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Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

Office of Proceedings

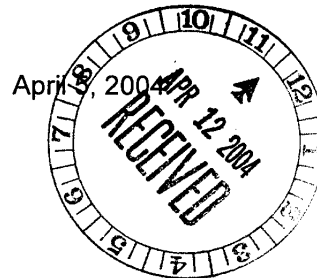
James R. Paschall
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APR 12 2004

Public Hearing



Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Re: STB Docket No. AB-290 (Sub-No. 244X), Norfolk Southern Railway
Company - Abandonment Exemption - Between Toler and Peg, In
Pike County, KY

Dear Mr. Williams:

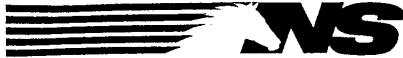
Enclosed is a copy of the March 16, 2004 response of the Kentucky State Historic Preservation Officer to Norfolk Southern Railway Company's (NSR) historic report and request for comments on the historic impacts of the abandonment action contemplated pursuant to the notice of exemption in this proceeding. The response indicates that the abandonment of 8.74 miles of rail line between milepost WP-2.20 at Toler, KY and milepost WP-10.94 at Peg, KY will have no effect on historic properties.

In a decision served February 25, 2004, the Board ordered NSR to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the section 106 process of the NHPA. Inasmuch as the enclosed response completes the section 106 process in this proceeding, NSR requests that the Board remove the section 106 condition from the exemption.

Very truly yours,


James R. Paschall

cc: Ms. J. M. Lipps
Mr. J. T. Moon



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Mr. David L. Morgan, Director
Kentucky Heritage Council
300 Washington Street
Frankfort, KY 40601

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OCT 30 2003

KY HERITAGE
COUNCIL

James R. Paschall
General Attorney

October 27, 2003

#10,188

Re: Docket No. AB-290 (Sub-No. 244X), Norfolk Southern Railway Company --
Abandonment -- between Toler and Peg, Kentucky

Dear Mr. Morgan:

On or about November 25, 2003, we expect to be filing with the Surface Transportation Board a notice of exemption seeking authority to abandon 8.74 miles of rail line located between railroad milepost WP-2.20 at Toler and railroad milepost WP-10.94 at Peg, Kentucky. Attached is a Historic Report describing the proposed action and any expected historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. If you believe any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, D. C. 20423-0001, Telephone (202) 565-1545, and refer to the above Docket. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to me) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the historic impacts of the contemplated action. If there are any questions concerning this proposal, please contact me directly at the above telephone number or address.

Yours very truly,

Concur

No Effect on Historic Properties

by Gayle L. Paschall Date 3-16-04

for David L. Morgan

Kentucky State Historic Preservation Officer

JRP/sg

James R. Paschall

James R. Paschall

