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SERVICE DATE - NOVEMBER 28, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 538X)

CSX TRANSPORTATION, INC.--ABANDONMENT EXEMPTION--
IN FAYETTE AND NICHOLAS COUNTIES, WV

Decided: November 21, 1997

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon approximately 15.27 miles of its line of railroad between milepost CAF-43.7, Valuation Station 1240+00 at Russ Junction and milepost CAF-58.97, Valuation Station 436+00, at Peters Junction, in Fayette and Nicholas Counties, WV. Notice of the exemption was served and published in Federal Register on January 10, 1997 (62 FR 1489).

In a decision served on February 7, 1997, a condition was imposed requiring CSXT to retain its interest in and take no steps to alter the historic integrity of all sites or structures on the line that are 50 years old or older until completion the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.¹ The West Virginia Division of Culture and History by letter dated November 5, 1997, has informed the Board's Section of Environmental Analysis (SEA) that the proposed abandonment is not eligible for listing in the National Register of Historic Places. Therefore, SEA recommends that the historic condition be removed.

Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.

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 on February 7, 1997, is removed.
3. This decision is effective on the service date.

¹ The February 17 decision also imposed a 180-day public use condition. The public use condition expired on August 8, 1997.

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

Vernon A. Williams
Secretary

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