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February 3, 2015

## VIA E-FILING

Cynthia T. Brown, Chief  
Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington DC 20423-0001

Re: *Norfolk Southern Railway Company – Abandonment Exemption – In Lake County, Indiana*, STB Docket No. AB-290 (Sub-No. 346X)

Dear Ms. Brown:

Norfolk Southern Railway Company (“NS”) hereby requests for good cause shown a one-year extension, until February 4, 2016, of the deadline to consummate its abandonment authority granted in the above-referenced proceeding. Consummation of NS’s abandonment authority has been delayed over the past year, because NS has not yet been able to resolve all of the salvaging conditions imposed by the Board in its February 4, 2014 decision (“February 4<sup>th</sup> Decision”)<sup>1</sup>.

NS filed for abandonment authority on October 22, 2013. The exemption was served and published in the Federal Register on November 8, 2013 (78 Fed. Reg. 67,216). On November 15, 2013, the Board’s Office of Environmental Analysis (“OEA”) served an Environmental Assessment (“EA”), which recommended four salvaging conditions and indicated that comments on the EA were due by December 16, 2013.

In the February 4<sup>th</sup> Decision, the Board imposed the following salvaging conditions: (1) NS shall consult with Indiana Department of Natural Resources and Indiana Department of Environmental Management regarding mitigation measures to prevent potential impacts to waterways and wetlands prior to the commencement of any salvage activities and comply with those agencies’ reasonable recommendations; (2) NS shall consult with IDNR regarding mitigation measures to prevent potential impacts to Hoosier Prairie prior to the commencement of any salvage activities and comply with that agency’s reasonable recommendations; (3) NS shall notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers in order to plan for the possible relocation of the geodetic station markers by NGS; and (4)

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<sup>1</sup> Norfolk Southern Railway Company – Abandonment Exemption – In Lake County, Indiana, STB Docket No. AB-290 (Sub-No. 346X) (STB served February 4, 2014)

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NS shall immediately cease all work and notify OEA, interested federally recognized tribes, and the SHPO in the event that any unanticipated archaeological sites, human remains, funerary items, or associated artifacts are discovered during salvage activities. OEA shall then consult with the SHPO, interested federally recognized tribes, NS, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.

Over the past year, NS began making preparations and engaging in consultations necessary to salvage the line and consummate its abandonment authority. However, NS has not been able to complete the consultation and salvage process. As such, NS needs additional time to complete the process consistent with the February 4<sup>th</sup> decision. Accordingly, NS respectfully requests a 1-year extension (until February 4, 2016) of the current deadline for filing a notice of consummation in this proceeding. NS would appreciate prompt action on this matter. Please let me know if you require anything else in order to grant the subject extension.

Sincerely,



William A. Mullins  
Attorney for Norfolk Southern Railway Company

cc: All parties of record  
Marc Kirchner  
Maquiling Parkerson  
LaWada Poarch