

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-490 (Sub-No. 1X)

GREENVILLE COUNTY ECONOMIC DEVELOPMENT
CORPORATION—ABANDONMENT AND DISCONTINUANCE EXEMPTION—IN
GREENVILLE COUNTY, SC

Decided: March 30, 2007

On June 24, 2005, Greenville County Economic Development Corporation (GCEDC) filed a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 to abandon an approximately 11.8-mile line of railroad, extending from milepost 0.0 in Greenville, SC, to milepost 11.8 in Travelers Rest, SC (Northern Segment), and the discontinuance of service over 3.29 miles of rail line, extending from milepost AJK 585.34 in East Greenville, SC, to milepost AJK 588.63 in Greenville, SC (Southern Segment). Both the Northern Segment and the Southern Segment are located in Greenville County, SC. By decision served on October 12, 2005 (October 2005 decision), the petition for exemption was granted subject to five conditions, including the conditions that, prior to beginning any salvage operations, GCEDC shall: (1) consult with the South Carolina Department of Health and Environmental Control (SCDHEC) to ensure that any concerns regarding potential contamination of the right-of-way and the need for a section 402 stormwater construction permit are addressed and report the results of the consultation to the Board's Section of Environmental Analysis (SEA) in writing (Condition No. 4); and (2) consult with the appropriate parties and take measures recommended by SCDHEC, Bureau of Land and Waste Management, and the Region 4, U.S. Environmental Protection Agency (EPA), and report the results of the consultation in writing to the Board (Condition No. 5).¹

GCEDC is now ready to initiate the salvage process, and, pursuant to Condition No. 4, has consulted with SCDHEC. SCDHEC indicated that a section 402 stormwater construction permit would be required for activities involving one or more acres of ground disturbance. By letter dated February 27, 2007, National Salvage & Service Corporation (NSSC), the salvage

¹ The October 2005 decision also imposed three other conditions. Condition No. 1 requires GCEDC to comply with the terms and conditions for implementing interim trail use/rail banking, and Condition No. 3 requires GCEDC, during salvage operations, to restrict herbicide use within 50 feet of the federally listed and field surveyed Bunched Arrowhead and any herbicide application must be in accordance with the manufacturer's instructions. Condition No. 2 imposed a public use condition; however, that condition expired on May 10, 2006. By decision served on November 13, 2006, the Notice of Interim Trail Use (NITU) served in the October 2005 decision was vacated and a replacement NITU was issued.

contractor hired by GCEDC, states that ground disturbance would be less than one acre. Accordingly, SEA has determined that all issues have been satisfied, and recommends that Condition No. 4 be removed.

Pursuant to Condition No. 5, GCEDC has also consulted with SCDHEC, EPA, and SEA regarding the salvage process. By letter dated January 31, 2007, NSSC submitted a written salvage procedure that minimizes disturbance to the underlying materials of the railroad bed, including sub-ballast and soil, and indicates that wetlands or streams will not be disturbed. Therefore, SEA recommends that Condition No. 5 be removed.

Accordingly, this proceeding will be reopened and previously imposed Conditions No. 4 and 5 will be removed.

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 conditions that, prior to beginning any salvage operations, GCEDC shall: (1) consult with SCDHEC to ensure that any concerns regarding potential contamination of the right-of-way and the need for a section 402 stormwater construction permit are addressed and report the results of the consultation in writing to the SEA; and (2) consult with the appropriate parties and take measures recommended by SCDHEC, Bureau of Land and Waste Management, and EPA, and report the results of the consultation in writing to the Board, are removed.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary