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SERVICE DATE - JANUARY 2, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 598X)

CSX TRANSPORTATION, INC.--ABANDONMENT  
EXEMPTION--IN GREENBRIER COUNTY, WV

Decided: December 27, 2001

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 13.6-mile line of railroad between Rubert Junction at milepost CAH-7.2 and Clearco at milepost CAH-20.8 in Greenbrier County, WV. Notice of the exemption was served and published in the Federal Register on October 12, 2001 (66 FR 52180-81).

By decision served November 7, 2001, the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to the conditions that CSXT: (1) retain its interest in the line in its entirety 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 station markers. The West Virginia State Historic Preservation Officer has informed SEA that the proposed abandonment is not eligible for listing in the National Register of Historic Places. Therefore, SEA recommends that the historic condition imposed in the November 7, 2001 decision be removed.<sup>1</sup>

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 on November 7, 2001, is removed.

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<sup>1</sup> The NGS condition imposed in the November 7, 2001 decision remains in effect.

3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary