

237308

**BAKER & MILLER PLLC**

ATTORNEYS and COUNSELLORS  
2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037  
TELEPHONE: (202) 663-7820  
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ENTERED  
Office of Proceedings  
December 22, 2014  
Part of  
Public Record

WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)  
E-Mail: [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com)

December 22, 2014

**BY HAND DELIVERY**

Cynthia T. Brown, Chief  
Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington DC 20423-0001

Re: *Greenville County Economic Development Corporation – Abandonment  
Exemption - In Greenville County, SC, STB Docket No. AB-490 (Sub-No.  
2X)*

Dear Ms. Brown:

Pursuant to 49 C.F.R. Part 1152, Subpart F – Exempt Abandonments and Discontinuances of Service and Trackage Rights, enclosed are an original and 11 copies of a verified abandonment notice of exemption for the abandonment of a rail line owned by Greenville County Economic Development Corporation. A check in the amount of \$3,800.00 is enclosed to cover the applicable filing fee.

Please acknowledge receipt and filing of this notice of exemption by date stamping the enclosed eleventh copy and returning it to the courier for return to me.

Sincerely,



William A. Mullins  
Attorney for Greenville County Economic  
Development Corporation

Enclosures

cc: Mark Tollison

FILED  
December 22, 2014  
Surface Transportation Board

FEE RECEIVED  
December 22, 2014  
Surface Transportation Board

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-490 (Sub-No. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
– ABANDONMENT EXEMPTION –  
IN GREENVILLE COUNTY, SC**

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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**William A. Mullins  
Crystal M. Zorbaugh  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW  
Suite 300  
Washington, DC 20037  
Tel: (202) 663-7820  
Fax: (202) 663-7849**

**December 22, 2014**

**Attorneys for Greenville County Economic  
Development Corporation**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-490 (Sub-No. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
– ABANDONMENT EXEMPTION –  
IN GREENVILLE COUNTY, SC**

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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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Greenville County Economic Development Corporation<sup>1</sup> (“GCEDC”) hereby submits a verified notice of exemption pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances of Service and Trackage Rights) for GCEDC to abandon approximately 3.29 miles of rail line (hereinafter, the “Line”) located in Greenville, County SC. The Line extends from milepost AJK 585.34 in East Greenville, SC, to milepost AJK 588.63 in Greenville, SC. The entire line is located in Greenville County, South Carolina. The Line traverses United States Postal Zip Code territory 29607. There are no customers served on the subject line segment, and the Line has been out of service for over ten years.

In accordance with the requirements of 49 C.F.R. §§ 1152.50(b) and (d), GCEDC provides the following information in support of this notice of abandonment:

**Certification: 49 C.F.R. § 1152.50(b)**

GCEDC certifies that the Line satisfies the criteria for abandonment under the exemption provisions at 49 C.F.R. part 1152, subpart F. See Certification of Mark Tollison, Greenville

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<sup>1</sup> GCEDC is a public benefit non-profit corporation organized and existing under the laws of the State of South Carolina. GCEDC was created by the County of Greenville, South Carolina for the purpose of owning, leasing, constructing, acquiring and when possible operating buildings, equipment, public utilities, and transportation services and facilities functionally related to the promotion of the economic development of Greenville County.

County Attorney (Exhibit A). The Line was previously the subject of a 2005 abandonment and discontinuance proceeding. In that proceeding, GCEDC filed for and was granted discontinuance authority for the 3.29-mile rail line currently proposed for abandonment. Since 2005, GCEDC has provided no local or overhead common carrier service over the Line, nor has it received any requests for common carrier service over it.<sup>2</sup>

**Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)**

The proposed abandonment will be consummated on or after February 10, 2015 (50 days after filing the notice of exemption).

**Additional Information Required: 49 C.F.R. §§ 1152.22(a)(1)-(4), (7)-(8) and (e)(4)**

Exact name of applicant (49 C.F.R. § 1152.22(a)(1)):

Greenville County Economic Development Corporation

Whether applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

GCEDC is a common carrier by railroad subject to the Board's jurisdiction under 49 U.S.C. Subtitle IV.

Relief sought (49 C.F.R. § 1152.22(a)(3)):

GCEDC hereby invokes the Board's two-year-out-of-service class exemption procedures to abandon approximately 3.29 miles of rail line located in Greenville County, South Carolina. The Line extends from milepost AJK 585.34 in East Greenville, SC, to milepost AJK 588.63 in Greenville, SC. All of the track is located in Greenville County, South Carolina. The Line traverses United States Postal Zip Code territory 29607. There are no customers served on the subject line segment, and the line has been out of service for over ten years.

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<sup>2</sup> See Greenville County Economic Development Corporation – Abandonment and Discontinuance Exemption – In Greenville County, SC, STB Docket No. AB-490 (STB served October 12, 2005).

Map (49 C.F.R. § 1152.22(a)(4)):

A detailed map showing the location of the Line is attached hereto as Exhibit B.

Applicant's representatives (49 C.F.R. § 1152.22(a)(7)):

GCEDC's representatives to whom correspondence regarding this proceeding should be sent is as follows:

William A. Mullins  
Crystal M. Zorbaugh  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW, Suite 300  
Washington, DC 20037  
Tel: (202) 663-7820  
Fax: (202) 663-7849

USPS ZIP codes (49 C.F.R. § 1152.22(a)(8)):

The Line is located in the following United States Postal Zip Code territory: 29607.

Suitability of the Line for Other Public Purposes (49 C.F.R. § 1152.22(e)(4)):

In GCEDC's opinion, the right -of -way is suitable for alternative public use. Upon receiving abandonment authority, GCEDC will salvage rail and track materials from the Line. GCEDC anticipates entering into an agreement with a willing trail user to preserve the rail corridor for possible future reactivation as a freight, commuter or passenger railroad. The Line does not contain federally-granted right-of-way. As appropriate, GCEDC is willing promptly to make available any information in its possession to anyone so requesting it.

**Labor Protection**

Because the Line has been out of service for over ten years, no railroad employees will be adversely affected by exercise of abandonment authority. Nevertheless, the interests of GCEDC employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions set forth in Oregon Short Line R. Co – Abandonment – Goshen, 360 I.C.C. 91 (1979).

**Certifications**

Attached hereto as Exhibit C are Certificates of Service and Publication certifying compliance with the advance notice and newspaper publication requirements set forth at 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as part of Exhibit D is a certificate of compliance with the advance notice requirements for Environmental and Historic Reports as set forth at 49 C.F.R. § 1105.11.

**Environmental and Historic Report**

As is reflected in the certificate of compliance with the provisions of 49 C.F.R. § 1105.11 (see Exhibit D), GCEDC has prepared a combined Environmental and Historic Report (“E&HR”) in anticipation of the proposed abandonment of the Line, which conforms to the requirements of 49 C.F.R. §§ 1105.7 and 1105.8. A copy of the E&HR is attached hereto as Attachment 1 to Exhibit D (§ 1105.11 certification).

Respectfully submitted,



William A. Mullins  
Crystal M. Zorbaugh  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW  
Suite 300  
Washington, DC 20037  
Tel: (202) 663-7820  
Fax: (202) 663-7849

December 22, 2014

Attorneys for Greenville County Economic  
Development Corporation

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-490 (Sub-No. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
– ABANDONMENT EXEMPTION –  
IN GREENVILLE COUNTY, SC**

---

**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**VERIFICATION**

Verification

I, Mark Tollison, Attorney for Greenville County, hereby verify under penalty of perjury that to the best of my knowledge the foregoing abandonment notice of exemption is true and correct. Further, I certify that I am qualified and authorized to make such verification on behalf of Greenville County Economic Development Corporation in connection with this proceeding before the Surface Transportation Board.

Executed this 19<sup>th</sup> day of December, 2014



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Mark Tollison  
Attorney for Greenville County

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB Docket No. AB-490 (Sub-No. 2X)**

---

**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
– ABANDONMENT EXEMPTION –  
IN GREENVILLE COUNTY, SC**

---

**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**EXHIBIT A**

**GCEDC CERTIFICATION**

**CERTIFICATION**

STATE OF SOUTH CAROLINA:

ss:

GREENVILLE COUNTY

Mark Tollison makes oath and says that he is an Attorney for Greenville County; that the rail line between Mileposts AJK 585.34 and AJK 588.63, over which service is to be abandoned, has not had any local or overhead traffic moved over it in at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the previous two-year period.

  
Mark Tollison

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB Docket No. AB-490 (Sub-No. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
– ABANDONMENT EXEMPTION –  
IN GREENVILLE COUNTY, SC**

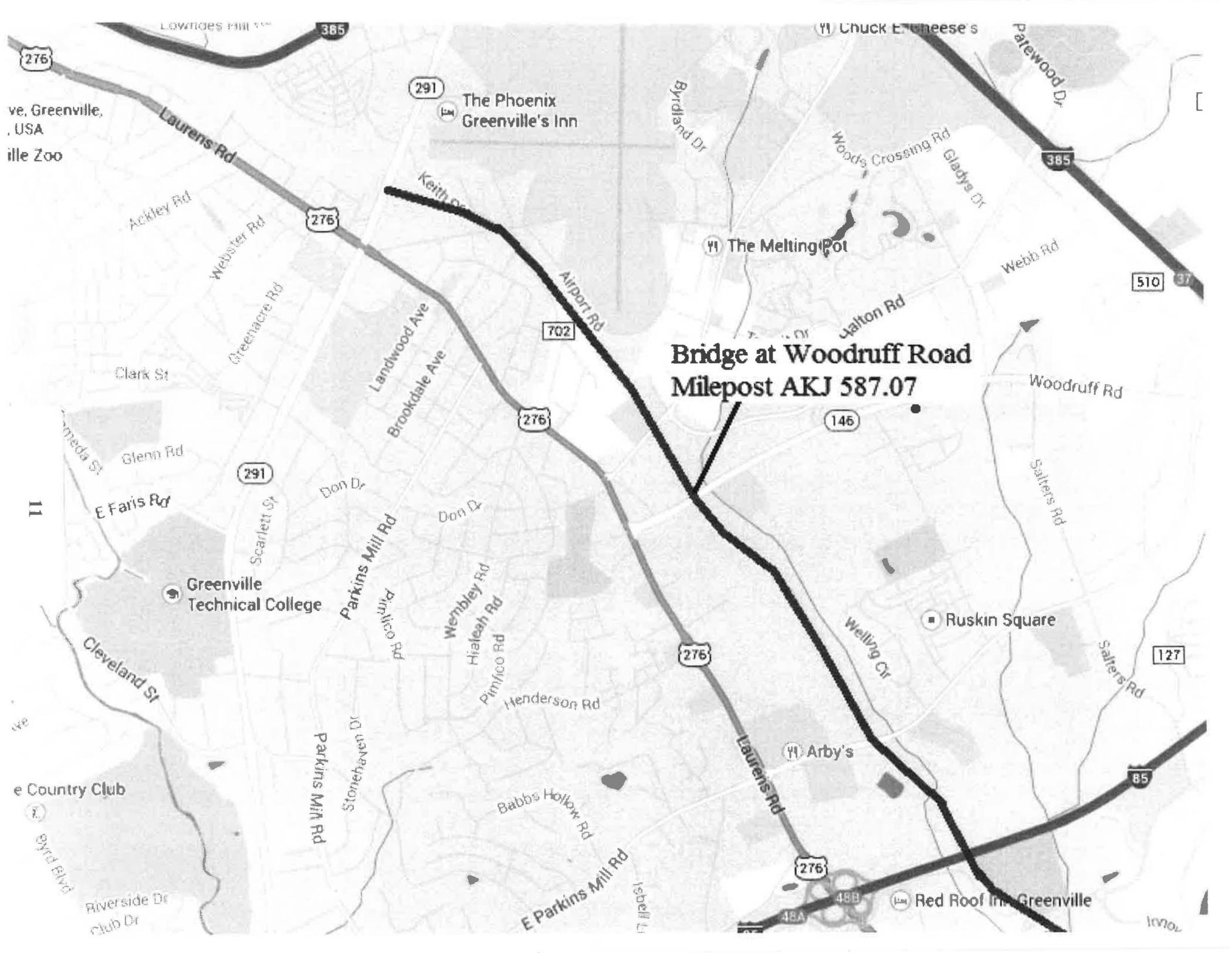
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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**EXHIBIT B**

**MAP**



**Bridge at Woodruff Road  
Milepost AKJ 587.07**

ve, Greenville,  
. USA  
ille Zoo

The Phoenix  
Greenville's Inn

The Melting Pot

Greenville  
Technical College

Ruskin Square

Arby's

Red Roof Inn Greenville

e Country Club

Byrd Blvd

Riverside Dr  
Club Dr

Lowndes Hill

Chuck E. Cheese's

Patwood Dr

Bryland Dr

Wood's Crossing Rd  
Gladys Dr

Webb Rd

Salton Rd

Woodruff Rd

Salter's Rd

Salter's Rd

Welling Cir

Babbs Hollow Rd

E Parkins Mill Rd

Stonehaven Dr

Parkins Mill Rd

Wembley Rd  
Hialeah Rd  
Pimlico Rd

Parkins Mill Rd

Scarlett St

Don Dr

Don Dr

Clark St

Glenn Rd

E Faris Rd

Camada St

Ackley Rd

Webster Rd

Greenmore Rd

Landwood Ave  
Brookdale Ave

702

276

276

276

85

127

146

510

37

276

291

276

385

385

II

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**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-490 (Sub-No. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
– ABANDONMENT EXEMPTION –  
IN GREENVILLE COUNTY, SC**

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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**EXHIBIT C**

**CERTIFICATES OF SERVICE/PUBLICATION**

**Certificate of Service of Advance Notice**

**49 C.F.R. § 1152.50(d)(1) – Notice**

I certify that in keeping with 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with the written notice of the intent of Greenville County Economic Development Corporation to invoke the Board’s notice of exemption procedures to abandon approximately 3.29 miles of rail line located in Greenville County, South Carolina at least 10 days prior to filing of GCEDC’s Notice of Exemption.

**Public Service Commission, *et al.***

Public Service Commission of South Carolina  
101 Executive Center Dr., Suite 100  
Columbia, SC 29210

South Carolina Department of Transportation  
Headquarters Office  
P.O. Box 191  
Columbia, SC 29202

**Department of Defense (Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program)**

David Dorfman  
SDDC TEA  
Railroads for National Defense  
Attn: MTT-SA  
709 Ward Dr., Bldg. 1990  
Scott AFB, IL 62225

**The National Park Service, Recreation Resources Assistance Division**

Charlie Stockman  
National Park Service  
Rivers & Trails Conservation Program  
1201 Eye Street, NW, 9th Floor (Org. Code 2220)  
Washington, D.C. 20005

**U.S. Department of Agriculture, Chief of the Forest Service**

Thomas L. Tidwell, Chief  
Forest Service  
U.S. Department of Agriculture  
Sidney R. Yates Federal Building  
201 14th Street SW  
Washington, DC 20024  
(202) 205-8439  
S/W Sandy Berg, Office Manager

December 22, 2014



William A. Mullins  
Attorney for Greenville County Economic Development  
Corporation

**Certificate of Newspaper Publication**

**49 C.F.R. § 1105.12 – Newspaper Notice**

I certify that a “Notice of Intent to Abandon Rail Service” was published in the form prescribed by the Board for abandonment notices of exemption (49 C.F.R. § 1105.12). The notice was published one time on November 28, 2014, in The Greenville Journal, a newspaper of general circulation in Greenville County, South Carolina.

December 22, 2014



William A. Mullins  
Attorney for Greenville County Economic Development  
Corporation

# LEGAL NOTICES

THE DESIGNATED LEGAL PUBLICATION FOR GREENVILLE COUNTY, SOUTH CAROLINA

SUMMONS AND NOTICE OF and such application will be

At the Heart of Our Co

**NOTICE OF INTENT TO  
ABANDON RAIL SERVICE  
STB DOCKET NO. AB-490  
(SUB-NO. 2X)**

Greenville County Economic Development Corporation ("GCEDC") gives notice that on or about December 5, 2014, it intends to file with the Surface Transportation Board ("Board"), Washington, DC 20423, a notice of exemption under 49 C.F.R. Part 1152, Subpart F - Exempt Abandonments, permitting GCEDC to abandon approximately 3.29 miles of rail line (referred to herein as the "Line") extending from milepost AJK 585.34 in East Greenville, SC to milepost AJK 588.63 in Greenville, SC. The entire line is located in Greenville County, South Carolina. The Line traverses United States Postal Zip Code territory 29607. The proceeding has been docketed as STB Docket No. AB-490.

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public. Such comments will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to OEA, Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423, or by calling that office at (202) 245-0295. Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail easements use 3850 can be filed with the Board. An original and 10 copies of any pleading

that raises matters other than environmental issues (such as trails, public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423 [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 C.F.R. § 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0230. Copies of any comments or requests for specific Board action should be served on the applicant's representative: William A. Mullins, BAKER & MILLER P.L.L.C., 2401 Pennsylvania Ave., N.W., Suite 300, Washington, DC 20037; phone: 202-663-7820; fax 202-663-7849.

The proposed action entails the abandonment of rail service

*The Greenville Journal*  
581 Perry Avenue  
Greenville, SC, 29611

**November 28, 2014**

To whom it may concern:

The attached Public Notice was published on the following dates:

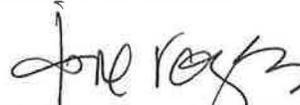
**November 28, 2014**

**Affidavit of Publication:**

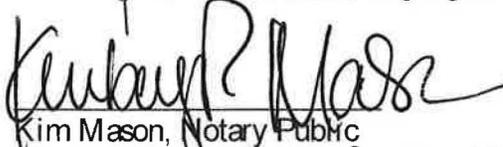
**State of South Carolina  
County of Greenville**

Before me, a Notary Public, personally appeared, Jane Rogers, who after being sworn, deposes and says: That she is the Legal Advertising Agent of The Greenville Journal and that the listed ads were printed and published in said newspaper on the dates listed.

The Greenville Journal



Jane Rogers, Legal Advertising Agent



Kim Mason, Notary Public

My Commission Expires 8.22.17

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-490 (Sub-No. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
– ABANDONMENT EXEMPTION –  
IN GREENVILLE COUNTY, SC**

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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**EXHIBIT D**

**CERTIFICATE OF COMPLIANCE WITH  
ENVIRONMENTAL AND HISTORIC REPORT  
REQUIREMENTS**

Environmental and Historic Report Certificate of Service

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-490 (Sub-No. 2X) was mailed via first class mail on November 13, 2014 to the following parties:

State Clearinghouse  
1201 Main Street, Suite 950  
Columbia, SC 29201

S.C. Department of Health & Environmental  
Control  
2600 Bull Street  
Columbia, SC 29201

South Carolina Department of Natural  
Resources  
Rembert C. Dennis Building,  
1000 Assembly Street  
Columbia, SC 29201

South Carolina Ocean and Coastal  
Resources Management  
1362 McMillan Avenue Suite 400  
Charleston, SC 29405

Upstate EQC Greenville  
200 University Ridge  
Greenville, SC 29601

Joseph Kernell, County Administrator  
301 University Ridge  
Suite 2400  
Greenville County Square  
Greenville, SC 29601

Greenville County Council  
301 University Ridge  
Suite 2400  
Greenville SC 29601

U.S. Army Corps of Engineers  
69A Hagood Avenue  
Charleston, SC 29403

Knox White, Mayor  
P.O. Box 2207  
Greenville, SC 29602-2207  
[Mayor@greatergreenville.com](mailto:Mayor@greatergreenville.com)

United States Environmental Protection  
Agency - Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303-8960

Cindy Dohner, Regional Director  
U.S. Fish & Wildlife Service  
1875 Century Boulevard, Suite 380  
Atlanta, GA 30345

NPS Southeast Regional Office  
Atlanta Federal Center  
1924 Building  
100 Alabama Street, SW  
Atlanta, Georgia 30303

USDA-NRCS South Carolina State Office  
Strom Thurmond Federal Building  
1835 Assembly Street, Room 950  
Columbia, SC 29201

NOAA, National Geodetic Survey  
1315 East-West Highway  
Silver Spring, MD 20910-3282

W. Eric Emerson, Ph.D., Director  
South Carolina State Historic Preservation  
Office  
South Carolina Preservation Officer  
8301 Parklane Road  
Columbia, SC 29223-4905

  
William A. Mullins  
November 13, 2014

**ATTACHMENT 1**  
**ENVIRONMENTAL AND HISTORIC REPORT**  
**INCLUDING SAMPLE TRANSMITTAL LETTER**

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820  
FACSIMILE: (202) 663-7849

William A. Mullins

Direct Dial: (202) 663-7823  
E-Mail: [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com)

November 13, 2014

Upstate EQC Greenville  
200 University Ridge  
Greenville, SC 29601

Re: STB Docket No. AB-490 (Sub-No. 2X)  
Greenville County Economic Development Corporation – Abandonment  
Exemption - In Greenville County, SC

Dear Sir or Madam,

On or after December 5, 2014, Greenville County Economic Development Corporation (“GCEDC”) expects to file with the Surface Transportation Board, a notice of exemption seeking authority for GCEDC to abandon approximately 3.29 miles of rail line between milepost AJK 585.34 in East Greenville, SC, and milepost AJK 588.63 in Greenville, SC. The entire line is located in Greenville County, SC. Attached is an Environmental and Historic Report (“E&HR”), which describes the proposed action and any anticipated environmental and historic effects, and includes maps of the affected area.

We are providing this E&HR so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information in the E&HR appears to be misleading or incorrect, pertinent information appears to be missing, or you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423, or by calling that office at (202) 245-0295 and refer to Docket No. AB-490 (Sub-No. 2X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to me) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning

# **BAKER & MILLER PLLC**

Upstate EQC Greenville

November 13, 2014

Page 2

this E&HR, please contact me directly. I am GCEDC's representative in this matter. I can be contacted by telephone at (202) 663-7823, and by mail and by e-mail at the addresses shown above.

Sincerely,

A handwritten signature in black ink, appearing to read 'William A. Mullins', with a long horizontal flourish extending to the right.

William A. Mullins

Enclosure

cc: Mark Tollison

Environmental and Historic Report Certificate of Service

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-490 (Sub-No. 2X) was mailed via first class mail on November 13, 2014 to the following parties:

State Clearinghouse  
1201 Main Street, Suite 950  
Columbia, SC 29201

S.C. Department of Health & Environmental  
Control  
2600 Bull Street  
Columbia, SC 29201

South Carolina Department of Natural  
Resources  
Rembert C. Dennis Building,  
1000 Assembly Street  
Columbia, SC 29201

South Carolina Ocean and Coastal  
Resources Management  
1362 McMillan Avenue Suite 400  
Charleston, SC 29405

Upstate EQC Greenville  
200 University Ridge  
Greenville, SC 29601

Joseph Kernell, County Administrator  
301 University Ridge  
Suite 2400  
Greenville County Square  
Greenville, SC 29601

Greenville County Council  
301 University Ridge  
Suite 2400  
Greenville SC 29601

U.S. Army Corps of Engineers  
69A Hagood Avenue  
Charleston, SC 29403

Knox White, Mayor  
P.O. Box 2207  
Greenville, SC 29602-2207  
[Mayor@greatergreenville.com](mailto:Mayor@greatergreenville.com)

United States Environmental Protection  
Agency - Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303-8960

Cindy Dohner, Regional Director  
U.S. Fish & Wildlife Service  
1875 Century Boulevard, Suite 380  
Atlanta, GA 30345

NPS Southeast Regional Office  
Atlanta Federal Center  
1924 Building  
100 Alabama Street, SW  
Atlanta, Georgia 30303

USDA-NRCS South Carolina State Office  
Strom Thurmond Federal Building  
1835 Assembly Street, Room 950  
Columbia, SC 29201

NOAA, National Geodetic Survey  
1315 East-West Highway  
Silver Spring, MD 20910-3282

W. Eric Emerson, Ph.D., Director  
South Carolina State Historic Preservation  
Office  
South Carolina Preservation Officer  
8301 Parklane Road  
Columbia, SC 29223-4905

  
William A. Mullins  
November 13, 2014

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB DOCKET NO. AB-490  
(SUB-NO. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
- ABANDONMENT EXEMPTION - IN GREENVILLE COUNTY, SC**

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**COMBINED ENVIRONMENTAL AND HISTORIC REPORT**

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Greenville County Economic Development Corporation (“GCEDC”) submits this Combined Environmental and Historic Report (“E&HR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with the proposed abandonment of 3.29 miles of rail line between milepost AJK 585.34 in East Greenville, SC, and milepost AJK 588.63 in Greenville, SC.

**ENVIRONMENTAL REPORT**

**49 CFR §1105.7(e)(1):**

**(1) PROPOSED ACTION AND ALTERNATIVES**

**Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.**

**Response**

Greenville County Economic Development Corporation (“GCEDC”) seeks to abandon 3.29 miles of rail Line, between milepost AJK 585.34 in East Greenville, SC, and milepost AJK 588.63 (the “Line”) in Greenville County, SC.

This Line segment was previously the subject of a 2005 abandonment and discontinuance proceeding. In that proceeding, GCEDC filed for and was granted discontinuance authority for the 3.29-mile Line segment currently proposed for abandonment.<sup>1</sup>

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<sup>1</sup> See Greenville County Economic Development Corporation – Abandonment and Discontinuance Exemption – In Greenville County, SC, STB Docket No. AB-490 (STB served October 12, 2005).

No rail traffic has moved over the Line in more than ten years. GCEDC last used the Line for storage of rail cars in 2005. The alternative to abandonment is to not abandon the Line. This alternative is not satisfactory. Service over the Line is not required to serve any shippers. GCEDC would incur opportunity and other holding costs in connection with the retention of otherwise sellable real estate that would need to be covered by non-existent shippers were the Line segment to be retained. Despite service over the Line being available, since 2005, no shipper has made use of that service. Thus, GCEDC believes abandonment is the only feasible alternative.

If the requested authority is granted, GCEDC will salvage rail and track materials from the Line. GCEDC anticipates entering into an agreement with a willing trail user to preserve the rail corridor for possible future reactivation as a rail freight and commuter or high speed passenger Line. A map depicting the Line proposed for abandonment is attached as Exhibit 1.

**(2) TRANSPORTATION SYSTEM**

**Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.**

**Response**

The abandonment should have no effect on regional or local transportation systems and patterns, because the Line proposed for abandonment has been out of service for more than ten years. Accordingly, no diversion of traffic from rail to other modes is expected.

**(3) LAND USE**

**(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

**Response**

GCEDC is a public benefit non-profit corporation organized and existing under the laws of the State of South Carolina. GCEDC was created by the County of Greenville, South Carolina for the purpose of owning, leasing, constructing, acquiring and operating buildings, equipment, public utilities, and transportation services and facilities functionally related to the promotion of the economic development of Greenville County thus granting GCEDC the authority to acquire and preserve railroad rights-of-way and, if feasible, provide for operation. In 2005, GCEDC only applied for discontinuance authority over the Line segment, to allow for continued rail operations. However, no shippers have come forth in need of rail service. Accordingly, GCEDC is now seeking abandonment authority to allow GCEDC to enter into a trail use arrangement, which will allow for preservation of the rail corridor for possible future reactivation as a rail freight and commuter or high speed passenger Line, consistent with local land use plans. An example of the transmittal letter

sent to various consulting agencies is attached as Exhibit 2. A copy of this E&HR has been mailed to the appropriate local and state agencies for their information and further comment.

- (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.**

**Response**

GCEDC does not believe that the proposed abandonment will have any adverse impact on prime agricultural land. Some of the adjacent land may be used for agricultural purposes, but GCEDC does not anticipate that the proposed abandonment would have any adverse impact on prime agricultural lands. GCEDC has notified the United States Department of Agriculture (“USDA”) Natural Resources Conservation Service in Columbia, SC, by letter dated November 13, 2014 and has requested assistance in identifying any potential effects on prime agricultural land. An example of the transmittal letter sent to various consulting agencies is attached as Exhibit 2. A copy of this E&HR has been supplied to USDA for its information and comment.

- (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by §1105.9.**

**Response**

GCEDC does not believe that the Line traverses a designated coastal zone, and, thus, GCEDC understands that its proposed abandonment would not be subject to review in any applicable coastal zone management plan. GCEDC has notified the South Carolina Ocean and Coastal Resources Management (“SCOCR”), by letter dated November 13, 2014 to confirm that conclusion. An example of the transmittal letter sent to various consulting agencies is attached as Exhibit 2. A copy of this E&HR has been supplied to SCOCR for its information and comment.

- (iv) If the proposed action is an abandonment state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

**Response**

GCEDC believes that the right-of-way is appropriate for interim public use as a trail, and potentially in the future for commuter or high speed rail operations.

**(4) ENERGY**

- (i) Describe the effect of the proposed action on transportation of energy resources.**

**Response**

Traffic has not moved over the segment during GCEDC’s ownership. GCEDC is not aware of energy resources (*e.g.*, coal or petroleum products) having been transported on either segment prior to GCEDC’s purchase of the property. Accordingly, GCEDC does not

believe that transportation of energy resources will be affected.

**(ii) Describe the effect of the proposed action on recyclable commodities.**

**Response**

Because no shipper will lose rail service, the proposed abandonment should have no effect on the movement and/or recovery of recyclable commodities.

**(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.**

**Response**

The proposed actions will result in little or no change in overall energy efficiency. Traffic has not moved on the segment for over ten years. Accordingly, abandonment will not change the status quo in terms of current efficiency of the use of energy resources.

**(iv) If the proposed action will cause diversions from rail to motor carriage of more than:**

**(A) 1,000 rail carloads a year; or**

**(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.**

**Response**

No diversion of traffic to motor carriers will occur (or exceed the thresholds set forth at 49 CFR §1105.7(e)(4)), because no traffic has moved over the Line in more than ten years. Accordingly, there is no need to produce data on diverted traffic or to quantify the net change in energy consumption.

