

224813



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

April 2, 2009

VIA E-FILING/U.P.S. OVERNIGHT

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

**RE: Exempt Discontinuance of Service over the Pea Ridge
Subdivision from Milepost 63.75 near New Fountain Farm to
Milepost 84.42 near Pea Ridge, a distance of 20.67 miles in
Washington County, Missouri;
STB Docket AB-33 (Sub-No. 204X)**

Dear Secretary Quinlan:

Pursuant to the Board's exemption procedures for discontinuance of service of rail lines with no local business for at least two years (49 C.F.R. § 1152.50), I am hereby e-filing the Verified Notice of Exemption, including a Certificate of Service and Publication, the original of which is being sent to you via U.P.S. Overnight/Next Day Air for your reference.

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 204X). Enclosed is a credit authorization voucher in the amount of \$3,700.00 for the filing fee.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over a horizontal line.

Enclosures

cc: All Concerned Parties

O:\ABANONMENTS\33-204X\STB-NOE.doc

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 204X)

**UNION PACIFIC RAILROAD COMPANY
– EXEMPT DISCONTINUANCE OF SERVICE –
IN WASHINGTON COUNTY, MISSOURI
(PEA RIDGE SUBDIVISION)**

NOTICE OF EXEMPTION

UNION PACIFIC RAILROAD COMPANY

**Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel 312-777-2055
Fax. 312-777-2065**

Dated: April 2, 2009

Filed. April 2, 2009

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 204X)

**UNION PACIFIC RAILROAD COMPANY
-- EXEMPT DISCONTINUANCE OF SERVICE --
IN WASHINGTON COUNTY, MISSOURI
(PEA RIDGE SUBDIVISION)**

NOTICE OF EXEMPTION

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 C.F.R. §1152, Subpart F -- Exempt Discontinuance of Service, for an exempt discontinuance of service over the Pea Ridge Subdivision from Milepost 63.75 near New Fountain Farm to Milepost 84.42 near Pea Ridge, a distance of 20.67 miles in Washington County, Missouri (the "Line").

Proposed Consummation Date: 49 C.F.R. §1152.50 (d)(2)

The abandonment is proposed to be consummated on or after May 21, 2009 (at least 50 days after filing the Notice of Exemption).

Certification: 49 C.F.R. §1152.50(b)

UP certifies that no local traffic has moved over the Line for at least two years; and that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line either is pending with this Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period. UP further certifies that there is no overhead traffic on the Line.

Additional Information Required: 49 C.F.R. §1152.22(a)(1) (4), (7)-(8) and (e)(4)

(a) General.

(a)(1) The railroads' exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(a)(3) UP intends to discontinue service on the Line from Milepost 63.75 near New Fountain Farm to Milepost 84.42 near Pea Ridge, a distance of 20.67 miles in Washington County, Missouri.

(a)(4) A map showing the location of the Line in conjunction with other rail lines, highways and major roads in the area is attached hereto as **Exhibit A and hereby made a part hereof.**

(a)(7) The representative to whom correspondence regarding this abandonment should be sent is:

**Mack H. Shumate, Jr.
Senior General Attorney
Union Pacific Railroad Company
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel: 312-777-2055
Fax: 312-777-2065**

(a)(8) ZIP Code. The Line traverses U. S. Postal Service Zip Code 93635.

(e)(4) Rural and Community Impact. The Pea Ridge Subdivision was constructed by the Missouri Pacific Railroad Company in 1961. The Line is primarily constructed with 112-pound jointed rail. The property involved does not include any federally granted right-of-way. Approximately 40% of the right-of-way has reversionary title.

The proposed action involves the discontinuance of service over the Pea Ridge Subdivision from milepost 63.75 near New Fountain Farm to milepost 84.42 near Pea

Ridge, a distance of 20.67 miles in Washington County, Missouri. The last customer on the segment, Pea Ridge Iron Ore Company at Pea Ridge, ceased rail activity in September 2001 when it went out of business, sold its mine real estate for recreational use and liquidated its equipment. An initiative by the new property owner to move ore from the mine property did not result in any rail business.

The proposed discontinuance will permit UP to end its common carrier obligation on track that has fallen out of operable condition while preserving it for restoration of service to the Pea Ridge mine or other activity if such service is requested and can be economically justified. The Line has not been used for overhead traffic. The Line may have been used on occasion for rail car storage by UP.

UP will continue to serve the initial portion of the Pea Ridge line in the New Fountain Farm area. The principal road in the area is state highway 185, which parallels the Line and connects to Interstate 44 approximately 15 miles northwest of Pea Ridge.

There will be no effect on regional or local transportation systems or patterns. There will be no increase in rail traffic, rail yard activity or truck traffic as a result of the proposed request for authority to discontinue service. UP is unaware of any adverse effects on local and existing land use plans. The Missouri Federal Assistance Clearinghouse, in cooperation with state and local agencies, contacted UP by letter dated February 17, 2009, a copy of which is attached hereto as Attachment No. 3 to UP's Combined Environmental and Historic Report on this matter advising that none of the agencies involved in the review had any comments or recommendations to offer at this time.

It is not likely that any of the right-of-way is suitable for other public purposes since it is located in a very rural area of Washington County.

Initially, the United States Natural Resources Conservation Service indicated a concern about the potential for removal of bridges and culverts on the Line. However, in that the proposed request for authority has been changed from one seeking abandonment to a discontinuance of service, no removal of bridges and/or culverts will take place.

Labor Protection

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. – Abandonment – Goshen , 360 ICC 91 (1979).

Certifications

Attached hereto as **Exhibit B** and hereby made a part hereof is a Certificate of Service and Publication pursuant to the notice requirements of 49 C.F.R. §§1152 50(d)(1), 1105.11 and 1105.12.

Environmental and Historic Report

A copy of the Transmittal Letter of UP's Combined Environmental and Historic Report containing the information required by 49 C.F.R. §§1105 7 (e) and 1105 8, and delivered in accordance with 49 C.F.R. §1105 11, is attached hereto as **Exhibit C** and hereby made a part hereof. The original was filed electronically with Anne K. Quinlan, Section of Environmental Analysis (SEA), on February 19, 2009.

There are no railroad structures on the property that are 50 years old or older. While the UP initially did receive a letter from the Department of Natural Resources for the State of Missouri ("DNRSM") dated May 1, 2003 indicating that the entire line is eligible for inclusion in the National Register of Historic Places as a component of the Iron Mountain Railroad, in that entire line is less than 50 years old and has been

modified and reconstructed routinely as part of the normal railroad maintenance process, there was and remains no creditable basis to consider the Line as an Historic structure. UP so informed the DNRSM by letter dated June 3, 2003. In response, the DNRSM by letter dated June 12, 2003 concurred with UP and held that there will be no historic properties affected by the current project. The DNRSM renewed this concurrence with UP by letter dated November 24, 2008 (See Exhibit F). In addition, in that the current proposal is merely for authority to discontinue operations over rather than abandonment of the Line,¹ no railroad structures will be removed other than at grade railroad crossings if permitted by the Board and the Missouri Public Service Commission. All letters referenced above are included with UP's Combined Environmental and Historic Report on this matter as filed with the Board on February 19, 2009.

Subsequent to filing the Combined Environmental and Historic Report with the Board on February 19, 2009, the UP received or discovered additional responses from governmental entities on the service list. All responses were favorable to the requested discontinuance with no additional contact required.

By letter dated November 20, 2008, a copy of which is attached hereto as Exhibit D and hereby made a part hereof, the Natural Resources Conservation Service of the United States Department of Agriculture determined that the proposed discontinuance of service would have no effect on any prime agricultural land or wetlands.

¹ UP previously filed with the Board a Combined Environmental and Historic Report for the Abandonment and Discontinuance of Service over a larger segment of the Pea Ridge Subdivision on July 11, 2003. The proposed Abandonment began at M.P. 59.0 near New Fountain Farm to M.P. 84.42 near Pea Ridge for a distance of 25.42 miles. The abandonment was placed on hold pending determination if potential iron ore movements would save the Line. Unfortunately, no actual iron ore business developed but the potential still remains. For this reason UP has placed on hold abandonment of the Line and is only seeking discontinuance of service over a smaller portion of the Line at this time.

By letter dated November 24, 2008, a copy of which is attached hereto as Exhibit E and hereby made a part hereof, the Fish and Wildlife Service of the United States Department of the Interior determined that they did not own any lands or interests in land in the vicinity of the proposed discontinuance of service and that they do not have any concerns regarding real estate matters regarding the proposed discontinuance.

By letter dated November 24, 2008, a copy of which is attached hereto as Exhibit F and hereby made a part hereof, the State Historic Preservation Office of the Missouri Department of Natural Resources reaffirmed that there will be "no historic properties affected" by the proposed discontinuance of service.

Finally, by letter dated February 18, 2009, a copy of which is attached hereto as Exhibit G and hereby made a part hereof, Region 7 of the United States Environmental Protection Agency ("USEPA") pointed out that several EPA regulated facilities and a Superfund Polygon were within or near the Line's alignment and should be considered in dealing with an abandonment of the Line. However, since the Line will not be abandoned and no salvage activities undertaken, except potentially within public highways to temporarily remove at grade crossings if approved by applicable governmental authorities, the concerns raised by the USEPA will not be triggered.

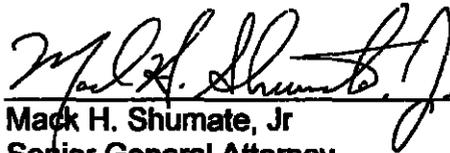
As part of this Notice of Exemption to Discontinue Service over the Line, UP respectfully requests authority to temporarily remove the track structure and any related highway grade crossing signal systems, if authorized by Order of the Missouri Department of Transportation, in order to provide highway vehicles with unobstructed passage over such crossings in that no rail traffic will move over the Line after discontinuance of operation thereover. Such authority will permit UP to avoid repairs to unneeded grade crossing surfaces and if approved by the Missouri Department of

Transportation, will permit UP to avoid unnecessary monthly and annual grade crossing signal maintenance. It is understood and agreed that UP would be obligated to reinstall the at grade crossings and surfaces and the highway grade crossing signal systems at UP's sole cost and expense to the level that existed prior to receipt of authority from the Board to discontinue service on the Line should operations on the Line be reinstated.

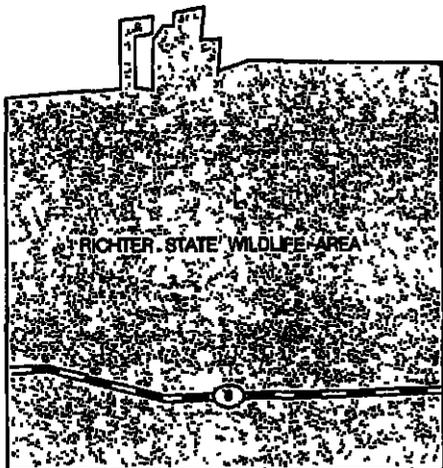
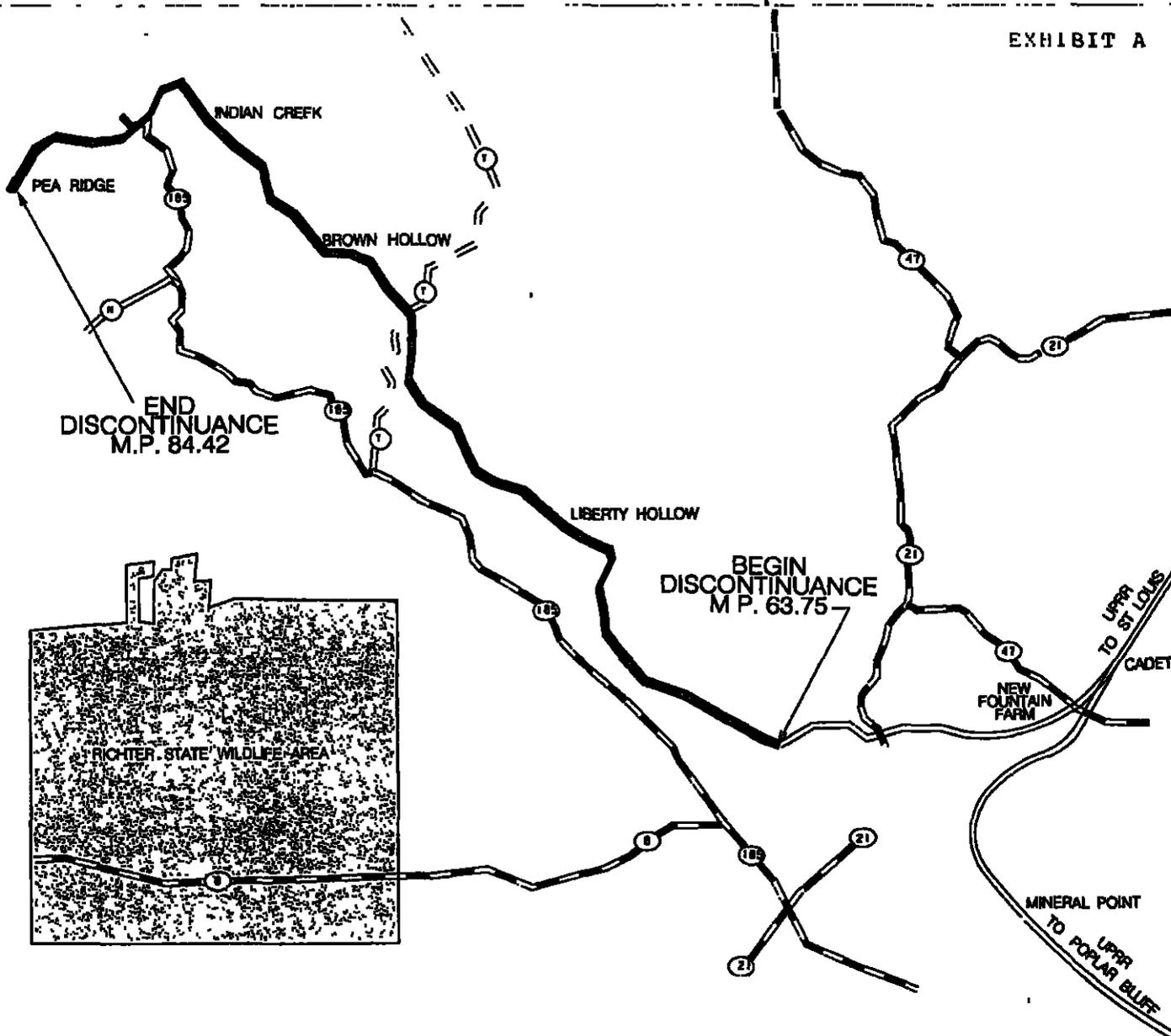
Dated this 2nd day of April, 2009.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel: 312-777-2055
Fax: 312-777-2065



PEA RIDGE SUBDIVISION

MP 63.75 TO MP 84.42
 A TOTAL OF 20.67 MILES
 IN WASHINGTON COUNTY MISSOURI

STATION	MILE POST	AGENCY
INDIAN CREEK	72.40	NO
PEA RIDGE	84.10	NO

LEGEND

- UPRR LINES TO BE DISCONTINUED
- OTHER UPRR LINES
- OTHER RAILROADS
- 50+ YEAR OLD STRUCTURES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

UNION PACIFIC RAILROAD CO.

PEA RIDGE SUBDIVISION

NOTE: NO 50+ YEAR OLD STRUCTURES
 ON THIS LINE



**UNION PACIFIC RAILROAD COMPANY
– EXEMPT DISCONTINUANCE OF SERVICE–
IN WASHINGTON COUNTY, MISSOURI
(PEA RIDGE SUBDIVISION)**

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on March 17, 2009 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to discontinue service over the Pea Ridge Subdivision from Milepost 63.75 near New Fountain Farm to Milepost 84.42 near Pea Ridge, a distance of 20.67 miles in Washington County, Missouri in Docket No AB-33 (Sub-No. 204X). Written notice (a copy of which is attached) was served on the following:

Missouri Department of Transportation
2217 St. Mary's Boulevard
P.O. Box 270
Jefferson City, MO 65102

Regional Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor, N.W., Auditors Building
14th St. & Independence Ave., S.W.
Washington, DC 20250

Headquarters, Military Surface
Deployment & Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA
(Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

49 C.F.R. § 1105.11—Environmental and Historic Report

The undersigned certifies that on February 19, 2009 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No 204X) for discontinuance of service in Washington County, Missouri on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) State Coastal Zone Management Agency
- (4) Head of each County
- (5) U.S. Environmental Protection Agency (regional office)
- (6) U.S. Fish and Wildlife Service
- (7) U.S. Army Corps of Engineers
- (8) National Park Service
- (9) U.S. Natural Resources Conservation Service
- (10) The National Geodetic Survey
- (11) State Historic Preservation Office

(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served.)

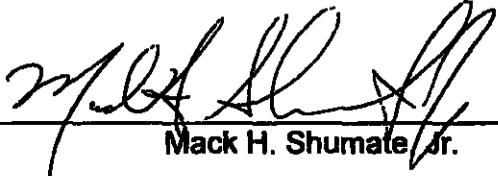
49 C.F.R. § 1105.12 - Newspaper Notice

The undersigned further certifies that a "Notice of Intent to Discontinue Service" was published in the form prescribed by the Board for a Notice of Exemption.

The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Washington	Independent Journal	April 2, 2009

Dated this 2nd day of April, 2009.



 Mack H. Shumate Jr.



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

March 17, 2009

Missouri Public Service Commission
Governor Office Building
P.O. Box 360
Jefferson City, MO 65102-0360

Regional Environmental Coordinator
Planning & Compliance Office
National Park Service, Midwest Region
601 Riverfront Drive
Omaha, NE 68102

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor, N.W., Auditors Building
14th St. & Independence Ave., S.W.
Washington, DC 20250

Headquarters
Military Surface Deployment & Distribution
Command
Transportation Engineering Agency
ATTN: SDTE-SA
(Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

**RE: Exempt Discontinuance of Service over the Pea Ridge Subdivision from M.P. 63.75 near New Fountain Farm to M.P. 84.42 near Pea Ridge, a distance of 20.67 miles in Washington County, Missouri;
STB Docket No. AB-33 (Sub-No. 204X)**

Dear Sirs:

This is notice that Union Pacific Railroad Company ("UP") expects to be filing with the Surface Transportation Board ("STB") a Notice of Exemption to discontinue service over the Pea Ridge Subdivision from M.P. 63.75 near New Fountain Farm to M.P. 84.42 near Pea Ridge, a distance of 20.67 miles in Washington County, Missouri; (the "Line").

The Line traverses U. S. Postal Service Zip Code 93635. The proceeding will be docketed as No. AB-33 (Sub-No. 204X).

The Notice of Exemption procedure will be used to discontinue service over the Line, pursuant to the abandonment regulations of the Surface Transportation Board at 49 C.F.R. Section 1152.50. The last customer on the segment, Pea Ridge Iron Ore Company at Pea Ridge, ceased rail activity in September, 2001 when it went out of business, sold its mine real estate for recreational use and liquidated its equipment. A Notice of Exemption to discontinue service over the Line will be filed with the Surface Transportation Board on or after March 27, 2009.

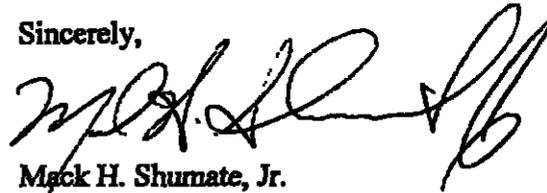
Based on information in our possession, the Line does not contain federally granted rights-of-way. Any documentation in the Railroad's possession will be made available promptly to those requesting it.

March 17, 2009
Page 2

AB-33 (Sub-No. 204X)

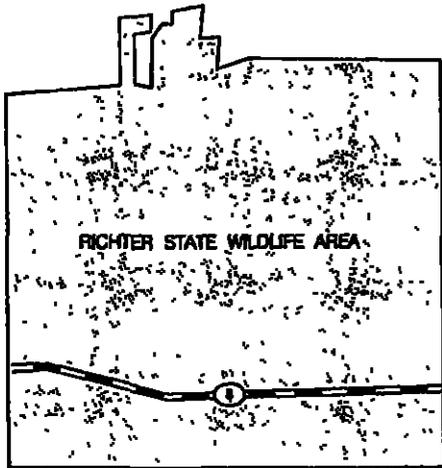
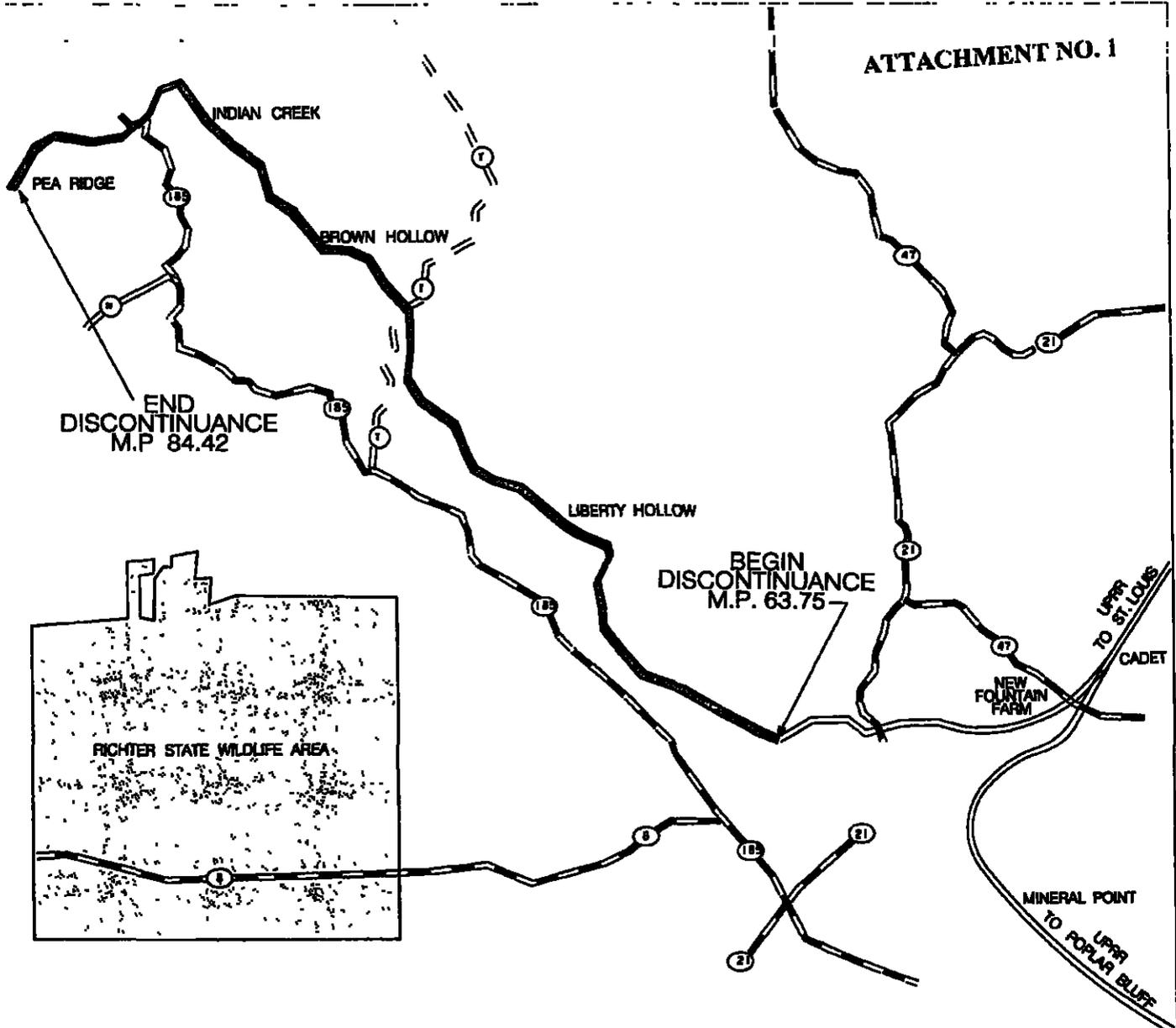
A map showing the Line to be abandoned is attached, for your information as Attachment No. 1.

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

Attachment



PEA RIDGE SUBDIVISION

MP 63.75 TO MP 84.42
 A TOTAL OF 20.67 MILES
 IN WASHINGTON COUNTY, MISSOURI

STATION	MILE POST	AGENCY
INDIAN CREEK	72.40	NO
PEA RIDGE	84.10	NO

LEGEND

- UPRR LINES TO BE DISCONTINUED
- OTHER UPRR LINES
- OTHER RAILROADS
- 50+ YEAR OLD STRUCTURES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

UNION PACIFIC RAILROAD CO.

PEA RIDGE SUBDIVISION

NOTE: NO 50+ YEAR OLD STRUCTURES ON THIS LINE





Mack H. Shumate, Jr.
Senior General Attorney, Law Department

February 19, 2009

VIA E-FILING

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

**RE: Exempt Discontinuance of Service over the Pea Ridge
Subdivision from Milepost 63.75 near New Fountain Farm to
Milepost 84.42 near Pea Ridge, a distance of 20.67 miles in
Washington County, Missouri; STB Docket AB-33 (Sub-No.
204X)**

Dear Secretary Quinlan:

Attached for filing in the above-referenced docket is the
Combined Environmental and Historic Report prepared pursuant to
49 C.F.R. §1105.7 and §1105.81 with a Certificate of Service,
and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Notice of Exemption to
Discontinue Service on or after March 11, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over a horizontal line.

Attachment

cc: All Concerned Parties

O: \ABANONMENTS\33-204X\STB-EHR.doc

United States Department of Agriculture



801 Business Loop 70 West, Columbia, MO 65203

November 20, 2008

Charles W. Saylor
Union Pacific Railroad
1400 Douglas Street, Mail Stop 1580
Omaha, Nebraska 68179-1580

Re: Proposed Discontinuance of the Pea Ridge Subdivision from Milepost 59.0 near New Fountain Farm to Milepost 84.42 near Pea Ridge in Washington County, Missouri; STB Docket No. AB-33 (Sub-No. 204X)

Dear Mr. Saylor:

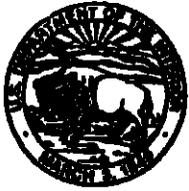
This letter is follow-up to your November 10, 2008 letter to me regarding the above listed project. The Natural Resources Conservation Service (NRCS) sees no effect of the proposed action on any prime agricultural land or wetlands. Any impacts would have occurred during the installation.

If you have any questions, please feel free to contact Clayton Lee, State Soil Scientist at (573) 876-0907.

Sincerely,

Roger A. Hansen
State Conservationist

cc: Ronald W. Ziehm, DC, NRCS, Union, Missouri



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

**FWS/NWRS-RE - General
Railroad Abandonments**

November 24, 2008

Mr. Charles W. Saylor
Union Pacific Railroad
1400 Douglas Street
Mail Stop 1580
Omaha, Nebraska 68179

Dear Mr. Saylor:

Thank you for the opportunity to comment on the proposed abandonment of service on 25.42 miles of railroad line between Milepost 59.0 (near New Fountain Farm) and Milepost 84.42 (near Pea Ridge); STB Docket No. AB-33 (Sub-No. 204X).

