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SERVICE DATE - APRIL 2, 1999

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-560 (Sub-No. 1X)]

Aberdeen & Rockfish Railroad Company d/b/a Dunn-Erwin Railway--Abandonment and Discontinuance Exemption--In Harnett County, NC

On March 15, 1999, Aberdeen & Rockfish Railroad Company d/b/a Dunn-Erwin Railway (DER) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a line of railroad that it owns and discontinue service over a line of railroad that it leases from CSX Transportation, Inc., in Harnett County, NC. The line to be abandoned is approximately 5.488 miles long¹ and extends from milepost SDS 53.00 near Erwin to milepost SDS 56.66 at Dunn, and from milepost SDE 0.00 near Erwin to milepost SDE 2.02 at Erwin. The line over which DER's operations are to be discontinued is approximately 3,093 feet long and consists of approximately 1,700 feet of track between milepost SDS 56.66 and milepost SDS 57.01, and includes two adjoining spur tracks, D&S No. 3 and No. 11, which are 600 and 793 feet, respectively. The lines traverse U.S. Postal Service Zip Codes 28334, 28335 and 28339, and include the stations of Dunn and Erwin, located at the two end points of DER's line.

¹ DER avers that the mileposts are not accurately placed. Accordingly, it states that the line is actually 5.488 miles in length not 5.68 miles as interpolated from the milepost designations.

The lines do not contain federally granted rights-of-way. Any documentation in DER's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in Oregon Short Line R. Co.--Abandonment--Goshen, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by July 2, 1999.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of DER's line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than April 22, 1999. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-560 (Sub-No. 1X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001; and (2) Jo A. DeRoche, Weiner, Brodsky, Sidman & Kider, P.C., Suite 800, 1350 New York Ave., N.W., Washington, DC 20005-4797. Replies to the DER petition are due on or before April 22, 1999.

Persons seeking further information concerning abandonment and discontinuance

procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment and discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the hearing impaired is available at (202) 565-1695.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our website at
"WWW.STB.DOT.GOV."

Decided: March 25, 1999.

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

Vernon A. Williams

Secretary