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SERVICE DATE – JULY 31, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-290 (Sub-No. 309X)

NORFOLK SOUTHERN RAILWAY COMPANY—ABANDONMENT EXEMPTION—IN
BLOUNT COUNTY, TN

Decided: July 27, 2009

Norfolk Southern Railway Company (NSR) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 0.66-mile line of railroad between mileposts 15.50-KA and 16.16-KA in Maryville, Blount County, TN. Notice of the exemption was served and published in the Federal Register on July 2, 2009 (74 FR 31789-90). The exemption is scheduled to become effective on August 1, 2009.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on July 7, 2009. In the EA, SEA states that the National Geodetic Survey (NGS) has advised it that two geodetic station markers may be located in the area of the line and that, if the markers could be disturbed or destroyed by the abandonment, NSR should consult with NGS at least 90 days prior to beginning salvage activities. Accordingly, SEA recommends a condition requiring NSR to consult with NGS and to notify NGS at least 90 days prior to beginning salvage activities that could disturb or destroy any geodetic station markers.

Comments to the EA were due by July 21, 2009. No comments to the EA were received by the due date. Accordingly, the environmental condition recommended by SEA in the EA will be imposed.

Based on SEA's recommendation, the proposed abandonment, if implemented as conditioned, 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 line described above is subject to the condition that NSR shall consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that could disturb or destroy any geodetic station markers.

3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Anne K. Quinlan
Acting Secretary