We have researched our ownerships in the vicinity and have determined we do not own any lands or interests in land in the vicinity of the proposed rail line abandonments. We do not have any concerns regarding real estate matters in the abandonments.

Sincerely,

A handwritten signature in cursive script that reads "Patrick G. Carroll".

Patrick G. Carroll
Senior Realty Officer
Division of Realty

**CULTURAL RESOURCE ASSESSMENT
Section 106 Review**

CONTACT PERSON/ADDRESS

C:

Chuck Saylor
1400 Douglas Street
Mail Stop 1580
Omaha, Nebraska 68179

Victoria Rutson, STB

PROJECT:

Union Pacific Discontinuance, Pea Ridge Subdivision M.P. 59.0 near New Fountain Farm to M.P. 84.42 near Pea Ridge

FEDERAL AGENCY

STB

COUNTY:

WASHINGTON

The State Historic Preservation Office has reviewed the information submitted on the above referenced project. Based on this review, we have made the following determination:

After review of initial submission, the project area has a low potential for the occurrence of cultural resources. A cultural resource survey, therefore, is not warranted.

Adequate documentation has been provided (36 CFR Section 800.11). There will be "no historic properties affected" by the current project.

An adequate cultural resource survey of the project area has been previously conducted. It has been determined that for the proposed undertaking there will be "no historic properties affected".

For the above checked reason, the State Historic Preservation Office has no objection to the initiation of project activities. PLEASE BE ADVISED THAT, IF THE CURRENT PROJECT AREA OR SCOPE OF WORK ARE CHANGED, A BORROW AREA IS INCLUDED IN THE PROJECT, OR CULTURAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, APPROPRIATE INFORMATION MUST BE PROVIDED TO THIS OFFICE FOR FURTHER REVIEW AND COMMENT. Please retain this documentation as evidence of compliance with Section 106 of the National Historic Preservation Act, as amended.

By: Mark A. Miles
Mark A. Miles, Deputy State Historic Preservation Officer

November 24, 2008
Date

MISSOURI DEPARTMENT OF NATURAL RESOURCES
STATE HISTORIC PRESERVATION OFFICE
P.O. Box 176, Jefferson City, Missouri 65102

For additional information, please contact Judith Deel, (573) 751-7862. Please be sure to refer to the project number:
003-WA-09

LAW DEPT.

FEB 23 2009

REC'D UPRH



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

18 FEB 2009

Ms. Colleen Graham
Union Pacific Railroad
1400 Douglas Street, Mail Stop 1580
Omaha, NE 68179

Dear Ms. Graham:

RE: STB Docket No. AB-33 (Sub-No. 204X), *Proposed Exempt Discontinuance Operations of the Pea Ridge Subdivision from M.P. 63.75 near New Fountain Farm to M.P. 84.42 near Pea Ridge, a distance of 20.67 miles in Washington County, Missouri*

This correspondence responds to your inquiry of February 4, 2009, requesting the U.S. Environmental Protection Agency's interest in this proposed discontinuance. In evaluating this action, I referred to EPA Region 7's Geographic Information Systems for spatial relationships of environmentally regulated facilities and remediation sites. In this evaluation, several EPA regulated facilities, including those regulated for minor air emissions, major and minor National Pollutant Discharge Elimination System, and a Superfund Polygon, were found to be within or near the rail line's alignment that should be considered in the abandonment proposal (please see attached maps).

In addition, EPA does caution that environmental legacies of railway operations can include (but may not be limited to) product spills, maintenance activities - where waste fuels and lubricants may have been discarded, wood preservative applications to ties and trestles, and rights-of-way maintenance with herbicides. If there are any reports regarding current or future management and/or maintenance plans for the proposed discontinuance area, please forward them to EPA R7's NEPA Team at 901 N 5th St, Kansas City, KS 66101 or the email address below.

As is the case for all federal actions being reviewed through the National Environmental Policy Act (NEPA) process, it is the obligation of the lead federal agency to determine the environmental consequences of the action. Please note that while we believe that this letter expresses our views on the impacts of the project based on the limited available information, it is up to the STB to determine what, if any, further consultation with EPA would be necessary.

For future abandonment proposals, if EPA can be of assistance within its jurisdiction or technical capabilities, please contact me at (913)-551-7565 or tucker.amber@epa.gov, or you may also contact Mr. Joseph Cothorn, NEPA Team Leader, at (913) 551-7148, or cothorn.joe@epa.gov.

