

STATE CLEARINGHOUSE FOR FEDERAL PROGRAMS DATE 06/25/97

07/01/97

MS APPLICANT NO.: MS970625-007

IMPACT AREA(S):

APPLICANT:

SURFACE TRANSPORTATION BOARD

CONTACT: ELAINE K. KAISER

PHONE: (888) 869-1997

1925 K STREET, N.W.

WASHINGTON DC 20423-0001

FEDERAL AGENCY: STB

FUNDING: FEDERAL

LOCAL TOTAL APPLICANT

OTHER

STATE

PROGRAM

DESCRIPTION: CSX CORP. & CSX TRANSPORTATION, INC., & NORFOLK SOUTHERN

CORP. & NORFOLK SOUTHERN RAILWAY CO., ARE FILING AN APPLI-CATION WITH THE STB SEEKING AUTHORITY TO CONTROL CONRAIL INC. & CONSOLIDATED RAIL CORP. & TO ALLOCATE THE ASSETS OF CONRAIL BETWEEN THEM. THIS IS THE ENVIRONMENTAL REPORT.

CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER

455 NORTH LAMAR STREET - JACKSON, MS 39202 (601) 359-6762

CENTRAL ADMINISTRATIVE UNIT REC'D: 7/9/97 DOCUMENF # 7/10/97 5:34:38 PM

ENVIRONMENTAL DOCUMENT

STATE AGENCIES MUST REVIEW CERTAIN PROPOSALS PRIOR TO RECEIVING MISSISSIPPI INTERGOVERNMENTAL REVIEW PROCESS CLEARANCE. THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY REVIEWS ANY PROPOSALS INVOLVING CONSTRUCTION, SUCH AS A HIGHWAY OR AN APARTMENT COMPLEX FOR COMPLIANCE WITH CULTURAL RESOURCES AND HISTORIC PRESERVATION. MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY, OFFICE OF POLLUTION CONTROL, REVIEWS APPLICATIONS IN ACCORDANCE WITH THE FEDERAL WATER POLLUTION CONTROL ACT. THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES REVIEWS APPLICATIONS FOR CONSISTENCY WITH THE COASTAL PROGRAM.

IF APPLICATIONS ARE FOR PROJECTS OF LOCAL IMPACT, THEY SHOULD BE SENT TO THE APPROPRIATE PLANNING AND DEVELOPMENT DISTRICT AT THE SAME TIME. PLEASE NOTE THAT ONE OF OUR REQUIREMENTS IS THE USE OF STANDARD FORM 424. THE DEPARTMENT OF FINANCE AND ADMINISTRATION PREPARES AND DISTRIBUTES A WEEKLY LOG LISTING PERTINENT INFORMATION CONTAINED ON THIS FORM. OUR ADDRESS IS 455 NORTH LAMAR STREET 39202 AND OUR PHONE NUMBER IS (601) 359-6762.

FD-33388 ID-GOV 7-8-97 CENTRAL ADMINISTRATIVE UNIT REC'D: 7/10/97 ... DOCUMENT # :7/15/97 9:06:34AM

GEORGIA STATE CLEARINGHOUSE MEMORANDUM EXECUTIVE ORDER 12372 REVIEW PROCESS

TO: Elaine K. Kaiser
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

FROM: Debra S. Stephens, Administrator Georgia State Clearinghouse

DATE: 6/27/97

SUBJECT: Executive Order 12372 Review

APPLICANT: CSX Corp. and Norfolk Southern Corp.

PROJECT: ER: Docket No. 33388

CFDA #:

STATE ID: GA970627001

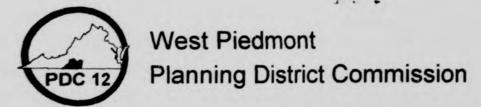
FEDERAL ID:

Correspondence related to the above project was received by the Georgia State Clearinghouse on 6/27/97. The review has been initiated and every effort is being made to ensure prompt action. The proposal will be reviewed for its consistency with goals, policies, plans, objectives, programs, environmental impact, criteria for Developments of Regional Impact (DRI) or inconsistencies with federal executive orders, acts and/or rules and regulations, and if applicable, with budgetary restraints. The initial review process should be complete by 7/25/97.

If the Clearinghouse has not contacted you by that date, your proposal may be considered consistent. In that event, forward this receipt to the funding agency to show compliance with Executive Order 12372 or make it part of the federal record for this project.

In future correspondence regarding this project, please include the State Application Identifier number shown above. If you have any questions regarding this project, please contact us at (404) 656-3855.

Form SC-1 January 1995 CTR FD-33388 ID-CITIES



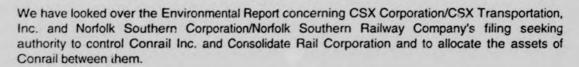
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Serving Franklin, Henry, Patrick, and Pittsylvania Counties - Cities of Danville and Martinsville - Town of Rocky Mount - Since 1970

June 29, 1997

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

Dear Sirs:



It appears from the presentation of exhibits in the text that there are certain efficiencies that may be derived from the actions of CSX and Norfolk Southern regarding Conrail that over the long term should be favorable environmentally. If in deed this shall occur, we should hope that the Surface Transportation Board will find for a favorable ruling and recommendation regarding the Environmental Report submitted. Norfolk Southern is our primary rail provider in this region and improved connectedness from our region over Norfolk Southern rail lines outward to other regions and to ports for international trade of our products in very important and especially rewarding if it is combined with certain environmental advantages.

While supportive of the change in the rail system of these United States cited above, we also express our concern for the retention trackage and services of that part of the Norfolk Southern railway that serves our region. The firm has abandoned all but the two north-south routes through this region. We do not want to experience any more abandonment's in our region, particularly after supporting the reorganization of lines in the eastern United States because of the efficiencies and perceived environmental benefits that might be bestowed on the new system. Our region remains highly industrialized and we feel it should retain into the 21st Century the transportation options it has historically possessed. We are also concerned for the past and future right of ways that are lost for economical railway use by future generations of Americans.

We appreciate your consideration of our comment on the Environmental Report and wish you the best in your consideration of recommendations on the Report.

Sincerely,

Robert W. Dowd Executive Director

Swallester &

ENVIRONMENTAL DOCUMENT

FD-33388 ID-STBFOIA 6-12-97



Room 883 (202) 565-1710

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

41297 2:39:49 PM

June 6, 1997

Andrew R. Plump, Esq.
ZUCKERT, SCOUTT & RASENGBERGER
888 - 17th Street, N.W.
Washington, D.C. 20006-3939

ENVIRONMENTAL DOCUMENT

Mary Gabrielle Sprague ARNOLD & PORTER 555 - 12th Street, N.W. Washington, D.C. 20004-1202

RE: FOIA REQUEST 97-012

Dear Mr. Plump, Ms. Sprague:

Please be advised that this office has received the enclosed Freedom of Information Act Request for a document submitted by you to this agency on May 16, 1997. You have designated this submission — a Preliminary Environmental Report in Finance Docket No. 33388 — as "Privileged and Confidential." Accordingly, the agency deems your submission to fall within the provisions of 49 CFR §1001.6.

Under that regulation, you are afforded the opportunity to protest the release of any or all of these materials under Exemption 4 of the Freedom of Information Act [5 U.S.C. 552(b)(4)]. Meanwhile, we will not release the materials.

Under 49 CFR §1001.6(d), you are hereby advised that you may object to the release of these documents. Please submit your objections to this office within 15 working days of receipt of this notice. Your objections should include a detailed statement of the legal grounds for withholding the requested information. Moreover, if the information in the document is severable into portions which you deem to be confidential and portions which are not confidential, please indicate accordingly. Your objections will be shared with the requester, who will be given opportunity to respond.

Thereafter, this office will decide what portions of the document, if any, will be released. You will be notified of that decision sufficiently in advance of actual release to allow you to seek judicial restraint if you desire.

Andrew R. Plump, Mary Gabrielle Sprague June 6, 1997 Page Two

Be advised also that we encourage direct settlement discussions between you and the requester.

Finally, please feel free to call on me if I may be of assistance in this matter.

JOHN M. ATKISSON

Freedom of Information/Privacy Officer

Encl.

cc:

L. John Osborn, Esq.
Sonnenschein Nath & Rosenthal

David M. Konschnik, Director, Office of Proceedings
Plaine K. Kaiser, Chief, Section of Environmental Analylsis

SONNENSCHEIN NATH & ROSENTHAL

1301 K STREET N.W.

SUITE 600. EAST TOWER LOS ANGELES WASHINGTON, D.C. 20005

May 27, 1997

(202) 408-6400 FACSIMILE (202) 408-6399

DIRECT LINE

(202) 408-6351

ST. LOUIS By Hand

SAN FRANCISCO

CHICAGO

NEW YORK

Mr. John Atkisson Freedom of Information Act Officer Surface Transportation Board 1925 K Street, N.W., Room 883 Washington, D.C. 20423-0001

Dear Mr. Atkisson:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, and the Board's regulations, 49 C.F.R. 1001.5, I hereby request a copy of, or an opportunity to inspect, the Preliminary Environmental Report filed on or about May 16, 1997 in Finance Docket No. 33388, CSX and Norfolk Southern -- Control and Lease -- Conrail.

This request is made in connection with a proceeding in which the applicants have requested expedited action by the Board. I therefore respectfully request that you respond favorably to this request at the earliest opportunity, without (if at all possible) awaiting the expiration of the response period allowed under section 1001.5.

On behalf of applicants, Mr. Allen has refused my request to voluntarily provide me a copy of the Preliminary Environmental Report. By copy of this letter, I am renewing that request. It appears unlikely, however, that applicants will decide to produce the report voluntarily. If they should do so, I will immediately advise you so that the Board's resources will not be unnecessarily utilized.

Thank you for your attention to this request.

Sincerely yours,

Enclosures

Director David M. Konschnik cc: Richard A. Allen, Esq. Paul A. Cunningham, Esq. Dennis G. Lyons, Esq.

Document Report

Entry Date/Time: 6/	12/97 2:39:49 PM	Current Date: 6/19/97
Document Type:	STB/SEA Correspondence	Railroad: Both
Document Title:	STB, J. M. Atkisson; Applicants, CSX/N	S, A. R. Plumb & M. G. Sprague; Freedom of Information Act
Document Date:	6/6/97	
Date Received:		
Public Record:		
Docket#:	FD# 33388	
Position:		
Routed:	No Response Needed: No	ne Response Date:
Abstract:	states the Applicants can protest the rel Board will not release this material. The	In that the Board has recieved the Freedom of Information Act Request. The Board ease of any or all of the PER under Exemption 4 of the referenced Act and the Applicants must submit objections within 15 working days of reciept of this notice. Ortions of the document if any, will be released.
Received From		Sent To
Surface Transportation John M. Atkisson	on Board	CSX Corporation and CSX Transportation, Inc. Mary G. Sprague
		Norfolk Southern Corporation and Norfolk Southern Andrew R. Plump
Key Word		Location
		2.2 SEA Correspondence (sent)

Topic Other

Reference

FD-33388 ID-BUSINESS 6-12-97

LAW OFFICES

ZUCKERT, SCOUTT & RASENBERGER, L.L.P.

888 SEVENTEENTH STREET, N.W. WASHINGTON, D.C. 20006-3939

TELEPHONE : (202) 298-8660 FACSIMILES: (202) 342-0683 (202) 342-1316 6/12/97 3:16:57PA
PRIORITY

ANDREW R. PLUMP

June 9, 1997

ADMINISTRATIVELY CONFIDENTIAL

BY HAND

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

WIRONMENTAL DOCUMENT

Re: Finance Docket No. 33388

Dear Ms. Kaiser:

When the Preliminary Environmental Report ("PER") was delivered to you on May 16, 1997, I promised on behalf of Norfolk Southern Corporation and Norfolk Southern Railway Company ("NS") to provide as soon as possible certain information that was not available as of the date of the submission of the PER and to provide other updated information.

Enclosed you will find the following revised tables of information for NS:

- NS Rail Line Segments Requiring Environmental Analysis. (Please note that the train counts in this revised table include freight trains of railroads other than the Applicants operating over the segments pursuant to trackage rights.)
- NS Rail Yards Requiring Environmental Analysis. (Please note that data analysis completed after the submission of the PER shows that some different rail yards require environmental analysis than was thought at the time of preparing the PER.)
- NS Intermodal Facilities Requiring Environmental Analysis. (Please note that data analysis completed after the submission of the PER shows that fewer such intermodal facilities require environmental analysis than was thought at the time of preparing the PER.)

ZUCKERT, SCOUTT & RASENBERGER, L.L.P.

Ms. Kaiser June 9, 1997 Page 2

Enclosed you will also find the following additional table of information for NS:

· NS Rail Line Segments with Decreased Traffic.

In addition to providing the attached tables, I am taking this opportunity to advise you that NS has decided <u>not</u> to abandon the rail line segment between Dunkirk, IN and Marion, IN. Thus, the number of NS abandonments is reduced from four rail lines and one railroad bridge to three rail lines and one railroad bridge. The decision not to seek this abandonment was made after the PER was submitted, and was based on data received and analyses completed subsequent to the submission of the PER.

Very truly yours,

Andrew R. Plumb

Enclosures

NS Rail Line Segments that Meet STB Thresholds for Environmental Analysis

	Rail Line	Segment				Freigh	Trains Per Da	ny ^t	% Change	
Origin State	From	To	The state of the s	Length in Miles	Passenger Trains per Day	Pre- Acquisition	Post- Acquisition	Change	Ton-Miles per Year	Threshold Exceedances
Alabama	Norris Yd	Attalla	NS	48		7.42	12.58	5.16	15	Air Quality
Delaware	Edgernoor	Bell	CR	1		5.00	11.84	6.84	162	Air Quality, Noise
Georgia	Howell	Spring	NS	1		33.28	40.42	7.14	21	Air Quality
	Industry Yd	Spring	NS	5		7.43	12.28	4.85	95	Air Quality
	South Yd	Spring	NS	2		26.71	38.14	11.43	32	Air Quality, Noise
	South Yd	McDonough	NS	26		26.71	32.14	5.43	15	Air Quality
Olimois	IC 95 St Chicago	Puliman Ja	NS	1		2.00	5.86	3.86	182	Air Quality, Noise
	Landers	Forest Hill	NS	1		12.86	12.13	-0.73	87	Air Quality
	Taylorsville	ALS Mitchell	NS	71		9.28	14.72	5.44	18	Air Quality
	Titton	Decatur	NS	71		22.74	39.13	16.39	65	Air Quality, Noise
Indiana	Alexandria	Muncie	NS	16		2.57	11.84	9.27	376	Air Quality, Noise
	Butler	Ft. Wayne	NS	28		13.57	22.43	8.86	47	Air Quality, Noise
	Control Pt 501	Colehour, IL	CR	7	15.71	41.35	51.86	10.51	32	Air Quality, Noise
1	Ft. Wayne TC	Pt Wayne Yard	NS	2		6.57	9.57	3	136	Air Quality, Noise
	Ft. Wayne	Peru	NS	53		18.99	34.86	15.87	101	Air Quality, Noise
	Lafayette	Tilton, IL	NS	49		23.58	40.99	17.41	81	Air Quality, Noise

NS Rail Line Segments that Meet STB Thresholds for Environmental Analysis

	Reil Lin	e Segment				Freigh	t Trains Per D	ny ⁴	% Change in Gross Ton-Miles per Year	Threshold Exceedances
Origin State	From	To	Current	Length in Miles	Passenger Trains per Day	Pre- Acquisition	Post- Acquisition	Change		
Indiana (continued)	Peru	Lafayette	NS	53		18.38	40.20	21.82	114	Air Quality, Noise
New Jersey	Ridgewood Ict	Croxton	CR	17	49.00	4.71	7.92	3.21	50	Air Quality, Noise
New York	Corning	Geneva	CR	57		0.21	1.63	1.42	775*	Air Quality, Noise
	Ebenezer Ict	Buffato	CR	5		0	3.57	3.57	>1000*	Air Quality, Noise
	Suffern	Port Jervis	CR	65	13.40	8.32	12.36	4.04	58	Air Quality
Ohio	Ashtabula	Buffalo, NY	NS	127		13.00	25.18	12.18	121	Air Quality, Noise
	Bellevue	Bucyres	NS	34		25.99	34.55	2.56	40	Air Quality, Noise
	Bellevue	Vermilion	NS	26		15.52	31.83	16.31	79	Air Quality, Noise
	Bucyrus	Fairgrounds Col	NS	61		25.99	34.29	8.3	41	Air Quality, Noise
	Cleveland	Shortline Jct	CR	7		2.00	2.00	0	>1000°	Air Quality, Noise
	Cleveland	Ashtabula	NS	57		13.00	35.46	22.46	259	Air Quality, Noise
	Ivorydale	Cincinnati	NS	6		33.85	38.61	4.76	30	Air Quality
	Martin	Miami	CR	11		51.00	60.69	9.69	9	Air Quality, Noise
	Mill	Dayton	CR	42		10.95	18.99	8.04	47	Air Quality, Noise
	Oak Harbor	Bellevue	NS	27		7.69	27.2	19.51	179	Air Quality, Noise
	Vermilion	Cleveland	NS	37		13.46	37.79	24.33	183	Air Quality, Noise

NS Rail Line Segments that Meet STB Thresholds for Environmental Analysis

	Rail Line Segment					Freight	Trains Per Da	% Change in Gross		
Origia State	From	To	Current Operator	Length in Miles	Passenger Trains per Day	Pre- Acquisition	Post- Acquisition	Change	Ton-Miles per Year	Threshold Exceedances
Ohio	White	Cleveland	CR	11	2.00	12.49	26.75	14.26	91	Air Quality, Noise
(continued)	Youngstown	Ashtebula	CR	59		11.70	24.87	13.17	97	Air Quality, Noise
Pennsylvania	Harrisburg	Rutherford	CR	6		44.28	57.85	13.57	19	Air Quality, Noise
	Harrisburg	Riverton Jct., VA	NS	133		11.06	19.62	8.56	82	Air Quality, Noise
	Harrisburg	Rockville	CR	6	4.00	41.36	47.71	6.35	17	Air Quality
	Steelton	Shocks	CR	18		1.86	5.71	3.85	175	Air Quality, Noise
Virginia	Riverton Jct.	Roanoke	NS	181		3.87	12.10	8.22	231	Air Quality, Noise
West Julia		Deepwater	NS	60		0.3	2.3	2.0	>1000*	Air Quality, Noise
	Fola Mine	Deepwater	CR	17		0.6	2.0	1.4	319	Air Quality, Noise

*Because of the low pre-Acquisition activity, the change in GTM is not meaningful.

1. Freight trains per day include other railroads' trackage rights.

NS Rail Yards that Meet STB Thresholds for Environmental Analysis

			-				
State	Location	Current Operator	Pre- Acquisition	Post- Acquisition	Change	% Change	Threshold Exceedances
Georgia	Doraville	NS	174	222	48	28	Air Quality
Illinois	Colehour	CR	74	94	20	27	Air Quality
Indiana	Ft. Wayne	NS	283	583	300	106	Air Quality, Noise
Missouri	St. Louis (Luther)	NS	239	327	88	37	Air Quality
New York	Buffalo	NS	389	672	283	73	Air Quality
Ohio	Conneaut	NS	30	74	44	145	Air Quality, Noise
	Toledo (Homestead)	NS	326	469	143	44	Air Quality
	Toledo (Airline Jct.)	CR	0	520	520	>1000	Air Quality, Noisc
Pennsylvania	Harrisburg	CR	117	246	129	110	Air Quality, Noise

NS Intermodal Facilities that Meet STB Thresholds for Environmental Analysis

State	Location	Current Operator	Change in Trucks/Day	% Increase in Average Daily Traffic	Threshold Exceedances
Georgia	Atlanta (Inman)	NS	143	1.6 - 2.8	Air Quality, Noise
Illinois	Chicago (Landers)	NS	94	0.1 - 0.9	Air Quality, Noise
	Chicago (47th Street)	CR	205	0.2 - 2.5	Air Quality, Noise
Kentucky	Louisville (Buechel)	NS	53	0.4 - 1.1	Air Quality, Noise
Louisiana	New Orleans	NS	63	.0.3 - 3.7	Air Quality, Noise
Maryland	Baltimore	CR, TCS*	66	-0.1	Air Quality, Noise
Michigan	Detroit (Melvindale)	NS, TCS	57	0.1 - 0.8	Air Quality, Noise
Missouri	Kansas City (Voltz)	NS, TCS	120	0.6 - 4.6	Air Quality, Noise
	St. Louis (Luther)	NS, TCS	193	0.6 - 31.9	Air Quality, Noise
New Jersey	Elizabeth (E-Rsil, Portside)	CR, TCS	385	0.4 - 3.1	Air Quality, Noise
Ohio	Bellevue	TCS*	65	0.7 - 1.5	Air Quality, Noise
	Columbus (Discovery Park)	NS	53	0.2 - 8.8	Air Quality, Noise
	Toledo	CR	37	0.2 - 1.0	Air Quality, Noise
Pennsylvania	Allentown	CR	99	0.5 - 2.5	Air Quality, Noise
	Harrisburg (Rutherford)	CR, TCS	330	2.0 - 11.9	Air Quality, Noise
	Philadelphia	NS, TCS*	183	3.6	Air Quality, Noise
	Pittsburgh - Pitcairn	CR	114	2.9	Air Quality, Noise
Tennessee	Memphis	NS	76	0.1 - 2.8	Air Quality, Noise

^{*} New Facilities on Railroad Right-of-Way

NS Rail Line Segments that are Expected to See Decreases in Rail Traffic

	Rail Line Segment		Current	Length in	Passenger	Preight Trains per Day			
Origia State	From	To	Operator	Miles	Trains per Day	Pre-Acquisition	Post-Acquisition	Change	
Alabama	Wilson	Birmingham 50S	NS	141		9.2	5.2	-4.1	
	Setma	Burstal	NS	89		10.6	72	-3.4	
	Burstal	Birmingham 50St.	NS	16	2.0	27.8	25.8	-2.0	
	Norris Yard	Birmingham 50S	NS	5	2.0	37.4	34.3	-3.1	
	Norris Yard	Austell, GA	NS	142	2.0	19.1	14.5	-4.6	
Florida	Simpson Yard	FEC Bowden Yard	NS	11		12.1	7.9	-42	
Georgia	Bremen	Yates Coal	NS	36		3.8	2.3	-1.5	
	Brosan Yard	C of G Jct	NS	3		21.7	18.7	-3.0	
	Albeny	Dothan, AL	NS	85		3.2	1.4	-1.8	
	Augusta	Millen	NS	53		7.3	5.7	-1.7	
	Gainesville	Comelia	NS	24	2.0	18.4	16.8	-1.6	
	Inman Yard	Howell	NS	2	2.0	59.0	57.0	-2.0	
	Howell	Flowery Branch	NS	41	2.0	20.3	17.6	-2.7	
Illinois	E. Pecria	Gibson City	NS	72		3.4	0.9	-2.6	
	WI Ja.	Pullman Jct.	NS	4		26.2	20.6	-5.6	
	Pullman Jct.	Burnham Auto.	NS	6		26.1	11.3	-14.8	
	Bumham Auto	Hammond	NS	3		25.5	15.1	-10.4	
	South Chicago	Chicago 47-51st TV	CR	6	16.0	31.0	14.0	-17.0	
	Ashland Ave	Chicago 47-51st TV	CR	3	16.0	23.4	9.0	-14.4	
Indiana	Ft. Wayne	Warsaw	NS	35		15.4	2.3	-13.1	
	EJE Van Loon	Hobert	NS	11		26.6	10.7	-15.9	
	Hammond	EJE Van Loon	NS	6		25.7	11.2	-14.5	
	Gibson	Indiana Harbor	CR	4		1.9	0.2	-1.7	
	Control Pt 501	Pine .	CR	5	14.0	68.5	67.0	-6.1	

NS Rail Line Segments that are Expected to See Decreases in Rail Traffic

	Rail Line Segment		Corrent	Length in	Passenger	Freight Trains per Day			
Origin State	From	Te	Operator	Miles	Trains per Day	Pre-Acquisition	Post-Acquisition	Change	
Indiana	Porter	Elkhart	CR	61	4.0	53.0	45.2	-7.9	
(continued)	Anderson	Alexandria	CR	13		4.3	0.0	4.3	
	Munice	Fi. Wayne	NS	64		19.6	15.0	4.6	
	Plymouth	Warsaw	NS	25		15.4	0.6	-14.8	
	Elkhart	White Pigeon, MI	CR	27	4.0	23.0	19.2	-3.7	
	Hobart	Plymouth	NS	50		14.9	0.0	-14.9	
	Butler	Elkhart	CR	54	4.0	50.3	39.0	-11.4	
	Carydon Jet	SJ Jct, KY	NS	107		14.0	11.3	-2.7	
Kentucky	SJ Jct	Oneida, TN	NS	95		37.8	34.9	-2.9	
	SJ Jct	Lexington	NS	101		31.1	28.0	-3.1	
Luisiana	KCS Shrewsbury	Oliver Jct	NS	11		7.1	4.9	-2.3	
Meryland	Canton Piers	Bay View	CR	2		9.6	7.3	-2.3	
Michigan	Milan	Halket, OH	NS	31		4.0	0.0	4.0	
	Milan	Oakwood	NS	30		17.9	16.3	-1.6	
	Kalamazoo	White Pigeon	CR	60		6.7	4.4	-2.3	
	Town Line	West Detroit	CR	5	8.6	7.8	3.2		
Ohio	Vera	Sardinia	NS	57		3.4	0.0	-3.4	
	Sardinia	Norwood	NS	43		3.4	0.0		
Pennsylvania	Shocks	Perryville, MD	CR	51		16.0	14.4	-1.6	
South Carelina	Hayne Yard	Blacksburg	NS	29	2.0		14.1	-4.5	
	Columbia	Cel River	NS	89		9.4	4.6		
Virginia	Appatachia	Andover	NS	1		10.2			
	Appalachia	Kent Ict	NS	1	1	5.1			
	Norton	Kent Ict	NS	11	1	6.4			
	Riverton Ict	Manassas	NS	51		11.3		-2.	
	Мапаззаѕ	Springfield	NS	11	16.	9 12.0	10.4	-1.	

NS Rail Line Segments that are Expected to See Decreases in Rail Traffic

Rail I Origin State From	Rail Line Segment		Carrent Operator	Length in	Passenger Trains per Day	Freight Trains per Day			
	To	Miles		Pre-Acquisition		Post-Acquisition	Change		
Virginia	Montview	Kinsey Yard	NS	1		22.0	20.1	-1.9	
	Ripplemead VA	Norcross	NS	1		6.1	4.3	-1.9	
	Altavista	South Roanoke	NS	44		9.8	8.3	-1.5	
West Virginia	Blackvie Coal	Fed 2 Coal	NS	6		2.4	0.9	-1.6	

Document Report

Entry Date/Time: 6/12/97 3:16:57 PM	Current Date: 6/18/97
Document Type: Comment: Applicant	Railroad: None
Document Title: Applicant, NS, A. R. Plump; ST	B, E. K. Kaiser; Revised tables of information: Rail Line Segments
Document Date: 6/9/97	
Date Received:	
Public Record:	
Docket#: FD# 33388	
Position:	
Routed: No Response Nee	ded: None Response Date:
Preliminary Environmental Rep	ovides revised information that was not available to the Board at the submission of the ort. This information includes tables with: (1) NS rail line segments, (2) NS rail yards and (3) exceed the Board's environmental thresholds and will require environmental analysis.
Received From	Sent To
Norfolk Southern Corporation and Norfolk Southern Andrew R. Plump	Section of Environmental Analysis Elaine K. Kaiser
Key Word	Location
	3 Merger Application
Reference	Topic
	Other

FD-33388 ID-STBSEA



SURFACE TRANSPORTATION BOARD Washington, DC 20423

Section of Environmental Analysis

ENVIRONMENTAL DOCUMENT

June 6, 1997

Andrew R. Plump Zuckert, Scoutt & Rasenberger 888 Seventeenth Street, N.W. Washington, D.C. 20006-3930

Mary Gabrielle Sprague Arnold & Porter 555 Twelfth Street, N.W. Washington, D.C. 20004-1202

> Re: Proposed Conrail Merger -- June 3, 1997 Conference Call -- Finance Docket No. 33388

Dear Mr. Plump and Ms. Sprague:

I am pleased I had an opportunity to speak with both of you during our conference call on June 3, 1997. As agreed, applicants will include in the Environmental Report (ER) a chart or other appropriate table that identifies those rail line segments that will experience: 1) a decrease in traffic, 2) no change in traffic, or 3) an increase in traffic below the Board's environmental thresholds. This information will be in addition to the identification and discussion in the ER of those rail line segments that will exceed the Board's environmental thresholds.

We also discussed the importance of CSX and Norfolk Southern providing additional data to SEA, upon request, through out the environmental review process. As you know, time is of the essence. I thank you both for ensuring me that needed data will be provided to SEA within the time frames requested by SEA.

In addition, in the ER, please indicate that individuals who wish to file *environmental* comments with SEA should submit an original and ten (10) copies of their comments as follows:

Letter to Mr. Plump and Ms. Sprague June 6, 1997 Page 2

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

Attention:

Elaine K. Kaiser

Chief, Section of Environmental Analysis

Environmental Filing

Finally, I recommend that you contact the Office of the Secretary to find out how you can best inform recipients of the ER as to how they can file other types of comments. Again, thank you for your cooperation.

If you have any questions or concerns, please call Harold McNulty for rail operations at (202) 565-1539, Michael Dalton for environmental matters at (202) 565-1530, and me for legal and other issues at (202) 565-1538.

Sincerely yours,

Elaine K. Kaiser, Chief

Section of Environmental Analysis

cc:

DeLeuw Cather & Company HDR Engineering, Inc.

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FD-33388 ID-BUSINESS 6-4-97

6/12/97 11:31:53 AM

ARNOLD & PORTER

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DENNIS G. LYONS (202) 942-5858

June 4, 1997

BY HAND

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



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

Dear Secretary Williams:

Enclosed please find CSX-3, the Reply of Petitioners to Comments Filed in Response to Petition For Waiver of 49 C.F.R. § 1180.4(c)(2)(vi).

Accompanying this letter are twenty-five copies of the Reply, as well as a formatted diskette in WordPerfect 5.1.

Thank you for your assistance in this matter. Please contact myself ((202) 942-5858), Mary Gabrielle Sprague ((202) 942-5773) or Susan Cassidy ((202) 942-5966) if you have any questions.

Kindly date stamp the enclosed additional copy of this letter at the time of filing and return it to our messenger.

ENVIRONMENTAL DOCUMENT

Dennis G. Lyons ARNOLD & PORTER

Counsel for CSX Corporation and CSX Transportation, Inc.

Enclosures

BEFORE THE SURFACE TRANSPORTATION BOARD 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

REPLY OF PETITIONERS
CSX CORPORATION, CSX TRANSPORTATION, INC., CONRAIL INC. AND
CONSOLIDATED RAIL CORPORATION
TO COMMENTS FILED IN RESPONSE TO PETITION FOR
WAIVER OF 49 C.F.R. § 1180.4(c)(2)(vi)

CSX Corporation ("CSXC"), CSX Transportation, Inc. ("CSXT"), Conrail Inc. ("CRI") and Consolidated Rail Corporation ("CRC"), hereby respond to comments on their Petition for Waiver of certain requirements of 49 C.F.R. § 1180.4(c)(2)(vi) filed on May 2, 1997 (CSX-1) ("May 2 Petition").

CSXC and CSXT are referred to collectively as "CSX."

² CRI and CRC are referred to collectively as "Conrail."

I. BACKGROUND

The Board's regulations governing rail acquisition transactions provide that applicants should file concurrently with their primary application all directly related applications, such as those seeking authority to construct or abandon lines. 49 C.F.R.

§ 1180.4(c)(2)(vi). The Board's regulations also provide, however, that this regulation can be waived for good cause shown. 49 C.F.R. § 1180.4(f)(1).

In their May 2 Petition, CSX and Conrail asked the Board to consider petitions for exemption or notices of exemption that they propose to file in separate sub dockets with respect to the construction of four connections prior to final action by the Board on the Primary Application for control of Conrail. CSX and Conrail stated that their waiver request was limited to construction of the connections; operations would not commence over these connections unless and until the Board approved the Primary Application and related applications seeking exemptions to allow operations to be conducted over the connections. The Petition recited that waiver was requested with respect to these connections so that CSX would be able, as soon as possible following any Board approval of the primary application, to link its system with the Conrail lines and compete with Norfolk Southern ("NS") in key markets (e.g., New York - Chicago) in which NS' infrastructure already will be in place at the time that any Board approval might be forthcoming. NS filed a request seeking similar relief with respect to three connections proposed to be constructed prior to final action on the Primary Application so that NS will be positioned to compete with CSX if the Application is granted.³

CSX, Conrail and NS are jointly referred to here as "Applicants."

On May 13, 1997, the Board issued Decision No. 5 in this proceeding seeking comments on the CSX and NS Petitions. The Board stated in that decision that in view of the willingness of CSX and NS to assume the risks that the connections might be built and the Primary Application subsequently denied, "we are not inclined to prevent Applicants from pursuing this approach simply to protect them from attendant risks." The Board further observed that granting the waiver petitions would not limit the public's opportunity to comment on the proposed connections or to raise environmental concerns. In fact, were the Board to grant the May 2 Petition, that action would not in any way reduce the level of environmental analysis that would normally attend any construction project within the Board's jurisdiction; CSX intends to submit a full environmental report to the Board's Section of Environmental Analysis By Decision No. 5, the Board also required Applicants to serve for each connection. their waiver petitions and a copy of Decision No. 5 on all persons upon whom they would be required to serve any petitions or notices of exemption relating to each connection so as to enable those persons to comment on the waiver requests. Both CSX and NS have certified to the Board that they have done so, and that they have also served the Council on Environmental Quality, the Federal Railroad Administration and the Environmental Protection Agency consistent with Decision No. 5.

II. REPLY TO COMMENTS

Virtually all of the comments submitted in response to Decision No. 5 support the May 2 Petition. These supporting comments, filed by twelve shippers whose traffic would utilize the relevant lines, underscore that favorable action by the Board would enable CSX to

provide competitive service to/from points that will benefit from these connections as soon as possible following any final Board approval of the Acquisition.4

Only two parties have submitted timely comments opposing the May 2 Petition -- the American Trucking Associations ("ATA") and the Allied Rail Unions ("ARU"). On June 4, 1997, the Council on Environmental Quality filed comments on the Petition. The Board has granted Petitioners' until Friday, June 6, 1997, to respond. This Reply addresses ARU's and ATA's comments. Both submissions seem intent on serving their interests in opposing or delaying the overall transaction rather than addressing the narrow question raised by this Petition.

A. American Trucking Associations

ATA has publicly professed to be interested in this proceeding out of a concern that truckers may be competitively disadvantaged by the CSX and NS acquisition of Conrail.⁵ The claim of competitive concern offers no reason why the Board should accord any deference to ATA's views. The days of regulatory protection of one mode from another are long over—if (as ATA believes) this transaction and the construction of the connections will foster rail competition with motor carriage, that is all the more reason why the transaction as a whole, and the May 2 Petition specifically, should be approved.

Supportive comments were filed by McGeary Grain, Inc.; Agcom, Inc.; General Electric Corporation; Nissan North America, Inc.; American Honda Motor Co., Inc.; Cross Con Terminals, Inc.; Mulch Manufacturing, Inc.; RAM Nationwide, Inc.; International Tool Boxes; Alliance Shippers Inc.; GST Corporation; and Lafarge Corporation.

ATA's attorney has been quoted as stating that, "Right now we have three railroads talking about how they will take traffic away from motor carriers. The shocking thing would be for ATA not to participate [in this proceeding]." <u>Traffic World</u>, "Truckers Keep Heat on CSX-NS," May 26, 1997 at 39.

Further, while it is certainly true that many motor carriers will in fact face stiffer competition from CSX as a result of the Acquisition, many others will benefit from the Acquisition because they will be able to work in partnership with CSX to take advantage of enhanced intermodal service. Motor carriers, including ATA's members, are major users of rail intermodal services. The connections that are the subject of the May 2 Petition are designed in large measure to ensure that CSX can quickly offer efficient and reliable intermodal services linking points on its current lines to points on Conrail's current lines if the Acquisition is approved — all to the benefit of motor carrier users. ATA's comments are thus out of synch with a large segment of the very constituency that it purports to represent.

ATA's comments not only deserve little weight for the above reason; they also fail to raise any persuasive arguments against the May 2 Petition. ATA's major argument seems to be that approval of that Petition could be interpreted by some as pre-judging the Primary Application, which might stifle public debate on the merits of the overall transaction. In making this argument, ATA gives too little credit to the Board, which emphasized in Decision No. 5 that a grant of the Petition "would not in any way constitute approval of, or even indicate any consideration on our part respecting approval of, the primary application." Decision No. 5 at 3. ATA also gives too little credit to the public, which should have no difficulty recognizing that, although waivers of various Board regulations are routinely granted in proceedings of this

In fact, ATA's attorney is quoted in the May 26, 1997 edition of Traffic World as stating that ATA "might well support" the Acquisition. "Truckers Keep Heat on CSX-NS," Traffic World, May 26, 1997 at p. 39.

nature, such waivers do not prejudge the outcome of the proceeding.⁷ It is hard to conceive of any party with a significant interest in this proceeding choosing not to participate simply because CSX and NS would be assuming the risk of building connections over which they could not operate absent final Board action approving the transaction.

ATA asserts that a waiver would impose on motor carriers and others "an impreasonable burden of time and expense that would be altogether unnecessary if the primary application is denied." ATA's contention wrongly assumes (contrary to the related applications rule) that if the May 2 Petition were denied, review of the construction-related exemption petitions or notices would begin only after any approval of the Primary Application. The fact is that the level of participatory effort before the Board for those with a genuine interest in these connections will not change in any significant way were the Board to grant the May 2 Petition and proceed to consider the construction projects prior to final Board action on the Primary Application.

ATA argues that if the Board denies the Primary Application, there will have been no consideration of how the new connections could affect the competitive balance in the East. The complete answer to this contention is that CSX could not use the connections without the Board authorization to be sought in the Primary Application, which will address competitive issues. Were that Application denied, there will be no impact on competition and CSX simply may have wasted its funds on constructing these connections, a risk it is prepared to accept.

For example, on May 30, 1997, the Board issued a variety of waivers to Applicants. See Decision No. 7. Moreover, in other transactions, the Board has granted a variety of waivers without prejudging the merits of a primary application.

ATA argues that by allowing expedited consideration of the construction of these connections, the Board would somehow create an "unlevel playing field," injuring "carriers who do not have the benefit of making early competitive investments based upon proprietary information now available only to the applicants." The short answer to this claim is that no rail carriers -- the ones who might make such investments -- have opposed the May 2 Petition. In fact, the shape of the expanded CSX system that will be subject of the Primary Application is no secret today and will be fully described in the Application that will be filed shortly. Other rail carriers are at no disadvantage in choosing to make whatever investments they may deem appropriate and, to the extent required, seeking regulatory exemption or approval to build whatever connections they deem appropriate now or at a later date.

ATA cryptically asserts that approval of the Petition would "foreclose development of additional line concessions and other options for rail competition that would serve the public interest." ATA does not explain how expedited consideration of construction projects that are essential to efficient operation of the CSX system would foreclose other options or do other than serve the public interest in effective rail competition. These projects will increase options, not foreclose them.

B. Allied Rail Unions

ARU argues that the connections are too closely related to the Primary Application to be evaluated apart from the Application. However, the mere construction of these connections raises none of the competition and financial issues that will be explored in the course of the proceeding on the Primary Application. In fact, the construction of rail line connections raises sufficiently few regulatory issues that such connections are routinely exempted from

regulatory approval requirements pursuant to a class exemption or petitions for exemption, and CSX believes that the conditions for exemption will be satisfied here. The potential issues associated with construction of connections are primarily environmental in nature, and granting the May 2 Petition will not foreclose full environmental review of any construction impacts.

ARU asserts that CSX is already advantaged by the related applications rule because, absent that rule, transaction-related connections could be considered only after the Board grants a Primary Application. However, the purpose of the related applications rule is not to benefit railroads, but to allow the Board to consider any related issues in one proceeding. Here, waiver is sought only to allow construction; operations over the line would be considered together with any related issues raised by the Primary Application. Delaying construction simply would delay the significant competitive benefits that this transaction would offer the public, while serving no viable regulatory interest.

ARU also argues that if neither CSX's nor NS's Petition is granted, then neither would face unanswered competition from the other. However, CSX and NS have requested permission to construct connections that largely address different markets. Three of CSX's connections are intended to allow it to provide competitive services on routes linking Chicago and New York and the fourth on Northeast-Southeast routes served via Cincinnati. These are routes that NS will be able to serve immediately upon any Board approval of the Acquisition. NS's proposed connections, on the other hand, are focused on allowing it to compete with CSX in serving southwestern markets and to make use of an important Chicago-area yard used for interchanging

That is, of course, not so; in the ordinary course they are considered simultaneously.

traffic with western carriers. Denying the waiver petitions will only assure that inequality in competition, and the potential long term problems created by such inequality, will occur.

CONCLUSION

For all of the above reasons, the Board should grant the May 2 Petition and waive the related applications rule so that it may consider, prior to final action of the Primary Application, the petitions and notices of exemption that would be filed to allow construction of the four connections identified in that Petition. Respectfully submitted,

TIMOTHY T. O'TOOLE CONSTANCE L. ABRAMS

Consolidated Rail Corporation Two Commerce Square 2001 Market Street Philadelphia, PA 19103 (215) 299-4000

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Counsel for CSX Corporation and CSX Transportation, Inc.

CERTIFICATE OF SERVICE

I, Susan B. Cassidy, certify that on June 4, 1997, I have caused to be served a true and correct copy of the foregoing CSX-3, Reply of Petitioners to Comments Filed in Response to Petition for Waiver of 49 C.F.R. § 1180.4(c)(2)(vi), on all parties that have appeared in Finance Docket No. 33388, and those environmental entities specified by the Board for this filing by first-class mail, postage prepaid, or by more expeditious means.

usan B. Cassidy

Document Report

Current Date: 6/20/97 Entry Date/Time: 6/12/97 11:31:53 AM Document Type: Comment: Applicant Railroad: Both Document Title: Applicant, CSX, Dennis G. Lyons, et al; STB; Reply of petitioners to comments filed in response... Document Date: 6/4/97 Date Received: 6/4/97 **Public Record:** Docket#: FD# 33388 Position: Routed: No Response Needed: None Response Date: Abstract: CSX reply to comments by the American Trucking Associations (ATA), and Allied Rail Unions (ARU) on the CSX petition for authority to construct four connections separate from the primary application. In the reply to the ATA objections, CSX states that ATA's comments that claim competitive concern offers no reason against the petition and that the connections are designed to ensure that CSX can quickly offer efficient and reliable intermodal services which would benefit motor carriers. In response to ARU arguments, CSX states that the construction of the rail connections would not affect the primary application because the rail connections raise none of the competition and financial issues being explored in the proceeding and the rail line connection raise sufficiently few regulatory issues. Comments: CSX-3 **Received From** Sent To CSX Corporation and CSX Transportation, Inc. Surface Transportation Board Vernon A. Williams Dennis G. Lyons

Key Word

construction

Topic Construction

Applicants' Response to Comments

ocation

3.10.2

FD-33388 ID-BUSINESS 6-4-97

LAW OFFICES

ZUCKERT, SCOUTT & RASENBERGER, L.L.P.

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4|4|97 5:42:16 PM

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ANDREW R. PLUMP

May 28, 1997

BY HAND

Michael J. Dalton Section of Environmental Analysis Surface Transportation Board Room 528 1925 K Street, N.W. Washington, DC 20423-0001 ENVIRONMENTAL

Re: Finance Docket No. 33388

Construction Projects Subject to Norfolk Southern Petition for Waiver

of 49 C.F.R. § 1180.4(c)(vi)

Dear Mr. Dalton:

As discussed, enclosed you will find more detailed descriptions of the three construction projects that are the subject of Norfolk Southern's pending Petition for Waiver of 49 C.F.R. § 1180.4(c)(vi), suitable for inclusion in the public docket. These projects involve construction of connections at Alexandria, IN, Bucyrus, OH, and Sidney, IL. We are enclosing a more comprehensive narrative description of each of the projects, as well as a revised drawing of the Bucyrus project (which reflects some changes in track alignment for this connection).

// 10 ()

Andrew R. Plump

Enclosures

Alexandria, Indiana (reference N8 drawing TA-97-0003)

A northeast quadrant connection is proposed consisting of two (2) #10 remote controlled power tumouts, and 750 feet of new trackage constructed to NS mainline standards. Proposed operating speed will be 10 mph. The typical roadbed section will be 32 feet wide between the shoulder points of the cut or fill section constructed from 12" of compacted sub-ballast placed upon prepared soil sub-grade.

The easterly point of switch is to be located approximately 585 feet west of NS milepost SP-190 on the Frankfort District of the Lake Division. This is just west of the existing Black Street road crossing (DOT ID# 474602A). The northerly point of switch will be located approximately 4,220 feet south of CR milepost 153. This location is just north of the existing Berry Street road crossing (DOT ID# not available).

Development along the existing NS and CR routes at this location is a mixture of commercial properties, interspersed with low density residential properties. This existing development has significantly limited the alignment alternatives evaluable for the proposed connection. The proposed alignment was specifically chosen to minimize impact on residential properties.

The proposed alignment will require one (1) parcel of property currently occupied by a small scrap yard. This commercial facility is bounded by Curve Street on the east, Berry Street on the north, NS is line on the south, and CR's line on the west and encompasses approximately 2.5 acres. This area is indicated as the hatched portion of the reference drawing. The existing entrance to the scrap facility is from Curve Street, near the intersection of Water Street. The scrap yard is adjacent to and faces residential properties on Berry and Curve Streets. The scrap yard is surrounded by a sheet metal privacy fence, and contains a small masonry structure. NS proposes to purchase this property and/or relocate the existing business. The parcel would then be entirely cleared. All material generated during clearing will be disposed of off site. Any portions of the site not utilized by the new track would be appropriately graded and revegitated.

Topographically, the existing NS and CR right-of-ways, and the property proposed to be acquired are generally flat. The proposed connection will require minimal changes in existing ground elevations for roadbed construction. Any fill material, if required, will be obtained off-site. Surface runoff is currently handled to natural water courses by existing side ditches. Drainage from proposed new trackage will be handled in a like fashion. No net increase in surface runoff is anticipated.

NS believes that the proposed connection can be constructed with little physical impact on adjacent properties. If deemed aesthetically necessary, NS will construct a natural or man-made visual buffer to the northeast of the proposed track between Berry and Curve Streets.

The Berry and Black Street road crossings are currently single track crossings protected by crossbucks. The proposed new connection track will make these double track crossings. No new road crossings will be required. If it is deemed appropriate based on accepted criteria (such as highway traffic counts, rail traffic volume, or clear sight distances) NS will improve the level of protection afforded at these two (2) road crossings.

All proposed construction activities (including all required demolition and site preparation) at this location will be performed by NS or its assigned sub-contractors in full compliance with all applicable Federal, State, and Local regulations governing such activities.

Bucyrus, Ohio (reference NS drawing TA-97-0074 R1)

A southeast quadrant connection is proposed consisting of two (2) #15 remote controlled power turnouts, and 2,126 feet of new trackage constructed to NS mainline standards. Proposed operating speed will be 20 mph. The typical roadbed section will be 32 feet wide between the shoulder points of the cut or fill section constructed from 12° of compacted sub-ballast placed upon prepared soil sub-grade.

The southerly point of switch is to be located approximately 4630 feet north of NS milepost S-62 on the Sandusky District of the Lake Division. This is just south of the existing East Warren Street road crossing (DOT ID# 461564K). The easterly point of switch will be located approximately 425 feet west of CR milepost 200. This location is just west of the existing Whitestone Street road crossing (DOT ID# not available).

Development immediately to the east of the existing N8 right-of-way is solely of a commercial .

nature. These parcels consist of a building supply company which occupies a former railway freight warehouse (masonry and frame structure), and a vacant former railway depot (cut-stone and frame). Both these parcels were historically solely railway usage with all property associated with these structures at one time being roadbed or driveways. All trackage has been removed.

Development immediately to the south of the existing CR right-of-way consists of low density residential parcels of which the rear (north) property lines abut the south side of the existing roadbed fill, and one commercial property. The commercial property is a construction company office (one story - frame building) and material yard. The commercial property was at one time a domestic use coal yard and had rall service. All trackage has now been removed.

The southerly portion of the proposed alignment (station 3+50 to 11+00) will require acquisition of the entire parcel containing the bulluing supply company, the eastern portion of the parcel occupied by the former depot, and the entire parcel occupied by the construction company yard. These are indicated as the hatched area on the reference drawing. The total acreage proposed to be acquired is estimated to be approximately 3.5 acres.

The easterly portion of the proposed alignment (station 11+00 to 24+67) will utilize the existing roadbod fill which is sufficiently wide to permit the installation of an additional track parallel to the CR (to be CSX) main track on the south side. No additional roadbed fill or property will be required for this portion of the new connection

NS proposed to obtain the above properties and/or relocate the existing businesses. All existing structures will be demolished, and the parcels entirely cleared. All material generated will be disposed of off site.

Topographically, the existing NS and CR right-of-ways are generally at grade with the properties to be acquired. The CR roadbed is on a low fill (6' typical) eastward toward Whitestone Street, with the exception of area immediately adjacent the highway underpass at Highland Avenue. The proposed roadbed will be at grade from station 0+00 to 7+00 (Rensselaer Street). Through the construction company parcel, station 7+00 to 11+00, the proposed roadbed will be on low fill increasing to height of 6' at the intersection with the existing CR roadbed fill. All required fill material will be obtained from off site. The area to the north/west of the proposed roadbed will be filled and sloped as necessary to prevent ponding of water. To south/east of the proposed roadbed, all unused property will be contoured to blend with adjoining properties and revegitated. Existing surface drainage channels and storm sewers will be used to handle surface runoff as no net increase is childpated from the proposed new construction.

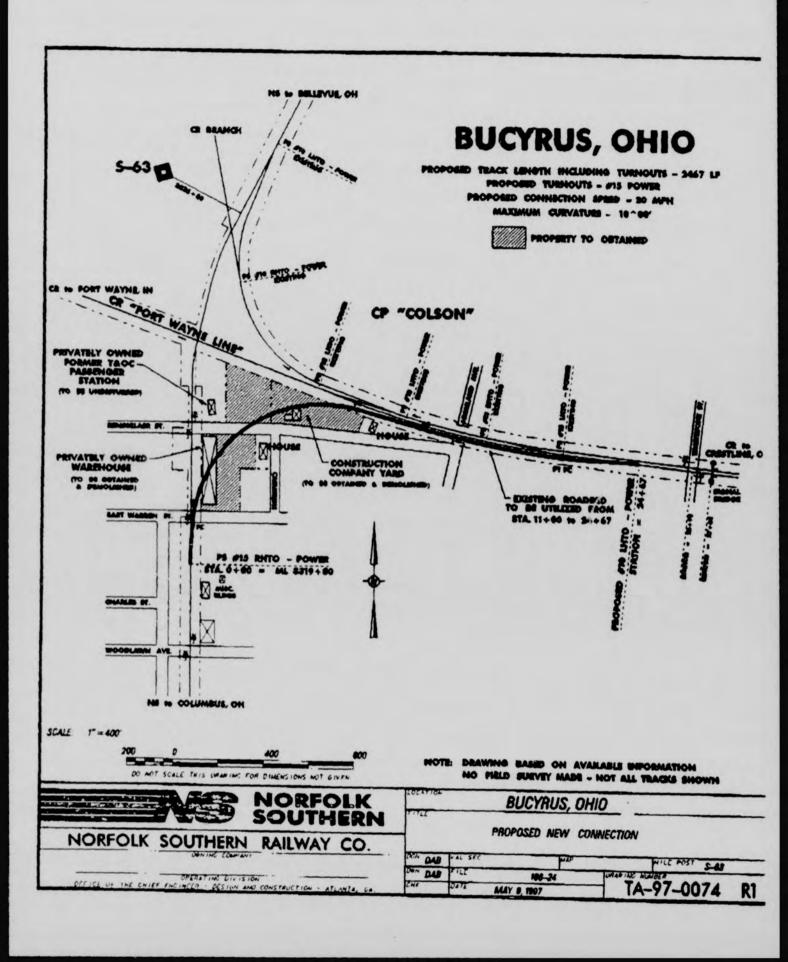
(continued)

Bucyrus, Ohio (continued)

NS believes that the proposed connection can be constructed with little physical impact on adjacent properties. If deemed aesthetically necessary, NS will construct a natural or man-made visual buffer to the west of the residential property at the corner of Catherine and Rensselaer Streets.

The East Warren Street road crossing (NS) is currently a single track crossing protected by flashers. The proposed new connection track will make this a double track crossing. A new single track crossing will be required at Rensselaer Street located approximately 230 feet east of the existing flasher protected Rensselaer Street (NS) road crossing. It is proposed to install flashers and gates at all three (3) of these locations.

All proposed construction activities (including all required demolition and site preparation) at this location will be performed by NS or its assigned sub-contractors in full compliance with all applicable Federal, State, and Local regulations governing such activities.



Sidney, Illinois (reference NS drawing TA-97-0063)

A connection permitting operation westward on NS to southward on the Union Pacific (UP) is proposed. The connection will be constructed in the southwest quadrant of the grade separated (NS over UP) rail crossing, due to unavoidable obstructions (major electric utility substation and operational farm) in the southeast quadrant. The connection is proposed consisting of two (2) #15 remote controlled power turnouts, and 2,915 feet of new trackage constructed to NS mainline standards. Proposed operating speed will be 25 mph. The typical roadbed section will be 32 feet wide between the shoulder points of the cut or fill section constructed from 12" of compacted sub-beliast placed upon prepared soil sub-grade.

The easterly point of switch is to be located approximately 4,005 feet west of NS milepost D-327 on the Lafayette District of the Illinois Division. This is just west of the existing bridge carrying NS over the UP. The southerly point of switch will be located approximately 2,790 feet south of the centerline point of the above mentioned bridge along the UP track (milepost unavailable).

