

Dennison man appears on TV

Rail removal is labeled unconstitutional

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A retired railroad worker from Dennison said Sunday on a Wheeling television station's public affairs program that a federal law regulating the removal of federally-owned rail lines is unconstitutional.

Wade McGuire of Spring St. Ext., participating in a panel discussion on WTRF-TV's "Channel 7 Reports," said federal laws allow Conrail to abandon or downgrade its lines without providing due process of law to persons who rely on the facilities.

Conrail says many of its lines must be downgraded or removed to comply with a federal law ordering the company to become profitable.

THE TOPIC OF Sunday's program was the downgrading of the Panhandle line running from Pittsburgh to Columbus and the potential abandonment of smaller connecting lines. The Panhandle serves

Tuscarawas, Harrison and Coshocton counties.

Also participating in the discussion, which was video-taped last Monday, were Steve Paesani, president of the Ohio Valley Unemployment Committee, and Bob Olexo, Belmont County commissioner.

McGuire explained that the Northeast Rail Service Act of 1981 temporarily allowed Conrail to abandon lines without a hearing before the Interstate Commerce Commission as normally is required. He added the NRSA does not allow concerned persons to appear before the ICC and contest Conrail's reasons for abandoning the lines.

"NRSA has denied anybody interested in rail service due process of law," he claimed.

Pat Gaughan, WTRF-TV public affairs director and moderator for the discussion, said Conrail has sent information concerning abandonments to persons who would be affected. He added that Conrail

officials believe they are operating according to federal law.

PAESANI EXPLAINED that Conrail has proposed abandoning two secondary line segments near Wheeling, adding that the removals will hinder efforts to attract more industry to that area.

Olexo pointed out that an industry interested in locating in Belmont County decided against the venture because a rail line owned by the Chessie System was being removed. He and Paesani said federal laws need to be studied to determine if there are means of preventing Conrail from altering any more of its lines.

WTRF officials invited Conrail representatives to appear on the program, Gaughan said. Conrail's media relations department declined the invitation, but sent information outlining the company's line abandonment program, he added.

Congress has extended the NRSA, originally intended to expire last fall. Under the act, Conrail was required to show a

profit by 1983. Failure would have resulted in the company being sold in pieces rather than as a whole. The requirement is part of President Ronald Reagan's promise to remove the federal government from the railroad industry.

McGUIRE IS part of an area coalition that attempted to prevent Conrail from removing one line of the Panhandle's double track system running from Newark to Mingo Junction. The proposed plan included the removal of automatic safety signals, which warn a train engineer of problems on the track. The Federal Railroad Administration granted Conrail permission to proceed with the downgrading last October.

Opponents argued that Conrail has routed traffic off the Panhandle to make it appear unprofitable. They also said the track should be preserved because it has been designated as part of a national defense rail network.

Conrail has said that downgrading the Panhandle is warranted because of unprofitable levels of traffic on the line.