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PUBLIC UTILITIES COMMISSION OF OHIO
TRANSPORTATION DEPARTMENT
RAILROAD DIVISION

INTEROFFICE MEMORANDUM

To: Docketing

From: Robert E. Marvin, Director *REM*

Subjects: -- WV 175-01-2 -- Alleged excessive growth of weeds and vegetation,
C&N Subdivision on the Louisville Division between Mileposts BP 130
and 133, Columbus, Franklin County, Ohio, CSX Transportation.

Date: January 22, 2002

Please docket the attached letter filed by the Ohio State Legislative Board, United Transportation Union. This complaint is filed pursuant to Rule 4901-5-22, O.A.C.

This complaint is filed against CSX Transportation. It is recommended that copies be served on R. A. Neff, Assistant Division Engineer, CSX Transportation, 3601 Geringer Avenue, Cincinnati, OH 45233 and William J. Thompson, Chairman, Ohio State Legislative Board, United Transportation Union, 2021 East Dublin-Granville Road, Suite 245, Columbus, OH 43229.

In the absence of a railroad answer within fifteen (15) days, the Railroad Division will arrange to investigate these complaints and file written reports of its findings.

c: Will Johnson
File

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Telephone: (614) 847-0011

FAX: (614) 847-0081

Suite 245, 2021 East Dublin-Granville Road, Columbus, Ohio 43229-3522

January 4, 2002

The Public Utilities Commission of Ohio
180 East Broad Street, 5th Floor
Columbus, OH 43266-0573

ATTENTION: Mr. Robert E. Marvin, Director
Transportation Department
Railroad Section

Gentlemen:

The Ohio State Legislative Board, United Transportation Union, representing Ohio railroad employees wishes to file a weed and vegetation complaint (Ohio Administrative Code 4901-5-22) 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, Ohio, said company has permitted unsafe and hazardous conditions to arise due to the excessive growth of weeds and vegetation on its C&N Subdivision on the Louisville Division between Mileposts BP 130 and BP 133, at the following locations:

1. Thick weeds and brush are creating hazardous conditions on both sides of the track from the switch leading into Warehouse Service, off the West Port Siding at Milepost 133.7, to the first switch in the industry. Warehouse Service, 600 North Cassady Avenue, Columbus, Ohio 43219.

Directions: This industry can be reached by taking the East 5th Avenue exit from I-670 and heading east. Turn right on Cassady Avenue and the industry is a short distance on the left side of the street. Contact Mr. Don Pullins (614/252-5233) and he will take you to this industry that is located in the back of this warehouse complex. See enclosed map for more details.

2. Thick weeds, 2 and 3 feet high, are along the north side of the lead going into Royster Clark, Inc., from the switch off Rockwell Lead at Milepost BP 132. Royster Clark Inc./James Road Team Track, 3355 East 5th Avenue, Columbus, Ohio 43219.

WV 175-02-2
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RAILROAD SECTION
Public Utilities Commission of Ohio

The Public Utilities Commission of Ohio
ATTENTION: Mr. Robert E. Marvin
January 4, 2002
Page 2

Directions: This industry can be reached by taking the East 5th Avenue exit from I-670 and heading east. The industry is on the right hand side of street. After turning into the industry drive, there is a dirt road on the left that will lead you to this area. See enclosed map for more details.

3. On the REW Lead, there are weeds 2 and 3 feet high along both sides of this lead from the switch off the Rockwell Lead back to the industries, at Milepost BP 132. REW Lead, off the Rockwell Lead/East Port Siding/Milepost BP 132/CN Subdivision/Louisville Division.

Directions: This track can be reached by taking the East 5th Avenue exit from I-670 and heading east. Turn into Royster Clark, Inc., 3355 East 5th Avenue. The industry is on the right hand side of street. After turning into the industry drive, there is a dirt road on the left that will lead you to this area. See enclosed map for more details.

4. At Canam Steel, there are weeds 2 to 3 feet high along the north side of the rail from the switch off the Weyerhaeuser Lead, East Port Siding, at Milepost BP 131. Canam Steel, 555 North Yearling Road, Columbus, Ohio 43213.

Directions: This track can be reached by taking the East 5th Avenue exit from I-670 and heading east. Turn into IXL Cabinets Factory Direct Showroom 4331 East 5th Avenue. This company is on the right hand side of street. After turning into this company follow their drive around to the back of the building. There is a dirt road off the back of the lot that will lead you to this area. See enclosed map for more details.

5. Along the north side of the rail from the switch on the Weyerhaeuser Lead going for about five (5) car lengths, the weeds are 3 feet high and on the Weyerhaeuser Lead, about seven (7) car lengths from the crossover from the East Port Siding switch, there are weeds on the north side of the rail. Also, about eight (8) car lengths outside the gate leading into Weyerhaeuser Lumber, there are weeds along the south side of the rail. Weyerhaeuser Lead, off the East Port Siding/Milepost BP 131/CN Subdivision/Louisville Division.

Direction: Take the East 5th Avenue exit from I-670 and heading east. Turn right on Yearling Road and after a short distance you will come to the road crossing. The first track is the Weyerhaeuser Lead. Walk east (left) down the track and the second switch that you come to is the crossover switch (the first switch leads to a closed industry). This will take you to the first two locations.

The Public Utilities Commission of Ohio
ATTENTION: Mr. Robert E. Marvin
January 4, 2002
Page 3

You can also reach the third location from here - it's farther down at the end of the track. See enclosed map for more details.

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.

Respectfully submitted,

William J. Thompson / JAS

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

WJT/B/jvs

cc: Mr. Byron A. Boyd, Jr.,
International President, UTU
Mr. A. F. Crown, CSXT Designated Agent (Sent Certified Mail)
File

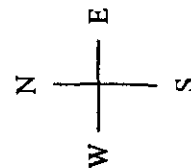
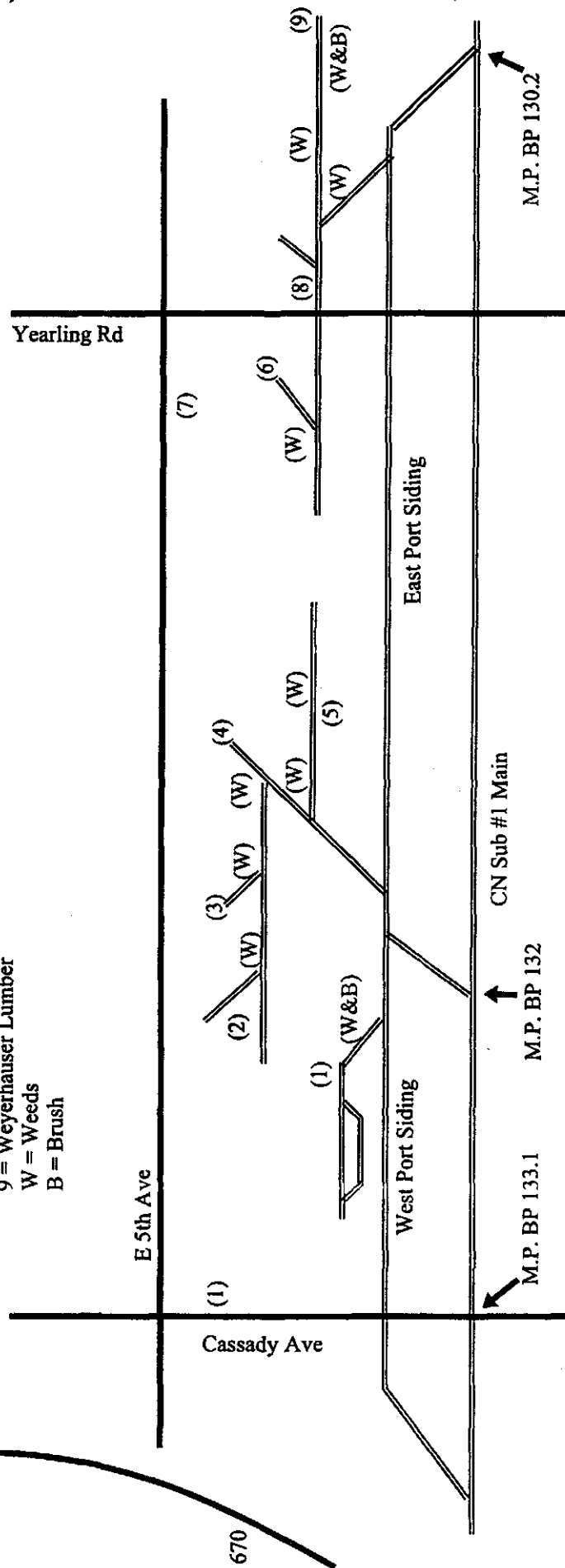
Mr. Thomas C. Wood
Designated UTU Legal Counsel
501 Morrison Road, Suite 203
Gahanna, OH 43230

Enclosure

Legend:

- 1 = Warehouse Service
- 2 = Royster Clark
- 3 = James Rd. Team Track
- 4 = Rockwell Lead
- 5 = REW Lead
- 6 = Canam Steel
- 7 = IXL Cabinets
- 8 = Weyerhaeuser Lead
- 9 = Weyerhaeuser Lumber
- W = Weeds
- B = Brush

Road = 
 Rail = 



This map has not been drawn proportionately or in scale.