



Natalie S. Rosenberg
Counsel

DID# 0101927001

205220

Law Department
500 Water Street (J150)
Jacksonville, FL 32202
Phone: (904) 359-1253
FAX: (904) 359-1248

2/2
4/5

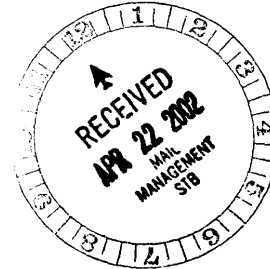
April 19, 2002

VIA AIRBORNE EXPRESS

FILED

APR 22 2002

**SURFACE
TRANSPORTATION BOARD**



Mr. Vernon A. Williams, Secretary
Surface Transportation Board
Mercury Building
1925 K Street, N.W.
Washington, D.C. 20423

**RE: Docket No. AB-55 (Sub-No. 612X)
CSX Transportation, Inc. – Abandonment Exemption in
Greenville County, South Carolina**

Office of the Secretary
APR 22 2002
Public Room

Dear Mr. Williams:

Enclosed for filing are the original and ten copies of CSX Transportation, Inc.'s Notice of Exemption in the above-captioned proceeding. A check in the amount of \$2,700.00 to cover the filing fee is also enclosed. I would appreciate your acknowledgement of receipt of these documents by stamping the extra enclosed copy of this letter and returning it to me in the enclosed self-addressed stamped envelope.

Very truly yours,

Natalie S. Rosenberg
Natalie S. Rosenberg

NSB/lcf

Enclosures

FILE RECEIVED

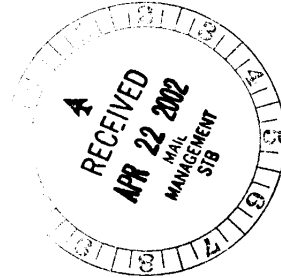
APR 22 2002

**SURFACE
TRANSPORTATION BOARD**

ENTERED
Office of the Secretary

APR 22 2002

FILED
Public Records



BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (SUB-NO. 612X)

FILED

APR 22 2002

CSX TRANSPORTATION, INC.
ABANDONMENT IN
GREENVILLE COUNTY, SOUTH CAROLINA

SURFACE
TRANSPORTATION BOARD

NOTICE OF EXEMPTION

FEE RECEIVED

APR 22 2002

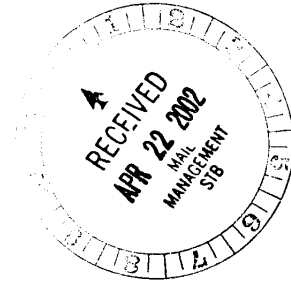
SURFACE
TRANSPORTATION BOARD

Natalie S. Rosenberg
Counsel
500 Water Street J150
Jacksonville, FL 32202
(904) 359-1253

Counsel for
CSX TRANSPORTATION, INC.

DATED: APRIL 19, 2002

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-55 (SUB-NO. 612X)

CSX TRANSPORTATION, INC.
ABANDONMENT IN
GREENVILLE COUNTY, SOUTH CAROLINA

NOTICE OF EXEMPTION

CSX Transportation, Inc. ("CSXT") files this Notice of Exemption pursuant to the Board's regulations at 49 C.F.R. §1152.50. This Notice of Exemption filed by CSXT is for abandonment of a line of railroad between Valuation Station 47+50 and Valuation Station 115+11.5 in Greenville, a distance of approximately 1.31 miles, in Greenville County, South Carolina (hereinafter "the line"). In accordance with the aforesaid regulations, CSXT makes the following responses:

RESPONSE TO 49 C.F.R. SECTION 1152.50(d)(2):

1. Proposed Consummation Date.

The proposed consummation date of this abandonment is June 19, 2002.

2. Certification Required in Section 1152.50(b).

The required certification is set forth as Exhibit B to this Notice of Exemption.

3. Information required in Section 1152.22(a) (1-4),
(7), (8) and (e) (4).

(a) General.

(1) Exact name of applicant.

CSX Transportation, Inc.

(2) Whether applicant is common carrier by railroad subject to the Interstate Commerce Act.

CSXT is a common carrier by railroad subject to the Interstate Commerce Act.

(3) Relief sought (abandonment of line or discontinuance of operation).

CSXT seeks authority to abandon the line.

(4) Detailed map of the line.

Maps are attached hereto as Exhibit A.

(7) Name, title and address of representative of applicant to whom correspondence should be sent.

Natalie S. Rosenberg
Counsel
CSX Transportation, Inc.
500 Water Street J150
Jacksonville, FL 32202

(8) United States Postal Service Zip Code that the line traverses.

Zip Code 29601.

(e) Rural and community impact.

(4) Statement of whether the properties

proposed to be abandoned are suitable for use for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

The properties proposed for abandonment may be suitable for other public purposes, but may be subject to reversionary interests that would affect transfer of title for other than rail purposes.

4. The Level of Labor Protection.

CSXT understands that, in exempting the proposed abandonment, the Board does not relieve a carrier of its statutory obligation to protect the interests of employees. See 49 C.F.R. Section 1152.50(c). Accordingly, CSXT anticipates that the Board will impose the conditions set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979), for the benefit of any carrier employee who may be adversely affected by the proposed abandonment.

5. Certificate of Compliance With the Notice Requirements of Section 1152.50(d)(1).

The required certificate is set forth as Exhibit C to this Notice of Exemption.

6. Environmental Report and Historic Report.

The Environmental Report required by 49 C.F.R. 1105.7 and the Historic Report required by 49 C.F.R. 1105.8 are

attached as Exhibits D and E, respectively, to this Notice of Exemption. Attached as Exhibit F is a certificate showing CSXT's compliance with 49 C.F.R. 1105.11.

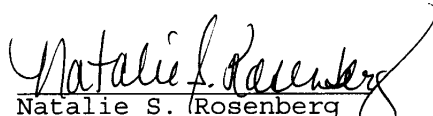
7. Newspaper Notice.

The Newspaper Notice required by 49 C.F.R. 1105.12 was published in *The Greenville News*, Greenville, South Carolina, on April 18, 2002. An affidavit of publication from this newspaper will be forwarded to the Board as soon as it is received by CSXT.

8. Verification.

The required verification is set forth as Exhibit G to this Notice of Exemption.

Respectfully submitted,


Natalie S. Rosenberg
Counsel
CSX Transportation, Inc.
500 Water Street J150
Jacksonville, FL 32202

DATED: April 19, 2002

Region: Southern
Division: Florence
Subdivision: Belton

EXHIBIT A

END ABANDONMENT
V.S. 115 + 11.5

BEGIN ABANDONMENT
V.S. 47 + 50

CSX TRANSPORTATION

Proposed Abandonment
of 1.31 Miles

City: Greenville
County: Greenville
State: SC
Fips: 45045
Pin: Not Created

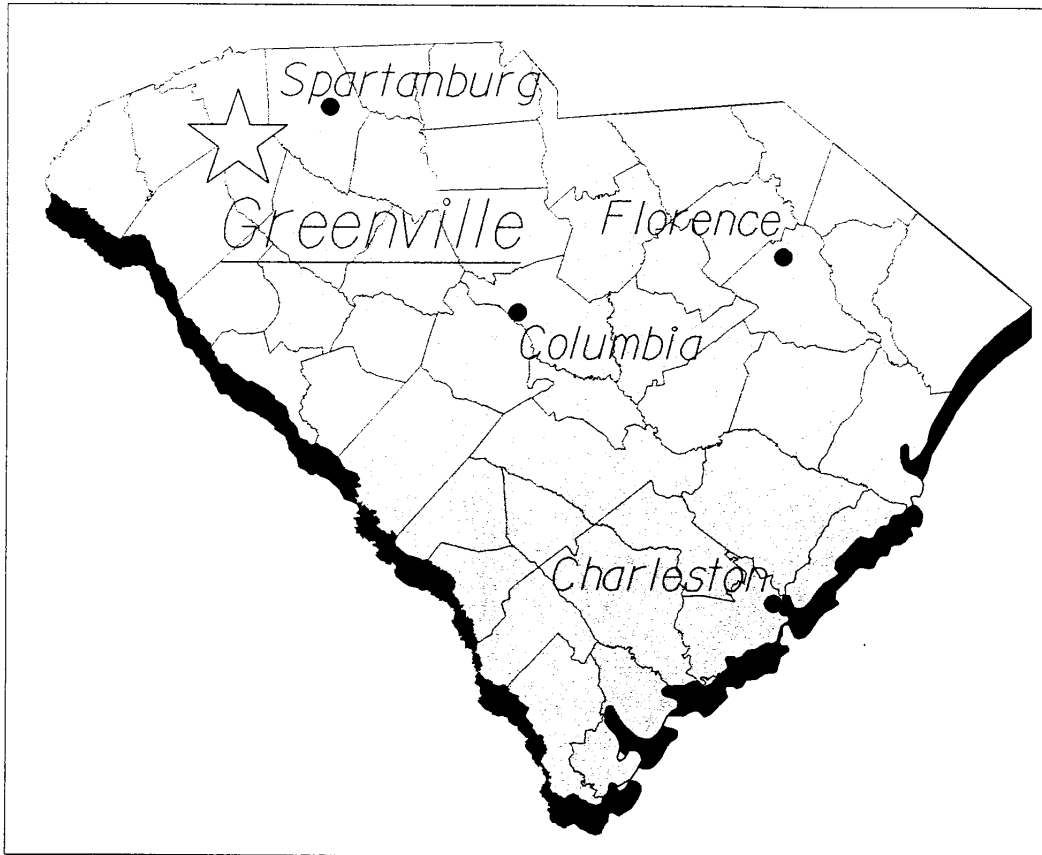
VAL: V-4/A - H
GIS: 07400 - 07403
Scale: 1" = 1250'
Date: 03/04/2002
Drawn By: JKOr

