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July 20, 2017

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

RE: Docket No. AB-55 (Sub-No. 773X), *CSX Transportation, Inc.—Abandonment
Exemption—in Harlan County, KY*

Dear Ms. Brown:

Enclosed for e-filing by CSX Transportation, Inc., is an email received from the United State Environmental Protection Agency (“USEPA”) stating that USEPA has no comments or concerns.

Sincerely yours,



Melanie B. Yasbin
Attorney for CSX Transportation, Inc.

Enclosure

Melanie Yasbin

Subject: FW: CSXT Proposed Abandonment STB AB 55 (Sub-No. 773X) Harlan, KY, spur track for JRL Coal Inc.

----- Original message -----

From: "Walls, Beth" <Walls.Beth@epa.gov>

Date: 7/19/17 11:25 AM (GMT-05:00)

To: "Payne, Gene" <Floyd_Payne@CSX.com>

Cc: "Militscher, Chris" <Militscher.Chris@epa.gov>

Subject: CSXT Proposed Abandonment STB AB 55 (Sub-No. 773X) Harlan, KY, spur track for JRL Coal Inc.

Dear Mr. Payne:

The U.S. Environmental Protection Agency is responding to a June 22, 2017, notice that CSX Transportation (CSXT) proposes to abandon 1.6 miles of rail line (the Memphis Spur) in Harlan, Kentucky, because there has been no rail traffic on this line for over 2 years. CSXT desires to abandon its common carrier obligation and reclassify this section of line as a spur track and lease it to JRL Coal Inc., which has reopened its coal mine. JRL's use of this line is to be limited to moving rail cars between plant facilities, storage and loading operations, and rail car exchange with CSXT. This track is to be upgraded with the existing bridges and culverts remaining in place. No impacts to air and water quality and no impacts to designated wetlands and 100-year flood plains are expected and no Clean Water Act (CWA) Section 402 or 404 permits are anticipated. The US EPA has delegated the federal Clean Air Act (CAA)- and CWA-related air/water-quality and the CWA Section 402 programs to KDEP, subject to its oversight. CSXT indicates it has notified the appropriate Kentucky Department of Environmental Protection Programs and the U.S. Army Corps of Engineers regarding this proposed action and will include their responses in its final Combined Environmental Historical Report as required by the Surface Transportation Board for an Abandonment Notice of Exemption filing. Because CSXT does not anticipate any adverse environmental impacts from the proposed action; therefore, no mitigation is necessary. Based upon the information provided, the US EPA has no comments or concerns.

Sincerely,

Beth Walls
Physical Scientist
NEPA Program Office
US EPA, Region 4
404-562-8309