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SERVICE DATE - OCTOBER 10, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-550 (Sub-No. 1X)

R.J. CORMAN RAILROAD COMPANY/ALLENTOWN LINES, INC.–
ABANDONMENT EXEMPTION–IN LEBANON COUNTY, PA

Decided: October 8, 2002

R.J. Corman Railroad Company/Allentown Lines, Inc. (RJCN) filed a notice of exemption under 49 CFR 1152.50 to abandon: (1) the Cornwall Industrial Track between approximately milepost 0.9 and approximately milepost 3.66; and (2) the Lebanon Industrial Track between approximately milepost 18 and approximately milepost 18.6, a distance of approximately 3.36 miles, in Lebanon County, PA.¹ On October 16, 2001, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for Lebanon Valley Rails-to-Trails (LVRT) to negotiate an interim trail use/rail banking agreement with RJCN for the right-of-way involved in this proceeding. The negotiating period under the NITU was scheduled to expire on April 15, 2002, but was extended to October 12, 2002, by decision served April 11, 2002.

On September 23, 2002, LVRT filed a request for an additional 180-day extension of the negotiating period so that the remaining title searches and final negotiations with RJCN can be completed. In a response submitted by facsimile on September 30, 2002, RJCN advised the Board that it supports the extension request.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.² An extension of the negotiating period will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the negotiating period will be extended to April 10, 2003.

¹ Notice of the exemption was served and published in the Federal Register on September 17, 2001 (66 FR 48076).

² See Rail Abandonments–Supplemental Trails Act Procedures, 4 I.C.C.2d 152 (1987).

As conditioned, this action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended to April 10, 2003.
2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary