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SERVICE DATE - JULY 16, 1999

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## ENVIRONMENTAL ASSESSMENT

NO. AB-556 (SUB-NO. 2X)

RAILROAD VENTURES, INC.  
--ABANDONMENT EXEMPTION--  
BETWEEN YOUNGSTOWN, OH AND DARLINGTON, PA IN MAHONING AND  
COLUMBIANA COUNTIES, OH AND BEAVER COUNTY, PA

AND

NO. AB-555 (SUB-NO. 2X)

THE OHIO & PENNSYLVANIA RAILROAD COMPANY  
--ADVERSE DISCONTINUANCE OF SERVICE EXEMPTION--  
BETWEEN YOUNGSTOWN, OH AND DARLINGTON, PA IN MAHONING AND  
COLUMBIANA COUNTIES, OH AND BEAVER COUNTY, PA

### BACKGROUND

In the Docket No. AB-556 (Sub-No. 2X) proceeding, Railroad Ventures, Inc. (RVI) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with abandonment of its railroad line located between milepost 0.0, in Youngstown, OH, and milepost 35.7, at Darlington, PA, as well as a one-mile branch line connecting at Negley, OH, a total distance of approximately 36.7 miles in Mahoning and Columbiana Counties, OH, and Beaver County, PA. A map depicting the Line in relationship to the area served is appended to the report. If the exemption becomes effective, RVI will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

In the Docket No. AB-555 (Sub-No. 2X) proceeding, RVI has also filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the adverse discontinuance of service by the Ohio & Pennsylvania Railroad Company (OPRC) over the same line RVI seeks to abandon.

### DESCRIPTION OF THE LINE

No traffic has moved over the line since December 18, 1996, when the line was embargoed due to unsafe track conditions. Rail

traffic that previously moved over the line has been diverted to other modes of transportation.

#### **ENVIRONMENTAL REVIEW**

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have verified the record in this proceeding. Comments thus far have indicated a need for the environmental mitigation condition set forth below. This condition reflects requests from various government agencies for further consultations regarding issuance of permits for undertaking salvage operations.

#### **CONDITION**

We recommend that the following environmental condition be placed on any decision granting abandonment authority:

**Prior to commencing salvage operations, RVI shall consult with the agencies named below to obtain any necessary permits:**

- a. The Pennsylvania Department of Environmental Protection, Southwest Regional Office;**
- b. The Beaver County, PA, Conservation District; and**
- c. The State of Ohio Environmental Protection Agency, Northeast District Office.**

#### **CONCLUSIONS**

Based on the information provided from all sources to date and subject to the recommended condition, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

#### **PUBLIC USE**

If abandonment and salvage of the rail line take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a

public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

#### **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

#### **PUBLIC ASSISTANCE**

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

#### **COMMENTS**

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Suite 700, Washington, DC 20423, to the attention of Harold McNulty, who prepared this environmental assessment. **Please refer to Docket Nos. AB-555 (Sub-No. 2X) and AB-556 (Sub-No. 2X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Mr. McNulty at (202) 565-1539.

Date made available to the public: July 16, 1999.

**Comment due date: August 16, 1999.**

By the Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

MAP NEEDS TO BE SCANNED.