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SERVICE DATE – OCTOBER 19, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-43 (Sub-No. 176X)

ILLINOIS CENTRAL RAILROAD COMPANY–
ABANDONMENT EXEMPTION–
IN RANKIN COUNTY, MS

Decided: October 18, 2005

Illinois Central Railroad Company (IC) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 1.52-mile rail line on its Flowood Trackage, extending between milepost 70.20 and milepost 71.72, in Flowood, Rankin County, MS. Notice of the exemption was served and published in the Federal Register on September 20, 2005 (70 FR 55206). The exemption is scheduled to become effective on October 20, 2005.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on September 23, 2005. In the EA, SEA notes that IC contacted the United States Environmental Protection Agency (EPA) and the Mississippi Department of Environmental Quality (MDEQ) regarding impacts to the water quality of any surrounding waterways in accordance with section 402 of the Clean Water Act, and to determine if the proposed abandonment is consistent with applicable Federal, State, or local water quality standards. Neither agency has responded. Therefore, SEA recommends that, prior to any salvage of the line, IC consult with EPA and MDEQ to: (1) insure against any potential contamination of the right-of-way, and (2) determine whether a need exists for a section 402 stormwater construction permit. SEA also recommends that IC report the results of these consultations in writing to SEA prior to the onset of salvage operations.

SEA also states in the EA that the proposed abandonment will have no effect on historic properties listed in or eligible for inclusion in the National Register of Historic Places. However, SEA recommends that, if IC discovers any archaeological site, human remains, funerary items or associated artifacts during salvage activities, they shall immediately cease all work and notify SEA, interested Federally recognized tribes, and the Mississippi Department of Archives and History, State Historic Preservation Office (SHPO). SEA will then consult with the SHPO, interested tribes, and IC to determine whether any mitigation measures are necessary.

Comments to the EA were due by October 11, 2005. No comments to the EA were received. Accordingly, the environmental conditions 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 or 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 conditions that IC shall: (1) prior to any salvage of the line, consult with EPA and MDEQ to insure against any potential contamination of the right-of-way, and determine whether any need exists for a section 402 stormwater construction permit, and report the results of these consultations in writing to SEA prior to the onset of salvage operations; and (2) immediately cease all work and notify SEA, interested Federally recognized tribes, and the SHPO, if IC discovers any archaeological site, human remains, funerary items or associated artifacts during salvage activities.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary