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SERVICE DATE - NOVEMBER 12, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-6 (Sub-No. 386X)

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY—  
ABANDONMENT EXEMPTION—IN BARNES COUNTY, ND

Decided: November 9, 1999

The Burlington Northern and Santa Fe Railway Company (BNSF) filed a verified notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon its line of railroad between BNSF milepost 69.05 and BNSF milepost 61.19, near Valley City, in Barnes County, ND, a total distance of 7.86 miles (line). Notice of the exemption was served and published in the Federal Register on October 15, 1999 (64 FR 56016). The exemption is scheduled to become effective on November 14, 1999.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on October 22, 1999. In the EA, SEA states that the North Dakota Department of Health, Environmental Health Section, has expressed concern regarding the environmental impact during salvage activities. Therefore, SEA recommends that BNSF consult with the North Dakota Department of Health, Environmental Health Section, and comply with State construction and environmental disturbance requirements. The condition will be imposed.

As conditioned, 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 exemption of the abandonment of the line described above is subject to the condition that BNSF consult with the North Dakota Department of Health, Environmental Health Section, and comply with State construction and environmental disturbance requirements.

STB Docket No. AB-6 (Sub-No. 386X)

3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary