

#E1-20244
Quarterly Reports
#1 6-27-13

Eldon Subdivision Voluntary Mitigation Measures

Number	Description	Implementation Deadline	Process	Status
VM 1	CSXT will, upon request, cooperate with municipalities and counties in support of their efforts to secure funding, in conjunction with appropriate state agencies, for grade separations where they may be appropriate under criteria established by relevant state Department of Transportation.	Upon request		CSXT State Relations and Local and Community Relations personnel will cooperate upon request, with municipalities and counties in support of their efforts to secure funding, in conjunction with appropriate state agencies, for grade separations where they may be appropriate under criteria established by relevant state Department of Transportation.
VM 2	CSXT will examine train operations for ways of reducing highway/rail at-grade crossing blockages.	Ongoing	Ongoing	CSXT dispatching protocol for the Eldon Subdivision requires trains to have a clear route into or out of Hayford before a train will be released on the Eldon Subdivision.
VM 3	CSXT will cooperate with the appropriate state and local agencies and municipalities to:	Ongoing		
3.1	Evaluate the possibility that 1 or more roadways could be closed at the point where it crosses the Line, in order to eliminate the at-grade crossing.	Ongoing		
3.2	Improve or identify modifications to roadways that would reduce vehicle delays by improving roadway capacity over the crossing by construction of additional lanes.	Ongoing		
3.3	Assist in a survey of highway/rail at-grade crossings for a determination of the adequacy of existing grade crossing signal systems, signage, roadway striping, traffic signalized intersections, and curves and medians.	Ongoing		
VM 4	In order to minimize the number of trains being stopped by operators at locations that block grade crossings on the Line, CSXT will work with other railroads to establish reasonable and effective policies and procedures to prevent other railroads' trains from interfering with CSXT's trains on the Line.	Ongoing	Ongoing	As a participating member of the Chicago Terminal Coordination Office (CTCO), CSXT communicates twice daily via conference calls with the foreign railroads to address any operational issues that may be present. CSXT operating protocol for the Eldon Subdivision maintains CSXT will not run trains into or out of Hayford unless the route is clear from Hayford through Blue Island.
VM 5	CSXT's design for wayside signaling systems will be configured and implemented to minimize the length of time that trains or maintenance-of-way vehicles or activities occupy at-grade crossings or unnecessarily activate grade-crossing warning devices.	Ongoing		
VM 6	CSXT will operate under U.S. Operating Rule No. 326 (Public Crossings), which provides that a public crossing must not be blocked longer than 10 minutes unless it cannot be avoided and that, if possible, rail cars, engines, and rail equipment may not stand closer than 200 feet from a highway/rail at-grade crossing when there is an adjacent track. If the blockage is likely to exceed this time frame, then the train will then be promptly cut to clear the blocked crossing or crossings.		Ongoing	Operating protocol for CSXT crews require the train to be cut for any crossing blocked more than ten minutes. CSXT will monitor and enforce this provision through observation testing of crews and with communication through the CSXT Chicago Command Center.
VM 7	CSXT will work with Amtrak on transferring its relationship on the Line from GTW to CSXT and incorporating such into CSXT's Operating Agreement with Amtrak.	Ongoing	Complete	Amtrak and CSXT executed an agreement incorporating the Eldon as part of the CSXT/Amtrak Agreement on June 7, 2013.
VM 8	CSXT will engage Metra in exploring all options for future service.			CSXT has notified Metra that it has taken over operations of the Eldon Line. CSXT is willing to meet with Metra to discuss future service.
VM 9	CSXT will coordinate with the appropriate state departments of transportation, counties, and affected communities along the Line to install temporary notification signs or message boards, where warranted, in railroad right-of-way (ROW) at highway/rail at-grade crossings, clearly advising motorists of the increase in train traffic on affected rail line segments. The format and lettering of these signs will comply with the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (FHWA 2007) and will be in place no less than 30 days before and 6 months after the acquisition by CSXT of the easement over the Line.	30 days prior to acquisition	Complete as of May 9, 2013	Between May 6, 2013 and May 9, 2013, temporary signs were installed at all public crossings, and all accessible private crossings. The format and lettering complies with the FHWA's Manual on Uniform Traffic Control Devices. Please see VM #1 Attachment for copy of temporary signage. All signs will be remain until 12-08-2013.
VM 10	CSXT will cooperate with the municipalities affected to determine which improvements would be necessary for existing quiet zones (QZs) to maintain FRA compliance.	Ongoing		CSXT will work with local communities to maintain FRA compliance with existing quiet zones.

VM 11	CSXT will cooperate with interested communities for the establishment of Quiet Zones and assist in identifying supplemental or alternative safety measures, practical operational methods, or technologies that may enable the community to establish QZs.	Ongoing		CSXT is working with State Representative Bob Rife, METRA and FRA to determine locations in Blue Island suitable for installation of Quiet Zones.
VM 12	Within 6 months of consummation of the Proposed Transaction, in order to improve visibility at highway rail at-grade crossings, CSXT will consult with affected communities about crossings where there are vegetation and other obstructions and take reasonable steps to clear the vegetation or other obstructions.	Ongoing		CSXT engineering forces completed an inspection trip of the line prior to consummation. On June 9, 2013 CSXT sprayed the entire Elsdon subdivision for weeds and plant growth. CSXT has employed a brush cutter and is in the process of cutting down brush and other vegetation on the line. In addition to the yearly scheduled spraying program for the Subdivision, CSXT will respond to any individual complaints along the line and address accordingly.
VM 13	Within 6 months of acquisition by CSXT of the easement over the Line, CSXT will cooperate with IDOT, the Indiana Department of Transportation (INDOT), and other appropriate local agencies to coordinate a review of corridors surrounding highway/rail at-grade crossings to examine safety and adequacy of the existing warning devices, and identify remedies to improve safety for highway vehicles.	6 months		
VM 14	Where grade-crossing rehabilitation is mutually agreed to, CSXT will assure that rehabilitated roadway approaches and rail line crossings meet or exceed the standards of the State Department of Transportation's rules, guidelines, or statutes, and the American Railway Engineering and Maintenance of Way Association (AREMA) standards, with a goal of eliminating rough or humped crossings to the extent reasonably practicable.	Ongoing		During their inspection trip conducted prior to acquisition of the line, CSXT reviewed all grade crossings along the line and will schedule maintenance for each crossing based on condition. In addition, CSXT will respond to any individual complaints through the established Community Liaison and will handle accordingly.
VM 15	For each of the public grade crossings on the Line, CSXT will provide and maintain permanent signs prominently displaying both a toll-free telephone number and a unique grade-crossing identification number in compliance with Federal Highway Regulations (23 C.F.R. Part 655). The toll-free number will enable drivers to report accidents, malfunctioning warning devices, stalled vehicles, or other dangerous conditions and will be answered 24 hours per day by CSXT's personnel.	Complete	Complete as of June 9, 2013	As of June 9, 2013, every crossing along the line has the required signage installed.
VM 16	Within 6 months of acquisition by CSXT of the easement over the Line, CSXT will cooperate with school and park districts to identify at-grade crossings where additional pedestrian warning devices may be warranted.	6 months		CSXT Community Liaison Jason Holder sent a letter dated June 6, 2013, to each school and park district along the line requesting them to identify at-grade crossings where additional pedestrian warning devices may be warranted. CSXT will address each request that is received.
VM 17	CSXT will continue ongoing efforts with community officials to identify elementary, middle, and high schools within 0.5 miles of the Line's ROW and provide, upon request, informational materials concerning railroad safety to such identified schools.	Upon request	Complete as of May 30, 2013	CSXT Community Liaison Jason Holder sent a letter dated May 28, 2013, to each school within 0.5 miles of the line that CSXT will provide, upon request, informational materials concerning railroad safety to such identified schools. CSXT will address each request that is received.
VM 18	CSXT will consult with state Departments of Transportation and other appropriate agencies and will abide by the reasonable requirements of Illinois Commerce Commission (ICC) or INDOT prior to constructing, relocating, upgrading, or modifying highway/rail at-grade crossing warning devices on the Line.	Ongoing		CSXT Signals department consults with and abides by all state and federal regulations prior to constructing, relocating, upgrading, or modifying highway/rail at-grade crossing warning devices on all of their rail lines.
VM 19	CSXT will adhere to all applicable Federal Occupational Safety and Health Administration (OSHA), FRA, and state construction and operational safety regulations to minimize the potential for accidents and incidents on the Line.	Ongoing		CSXT adheres to all applicable Federal Occupational Safety and Health Administration (OSHA), FRA, and state construction and operational safety regulations to minimize the potential for accidents and incidents on the Line. CSXT conducts random operational testing of its employees to ensure they are performing according to those guidelines.
VM 20	CSXT will make Operation Lifesaver programs available to communities, schools, and other appropriate organizations located along the affected segments.	Ongoing		CSXT Community Liaison Jason Holder sent a letter dated May 28, 2013 to communities, schools, and other appropriate organizations located along the affected segments notifying them of the availability of Operation Lifesaver programs. CSXT will address each request that is received.

VM 21	To supplement CSXT's VM 20, CSXT will make Operation Lifesaver programs available to communities, schools, and other appropriate organizations located along the Line for 3 years after the effective date of the Board's final decision. The programs will be designed and provided in coordination with ICC and INDOT.	Ongoing for three years		CSXT Community Liaison Jason Holder sent a letter May 30, 2013 to communities, schools, and other appropriate organizations located along the affected segments notifying them of the availability of Operation Lifesaver programs for 3 years after the effective date of the Board's final decision.
VM 22	CSXT will comply with the current Association of American Railroads (AAR) "key route" guidelines, found in AAR Circular No. OT-55-1 (AAR 2006), and any subsequent revisions.	Immediate		CSXT complies with "key route" guidelines found in AAR Circular No. OT-55-1 and any subsequent revisions on all CSXT lines.
VM 23	CSXT will comply with the current AAR "key train" guidelines, found in AAR Circular No. OT-55-1, and any subsequent revisions.	Ongoing		CSXT complies with "key train" operating guidelines found in AAR Circular No. OT-55-1 and any subsequent revisions on the Elsdon Subdivision.
VM 24	To the extent permitted and subject to applicable confidentiality limitations, CSXT will distribute to each local emergency response organization or coordinating body in the communities along the key routes a copy of CSXT's current Emergency Response Plan.	Ongoing	Complete as of June 3, 2013	On June 3, 2013, CSXT Community Liaison Jason Holder mailed to the local emergency response organizations along the line a copy of the Elsdon Emergency Response Plan.
VM 25	CSXT will incorporate the Line into its existing ERP.	Ongoing	Complete as of June 6, 2013	No specific modifications necessary. CSXT has incorporated the Elsdon Subdivision into its existing Emergency Response Plan.
VM 26	On the Line, CSXT will comply with all hazardous materials regulations of the U.S. Department of Transportation (including the FRA and the U.S. Pipeline and Hazardous Materials Safety Administration) and Department of Homeland Security (including the Transportation Security Administration). CSXT will dispose of all materials that cannot be reused in accordance with applicable law.	Ongoing		CSXT complies with hazmat "waste stream" on all of their lines.
VM 27	Upon request, CSXT will implement real-time or desktop simulation emergency response drills with the voluntary participation of local emergency response organizations.	Upon request		On May 25, 2013, CSXT Community Liaison Jason Holder mailed to the local emergency response organizations along the line notice that upon request, CSXT will implement real-time or desktop simulation emergency response drills with the voluntary participation of local emergency response organizations.
VM 28	CSXT will continue its ongoing efforts with community officials to identify the public emergency response teams located along the Line and will provide, upon request, hazardous material training.	Ongoing		On May 25, 2013, CSXT Community Liaison Jason Holder mailed to the local emergency response organizations along the line notice that upon request, CSXT will provide hazardous material training.
VM 29	CSXT will conduct Transportation Community Awareness and Emergency Response Program (TRANSCAER) workshops (training for communities through which dangerous goods are transported) in those communities along the Line that request this training.	Upon request		On May 25, 2013, CSXT Community Liaison Jason Holder mailed to the local emergency response organizations along the line notice that CSXT will conduct Transportation Community Awareness and Emergency Response Program (TRANSCAER) workshops (training for communities through which dangerous goods are transported) in those communities along the Line.
VM 30	CSXT will assist in the hazardous materials training for emergency responders for affected communities that express an interest in such training. CSXT will support through funding or other means the training of 1 representative from each of the communities located along the Line where the transportation of hazardous materials would increase. CSXT will complete the training within 3 years from the date that the CSXT initiates operational changes associated with the Proposed Transaction.	Upon request		On May 25, 2013, CSXT Community Liaison Jason Holder mailed to the local emergency response organizations along the line notice that CSXT will assist in the hazardous materials training for emergency responders for affected communities that express an interest in such training. CSXT will support through funding or other means the training of 1 representative from each of the communities located along the Line where the transportation of hazardous materials would increase. CSXT will complete the training within 3 years from the date that the CSXT initiates operational changes associated with the Proposed Transaction.

VH 31	CSXT will develop internal emergency response plans to allow for agencies to be notified in an emergency, and to locate and inventory the appropriate emergency equipment. CSXT will provide the emergency response plans to the relevant state and local authorities within 6 months of acquisition by CSXT of the easement over the Line.	Ongoing	Complete as of June 8, 2013	CSXT has Emergency Response Plans on file with Cook and Lake County. Emergency Response Plans for the Elsdon Line were mailed to local authorities on June 3, 2013.
VH 32	CSXT will provide dedicated toll-free telephone number to the emergency response organizations or coordinating bodies responsible for communities located along the Line. This telephone number will provide access to CSXT personnel 24 hours per day, 7 days a week, enabling local emergency response personnel to obtain and provide information quickly regarding the transport of hazardous materials on a given train and appropriate emergency response procedures should a train accident or hazardous materials release occur.	Ongoing	Complete as of May 8, 2013	This information is included in the Elsdon TERP that was distributed to emergency response organizations along the line.
VH 33	In accordance with the Emergency Response Plan, CSXT will make the required notifications to the appropriate federal and state environmental agencies in the event of a reportable hazardous materials release. CSXT will work with the appropriate agencies such as the U.S. Fish and Wildlife Service (USFWS), the Illinois Environmental Protection Agency (IEPA), and the Indiana Department of Environmental Management (IDEM) to respond to and remediate hazardous materials releases with the potential to affect wetlands or wildlife habitat(s), particularly those of federally threatened or endangered species.	Ongoing		As part of the emergency response plan in place in each respective county along the Elsdon subdivision, CSXT will make the required notifications in the event of a reportable hazardous materials release.
VH 34	In the event any construction is necessary, CSXT will comply with any regulations as required in the preparation of a construction Stormwater Pollution Prevention Plan.	Ongoing		In compliance. CSXT Engineering Department employees receive annual training on EPA guidelines for construction related projects.
VH 35	To supplement CSXT's VH 29, CSXT will conduct TRANSCAER workshops in English and Spanish upon request for 3 years from the effective date of the Board's final decision authorizing the Proposed Transaction.	Upon request		On May 25, 2013, CSXT Community Liaison Jason Holder mailed to the local emergency response organizations along the line notice that CSXT will conduct TRANSCAER workshops in English and Spanish upon request for 3 years from the effective date of the Board's final decision authorizing the Proposed Transaction.
VH 36	In addition to CSXT's VH 33, CSXT will adhere to all USEPA regulations as described in 40 C.F.R. Part 263 and will coordinate with USEPA, state agencies, and local agencies on spill responses.	Ongoing		As part of their emergency response operating protocol, CSXT adheres to all USEPA regulations as described in 40 C.F.R. Part 263 and will coordinate with USEPA, state agencies, and local agencies on spill responses.
