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**Public Utilities
Commission of Ohio**

Memo

To: Docketing Division
From: Leah Thomas-Dalton, Chief, Rail Division
Re: CSX Transportation – Alleged excessive growth of weeds and vegetation in the vicinity of CSX Columbus Terminal, Franklin County.
Date: August 14, 2012
Case No. 12-2316 RR-CSS

Please docket the attached letter filed by the Ohio State Legislative Board, United Transportation Union. The letter is filed against CSX Transportation. It is recommended that copies be served on:

Mr. Stuart Gardner, Chairman, Chairman & State Legislative Director, Ohio State Legislative Board, United Transportation Union, Suite 245, Columbus, Ohio 43229-3552

Mr. Rusty Orben, State Relations, CSX Transportation, 88 E. Broad Street, Columbus, Ohio 43215

Ms. Rachel Parker, Legal Intake, CSX Transportation, 500 Water Street, J150, Jacksonville, FL 32202

Mr. Thomas C. Wood Designated Agent Legal Counsel, 501 Morrison Road. Suite 203, Gahanna, Ohio 43230

In the absence of a railroad answer within fifteen (15) days, the Rail Division will arrange to investigate this complaint and file a written report of its findings.

C: PUCO Inspector Jeff Casto

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OHIO STATE LEGISLATIVE BOARD



United Transportation Union

LO-038

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JHC

12-2316-RR-CSS

August 10, 2012

The Public Utilities Commission of Ohio
180 East Broad Street, 5th Floor
Columbus, OH 43215-3793

ATTENTION: Ms. Leah Thomas-Dalton, Chief
Transportation Department
Railroad Division

Gentlemen:

The Ohio State Legislative Board, United Transportation Union, representing Ohio railroad employees wishes to file a weed and vegetation complaint (Ohio Administrative Codes 4901-5-05 and 4901-5-07) against CSX Transportation (CSXT), which railroad is subject to regulation under Chapters 4905 and 4907 of the Revised Code.

In conducting its railroad operation in the vicinity of Columbus, Franklin County, Ohio, at the CSX Columbus Terminal, located at 2600 Parsons Avenue, said company has permitted unsafe and hazardous conditions to arise due to the excessive growth of weeds and vegetation on its property at the following location:

At the west end of the New Yard in the Columbus Terminal:

12 New Yard: This track has weeds and vegetation in areas about three (3) car lengths to (5) car lengths off the New Yard Lead. Weeds and vegetation stand at least knee high and up to head high and growing in different degrees of thickness.

An attempt to correct these conditions was made two weeks ago by the engineering department. A gentleman came to the location and sprayed weed killer. He explained he could not cut the weeds with his weed whacker due to the thickness of the stems. Within 30 minutes of his spraying it rained for the next 3 hours. This made the effect of the weed killer diminished. Later in the day the gentleman returned and corrected the weed problem at another location, but did nothing else in 12 New Yard.

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The Public Utilities Commission of Ohio
ATTENTION: Ms. Leah Thomas-Dalton
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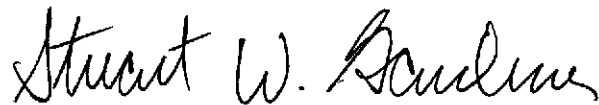
These conditions have been pointed out to local management for weeks, but the weeds and vegetation have not been corrected. As of August 6, 2012, the weeds and vegetation are still standing.

By its failure to establish or maintain an adequate vegetation control program early in the season, it is now endangering the railroad employees required to use this area in the performance of their required duties.

It is requested that an investigation be conducted, under Section 4907.08, to determine if this railroad at the above location is in violation of your Commission's "Weed Order." If excessive growth is found, then an appropriate and timely order should be issued to require the elimination of the growth and the establishment of a vegetation control program to prevent the recurrence of such unsafe conditions.

No additional information was received.

Respectfully submitted,



STUART W. GARDNER, Chairman
& State Legislative Director
Ohio State Legislative Board
United Transportation Union
Suite 245
2021 East Dublin Granville Road
Columbus, OH 43229-3522

SWG/jvs

cc: Mr. Malcolm B. Futhey, Jr.,
International President, UTU

CSX Transportation, Inc. (Sent Certified Mail)
ATTN: Legal Intake and Rachel C. Parker, CP, FRP
500 Water Street, J150
Jacksonville, FL 32202

Mr. Rusty Orben, State Relations
CSX Transportation, Inc.
88 East Broad Street, Rm. 1540
Columbus, OH 43215

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Designated UTU Legal Counsel
501 Morrison Road, Suite 203
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