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SERVICE DATE - NOVEMBER 13, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-290 (Sub-No. 192X)

NORFOLK SOUTHERN RAILWAY COMPANY—ABANDONMENT EXEMPTION—
IN ANDERSON AND WOODFORD COUNTIES, KY

Decided: November 6, 2000

Norfolk Southern Railway Company (NSR) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon its line of railroad between milepost 0.7-LL, at Lawrenceburg, and milepost 3.5-LL, at Tyrone, in Anderson and Woodford Counties, KY, a distance of approximately 2.8 miles (line). The notice was served and published in the Federal Register on December 27, 1999 (64 FR 72376).

By decision served January 25, 2000, the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to the condition that NSR retain its interest in and take no steps to alter the historic integrity of the entire rail line until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f. On October 5, 2000, SEA received a letter from the Kentucky State Historic Preservation Officer (SHPO) indicating that the entire right-of-way had been deeded to the Tyrone Rail and Bridge Society, which had agreed to retain and maintain the entire rail line, including all bridges and trestles eligible for inclusion in the National Register of Historic Places. Based upon SEA's review of that letter and further consultation with the SHPO, SEA recommends that the section 106 historic preservation condition imposed in the January 25, 2000 decision be removed.

Accordingly, the proceeding will be reopened and the previously imposed section 106 historic preservation condition will be removed.

This action 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 on January 25, 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