

305576

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS
2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820
FACSIMILE: (202) 663-7849

ENTERED
Office of Proceedings
October 28, 2022
Part of
Public Record

Crystal M. Zorbaugh

(202) 663-7831 (Direct Dial)
E-Mail: czorbaugh@bakerandmiller.com

October 28, 2022

VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

Re: Norfolk Southern Railway Company – Abandonment Exemption – In
Bergen County, New Jersey, AB-290 (Sub-No. 407X)

Dear Ms. Brown:

On October 14, 2020, Norfolk Southern Railway Company (“NSR”) filed a verified petition for exemption pursuant to 49 C.F.R. Part 1152, Subpart G –Special Rules Applicable to Petitions for Abandonments to abandon rail service over an approximately 1.2-mile rail line, extending from Milepost UQ 9.0 to Milepost UQ 10.2, in Bergen County, New Jersey (the “Line”). Notice of the exemption was served and published in the Federal Register on November 3, 2020 (85 Fed. Reg. 69,676). The exemption became effective on February 25, 2021.¹

On June 17, 2022, NSR requested a one-year extension of the consummation notice deadline² to arrange for salvage the Line and make the preparations necessary to consummate its abandonment authority. In accordance with the provisions of 49 C.F.R. § 1152.29(e)(2) and the Board’s November 3, 2020, decision (as modified by subsequent decisions of the Board on January 26, 2021 and July 25, 2022), NSR hereby advises the Board that it has exercised the authority granted to it and has fully consummated abandonment of the Line. Should you have any questions concerning this notice of consummation, please contact the undersigned counsel for NSR.

¹ The original consummation deadline was January 26, 2022.

² NSR was prohibited from “initiating salvage activities related to abandonment (including removal of tracks and ties) until NSR reported the results of salvage consultations in writing to the Office of Environmental Analysis and the Board removed the condition.” See AB-290 (Sub-No. 407X) Decision ID 50486 (STB served January 26, 2021). Unfortunately, 60 days was not enough time to arrange for salvage and consummate the authority granted. NSR sought and received a consummation deadline extension to August 12, 2023.

BAKER & MILLER PLLC

Ms. Cynthia T. Brown

October 28, 2022

Page 2 of 2

Sincerely,

/s/ Crystal M. Zorbaugh

Crystal M. Zorbaugh

Counsel for Norfolk Southern Railway Company

cc: Parties of Record
Hanna Chouest
Scott Plum
NJ Department of Transportation
NJ Board of Public Utilities