**(5) AIR**

**(i) If the proposed action will result in either:**

**(A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or**

**(B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or**

**(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49**

**U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.**

**Response**

The above thresholds will not be exceeded.

- (ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:**
- (A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,**
  - (B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or**
  - (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.**

**Response**

Greenville County is in attainment with the Clean Air Act for ground level ozone.

- (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.**

**Response**

The transportation of ozone depleting materials is not contemplated.

**(6) NOISE**

**If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:**

- (i) An incremental increase in noise levels of three decibels Ldn or more; or**
- (ii) An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.**

**Response**

The above thresholds will not be exceeded.

**(7) SAFETY**

**(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).**

**Response**

The proposed action would improve public safety by allowing the four existing grade crossings on the Line segment<sup>2</sup> to be permanently repaired for motor vehicle traffic. There will be no change in current vehicle delay time at railroad grade crossings inasmuch as no rail traffic has moved on either segment in over ten years.

**(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.**

**Response**

Hazardous materials are not currently transported on the Line.

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<sup>2</sup> Grade crossings are located at Airport Road, Haywood Road, Verdae Blvd, and Millennium Blvd.

**(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.**

**Response**

There are no known hazardous waste sites or known sites of hazardous materials spills along the Line.

**(8) BIOLOGICAL RESOURCES**

**(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

**Response**

GCEDC does not believe this abandonment will have an adverse impact on endangered or threatened species or areas designated as a critical habitat. However, GCEDC has notified the U.S. Fish and Wildlife Services (“USFWS”) and the South Carolina Department of Health & Environmental Control (“SCDHEC”) by letter dated November 13, 2014 to request assistance in determining whether the proposed abandonment would adversely affect endangered or threatened species or areas designated as a critical habitat. An example of the transmittal letter sent to various consulting agencies is attached as Exhibit 2. A copy of this E&HR has been supplied to the USFWS and SCDHEC for their information and comment.

**(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

**Response**

The Line segment proposed for abandonment does not appear to pass through state parks or forests, national parks or forests, or wildlife sanctuaries. Thus, no adverse effects on wildlife sanctuaries, national parks or forests, or state parks or forests are anticipated.

**(9) WATER**

**(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

**Response**

GCEDC expects that the proposed abandonment will be consistent with applicable water quality standards. However, GCEDC has contacted the SCDHEC and Upstate EQC Greenville by letters dated November 13, 2014 to evaluate any potential impact on water quality. An example of the transmittal letter sent to various consulting agencies is attached

as Exhibit 2. A copy of this E&HR was supplied to SCDHEC and Upstate EQC Greenville for their information and comment.

**(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.**

**Response**

GCEDC believes that no permits under section 404 of the Clean Water Act will be required because while the tracks will be removed from the Laurel Creek trestle, the Laurel Creek trestle will not be removed (salvaged). Thus, no salvage activities are anticipated to occur in any waterways, and the 100-year flood plains should not be adversely impacted by the proposed abandonment. However, GCEDC has contacted the Charleston office of the U.S. Army Corps of Engineers (“USACE”) by letter dated November 13, 2014 to solicit input on any impact. An example of the transmittal letter sent to various consulting agencies is attached as Exhibit 2. A copy of this E&HR was supplied to USACE for its information and comment.

**(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.**

**Response**

GCEDC does not plan to remove or alter the roadbed underlying the Line to be abandoned, to undertake in-stream work or to dredge or use any fill materials. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water mitigation or National Pollutant Discharge Elimination System permit will be required. GCEDC anticipates that the abandonment will not affect water quality and that permitting under Section 402 will not be required. However, as indicated above GCEDC has contacted the S.C. Department of Health & Environmental Control and Upstate EQC Greenville by letters dated November 13, 2014 to evaluate any potential impact. An example of the transmittal letter sent to various consulting agencies is attached as Exhibit 2. A copy of this E&HR was supplied to both agencies for their information and comment.

**(10) PROPOSED MITIGATION**

**Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.**

**Response**

GCEDC anticipates no adverse environmental impacts in the project area as a result of this abandonment; therefore, mitigating action should not be necessary.

(11) **ADDITIONAL INFORMATION FOR RAIL CONSTRUCTIONS**

**Response**

Not applicable.

**HISTORIC REPORT**

**49 CFR §1105.8 (d)(1):**

- (1) **A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;**

**Response**

There are two known railroad structures, a railroad bridge and a trestle, on the Line. The railroad bridge, which is located at Milepost AKJ 587.07 (Woodruff Road), was completely rebuilt in 2008, in connection with a highway widening project; the bridge's dimensions are depicted on the map attached as Exhibit 1. There is one trestle on the Line, located at milepost AKJ 587.34, which crosses over Laurel Creek and may be 50 years old or older. Exhibit 1 (Location Map) shows the bridge crossing of Woodruff Road and Exhibit 3 (U.S.G.S. Topographic map) shows the location of the trestle (over Laurel Creek) on the Southern Segment. Both maps have been supplied to the South Carolina State Historic Preservation Office.

- (2) **A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;**

**Response**

The right-of-way varies in width from 15 to 200 feet. The Line, which is located in an urban area, has a slight decline in elevation extending from the southeast point of the Line to the end of the Line segment.

- (3) **Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;**

**Response**

There is a trestle on the Line that may be 50 years old or older, which crosses over Laurel Creek. Photographs of the trestle are included in Exhibit 3.

