

32496  
DO

SERVICE DATE - JANUARY 17, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-290 (Sub-No. 231X)

NORFOLK SOUTHERN RAILWAY COMPANY—  
ABANDONMENT EXEMPTION—IN FAYETTE COUNTY, WV

Decided: January 14, 2002

Norfolk Southern Railway Company (NSR) filed a verified notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 1.75-mile of railroad between milepost WL-0.0, at Oak Hill Jct., and milepost WL-1.75, at Oak Hill, in Fayette County, WV (rail line). Notice of the exemption was served and published in the Federal Register on December 19, 2001 (66 FR 65530). The exemption is scheduled to become effective on January 18, 2002.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on December 21, 2001. Comments to the EA were due by January 10, 2002. No comments to the EA were received. In the EA, SEA stated that the West Virginia Division of Culture and History had requested additional information and advised that it could not review the project without the relevant facts. Under the circumstances, SEA recommended imposition of the condition that NSR maintain the integrity of the rail line and keep railroad-related structures intact until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA). The condition recommended in the EA will be imposed.

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 exemption of the abandonment of the rail line described above is subject to the condition that NSR maintain the integrity of the rail line and keep railroad-related structures intact until completion of the section 106 process of the NHPA.

3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary