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November 13, 2024

308898

VIA E-FILING

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

ENTERED
Office of Proceedings
November 13, 2024
Part of
Public Record

Re: Norfolk Southern Railway Company – Abandonment Exemption – In Mingo County, West Virginia AB-290 (Sub-No. 417X)

Dear Ms. Brown:

Enclosed for filing in the above-referenced matter is an errata containing a page, that corrects a discrepancy regarding the mileposts identified in the Verified Notice of Exemption filed on behalf of the Norfolk Southern Railway Company on October 31, 2024. If there are any questions about this matter, please contact me directly, either by telephone: at 202-663-7831 or by e-mail: at czorbaugh@mullinslawgroup.net. If I am unavailable, you may contact William A. Mullins, who can be reached at (202) 663-7823 or by e-mail at wmullins@mullinslawgroup.net.

Sincerely,

Crystal M. Zorbaugh

Counsel for Norfolk Southern Railway Company

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-290 (Sub. No. 417X)

**NORFOLK SOUTHERN RAILWAY COMPANY
-ABANDONMENT EXEMPTION-
IN MINGO COUNTY, WEST VIRGINIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

**Hanna M. Chouest
NORFOLK SOUTHERN CORPORATION
650 West Peachtree Street NW
Atlanta, GA 30308
Tel: (470) 571-5208**

**William A. Mullins
Crystal M. Zorbaugh
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Washington, DC 20036
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November 13, 2024

**Attorneys for Norfolk Southern Railway
Company**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-290 (Sub. No. 417X)

**NORFOLK SOUTHERN RAILWAY COMPANY
–ABANDONMENT EXEMPTION–
IN MINGO COUNTY, WEST VIRGINIA**

**ERRATA TO OCTOBER 31, 2024
VERIFIED NOTICE OF EXEMPT ABANDONMENT**

Since submitting Norfolk Southern Railway Company’s (“NSR”) verified notice of exemption (“Notice”) on October 31, 2024, counsel for NSR has discovered a mistake that resulted in a discrepancy regarding the mileposts listed on page one of the NOE and in the Certificate of Service of Advance Notice contained in Exhibit C. The Notice incorrectly states the mileposts as follows:

- Page 1: “extending from Milepost AL 0.0 +/- 0.00 (at or near Sprigg, WV) to Milepost AL 3.5 +/- 0.24”; and
- Page 12: “extending from Milepost AL 0.00 +/- 0.00 (at or near Sprigg, WV) to Milepost AL 3.5 +/-”.

NSR is submitting this errata to correct the incorrect references to the mileposts. NSR respectfully requests that the Board substitute the following pages in the Notice: page 1 and page 12.¹ Please feel free to contact me should you have any questions regarding this errata.

Sincerely,

/s/ Crystal M. Zorbaugh

Crystal M. Zorbaugh
Attorney for Norfolk Southern Railway
Company

¹ Corrected mileposts are in red on the replacement pages.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-290 (Sub. No. 417X)

**NORFOLK SOUTHERN RAILWAY COMPANY
–ABANDONMENT EXEMPTION-
IN MINGO COUNTY, WEST VIRGINIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

INTRODUCTION

Norfolk Southern Railway Company (“NSR”) hereby submits a verified notice of exemption pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances) for NSR to abandon rail service over an approximately 3.5-mile long rail line (the “Alma Branch”),¹ extending from Milepost **AL 0.0 +/-** (at or near Sprigg, WV) to Milepost **AL 3.5 +/-** (at or near Vimy, WV) in the vicinity of Matewan in Mingo County, West Virginia (the “Line”). The Line has been out of service for more than four years. Following abandonment, NSR will not be salvaging the Line’s rail and related track material. The contour of the existing roadbed will remain as is, and existing drainage systems will remain intact. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be undertaken as a result of the abandonment. Accordingly, NSR believes that no stormwater mitigation measures including, but not limited to, a National Pollutant Discharge Elimination System permit will be required.

¹ According to NSR’s research, this Line was originally obtained in a condemnation hearing in 1914 by Norfolk and Western Railway Company. Norfolk and Western Railway Company merged into Norfolk Southern Railway Company in 1998.

Certificate of Service of Advance Notice

49 C.F.R. § 1152.50(d)(1) – Notice

I certify that, on October 21, 2024, in keeping with 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with the written notice of intent of Norfolk Southern Railway Company to invoke the Board's notice of exemption procedures to abandon rail service over an approximately 3.5-mile long rail line, extending from Milepost **AL 0.00 +/-** (at or near Sprigg, WV) to Milepost AL 3.5 +/- (at or near Vimy, WV) in the vicinity of Matewan in Mingo County, West Virginia (the "Line"). I further certify that the Line does not contain any federally granted right of way.

Public Service Commission, et al.

Public Service Commission of West Virginia
201 Brooks Street
Charleston, WV 25301

Cindy Butler, Executive Director
State Rail Authority
West Virginia Department of Transportation
120 Water Plant Drive
Moorefield, WV 26836

Department of Defense (Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program)

Sean Neef
Headquarters Military Surface Deployment and Distribution Command
Transportation Engineering Agency
Railroads for National Defense Program
1 Soldier Way, Rm 3129
Scott AFB, IL 62225-5006

The National Park Service, Recreation Resources Assistance Division

Mr. Bob Ratcliffe, Chief
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails, and Conservation Assistance Program
1849 C. Street NW, Room 1344
Washington, DC 20240