

SERVICE DATE – APRIL 13, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-6 (Sub-No. 440X)

BNSF RAILWAY COMPANY—ABANDONMENT EXEMPTION—IN THURSTON  
COUNTY, WA

Decided: April 12, 2007

BNSF Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 0.23-mile line of railroad between BNSF Engineering Station 521 + 42 and BNSF Engineering Station 533 + 65, in Olympia, Thurston County, WA. Notice of the exemption was served and published in the Federal Register on April 14, 2006 (71 FR 19617). The exemption became effective on May 16, 2006. In the April 14, 2006 notice, the Board stated that, if consummation has not been effected by BNSF's filing of a notice of consummation by April 14, 2007, and are were no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.<sup>1</sup>

On March 28, 2007, BNSF filed a request to extend, until April 14, 2008, the time to file its notice of consummation. BNSF states that, because of the numerous abandonments it has currently in process, it has encountered scheduling difficulties with its salvagers. BNSF also states that this has led to a delay in the completion of necessary salvage activities.

Under 49 CFR 1152.29(e)(2), a railroad may, for good cause shown, file a request for an extension of time to file a notice of consummation in abandonment proceedings. Good cause has been shown and the deadline for filing the notice of consummation will be extended to April 14, 2008.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. BNSF's request for an extension of time to file a notice of consummation is granted.

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<sup>1</sup> By decision served on May 15, 2006, the proceeding was reopened at the request of the Board's Section of Environmental Analysis, and the exemption was made subject to six environmental conditions.

2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before April 14, 2008.
3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary