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OEA

SERVICE DATE – NOVEMBER 19, 2021

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 646 (Sub-No. 1X)

**Atlantic and Western Railway, Limited Partnership - Abandonment Exemption –
In Lee County, N.C.**

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

(X) NO NEW COMMENTS WERE RECEIVED

() NEW COMMENTS WERE RECEIVED

In this proceeding, Atlantic and Western Railway, Limited Partnership (ATW), a class III railroad, filed a notice of exemption under 49 U.S.C. § 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 Lee County, North Carolina. The rail line proposed for abandonment extends approximately 1.05 miles from milepost 2.71 to milepost 3.76 (the Line). The Line is adjacent to industrial and commercial areas in the City of Sanford and is crossed by three local streets: Nash Street, Rosser Road and Broadway Road.

The Draft EA comment period has ended. OEA received no comments after issuance of the Draft EA. Accordingly, OEA recommends that the following condition previously recommended in the Draft EA be imposed upon any decision granting abandonment authority:¹

- Prior to commencement of any abandonment-related salvage activities, Atlantic and Western Railway, Limited Partnership shall consult with the North Carolina Department of Environmental Quality, Waste Management Division to ensure that any concerns regarding the need for permits, proper waste handling and disposal, and potential contamination of the right-of-way are addressed.

If the above condition is imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

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

¹ If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 is reached for the Line (or a portion thereof), compliance with this condition is not required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.