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SERVICE DATE - MAY 10, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-581X

1411 CORPORATION—ABANDONMENT EXEMPTION—IN LANCASTER COUNTY, PA

STB Docket No. AB-529X¹

MIDDLETOWN & HUMMELSTOWN RAILROAD COMPANY—ABANDONMENT
EXEMPTION—IN LANCASTER, PA

Decided: May 9, 2001

1411 Corporation and Middletown & Hummelstown Railroad Company (collectively Applicants) filed separate verified notices of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon service over the same line of railroad extending from milepost 39.3, in the borough of Columbia, to milepost 37.2, in West Hempfield Township, a distance of approximately 2.5 miles in Lancaster County, PA (line).² Notice of the exemption was served and published in the Federal Register on April 12, 2001 (66 FR 19000). The exemption was scheduled to become effective on May 12, 2001.

By decision served May 8, 2001, the Board reopened the proceeding. That decision held in abeyance action on a request for issuance of a notice of interim trail use (NITU) under the National Trails System Act, 16 U.S.C. 1247(d), and for a public use condition under 49 U.S.C. 10905³ pending completion of the offer of financial assistance (OFA) process,⁴ noted that the deadline for filing an OFA was May 11, 2001, and postponed the effective date of the exemption until May 22, 2001.

¹ These proceedings are being handled together for administrative convenience.

² Past agency decisions concerning this line indicated that the line extended from milepost 39.7 to milepost 37.2. Interested persons should be on notice that the abandonment proposals quite likely concern the line from milepost 39.7 to milepost 37.2.

³ Shawnee Run Greenway, Inc. timely filed a request for issuance of a NITU and a public use condition.

⁴ A formal expression of intent to file an OFA was timely filed by Frank Sahd Salvage Center, Inc. (Sahd), to purchase the line.

By facsimile dated May 9, 2001, Sahd provided the Board with a copy of a letter dated April 20, 2001, which it had received from Applicants.⁵ In the April 20 letter and in accordance with 49 CFR 1152.27(c)(2)(ii)(D), Applicants advise Sahd and the Board that they require 60 days to prepare the materials that Sahd had requested to develop its OFA. In view of this latest information provided to the Board, the time period for filing an OFA will be tolled for 60 days.

This decision will not significantly affect either the quality of the human environment or conservation of energy resources.

It is ordered:

1. The time period for Sahd to file an OFA is tolled until July 11, 2001.
2. The effective date of the abandonment exemption is further postponed until July 21, 2001.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary

⁵ While Applicants' April 20 letter indicates that it sent the Board a courtesy copy, the Board has no record of receiving it.