

21105
DO

SERVICE DATE - LATE RELEASE NOVEMBER 7, 1996

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-290 (Sub-No. 182X)

NORFOLK SOUTHERN RAILWAY COMPANY--ABANDONMENT EXEMPTION--IN
CLAIBORNE AND CAMPBELL COUNTIES, TN

Decided: November 1, 1996

Norfolk Southern Railway Company (NS) has filed a notice of exemption under 49 CFR 1152 Subpart E-- Exempt Abandonments to abandon 14.3 miles of its line of railroad between milepost 0.0TC at Arco Junction and milepost 14.3 at Arco, in Claiborne and Campbell Counties, TN. Notice of the exemption was served and published in the Federal Register on June 17, 1996 (GI FR 30667).

By decision served July 17, 1996, this proceeding was reopened and a condition was imposed on the exemption requiring NS to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

The Tennessee Historical Commission has informed the Board's Section of Environmental Analysis (SEA) that the proposed abandonment will have no effect on historic properties. Because this completes the section 106 process, SEA recommends that the historic preservation condition imposed in the July 17 decision be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.¹

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

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the decision served July 17, 1996, is removed
3. This decision is effective on its service date.

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

¹The July 17 decision contained a second condition that NS consult with the Tennessee Department of Environment and Conservation prior to salvaging the right-of-way. That condition remains in effect.

Vernon A. Williams
Secretary