VH 37	CSXT will notify Emergency Services Dispatching Centers for communities along the affected segments of all crossings blocked by trains that are stopped and may be unable to move for a significant period of time. CSXT will work with affected communities to minimize emergency vehicle delay by maintaining facilities for emergency communication with local Emergency Response Centers through a dedicated toll-free telephone number.	Ongoing		Dedicated toll free number has been installed on all road crossings. CSXT's Public Safety Coordination Center will notify CSXT Command Center of the blocked crossing.
VH 38	CSXT will comply with USEPA emissions standards for diesel-electric railroad locomotives (40 C.F.R. Part 92) when purchasing and rebuilding locomotives.	Ongoing		In compliance. Every locomotive built after October 29, 2007 must not have an average noise level above 85dB. The OEM is responsible for testing and ensuring that the locomotives meet this standard out of the factory.

VM 39	CSXT will work with affected communities that have sensitive receptors that would experience an increase of at least 5 dBA and reach 70 dBA to mitigate train noise to levels as low as 70 dBA by cost effective means as are agreed to by an affected community and CSXT. In the absence of such an agreement, CSXT will implement cost effective mitigation that could include such measures as constructing noise control devices such as noise barriers and installing vegetation or berming.	Ongoing		Any noise complaints will be forwarded to the Community Liaison for handling with CSXT's Engineering Department. CSXT currently investigates noise complaints and performs the necessary mitigation on the rails to minimize noise, including greasers, rail grinding, etc.
VM 40	In addition to the development of other noise mitigation measures, CSXT will consider lubricating curves where doing so would both be consistent with safe and efficient operating practices and significantly reduce noise for residential or other noise sensitive receptors. CSXT will also continue to employ safe and efficient operating procedures that, in lieu of, or as complement to, other noise mitigation measures can have the collateral benefits of effectively reducing noise from train operations. Such procedures include: inspecting rail car wheels to maintain wheels in good working order and minimize the development of wheel flats; inspecting new and existing rail for rough surfaces and, where appropriate, grinding these surfaces to provide a smooth rail surface during operations; Regularly maintaining locomotives, and keeping mufflers in good working order; and Removing or consolidating switches determined by CSXT to no longer be needed.	Ongoing		CSXT currently lubricates curves on lines that run adjacent to the Eladon Subdivision. If necessary to reduce noise and wear, CSXT will lubricate curves on the Eladon Subdivision. CSXT currently complies with other procedures which include: inspecting rail car wheels to maintain wheels in good working order and minimize the development of wheel flats; inspecting new and existing rail for rough surfaces and, where appropriate, grinding these surfaces to provide a smooth rail surface during operations; Regularly maintaining locomotives, and keeping mufflers in good working order; and Removing or consolidating switches determined by CSXT to no longer be needed.
VM 41	To minimize noise and vibration, CSXT will install and maintain rail and rail beds according to AREMA standards.	Ongoing		CSXT's capital improvement plan for the line includes replacing jointed rail with the installation of welded rail. The welded rail will reduce vibration and noise along the line. Any complaints of excessive noise will be handled through the Community Liaison on an individual basis.
VM 42	CSXT will comply with FRA regulations establishing decibel limits for train operations.	Ongoing		Every locomotive built after October 29, 2007 must not have an average noise level above 85dB. The OEM is responsible for testing and ensuring that the locomotives meet this standard out of the factory. CSXT performs a one time test on train hns to ensure they meet FRA guidelines.
VM 43	Upon request, CSXT will consult with communities affected by wheel squeal at existing locations on the Line, and cooperate in determining the most appropriate methods for implementing VM 40.	Ongoing		CSXT will install rail greasers in an effort to minimize wheel squeal and excessive track wear at requested locations. CSXT already incorporates this solution on adjacent lines to the Eladon subdivision..
VM 44	In addition to VM 17, all of CSXT's informational materials concerning railroad safety will be provided to elementary, middle, and high schools within 0.5 miles of the Line in both English and Spanish, upon request.	Upon request		Materials are available and ready to be distributed upon request. An informational letter dated May 25, 2013, notifying schools of the availability of the program has been mailed to the schools within .5 miles of the line.
VM 45	CSXT will submit quarterly reports to the board's Office of Environmental Analysis on the progress of, implementation of, and compliance with the mitigation measures for a period covering the first 3 years of operational changes associated with the proposed transaction.	Ongoing for three years		CSXT is prepared to file quarterly reports with the STB per the voluntary mitigation guideline beginning on September 30, 2013, and every three months thereafter until June 30, 2016.

VN 46	Within 3 years of acquisition by CSXT, if there is a material change in the facts or circumstances upon which the Board relied in imposing specific environmental mitigation conditions, and upon petition by any party who demonstrates such material change, the Board may review the continuing applicability of its final mitigation, if warranted.	Ongoing for three years		CSXT is dedicated to operating trains as safely and as efficiently as possible. CSXT will comply with all mitigation measures and understands the Board may review the continuing applicability of its final mitigation.
MM 1.	CSXT shall comply with all voluntary mitigation measures.			
MM2	In addition to VN 37, to further assist with the timely response of emergency service providers for the Advocate Christ Medical Center and the Little Company of Mary Hospital, CSXT shall consult with all appropriate agencies and hospitals to install a closed-circuit television system (CCTV) with video cameras (or another comparable system or acceptable option) so that the movement of trains can be predicted at the 95th Street highway/rail at-grade crossing. CSXT shall pay for the necessary equipment, the installation of the equipment, and equipment training for up to two individuals from each affected hospital. CSXT shall work with all appropriate agencies and hospitals to determine specifications and scheduling for the installation of the CCTV system. CSXT shall be responsible for the ongoing maintenance and operation of CCTV after the system is installed and operational.			CSXT is in the process of working with Evergreen Park on the installation of a closed circuit camera at the crossing. CSXT has provided the design plans for the camera to Evergreen Park and are awaiting a response from the community.
MM 3	In response to concerns raised by the South Suburban Mayors and Managers Association (SSMMA), the City of Blue Island (one of the many communities represented by SSMMA), the IDOT, and Metra on potential noise impacts and impacts to commuter train service as a result of the Proposed Transaction, CSXT shall negotiate with SSMMA, IDOT, and Metra with the goal of addressing these groups' concerns to the extent practicable regarding transaction-related noise and impacts to commuter rail service. In particular, negotiations should focus on transaction-related potential impacts to Metra's Rock Island District, Electric District, South-west Service (SWS) Line, and the proposed Southwest Service (SES) Line; as well as the feasibility of establishing quiet zones in communities along the Elkhon Line that would be affected by noise as a result of the Proposed Transaction.			CSXT continues to work with local legislators and support State funding to expand the Blue Island Quiet Zones.
MM 4	In response to concerns raised regarding noise, emergency response, and other issues, CSXT shall, prior to initiating the operational changes associated with the Proposed Transaction and for a period of one year following the start-up of operations on the Elkhon Line, establish a Community Liaison to consult with affected communities, businesses, and appropriate agencies; develop cooperative solutions to local concerns; be available for public meetings; and conduct periodic outreach. CSXT shall provide the name and phone number of the Community Liaison to elected public officials and community leaders in each community through which the rail line passes, including segments GTW-41 through GTW-46 on the Elkhon Line, and the U.S. Environmental Protection Agency's Environmental Justice Coordinator, the Illinois Environmental Protection Agency's Region 5 Environmental Justice Coordinator, and the City of Chicago's Affordable Chicago Program.		Complete as of May 29, 2013	Prior to initiating the operational changes associated with the Proposed Transaction CSXT has established a Community Liaison to consult with affected communities, businesses, and appropriate agencies; develop cooperative solutions to local concerns; be available for public meetings; and conduct periodic outreach. CSXT sent notification to all required parties of the Community Liaison's name and contact information.