- (4) **The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;**

**Response**

The exact date of construction for the Laurel Creek trestle is unknown. An STB decision from 1998 indicates the Line was constructed between 1910 and 1925. GCEDC has not made any major alterations to the trestle, since taking over ownership of the Line in 1999.<sup>3</sup>

- (5) **A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;**

**Response**

According to information available to GCEDC, the Carolina, Knoxville & Western Railway was built from Greenville, SC to Marietta, SC in 1888, and subsequently was extended to River Falls, SC, but the operation was abandoned in 1899. The Greenville & Knoxville Railroad was formed to revive the Line in 1907 and ran it until 1914. The company was reorganized as the Greenville & Western, and was then renamed the Greenville & Northern in 1920. The Line was cut back to Travelers Rest in the mid-1950s, but the section between Traveler's Rest and Cleveland was not officially abandoned until 1970. The Carolina Piedmont Division of the South Carolina Central Railroad bought the Greenville & Northern Line from Pinsky Railroad in April 1997, and the last train ran on the Northern Segment in February 1998. Railtex (the owner of Carolina Piedmont Division of the South Carolina Railroad) sold the Line, which included a northern and southern segment, to GCEDC in June 1999. GCEDC abandoned the Northern segment of the Line, which extended from Greenville to Traveler's Rest, in 2005.<sup>4</sup>

The current corridor that GCEDC is filing for abandonment is 3.29 miles and it used to be referred to as the "Southern Segment." This segment runs southeast from Highway 291 to the Clemson University International Center for Automotive Research (CU-ICAR) in the City of Greenville, SC.

- (6) **A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic;**

**Response**

GCEDC does not have any documents in its possession that might be useful in documenting whether or not any structures are historic.

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<sup>3</sup> South Carolina Central Railroad Company, Inc., D/B/A Carolina Piedmont Division – Abandonment Exemption – In Greenville County, SC (STB served Mar. 30, 1998)

<sup>4</sup> Supra, FN. 1.

- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);**

None of the information readily available to GCEDC leads GCEDC to believe that the trestle on the Line is significant in American history, architecture, archeology, engineering, or culture; are associated with events that have made a significant contribution to the broad patterns of U.S. history; are associated with the lives of persons significant in our past; embody the distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or have yielded, or may be likely to yield, information important in prehistory or history.

- (8) **A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

GCEDC has no such information readily available, beyond that shown on the topographic maps in Exhibit 2.

9) **Follow-Up Information**

Additional information will be provided as appropriate.

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-490  
(SUB-NO. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
- ABANDONMENT EXEMPTION - IN GREENVILLE COUNTY, SC**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 1 – LOCATION MAP**



**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-490  
(SUB-NO. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
- ABANDONMENT EXEMPTION - IN GREENVILLE COUNTY, SC**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 2 – SAMPLE CONSULTATION LETTER**

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS  
2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820  
FACSIMILE: (202) 663-7849

William A. Mullins

Direct Dial: (202) 663-7823  
E-Mail: [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com)

November 13, 2014

State Clearinghouse  
1201 Main Street, Suite 950  
Columbia, SC 29201

Re: STB Docket No. AB-490 (Sub-No. 2X)  
Greenville County Economic Development Corporation – Abandonment  
Exemption - In Greenville County, SC

Dear Sir or Madam,

On or after December 5, 2014, Greenville County Economic Development Corporation (“GCEDC”) expects to file with the Surface Transportation Board, a notice of exemption seeking authority for GCEDC to abandon approximately 3.29 miles of rail line between milepost AJK 585.34 in East Greenville, SC, and milepost AJK 588.63 in Greenville, SC. The entire line is located in Greenville County, SC. Attached is an Environmental and Historic Report (“E&HR”), which describes the proposed action and any anticipated environmental and historic effects, and includes maps of the affected area.

We are providing this E&HR so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information in the E&HR appears to be misleading or incorrect, pertinent information appears to be missing, or you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423, or by calling that office at (202) 245-0295 and refer to Docket No. AB-490 (Sub-No. 2X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to me) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning

# BAKER & MILLER PLLC

State Clearinghouse

November 13, 2014

Page 2

this E&HR, please contact me directly. I am GCEDC's representative in this matter. I can be contacted by telephone at (202) 663-7823, and by mail and by e-mail at the addresses shown above.

Sincerely,



William A. Mullins

Enclosure

cc: Mark Tollison

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-490  
(SUB-NO. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
- ABANDONMENT EXEMPTION - IN GREENVILLE COUNTY, SC**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 3 – U.S.G.S. TOPOGRAPHIC MAP & PHOTOS OF LAUREL CREEK  
TRESTLE**



**Laurel Creek Trestle  
MP AKJ 587.34**



**Laurel Creek Trestle  
MP AKJ 587.34**



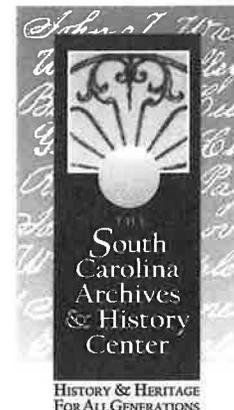
**Laurel Creek Trestle  
MP AKJ 587.34**



**ATTACHMENT 2**  
**CONSULTING AGENCY RESPONSES TO**  
**ENVIRONMENTAL AND HISTORIC REPORT**  
**(POST-CIRCULATION)**

December 5, 2014

William A. Mullins  
Baker & Miller PLLC  
2401 Pennsylvania Ave., NW, Suite 300  
Washington, DC 20037



Re: Greenville County Economic Development Corporation (GCEDC) Railroad  
Abandonment Petition  
Greenville, Greenville County, South Carolina  
SHPO Project No. 14JS0557  
Docket No. AB-490 (Sub-No. 2X)

Dear Mr. Mullins:

Thank you for your letter of November 13, 2014, which we received on November 17, regarding the above referenced undertaking. We also received a copy of an Environmental and Historic Report as supporting documentation for this undertaking. The State Historic Preservation Office is providing comments to the Surface Transportation Board pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800. Consultation with the SHPO is not a substitution for consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public.

More information regarding consultation with our office under Section 106 of the National Historic Preservation Act is available on our website at <http://shpo.sc.gov/programs/revcomp/Pages/default.aspx>. We recommend in the future providing our Section 106 Project Review Form when consulting with our office in addition to providing a copy of our ArchSite(GIS) map as part of your efforts to identify historic properties.

Our office previously commented on Docket No. AB-490 (Sub-No. 1X) on September 16, 2005. Based on our previous comments, and based on the submitted information in the current Historic Report, our office believes that no properties listed in or eligible for listing in the National Register of Historic Places will be affected by this undertaking.

