

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 290 (Sub-No. 393X)

NORFOLK SOUTHERN RAILWAY COMPANY—ABANDONMENT EXEMPTION—
BETWEEN MANSFIELD AND BLOOMINGTON, IN MCLEAN, DEWITT AND
PIATT COUNTIES, ILL.

Decided: June 23, 2017

Norfolk Southern Railway Company (NSR) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon approximately 30.40 miles of rail line between milepost UM 47.9 and milepost UM 78.3 between Mansfield and Bloomington, in McLean, Dewitt and Piatt Counties, Ill. (the Line).¹ Notice of the exemption was served and published in the Federal Register on May 25, 2017 (82 Fed. Reg. 24,201). The exemption is scheduled to become effective on June 24, 2017.

The Board's Office of Environmental Analysis (OEA) served an environmental assessment (EA) recommending that two conditions be imposed on any decision granting abandonment authority. OEA noted that the Illinois Commerce Commission (ICC) submitted a comment stating that, in addition to removal of track material and smoothing of the railroad bed, NSR would need to remove a number of public highway-rail and private grade crossings from various roadways, as well as remove or dispose of remaining crossing surface material, warning devices, or signage. As OEA also noted, the ICC's comment indicated that NSR's Strategic Management Group is coordinating efforts with various highway agencies and private individuals to remove these crossings to their satisfaction. Accordingly, OEA recommends that NSR be required to consult with the ICC's Transportation Bureau, Rail Safety Section (RSS), prior to beginning salvage activities involving any public or private road crossings and to comply with the reasonable requirements of the RSS regarding notification and coordination of the restoration of these crossings.

In the EA, OEA stated that a comment was received from the National Geodetic Survey (NGS), which noted that 61 survey markers may be near the Line. Therefore, OEA recommends that NSR be required to consult with and notify NGS at least 90 days prior to beginning salvage activities that would disturb or destroy any geodetic station markers.

¹ NSR was authorized to discontinue service over the Line in 2004. Norfolk S. Ry.—Discontinuance of Serv. Exemption—in McLean, Dewitt, & Piatt Ctys., Ill., AB 290 (Sub-No. 249X) (STB served Feb. 11, 2004).

OEA issued its final EA on June 20, 2017, noting that no comments to the EA were received by the June 14, 2017 due date and reiterating its recommendation that the two previously recommended conditions be imposed. Accordingly, the two conditions recommended by OEA will be imposed.

Based on OEA's recommendation, the proposed abandonment, if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served and published in the Federal Register on May 25, 2017, exempting the abandonment of the Line described above is subject to the conditions that NSR shall:
 - (a) consult with the Illinois Commerce Commission's Transportation Bureau, Rail Safety Section (RSS) prior to beginning salvage activities involving any public or private road crossings and comply with the reasonable requirements of the RSS regarding notification and coordination of the restoration of these crossings; and
 - (b) consult with and notify NGS at least 90 days prior to beginning salvage activities that would disturb or destroy any geodetic station markers.
3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.