

SERVICE DATE - MAY 1, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34003

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY  
COMPANY—CONSTRUCTION AND OPERATION EXEMPTION—SEADRIFT AND  
KAMEY, TX

Decided: April 26, 2001

By petition filed on January 31, 2001, The Burlington Northern and Santa Fe Railway Company (BNSF) seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 for authority to construct and operate a 7½-mile line of railroad between Seadrift and Kamey, TX. The proposed line will connect with the Union Carbide Corporation's (UCC)<sup>1</sup> industrial complex at Seadrift and with the former Southern Pacific Transportation Company (SP)<sup>2</sup> line, now owned by Union Pacific Railroad Company (UP), between Placedo, TX and Port Lavaca, TX, near Kamey. A comment in opposition to the construction exemption was filed by Virgil R. Pulliam.

The petition for exemption raises issues that require consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. 10502(b). At this time, there does not appear to be a need for the parties to submit additional evidence.

It is ordered:

1. Under 49 U.S.C. 10502(b), a proceeding is instituted.
2. The proceeding will be completed on or before February 1, 2002.

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<sup>1</sup> On January 31, 2001, UCC filed a petition for leave to intervene and to become a party in this proceeding. The petition was granted by decision served on February 14, 2001.

<sup>2</sup> In 1996, the Board approved the acquisition of SP by Union Pacific Corporation. See Union Pacific/Southern Pacific Merger, 1 S.T.B. 233 (1996) (UP/SP merger).

3. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary