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OEA

SERVICE DATE – JULY 16, 2021

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 183 (Sub-No. 5X)

**Union Railroad Company, LLC – Abandonment Exemption –
in Allegheny County, Pa.**

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**

In this proceeding, Union Railroad Company, LLC (URR) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Allegheny County, Pennsylvania. The rail line proposed for abandonment consists of approximately 5.4 miles of switching and terminal trackage on approximately 20.7 acres of right-of-way in the City of McKeesport (the Line). By decision dated June 17, 2021, the Board imposed a historic preservation condition pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108.

The Section 106 historic preservation condition imposed by the Board in its June 17, 2021 decision requires URR to: (a) retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 54 U.S.C. § 306108, has been completed; (2) report back to the Office of Environmental Analysis regarding any consultations with the State Historic Preservation Office, any other Section 106 consulting parties that have been identified and the public; and (3) not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

On June 24, 2021, the Board's Office of Environmental Analysis (OEA) received a copy of a letter from the Pennsylvania Historical and Museum Commission, Pennsylvania State Historic Preservation Office (SHPO) stating that it had reviewed the information submitted by URR, and concluded that the proposed abandonment would have no effect on historic properties.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.5(b), and following consultation with the SHPO and the public, OEA has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 C.F.R. § 800.11(e), consists of the railroad's historic report, all relevant correspondence, the Draft EA, the Final EA and this Supplemental Final EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <https://prod.stb.gov>.

Conclusions

For the reason stated above, OEA recommends that the Board remove the Section 106 condition that was imposed in the June 17, 2021 decision.

By the Board, Danielle Gosselin, Acting Director, Office of Environmental Analysis.