The proposed connection will require a continuous 100 foot wide right-of-way strip approximately 2,650 feet in length (6.10± acres). The property proposed to be acquired consists of cultivated farm land, bordered by mixed deciduous woods along the UP right of way line. It is bounded by NS's line to north, the UP's line to east, and Illinots State Route 522 to the west. No residential development exists within 1,500 feet of the proposed alignment in the quadrant being utilized.

Topographically, the quadrant to be utilized for the connection is generally flat, but trending toward the south. The existing NS roadbed fill is approximately 6' above the field elevation. The UP roadbed is ascending toward the south, and is in a cut section at the NS / UP bridge. The proposed southerly point of switch is just south of the transition point where the UP exits this cut section. The proposed connection roadbed will be on low fill (8' typical) at the north end descending at approximately 0.50% to the south end. The extreme poutherly portion of the connection may involve a low cut as the roadbed transitions to meet the UP grade. Proposed fill material will be obtained from the property to be acquired or from off site borrow locations. Surface runoff is currently handled by natural water courses and existing side ditches along the railway roadbeds, flowing southward toward a tributary of Salt Creek. Drainage from proposed new trackage will be handled in a like fashion. No significant increase in surface runoff is anticipated.

NS believes that the proposed connection can be constructed with little or no physical impact on adjacent properties. No aesthetic mitigation's are deemed necessary for this connection. If required by property seller(s), standard right-of-way fencing may be installed along the proposed connection.

No existing road crossings are impacted by this connection. It is proposed to maintain access to the farm land, which will become lan 1 locked by NS and the UP, by means of a paved private farm crossing(s).

All proposed construction activities (including all required demolition and site preparation) at this location will be performed by NS or its assigned sub-contractors in full compliance with all applicable Federal, State, and Local regulations governing such activities.

Document Report

Entry Date/Time: 6/4	4/97 5:42:16 PM	Current Date: 6/19/97				
Document Type:	Comment: Applicant	Railroad: Both				
Document Title:	Applicant, NS, Andrew R. Plump; SEC,	Michael J. Dalton; Comprehensive description of 3 construct				
Document Date:	5/28/97					
Date Received:						
Public Record:						
Docket#:	FD# 33388					
Position:						
Routed:	No Response Needed: No	ne Response Date:				
Abstract:		of the three construction projects that are the subject of the applicants' pending n projects are near Alexandria, Indiana; Bucyrus, Ohio; and Sidney, Illinois.				
Comments:	Comprehensive narrative description of pending petition for waiver of 49 C.F.R.	each of the three construction projects that are the subject of Norfolk Southern's Section 1180.4(c)(vi)				
Received From		Sent To				
Norfolk Southern Cor	poration and Norfolk Southern					
Ancrew R. Plump						
Section of Environme	ental Analysis					
Mike Dalton						
Key Word		Location				
construction		3.10 Constructions				
Reference		Topic				
		Construction				

FD-33388 ID-GOV





Entity added
6/4/97 7:28:48 A.M.

STATE OF NORTH CARCLINA DEPARTMENT OF TRANSPORTATION

INAUN B. HUNT IR LARRAM

P.O. BOX 25201 RALEIGH N.C. 27611 5201 April 29, 1997

GARLAND B. GARRETT JR. S' RE FARY

The Honorable Vernon A. Williams Secretary, Surface Transponation Board Case Control Branch

Attn: STB Finance Docket Number 33388 1925 K Sinser, N.W. 1201 Constitution Ase., NW Washington, D.C. 20423-0001

ENVIRONMENTAL DOCUMENT

NTB Finance Docket Number 33388 C'SX Corporation and CSR Transportation, Inc., and Norfolk Southern Corporation und Nurfolk Southern Railway Company-Control and Operating leases/Agreements-Control Inc., and Consolidated Rail Corporation

Dear Secretary Williams:

This letter is in support of the petition before the Surface Transportation Board to expedite the application by CSX and Norfolk Southern to acquire Contail (Docket Number 33388). In our review of the proposed acquisition, we believe that an expedited 255 day schedule is subquate to address the concerns of the parties, now that Norfolk Southern will no longer file a competing application, thus samplifying the process.

If not need with this original are twenty-five copies and a 3.5 inch diskette, formatted for WordPerfect 5 X for Windows containing this information.

I hank you for the opportunity to comment.

Sincerely.

Ciarland R. Garrett

Daid D. Ky

North Carolina Department of Transportation

CHC/DDK/PBS

timtosures:

All Counsel of Record

PHONE 19191 733-2520 FAX 19197 733-9550



Document Report

Entry Date/Time: 6/4/97 7:28:48 AM Current Date: 6/18/97

Document Type: Comment: State Agencies Railroad: Both

Document Title: North Carolina Department of Transportation, Garland B. Garrett; STB; Support 255 days schedule

Document Date: 4/29/97

Date Received:

Public Record:

Docket#: FD# 33388

Position:

Routed: No Response Needed: None

Response Date:

Abstract: The commenter supports the Applicants' proposed 255-day procedural schedule. The commenter is the Department of

Transportation from North Carolina, a state agency.

Comments:

Received From

North Carolina Department of Transportation

Garland B. Garrett, Jr.

Sent To

Surface Transportation Board

Vernon A. Williams

Key Word

Location 3

Merger Application

Reference

Topic

Procedural Schedule

FD-33388 ID-STATES

y F. Linkinha

Atra W. 8-76 Second Mer Chairman

J. Gresten Berrer Jesse E. Hines Shirley & Hinson Robert William Loach Durger & Lofel Becky R Mari Willie S. McMehand

Richard P. Fulan Staff Americany

M P. 7

Entity added

Eugene C. Seatland

Sanda M. Smill M.Ed Director of Research 4/4/97 7:14:35 AM

Bessie Monty-Lawrence Joseph H Host Edish Martin Badgers Horry C. Sulla Elde Rest Street Thomas D. Woodn

Dave C. Tosley

Fouration and Bublic Morks Committee

Socie Carelles House of Representation P.O. BOX 11867 TELEPHONE: (803) 734-3053 Loss 425, Blatt Halling

Gelmile, S.L. 25211

April 29, 1997

The Honorable Linda Morgan, Chair Surface Transportation Board 1201 Constitution Avenue NW Washington, DC 20423

ENVIRONMENTAL **DOCUMENT**

Financial Docket No 33388 - CSX/Norfolk Southern RE: Acquisition and Control of Conrail

Dear Mrs. Morgan:

The proposed system created by the acquisition and control of Conrail by CSX and Norfolk So thern will benefit South Carolina industries that ship by rail items such as grain, paper, chemicals, and metals. The acquisition also will expand statewide efforts to create new jobs and other economic opportunities for our citizens. It will bring single-line service connecting South Carolina to the Northeast and Midwe. and will result in more reliable and efficient service. Creating two strong rail competitors in the East will expand the market search for companies in South Carolina and the region.

I ask that the Surface Transportation Board expedite the application by CSX and Norfolk Southern to acquire Conrail and limit the timetable for the process to 255 days so that our economy may begin to enjoy the benefits of the acquisition as soon as possible.

Thank you.

Sincerely,

Ronald P. Townsend

Chairman

Document Report

Entry Date/Time: 6/4/97 7:14:35 AM Current Date: 6/18/97

Document Type: Comment: State Legislators Railroad: Both

Document Title: House of Representatives, South Carolina, R. P. Towsend; STB; Support 255 days schedule

Document Date: 4/29/97

Date Received:
Public Record:

Docket#: FD# 33388

Position:

Routed: No

Response Needed: None

Response Date:

Abstract: The commenter supports the applicants' proposed 255-day procedural schedule. The commenter is a state legislator and

Chairman in Columbia, South Carolina.

Comments:

Received From

None

Ronald P. Townsend

Sent To

Surface Transportation Board

Linda J. Morgan

Key Word

House of Representative, South Carolina - Education and

Location

3 Merger Application

Reference

Topic

Procedural Schedule