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OEA

SERVICE DATE – APRIL 3, 2020

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**FINAL ENVIRONMENTAL ASSESSMENT**

**Docket No. AB 1296X**

**R.J. Corman Railroad Property, LLC - Abandonment Exemption - in Scott, Campbell, and Anderson Counties, Tenn.**

**Docket No. AB 875 (Sub-No. 1X)**

**R.J. Corman Railroad Company/Bardstown Line - Discontinuance Exemption - in Scott, Campbell, and Anderson Counties, Tenn.**

**ABANDONMENT TYPE**

The time for comments on the Draft Environmental Assessment (Draft EA) has expired in this:  
(X) Notice of Exemption ( ) Petition for Exemption ( ) Regulated Abandonment

**( ) NO NEW COMMENTS WERE RECEIVED**

**(X) NEW COMMENTS WERE RECEIVED**

OEA served a Draft EA for this proceeding on March 13, 2020 for public review and comment. In the Draft EA, OEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

**Comments on the Draft EA**

OEA received one comment after issuance of the Draft EA from the Tennessee Department of Environment and Conservation (TDEC). TDEC expressed concern regarding exhaust emissions from equipment that may be employed during salvaging activities. TDEC requested that salvage contractors certify or demonstrate that the diesel engines are being properly maintained, have all emissions control equipment in good working order, and where possible, are using newer trucks to help mitigate offsite emissions during transit. To address TDEC's concern, OEA recommends a new condition that requires R.J. Corman Railroad Property, LLC and R. J. Corman Railroad Company/Bardstown Line (Applicants) to consult with TDEC regarding diesel equipment operation and maintenance prior to beginning salvage activities.

TDEC also stated that "should open burning be considered for disposal of wood wastes generated from the proposed project, alternatives to open burning, including chipping, composting or grinding of wood waste, be evaluated first. If open burning is selected for wood waste disposal, Applicants should consider implementing a smoke management plan, not burning on air quality alert days, and coordinating burning with appropriate agencies."

Furthermore, TDEC stated that solid waste from salvage activities should be handled in accordance with state solid and hazardous waste rules and regulations. OEA notes that Applicants have not proposed open burning of wood waste, and Applicants have stated that salvage materials would be reused, sold as scrap or disposed of in accordance with applicable federal and state regulations. Therefore, OEA is not recommending a new condition regarding the handling or disposal of solid waste.

TDEC also stated that construction activities (including clearing, grading, filling, excavating, and creation of staging area) that disturb one acre or more of total land area require compliance with a Construction Stormwater Permit. Based on its review of the Draft EA, TDEC concluded that the proposed project does not appear to cause disturbance to one or more acres of land. TDEC encouraged appropriate erosion prevention and sediment controls be installed to prevent sediment runoff even if the disturbed area is less than one acre. OEA notes that Applicants have stated that salvage activities would be limited to the removal of rails, ties, and other track material, but the bridges, railbed and subgrade would be left in place and undisturbed. Therefore, OEA does not anticipate the need for erosion prevention and sediment control measures.

### **Conclusions**

The Draft EA comment period has ended. Accordingly, OEA recommends that the condition recommended in the Draft EA, as well as the additional condition recommended in this Final EA, should be imposed upon any decision granting abandonment authority. The combined conditions are:

1. In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during salvage activities, R.J. Corman Railroad Property, LLC and R. J. Corman Railroad Company/Bardstown Line (Applicants) shall immediately cease all work and notify the Board's Office of Environmental Analysis (OEA), interested federally recognized tribes, and the Tennessee Historical Commission (SHPO) pursuant to 36 C.F.R. § 800.13(b). OEA shall then consult with the SHPO, interested federally recognized tribes, the Applicants, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.
2. Prior to commencement of any salvage activities, R.J. Corman Railroad Property, LLC and R. J. Corman Railroad Company/Bardstown Line shall consult with the Tennessee Department of Environment and Conservation regarding the operation and maintenance of diesel equipment to be used during salvage activities.

If the above conditions are imposed, OEA believes that the proposed action would not significantly affect the quality of the human environment.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.