

EO-842

**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-290 (Sub-No. 302X)

April 8, 2008

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

Notice of Exemption Petition for Exemption Regulated Abandonment

NO NEW COMMENTS WERE RECEIVED

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SEA served an Environmental Assessment (EA) for this proceeding on March 21, 2008 for public review and comment. In the EA, SEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

In the EA, SEA recommended that Norfolk Southern Railway Company (NS) consult with the appropriate county conservation district prior to commencement of any salvage activities regarding erosion and sedimentation control. In a March 25, 2008 letter, NS submitted correspondence from the Chester County Conservation District stating that nothing further is needed with respect to salvage mitigation measures. NS also clarified that salvage activities will only include the removal of rail, crossties, and other track materials. Accordingly, the previously recommended environmental condition is no longer necessary.

Conclusions

The EA comment period has ended and no conditions are recommended by SEA. Accordingly, SEA believes that the proposed action will not significantly affect the quality of the human environment.

SEA CONTACT: Christa Dean 245-0299

ET 7-30
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Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

James R. Paschall
Senior General Attorney

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

March 25, 2008

Ms. Christa Dean
Surface Transportation Board
Case Control Unit
395 E Street, S.W.
Washington, D. C. 20423-0001

Re: STB Docket No. AB-290 (Sub. No. 302X), Norfolk Southern Railway
Company – Abandonment – in East Whiteland Township,
Chester County, PA – Notice of Exemption

Dear Ms. Dean:

In the Environmental Assessment served March 21, 2008, the Surface Transportation Board's Section of Environmental Analysis recommended one environmental condition be placed on any decision granting abandonment authority, as follows:

1. To address the concerns raised by the Natural Resources Conservation Service regarding erosion and sedimentation control, Norfolk Southern Railway Company shall consult with the appropriate county conservation district prior to commencement of any salvage activities.

Attached is a copy of an e-mail communication between Norfolk Southern Engineer Richard Dietz and Benjamin Drover, Chester County Conservation District, wherein Mr. Drover confirms that nothing further is needed from Norfolk Southern with respect to salvage mitigation measures.

NSR requests that the STB deem satisfied the condition recommended in the Environmental Assessment served March 21, 2008.

In addition, on page 2 of the Environmental Assessment, in the first paragraph under the heading *Salvage Activities*, the SEA states "NS plans to salvage the rail, crossties, and possibly the upper layer of ballast but states that it does not intend to appreciably remove or alter the contour of the underlying roadbed." Please be advised

Ms. Christa Dean
March 25, 2008
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that NS plans to remove rail, crossties and other track materials during its salvage operations, but not to salvage ballast. Although other carriers may handle salvage of ballast differently on a regular basis, Norfolk Southern Railway's practice is not to routinely remove ballast during its salvage operations.

Thank you for your consideration in this matter.

Yours very truly,



James R. Paschall

JRP:kch

Enclosures

cc w/encl:

Ms. Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20423-0001

Ms. Anne K. Quinlan, Acting Secretary
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20423-0001

Headrick, Kathy, C

From: Headrick, Kathy, C
Sent: Tuesday, March 25, 2008 2:11 PM
To: Headrick, Kathy, C
Subject: FW: Track Removal - Former Worthington Steel Location- East Whiteland Township

From: Drover, Benjamin J. [mailto:bdrover@chesco.org]
Sent: Monday, March 24, 2008 3:00 PM
To: Dietz, Richard P.
Subject: RE: Track Removal - Former Worthington Steel Location- East Whiteland Township

Rick,

Consider us notified. Given that the developer and excavator (O'Neil Properties and H&K group are responsible for the E&S for the site and that many of the controls have been implemented, nothing further is needed from Norfolk Southern from the Chester County Conservation District.

Thanks for your inquiry.

Benjamin Drover

From: Dietz, Richard P. [mailto:richard.dietz@nscorp.com]
Sent: Monday, March 24, 2008 2:50 PM
To: Drover, Benjamin J.
Subject: Track Removal - Former Worthington Steel Location- East Whiteland Township

Mr. Drover

Per our phone conversation of Monday, March 24, 2008 concerning above subject. Norfolk Southern has received STB authority to abandon a portion of a line of railroad located in East Whiteland Township, Chester County, PA. Prior to commencing any salvage operations at this location, the STB requested that Norfolk Southern consult with the required agency concerning any required erosion or sedimentation control. Norfolk Southern will only at this location remove the track structure (rails and ties), leaving the existing roadbed, ballast and drainage systems intact.

Please advise any concerns regarding this project, or can NS proceed with the track removal?

Rick Dietz
Engineer Systems
Norfolk Southern
Atlanta, GA
Ph 404-529-1434

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3/25/2008