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SERVICE DATE - FEBRUARY 12, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-183 (Sub-No. 3X)

UNION RAILROAD COMPANY--ABANDONMENT
EXEMPTION--IN ALLEGHENY COUNTY, PA

Decided: February 6, 2001

Union Railroad Company (URR) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments and Discontinuances to abandon and discontinue service over its line of railroad known as the Rankin Branch extending from point of switch Survey Station 158+50 of Turnout MU-18, and extending from that point over and across the Rankin Hot Metal Bridge to a rail connection with the Railroad's so-called Wildcat Track at Survey Station 48+35 in the Borough of Rankin, Allegheny County, PA, a distance of 0.89 miles. Notice of the exemption was served and published in the Federal Register on October 30, 2000 (65 FR 64742-43).

On November 28, 2000, a decision and notice of interim trail use or abandonment was served that reopened the proceeding to implement interim trail use/rail banking for the entire line under 49 CFR 1152.29 and the National Trails System Act, 16 U.S.C. 1247(d), and provided a 180-day period for the Steel Industry Heritage Corporation (SIHC) to negotiate an interim trail use/rail banking agreement with URR for the right-of-way involved in this proceeding. In the same decision the exemption was made subject to the conditions that URR: (a) retain its interest in and take no steps to alter the historic integrity of the Rankin Hot Metal Bridge until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f; and (2) consult with the National Geodetic Survey (NGS) and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic markers.

On January 10, 2001, SEA received a letter from URR stating that it had reached an interim trail use/rail banking agreement with SIHC for the right-of-way.¹ URR also attached the executed quit claim deed and bill of sale indicating that the Rankin Hot Metal Bridge had been deeded to SIHC, which had agreed to retain and maintain the bridge for inclusion in the National Register of Historic Places. URR states that it has provided the Pennsylvania Historical and Museum Commission with copies of the documents. Based upon SEA's review of that letter, SEA recommends that the section 106 historic preservation condition imposed in the

¹ The November 28 decision stated that SHIC and URR had 180 days from the November 29, 2000 effective date of the exemption (until May 28, 2001) to reached an interim trail use/rail banking agreement.

November 28, 2000 decision be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.²

As conditioned, this decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the decision served November 28, 2000, is removed.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary

² The NGS condition imposed in the November 28, 2000 decision remains in effect.