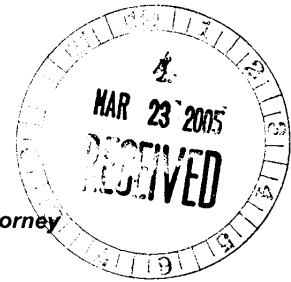




213605

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

James R. Paschall
Senior General Attorney



Writer's Direct Dial Number

(757) 629-2759
fax (757) 533-4872

ENTERED
Office of Proceedings

MAR 23 2005

Part of
Public Record

March 17, 2005

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

Re: Docket No. AB-290 (Sub-No. 260X), Tennessee Railway Company
– Abandonment Exemption – Between Oneida, Tennessee and Nicks
Creek, Tennessee - In Scott County, Tennessee - Petition for Exemption

Dear Mr. Williams:

Enclosed for filing with the Board in the subject docket are an original and ten copies of the Army Corps of Engineers' response to the environmental report of Norfolk Southern Railway Company in connection with its Petition for Exemption to abandon the subject line of railroad between Milepost TE-0.95 near Oneida, TN and Milepost TE-27.96 near Nicks Creek, TN. The letter from the Corps states that the work described in the environmental report in connection with the abandonment of the Line would not impact the waters of the U.S., including wetlands, with deposition of fill or dredged material. Therefore, a permit would not be required for such work.

Very truly yours,

James R. Paschall

Enclosure

cc w/ encl:
Mr. Charles W. Kite
General Counsel
National Coal Corporation
8915 George Williams Road
Knoxville, TN 37923

Mr. Vernon A. Williams
Re: AB-290, Sub-No 260X
March 17, 2005
Letter Page 2 of 2

cc w/ encl.

Mr. Kelvin J. Dowd
Slover and Loftus
1224 17th Street, N.W.
Washington, D.C. 20036-3003

Honorable Dwight Murphy, County Mayor
Scott County
P. O. Box 69
County Courthouse
Huntsville, TN 27756-0069

Ms. Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
3701 Bell Road
NASHVILLE, TENNESSEE 37214

March 3, 2005

REPLY TO
ATTENTION OF:

Regulatory Branch

SUBJECT: File No. 2005-00051; Proposed Abandonment of Railway
Segment Between Milepost TE 0.95 and Milepost TE 27.96 from
Oneida to Nick's Creek, Scott County, Tn

Mr. Larry G. Western
Norfolk Southern Railway Company
Environmental Protection Department
110 Franklin Road, SE (Box 13)
Roanoke, VA 24042-0013

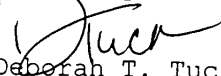
Dear Mr. Western:

This is in response to your letter dated December 3, 2004
requesting our review/comments of the subject proposal for
Tennessee Railway Company.

Based on the information provided, the work would not impact
waters of the U.S., including wetlands, with deposition of fill
or dredged material. **Therefore, a permit would not be required.**

We appreciate your awareness of our regulatory program. If
you have any questions, you can contact me at the above address,
telephone (615) 369-7518, or by email at
deborah.s.tuck@usace.army.mil.

Sincerely,


Deborah T. Tuck
Regulatory Specialist
Operations Division

Copy Furnished:

CELRN-MCA-DAL/R, R. Smith

