

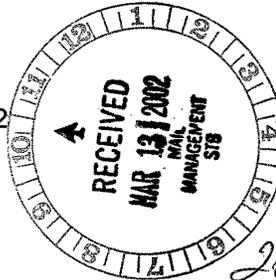
**UNION PACIFIC RAILROAD COMPANY**

LAW DEPARTMENT  
101 NORTH WACKER DRIVE, SUITE 1920  
CHICAGO, ILLINOIS 60606  
FAX NO. 312-777-2065

RONALD J. CUCHNA  
GENERAL SOLICITOR  
312-777-2040



March 11, 2002



GEORGE H. BRANT  
312-777-2051  
THOMAS W. CUSHING  
312-777-2053  
FREDERICK P. JOHNSTON, JR.  
312-777-2047  
DANIEL R. LA FAVE  
312-777-2046  
LINDA J. COYLE  
312-777-2056  
MACK H. SHUMATE, JR.  
312-777-2055

ENTERED  
Office of the Secretary

MAR 13 2002

Part of  
Public Record

Mr. Vernon Williams, Secretary  
Surface Transportation Board  
1925 "K" Street, N. W.  
Washington, D. C. 20423-0001

**Re: Notice of Consummation – STB Docket No. AB-33 (Sub. No. 159X), Union Pacific Railroad Company – Abandonment Exemption – in Bowie County, Texas (Bonham Industrial Lead at New Boston, Texas); STB Docket No. AB-364 (Sub. No. 5X), Texas and Northeastern Railroad - Discontinuance of Service - in Bowie County, Texas**

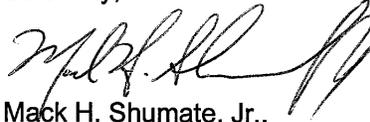
Dear Mr. Williams:

This is to advise that the Union Pacific Railroad Company with regard to the subject Abandonment Exemption has consummated the abandonment from Milepost 21.80 to Milepost 23.0 at New Boston, Texas (the "Line"), pursuant to authority granted in the Surface Transportation Board's ("Board's") Notice served March 14, 2001, and in the Board's Decisions served April 11 and May 9, 2001 as of March 7, 2002.

The Board's Decisions of April 11 and May 9, 2001 imposed (i) a geodetic survey notice condition to the U. S. Department of Commerce, National Geodetic Survey and (ii) a consultation requirement with the Texas Natural Resource Conservation Commission (TNRCC) prior to salvage in order to (a) prevent groundwater contamination and (b) develop standard dust mitigation techniques during salvage, and (iii) a consultation requirement with the U.S. Army Corps of Engineers (Corps) to determine if any permits are required. All notice conditions and consultation requirements have been complied with in preparation for salvage of the Line. No impact letters from the TNRCC (see Attachment 1) and the Corps (see Attachment 2) are attached hereto and hereby made a part hereof. Texas and Northeastern Railroad has or will notify the Board of its discontinuance of service of the line by separate letter.

An additional ten (10) copies of this letter are enclosed for the Board's use and distribution.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written in a cursive style.

Mack H. Shumate, Jr.,  
Senior General Attorney

MHS/taf  
Enclosures

Robert J. Huston, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Kathleen Hartnett White, *Commissioner*  
Jeffrey A. Saitas, *Executive Director*



**RECEIVED**

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

FEB - 8 2002  
LAW DEPARTMENT  
UNION PACIFIC RR CO.

January 29, 2002

Mr. Abdollah Ghazai  
Track Planning Engineer  
Engineering Dept., MC 3300  
Union Pacific Railroad  
1416 Dodge Street, Room 830  
Omaha, Nebraska 68179-0033

Re: Docket No. AB-33 (Sub No. 159X), Union Pacific Railroad Company-Abandonment Exemption-In Bowie County, Texas (Bonham Industrial Lead in New Boston, TX).

Dear Mr. Ghazai:

This letter is in response to your request for comments from the Texas Natural Resource Conservation Commission concerning Union Pacific Railroad's proposed abandonment of the Bonham Industrial Lead in New Boston, Texas, Mile post 21.80 to MP 23.00 (a total distance of 1.2 miles). In regards to state surface water quality standards, no impact is expected unless activities beyond "abandoning" the section of railroad track are involved.

To assist in the development of standard dust mitigation techniques to minimize particulate emissions during salvage activities, your request will be forwarded to Jesse Chacon, Operating Permits Section, Air Permits Division, P.O. Box 13087, Austin, Texas 78711-3087 MC-163, (512) 239-1570.

If you have comments or questions, please contact Ms. Lili Lytle of my staff by telephone at (512) 239-4596, by e-mail at [lytle@tnrcc.state.tx.us](mailto:lytle@tnrcc.state.tx.us) or if by correspondence, include MC 150 in the letterhead address following her name.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Fisher".

Mark Fisher, Manager  
Water Quality Assessment Section  
Water Quality Division

MF/LLL/sa

cc: Mr. Jesse Chacon, Operating Permits Section, Air Permits Division (MC 163)



DEPARTMENT OF THE ARMY  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 17300  
FORT WORTH, TEXAS 76102-0300

REPLY TO  
ATTENTION OF:

February 4, 2002

Planning, Environmental, and Regulatory Division  
Regulatory Branch

RECEIVED

FEB 14 2002

LAW DEPARTMENT  
UNION PACIFIC RR CO.

SUBJECT: Project Number 200200026

Mr. Abdollah (Abe) Ghazai  
Track Planning Engineer  
Union Pacific Railroad  
1416 Dodge Street, Room 1000  
Omaha, Nebraska 68179

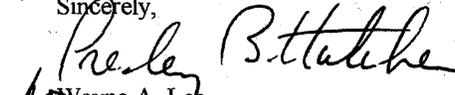
Dear Mr. Ghazai:

Thank you for your letter of December 28, 2001, concerning a proposal to remove a portion of railroad track approximately 1.20 miles long in New Boston, Bowie County, Texas. This project has been assigned Project Number 200200026. Please include this number in all future correspondence concerning this project. Failure to reference the project number may result in a delay.

We have reviewed this project in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Under Section 404, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. The USACE responsibility under Section 10 is to regulate any work in, or affecting, navigable waters of the United States. Based on your description of the proposed work, other information available to us, and current regulations and policy, we have determined that this project will not involve any of the above activities. Therefore, it will not require Department of the Army authorization under the above laws. However, it is incumbent upon you to remain informed of any changes in USACE Regulatory Program regulations and policy as they relate to your project.

Thank you for your interest in our nation's water resources. If you have any questions concerning our regulatory program, please contact Mrs. Darlene Sions at the address above or telephone (817)886-1743.

Sincerely,

  
Wayne A. Lea  
Chief, Regulatory Branch