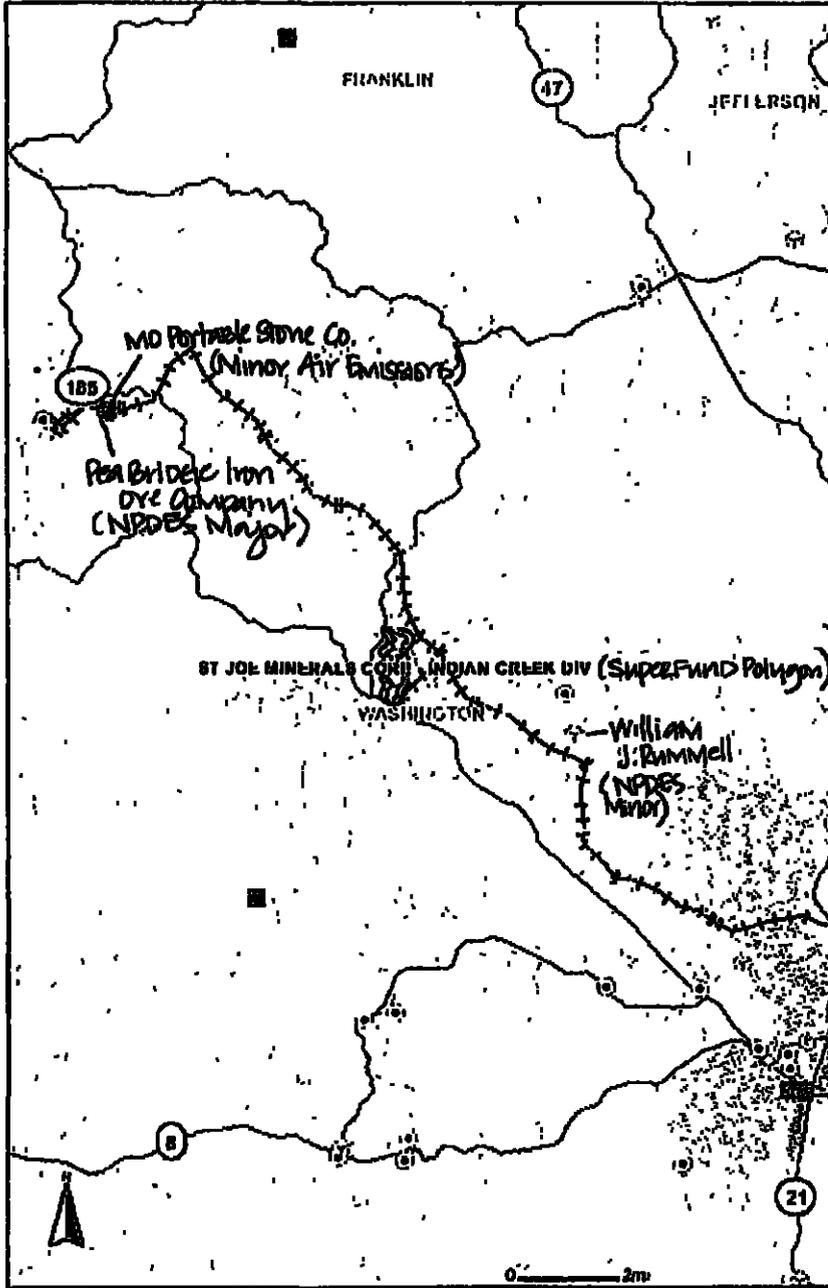
Sincerely,



Amber Tucker
NEPA Reviewer
Environmental Services Division

Enclosure

UPR Discontinuance Operations, Washington Co, MO



- AFS - Major
- AFS - Minor
- R7 Superfund Polygons
- NPDES - Major
- NPDES - Minor
- PWS Wells
- State Highways and County Roads
- Roads
- Railroads
- EJ Areas (Block Group)
- Minorities >= 25%
- Poverty >= 25%
- Both
- No Match
- County Boundaries

NOTE: The Environmental Protection Agency does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any loss or injury resulting from reliance upon the information shown.

"Minorities" is a percentage of minority individuals relative to total population per block group. "Below Poverty" is the percentage of the total block group population with incomes below the poverty level in 1999. Block group geography and demographic data are based on the 2000 Census. This information depicts areas of concern where potential environmental and/or human health problems may disproportionately impact a population.

This information should not be used in comparison to previous EPA Region 7 Environmental Justice maps using 1990 data, as the data parameters have changed. The EPA Region 7 Environmental Justice Program has chosen to adopt the U.S. Census Bureau's parameters for poverty and race/ethnicity status in an effort to show a more accurate picture.

EPA
REGION 7
 ENSV Division
 2-11-2009