If you have any questions, please contact me at (803) 896-6129 or [sylvest@scdah.state.sc.us](mailto:sylvest@scdah.state.sc.us).

Sincerely,

John D. Sylvest  
Project Review Coordinator  
State Historic Preservation Office  
SC Department of Archives & History

cc: Surface Transportation Board



Catherine B. Templeton, Director

*Promoting and protecting the health of the public and the environment*

December 11, 2014

William A. Mullins  
Baker and Miller PLLC  
2401 Pennsylvania Avenue NW, Suite 300  
Washington, DC 20037

Re: STP Docket No. AB-490 (Sub-No.2X)  
Greenville County Economic Development Corporation – Abandonment  
Exemption – Greenville County, SC

Dear Mr. Mullins:

On November 17, 2014, we received your letter, dated November 13, 2014, about the proposed abandonment of 3.29 miles of rail line in Greenville County, SC. *Based on the information provided, I am responding on behalf of the South Carolina Department of Health and Environmental Control, Bureau of Air Quality (Bureau).*

The Bureau is tasked with implementing the Federal Clean Air Act (1990, as amended) in the State of South Carolina. The Bureau is required to ensure compliance with the National Ambient Air Quality Standards (NAAQS) for criteria pollutants. Currently two criteria pollutants are of particular concern in South Carolina:

- **Ozone** – The 2008 8-hour ozone standards (primary and secondary) are currently set at 0.075 parts per million (ppm). The area represented in this proposal is meeting the 2008 ozone standards. New standards of between 65 and 70 parts per billion (ppb) were proposed in November 2014, with a final standard anticipated by the end of 2015. For more information regarding this proposal, see [www.epa.gov/glo/](http://www.epa.gov/glo/).
- **Particulate Matter 2.5** (Particulates 2.5 microns in size and smaller) – The 2012 standard for maximum daily concentration is set at 35 micrograms per cubic meter. The 2012 standard for the maximum annual concentration is set at 12 micrograms per cubic meter. The area represented in this proposal is meeting the 2012 particulate matter 2.5 standards.

Presently only the eastern portion of York County has been designated nonattainment for the 2008 8-hour ozone NAAQS. For more information on which areas have been designated nonattainment, please visit <http://www.epa.gov/oar/oaqps/greenbk>. South Carolina may gain additional nonattainment areas when designations for the new ozone standards are made. If a project is located in a nonattainment area, it may be subject to prescriptive requirements such as Transportation Conformity or air quality modeling.

An asbestos survey and project license may be required prior to any demolition activities such as deconstruction of a building or removal of structures in the right-of-way of a road project. If you have any questions regarding asbestos regulatory applicability you may contact Robin Mack (with the Bureau's Asbestos Section) at (803) 898-4270 or [mackrs@dhec.sc.gov](mailto:mackrs@dhec.sc.gov).

All necessary environmental permits for the subject project must be obtained in accordance with applicable state and federal regulations. If you have not already done so, please contact the Bureau of Water at (803) 898-4300 and the Bureau of Land and Waste Management at (803) 898-2000 for input regarding those program areas' assessments of this proposed project.

Emissions from diesel equipment are regulated by federal standards. The Bureau would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. More importantly, these strategies are beneficial to the health of citizens of South Carolina.

- Utilize alternatively fueled equipment.
- Utilize emission controls applicable to your equipment.
- Reduce idling time on equipment.
- Fugitive dust emissions should be minimized through good operating practices.

Thank you for the opportunity to comment on this project. Should you have any further questions or comments concerning this matter, please do not hesitate to contact me at (803) 898-4122 or at [robertln@dhec.sc.gov](mailto:robertln@dhec.sc.gov).

Sincerely,



L. Nelson Roberts, Jr., Manager  
Air Quality Standards and Assessment Section  
SCDHEC Bureau of Air Quality

ec: Kevin Poore, Upstate EQC Greenville Office, [poorekp@dhec.sc.gov](mailto:poorekp@dhec.sc.gov)



**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-490 (Sub-No. 2X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
– ABANDONMENT EXEMPTION –  
IN GREENVILLE COUNTY, SC**

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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**DRAFT NOTICE OF EXEMPTION  
[CAPTION SUMMARY]**

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 490 (Sub-No. 2X)]

Greenville County Economic Development Corporation – Abandonment Exemption – In  
Greenville County, South Carolina

Greenville County Economic Development Corporation (GCEDC) has filed on December 22, 2014, a verified notice of exemption under 49 C.F.R. part 1152 subpart F–Exempt Abandonments to abandon approximately 3.29 miles of rail line (hereinafter, the “Line”) located in Greenville, County SC. The Line extends from milepost AJK 585.34 in East Greenville, SC, to milepost AJK 588.63 in Greenville, SC. The entire Line is located in Greenville County, South Carolina. The Line traverses United States Postal Zip Code territory 29607.

GCEDC has certified that: (1) no local traffic has moved over the Line for at least 2 years; (2) that no overhead traffic has moved over the Line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 C.F.R. § 1105.7(c) (environmental report), 49 C.F.R. § 1105.11 (transmittal letter), 49 C.F.R. § 1105.12 (newspaper publication), and 49 C.F.R. § 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line Railroad – Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To

address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. § 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on January \_\_\_\_, 2015, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>3</sup> formal expressions of intent to file an OFA under 49 C.F.R. § 1152.27(c)(2),<sup>4</sup> and trail use/rail banking requests under 49 C.F.R. § 1152.29 must be filed by January \_\_\_\_\_, 2015. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by \_\_\_\_\_, 2015, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to GCEDC's representative: William A. Mullins, Baker & Miller PLLC, 2401 Pennsylvania Ave., NW, Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void ab initio.

GCEDC has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by \_\_\_\_\_, 2015. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available

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<sup>3</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Serv. Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>4</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See 49 C.F.R. § 1002.2(f)(25).

through the Federal Information Relay Service (FIRS) at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 C.F.R. § 1152.29(e)(2), GCEDC shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by GCEDC's filing of a notice of consummation by \_\_\_\_\_, 2015, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: \_\_\_\_\_, 2015.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.