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SERVICE DATE – JULY 29, 2005

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34421

HolRail LLC – Construction and Operation Exemption –
In Orangeburg and Dorchester Counties, South Carolina

Decided: July 21, 2005.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement; Notice of Initiation of the Scoping Process; Notice of Availability of Draft Scope of Study for the Environmental Impact Statement and Request for Comments.

SUMMARY: On November 13, 2003, HolRail LLC (HolRail) filed a petition with the Surface Transportation Board (the Board or STB) pursuant to 49 USC 10502 for authority to construct and operate a rail line in Orangeburg and Dorchester counties, South Carolina (SC). The proposed project would involve the construction and operation of approximately two miles of new rail line from the existing cement production factory owned by HolRail’s parent company, Holcim (US) Inc. (Holcim), located near Holly Hill in Orangeburg County, to the terminus of an existing rail line of the Norfolk Southern Railway Company (NSR), located to the south near Giant in Dorchester County.

Because the effects of the proposed project on the quality of the human environment are likely to be controversial, the Board’s Section of Environmental Analysis (SEA) has determined that the preparation of an Environmental Impact Statement (EIS) is appropriate. The purpose of this Notice is to advise those individuals interested in or affected by the proposed project as well as agencies with special expertise or jurisdiction by law, of SEA’s decision to prepare an EIS and to initiate the formal scoping process. This Notice also announces the availability of a draft Scope of Study and requests comments on the draft Scope of Study.

DATES: Comments are due by August 31, 2005.

SUBMITTING ENVIRONMENTAL COMMENTS: If you wish to submit written comments regarding the attached proposed draft Scope of Study, please send an original and two copies to the Surface Transportation Board, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001, to the attention of David Navecky. Environmental comments may also be filed electronically on the Board’s website, www.stb.dot.gov, by clicking on the “E-FILING” link. Please refer to STB Finance Docket No. 34421 in all correspondence, including e-filings, addressed to the Board.

FOR FURTHER INFORMATION CONTACT: Mr. David Navecky, Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423-0001, or 202-565-1593, or naveckyd@stb.dot.gov. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Background: By petition filed on November 13, 2003, HolRail seeks an exemption from the Board under 49 USC 10502 from the prior approval requirements of 49 USC 10901 for authority to construct and operate a rail line in Orangeburg and Dorchester counties, SC approximately 40 miles northwest of Charleston and 60 miles southeast of Columbia.

The new rail line would establish alternative rail service at the Holly Hill facility which is presently served only by CSX Transportation, Inc. (CSX). Holcim recently completed an expansion of the Holly Hill plant and has determined that alternative rail access is necessary to achieve the full benefits of the expanded production capacity. HolRail would arrange for a third-party operator to provide rail service, and would employ a contractor to provide maintenance service for the line, or engage the third-party operator to perform this service.

Pursuant to the Board's responsibilities under the National Environmental Policy Act (NEPA), SEA has begun the environmental review of HolRail's proposal by consulting with appropriate Federal, state, and local agencies, as well as HolRail, and conducting technical surveys and analyses. SEA has also consulted with the South Carolina State Historic Preservation Office (SHPO) in accordance with the regulations implementing Section 106 of the National Historic Preservation Act (NHPA) at 36 CFR Part 800 and identified appropriate consulting parties to the Section 106 process.

Based on the nature and content of the public and agency comments received, SEA has determined that the effects of the proposed project on the quality of the human environment are likely to be controversial, and that thus, preparation of an EIS is appropriate. At this point in the environmental review process, SEA intends to analyze the potential environmental impacts of the proposed route, the no-action or no-build alternative (i.e., continuing to use of the CSX line), and at least one alternative route. SEA welcomes comments on these or additional alternatives.

Environmental Review Process: The NEPA process is intended to assist the Board and the public in identifying and assessing the potential environmental consequences of a proposed action before a decision on the proposed action is made. SEA is responsible for ensuring that the Board complies with NEPA and related environmental statutes. The first stage of the EIS process is scoping. Scoping is an open process for determining the scope of environmental issues to be addressed in the EIS. SEA has developed a draft Scope of Study for the EIS for public review and comment, which incorporates the issues and concerns raised in the comment letters SEA has received thus far. SEA is soliciting written comments on this draft Scope of Study. After the close of the comment period on the draft Scope of Study on August 31, 2005, SEA will review all comments received and then issue a final Scope of Study for the EIS.

Following the issuance of the final Scope of Study, SEA will prepare a Draft EIS (DEIS) for the project. The DEIS will address those environmental issues and concerns identified during the scoping process. It will also contain SEA's preliminary recommendations for environmental mitigation measures. Upon its completion, the DEIS will be made available for public and agency review and comment for at least 45 days. SEA will then prepare a Final EIS (FEIS) that addresses the comments on the DEIS from the public and agencies. Then, in reaching its

decision in this case, the Board will take into account the DEIS, the FEIS, and all environmental comments that are received.

Draft Scope of Study for the EIS:

Proposed Action and Alternatives

The proposed project would provide alternative rail access to the Holcim facility, which is currently only served by CSX. The existing CSX line begins at the terminus of an NSR rail line at Giant, SC, passes to the immediate west of the Holcim facility, and continues on to Creston, SC. The proposed action would involve the construction and operation of an approximately 2-mile rail line that would also begin at the terminus of the NSR line at Giant, SC and end at the Holcim facility.

HolRail proposes two potential alignments, both of which are on the east side of and parallel to the existing CSX line across Four Hole swamp. Alignment A would involve constructing the new rail line largely within the existing ROW of the CSX rail line. Alignment B would be constructed approximately 50 yards east of the CSX ROW, on property almost entirely owned by Holcim. Either alignment would connect with NSR to the south on land owned by a neighboring cement facility, over which HolRail intends to obtain access by easement or other arrangement.

HolRail intends to construct and own the track, which would be a part of the common carrier rail network. HolRail would arrange for a third-party operator to provide rail service. HolRail would also employ a contractor to provide maintenance service for the line, or engage the third-party operator to perform this service.

Environmental Impact Analysis

Proposed New Construction

The EIS will document the activities associated with the construction and operation of the proposed new rail line.

Impact Categories

Impact areas addressed in the EIS will include the effects of the proposed construction and operation of the new rail line on transportation and traffic safety, public health and worker health and safety, water resources, biological resources, air quality, geology and soils, land use, environmental justice, noise, vibration, recreation and visual resources, cultural resources, and socioeconomics. The EIS will include a discussion of each of these categories as they currently exist in the project area and will address the potential impacts from the proposed project on each category, as described below:

1. Transportation and Traffic Safety

The EIS will:

- a. Describe the potential impacts of the proposed new rail line construction and operation on the existing transportation network in the project area.
- b. Describe the potential for train derailments or accidents from proposed rail operations.
- c. Describe potential pipeline safety issues at rail/pipeline crossings, as appropriate.
- d. Propose mitigative measures to minimize or eliminate potential project impacts to transportation and traffic safety, as appropriate.

2. Public Health and Worker Health and Safety

The EIS will:

- a. Describe potential public health impacts from the proposed new rail line construction and operation.
- b. Describe potential impacts to worker health and safety from the proposed new rail line construction and operation.
- c. Propose mitigative measures to minimize or eliminate potential project impacts to public health and worker health and safety, as appropriate.

3. Water Resources

The EIS will:

- a. Describe the existing groundwater resources within the project area, such as aquifers and springs, and the potential impacts on these resources resulting from construction and operation of the proposed new rail line.
- b. Describe the existing surface water resources within the project area, including watersheds, streams, rivers, and creeks, and the potential impacts on these resources resulting from construction and operation of the proposed new rail line.
- c. Describe existing wetlands in the project area and the potential impacts on these resources resulting from construction and operation of the proposed new rail line.
- d. Describe the permitting requirements that are appropriate for the proposed new rail line construction and operation regarding wetlands, stream crossings (including floodplains), water quality, and erosion control.
- e. Propose mitigative measures to minimize or eliminate potential project impacts to water resources, as appropriate.

4. Biological Resources

The EIS will:

- a. Describe the existing biological resources within the project area, including vegetative communities, wildlife and fisheries, and Federal and state threatened or endangered species and the potential impacts to these resources resulting from the proposed new rail line construction and operation.

- b. Propose mitigative measures to minimize or eliminate potential project impacts to biological resources, as appropriate.

5. Air Quality Impacts

The EIS will:

- a. Describe the potential air quality impacts resulting from the proposed new rail line construction and operation.
- b. Propose mitigative measures to minimize or eliminate potential project impacts to air quality, as appropriate.

6. Geology and Soils

The EIS will:

- a. Describe the native soils and geology of the proposed project area.
- b. Describe the potential impacts to soils and geologic features from the proposed new rail line construction and operation.
- c. Propose mitigative measures to minimize or eliminate potential project impacts on soils and geologic features, as appropriate.

7. Land Use

The EIS will:

- a. Describe existing land use patterns within the project area and identify those land uses that would be potentially impacted by the proposed new rail line construction and operation.
- b. Describe the potential impacts associated with the proposed new rail line construction and operation to land uses identified within the project area.
- c. Propose mitigative measures to minimize or eliminate potential project impacts to land use, as appropriate.

8. Environmental Justice

The EIS will:

- a. Describe the demographics of the communities potentially impacted by the construction and operation of the proposed new rail line.
- b. Evaluate whether new rail line construction or operation would have a disproportionately high adverse impact on any minority or low-income group.
- c. Propose mitigative measures to minimize or eliminate potential project impacts on environmental justice communities of concern, as appropriate.

9. Noise

The EIS will:

- a. Describe the existing noise environment of the project area and potential noise impacts from the proposed new rail line construction and operation.

- b. Propose mitigative measures to minimize or eliminate potential project impacts to noise receptors, as appropriate.

10. Vibration

The EIS will:

- a. Describe the potential vibration impacts from the proposed new rail line construction and operation.
- b. Propose mitigative measures to minimize or eliminate potential project impacts from vibration, as appropriate.

11. Recreation and Visual Resources

The EIS will:

- a. Describe existing recreation and visual resources in the proposed project area and potential impacts to recreation and visual resources from construction and operation of the proposed new rail line.
- b. Propose mitigative measures to minimize or eliminate potential project impacts to recreation and visual resources, as appropriate.

12. Cultural Resources

The EIS will:

- a. Describe the cultural resources in the area of the proposed project and potential impacts to cultural resources from the proposed new rail line construction and operation.
- b. Describe the NHPA Section 106 process for the proposed project, and propose mitigative measures to minimize or eliminate potential project impacts to cultural resources, as appropriate.

13. Socioeconomics

The EIS will:

- a. Describe the demographic characteristics of the project area.
- b. Describe the potential environmental impacts to employment and the local economy as a result of the proposed new rail line construction and operation.
- c. Propose mitigative measures to minimize or eliminate potential project adverse impacts to socioeconomic resources, as appropriate.

14. Cumulative and Indirect Impacts

The EIS will:

- a. Address any identified potential cumulative impacts of the proposed new rail line construction and operation, as appropriate. Cumulative impacts are the impacts on the environment which result from the incremental impact of the action when

added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-federal) or person undertakes such actions.

- b. Address any identified potential indirect impacts of the proposed new rail line construction and operation, as appropriate. Indirect impacts are impacts that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis

Vernon A. Williams
Secretary