LEGEND

PROPOSED ABANDONMENT

XXXXXXXXXXXXXXXXXXXX

Total Distance = 1.31 Miles +-



AREA MAP

Proposed Abandonment-
1.31 Miles (6,939.22 ft)
Greenville County
Greenville, SC

SOUTHERN REGION - FLORENCE DIVISION - BELTON SUBDIVISION

Exhibit B

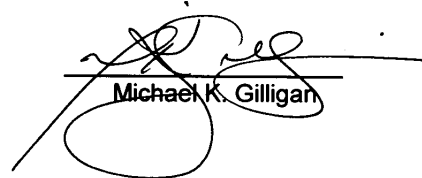
CERTIFICATION REQUIRED

IN 49 C. F. R. SECTION 1152.50(b)

In accordance with 49 C. F. R. Section 1152.50(b), I hereby certify that, with respect to the line subject of the Notice of Exemption in Docket No. AB-55 (Sub-No. 612X):

- (1) No local traffic has moved over the line for at least two years prior to the date hereof.
- (2) There is no overhead traffic on the line.
- (3) No formal complaint filed by a user of rail service on the line (or state or local government agency acting on behalf of such user) regarding cessation of service over the line is either pending with the Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period prior to the date hereof.

The foregoing certification is made on behalf of CSX Transportation, Inc. by the undersigned after due and careful investigation of the matters herein certified and based on the best knowledge, information, and belief of the undersigned.


Michael K. Gilligan

Dated: 4/3/02

EXHIBIT C

CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R. 1152.50(d)(1)

In accordance with 49 C.F.R. §1152.50(d)(2), I hereby
certify that:

On April 5, 2002, I caused to be served by U.S. first-
class mail, postage prepaid, the notice required by 49 C.F.R.
§1152.50(d)(1), upon the Executive Office of Transportation and
Construction, the Military Traffic Management Command of the U.S.
Department of Defense, the National Park Service, Land Resources
and Recreation Resources Divisions, and the U. S. Department of
Agriculture.


Natalie S. Rosenberg

Dated: April 19, 2002

ENVIRONMENTAL REPORT

**CSX TRANSPORTATION, INC.
GREENVILLE, GREENVILLE COUNTY, SOUTH CAROLINA
DOCKET AB-55 (SUB-NO. 612X)**

The following information is provided in accordance with 49 C.F.R. Section 1105.7:

(1) PROPOSED ACTION AND ALTERNATIVES

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

CSX Transportation, Inc. (CSXT) proposes to abandon 1.31 miles of its rail line in Greenville, Greenville County, South Carolina. There has been no originating or terminating traffic for at least two years and no future traffic is anticipated.

Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast; subsequently, the operations and maintenance of this line will cease.

The only alternative would be not to abandon and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2.)

(2) TRANSPORTATION SYSTEM

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

There is no CSXT passenger or freight traffic on this line. There will be no effect on existing regional or local transportation systems or patterns.

(3) LAND USE

- (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

On January 15, 2002, the Greenville County Planning Commission, Greenville, South Carolina advised, "If the rail line is abandoned, the city could surely find a suitable public use for the right-of-way." (See Attachment 3.)

- (ii) Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.**

Applicant has not received a response to its inquiry of December 14, 2001, to the U.S. Department of Agriculture, Natural Resources Conservation Service for Greenville County, South Carolina, requesting information regarding this statement. (See Attachment 4.) Applicant does not believe that this project will have any impact on any prime agricultural land.

- (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.**

The proposed project is not located within an area affected by the State of South Carolina's Coastal Zone Management Program.

- (iv) If the proposed action is an abandonment, state whether or not the right of way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

The property proposed to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

(4) ENERGY

- (i) Describe the effect of the proposed action on transportation of energy resources.**

The proposed action will have no effect on the transportation of energy resources.

- (ii) **Describe the effect of the proposed action on recyclable commodities.**

The proposed action will have no effect on the movement and/or recovery of recyclable commodities.

- (iii) **State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.**

The proposed action will not result in an increase or decrease in overall energy efficiency.

- (iv) **If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.**

There will be no diversion of rail traffic to motor carriage.

(5) AIR

- (i) **If the proposed action will result in either: (A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.**

The above thresholds will not be exceeded.

- (ii) **If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or (B) an increase in rail yard activity of at least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.**

The above thresholds will not be exceeded.

- (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity, the frequency of service; safety practices (including any speed restriction); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

The above thresholds will not be exceeded.

(7) SAFETY

- (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

There will be no effect on public health and safety as a result of the proposed action.

- (ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Not applicable.

- (iii) If there are any known hazardous waste sites or sites where there have been known hazardous material spills on the right of way, identify the location of those sites and the types of hazardous

materials involved.

Applicant's environmental database reveals the possibility of manufactured gas plant waste on Applicant's property in the vicinity of Bramlette Road, Greenville, South Carolina. Applicant is currently addressing these issues.

(8) BIOLOGICAL RESOURCES

- (i) Based on consultation with the U. S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

On January 25, 2002, the U. S. Fish and Wildlife Services (USFWS) advised the project "...is not likely to have reasonably foreseeable adverse effects on resources under the jurisdiction of the USFWS that are currently protected by the Endangered Species Act of 1973, as amendment (16 U.S.C. 1531 et seq.) (See Attachment 5.)

- (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

Based upon Applicant's review of the area, the line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

(9) WATER

- (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

On January 30, 2002, the South Carolina Department of Health and Environmental Control, Columbia, South Carolina advised "there should be no impacts to waters of the state." In addition, the Department also advised, "the proposed work will not require certification/permits under Section 401 or other statutes administered by the Bureau." (See Attachment 6.)

- (ii) Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected.**

Describe the effects.

On January 25, 2002, the U. S. Army Corps of Engineers, Charleston District, Charleston, South Carolina advised, "...the work will not involve work in a Navigable Water of the United States, nor will it entail the placement of fill material in a federally defined freshwater wetland or other water of the United States. Therefore, Department of the Army authorization is not required, and you may proceed with the project." (See Attachment 7.)

- (iii) **State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

On January 30, 2002, the South Carolina Department of Health and Environmental Control, Columbia, South Carolina advised "there should be no impacts to waters of the state." In addition, the Department also advised, "the proposed project is consistent with applicable State water quality standards and that no permits under Section 402 are required at this time." (See Attachment 6.)

On March 19, 2002, the Applicant received a response from the United States Environmental Protection Agency. The Agency advised, "...this project does not indicate any immediate concerns under Section 402 of the Clean Water Act." It also advised that a permit would not be required. (See Attachment 8.)

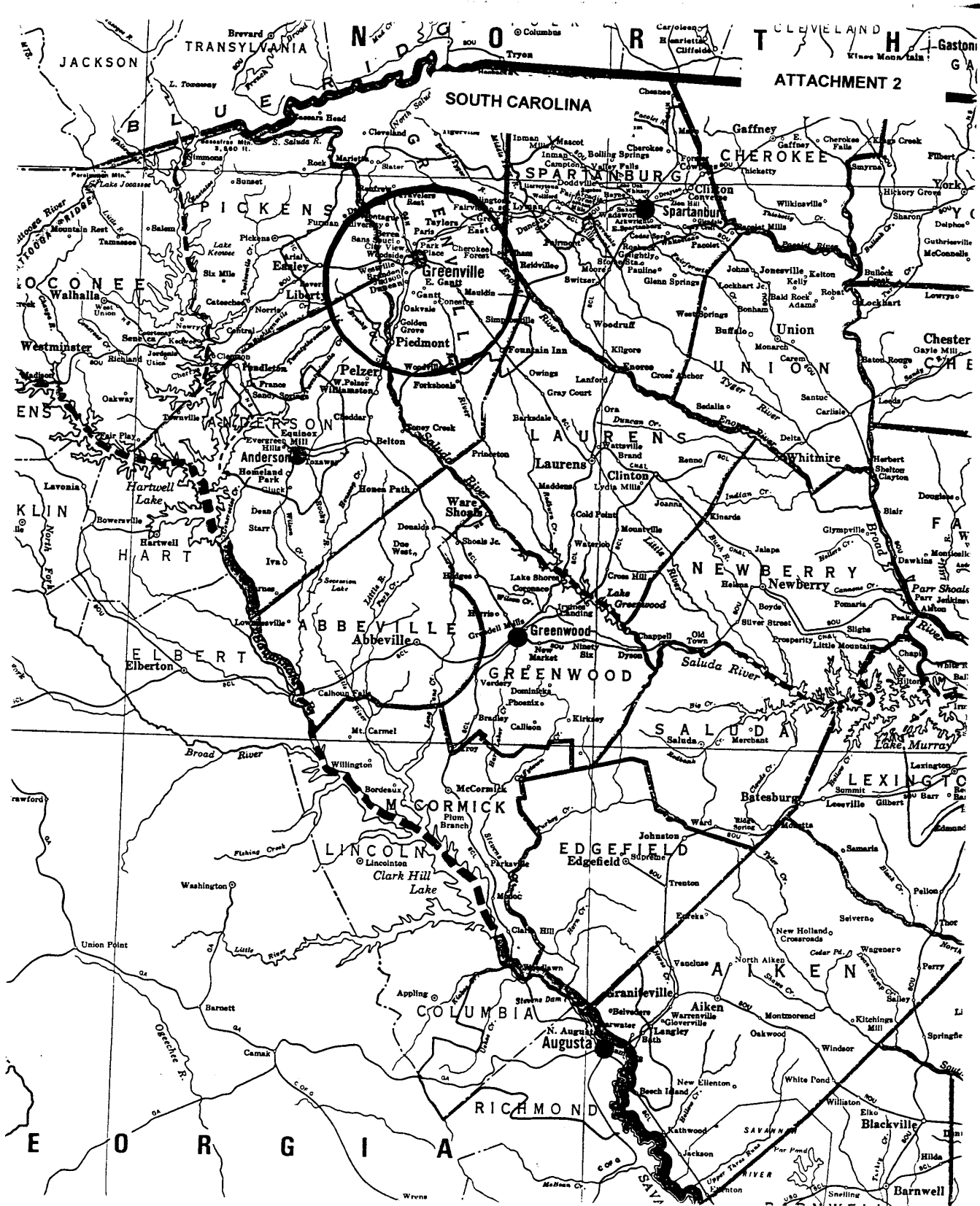
10. MITIGATION

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

There will be no adverse environmental impacts in the project area as a result of this abandonment; therefore, mitigating action will not be necessary.

ATTACHMENT 1







**Greenville County
Planning Commission**

ATTACHMENT 3

January 15, 2002

Stephanie M. Lemmon
Project Manager
CSX Corporation
500 Water Street (J200)
Jacksonville, Florida 32202

Ms. Lemmon:

In response to your letter dated December 14, 2001, the one mile section of rail line being considered for abandonment is located within the incorporated area of the City of Greenville in Greenville County. The City of Greenville adopted their latest comprehensive plan in 1999.

The section of rail line being considered for abandonment runs along the Reedy River toward the center of the city. The current comprehensive plan recommends public/semi-public uses for the majority of the land on either side of the existing rail line. A small portion of the rail line bisects an area recommended for office uses. In drafting the comprehensive plan, the city included as an objective to:

"Adapt railways slated for abandonment to provide a link from the Downtown Airport to Downtown Greenville, the Bi-Lo Center, and the Peace Center; and from the Golden Strip."

The section of rail line being discussed does provide a link from the west side of Greenville to the downtown area and the Peace Center for the arts. If the rail line is abandoned, the city could surely find a suitable public use for the right-of-way.

If you need any additional information, contact me at (864) 467-7272 or by email at fcurti@greenvillecounty.org.

Sincerely,

Frank Curti
Senior Transportation Planner

Cc: Jimmy Forbes
Courtney Tumblin



ATTACHMENT 4

Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 359-1111
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

December 14, 2001

United States Department of Agriculture
Natural Resources Conservation Service
Greenville Service Center
301 University Ridge
Greenville, SC 29601-3664

Gentlemen:

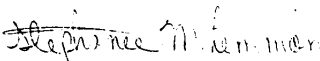
Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line in Greenville, Greenville County, South Carolina as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3)(ii) require that we develop a response to the following statement:

"Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land."

Please advise if any of the land contiguous to CSXT's line in the project area is classified as prime agriculture land.

Sincerely,


Stephanie M. Lemmon

Attachment



The U.S. Fish and Wildlife Service (USFWS) has reviewed the plans for this proposed project.

RECEIVED JAN 11 2002

ATTACHMENT 5

Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 359-1111
E-Mail: Stephanie_Lemmon@csx.com

It is our opinion that the proposed action is not likely to have reasonably foreseeable adverse effects on resources under the jurisdiction of the USFWS that are currently protected by the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et. seq.) (Act). Therefore, no further action is required under Section 7(a)(2) of the Act.

December 14, 2001

- It is our opinion that the proposed action is not likely to have significant adverse wetland impacts. Please contact the Corps of Engineers for more information.

U.S. Fish and Wildlife Service, 176 Croghan Spur Road, Suite 200,
Charleston, SC 29407, (843) 727-4707

FWS Log No. 4-6-02-103 Date 1-25-02

Field Supervisor P. Duncan

Acting

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line in Greenville, Greenville County, South Carolina as depicted on the attached map.

The action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (8) (i) and (ii) require that we develop responses to the following statements:

- (i) Based on consultation with the U. S. Fish and Wildlife Service state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.
- (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. We do not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other materials from entering any watercourses.

Based upon the above described actions, we would appreciate your concurrence in CSXT's position that there would be no adverse impact to any federally-listed endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

We would appreciate your comments; and, if you have any questions, please feel free to contact me.

Sincerely,

Stephanie M. Lemmon
Stephanie M. Lemmon

Attachment



ATTACHMENT 6

2600 Bull Street
Columbia, SC 29201-1708

January 30, 2002

COMMISSIONER:
Douglas E. Bryant

BOARD:
Bradford W. Wyche
Chairman

William M. Hull, Jr., MD
Vice Chairman

Mark B. Kent
Secretary

Howard L. Brilliant, MD

Brian K. Smith

Rodney L. Grandy

Larry R. Chewning, Jr., DMD

CSX Transportation
Attn: Stephanie M. Lemmon, Project Manager
Asset Management
500 Water Street (J200)
Jacksonville, FL 32202

RE: CSX Rail Line Abandonment; Greenville; Greenville County
Environmental Review

Dear Ms. Lemmon:

I am responding to your letter dated December 14, 2002, regarding the above referenced rail line abandonment. The South Carolina Department of Health and Environmental Control Bureau of Water administers applicable regulations pertaining to water quality standards and classifications, including wetland protection, in accordance with the South Carolina Pollution Control Act, the Federal Clean Water Act, the State Stormwater Management and Sediment Reduction Act, and associated regulations for all of these statutes.

As you stated, there are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing crossings, and no new access roads are contemplated. The existing roadbeds will not be disturbed and no excavation or fill material will be used during removal of track material. The crossties and other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or contain spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based on the information you provided, there should be no impacts to waters of the state. Therefore, we concur with CSXT's position that the proposed project is consistent with applicable State water quality standards and that no permits under Section 402 are required at this time. In addition, the proposed work will not require certification/permits under Section 401 or other statutes administered by the Bureau.

Other regulations not administered by this Bureau may apply to your project. I suggest that you contact the Department's Bureau of Land and Waste Management regarding the disposal of debris. Thank you for the opportunity to comment on this project. Please call Mark Giffin at (803) 898-4183 if you have any questions.

Sincerely,


M. Rheta Geddings, Director
Division of Water Quality

MRG:MAG

cc: Appalachia II EQC District
COE, Charleston District



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
CHARLESTON, SOUTH CAROLINA 29403-5107

ATTACHMENT 7

January 25, 2002

Regulatory Division

Ms. Stephaine M. Lemmon
CSX Transportation, Inc.
Asset Management
500 Water Street (J200)
Jacksonville, Florida 32202

Re: SAC 53-2001-2014(K)
Greenville County

Dear Ms. Lemmon:

This is in response to your letter of December 14, 2001, wherein you inquired as to the necessity of obtaining Department of the Army authorization for the excavation and removal of material associated with an abandoned rail line. The project is located west of U.S. Highway 25 and north of its intersection with U.S. Highway 123, in the City of Greenville, Greenville County, South Carolina.

A review of the information you provided indicates that the work will not involve work in a Navigable Water of the United States, nor will it entail the placement of fill material in a federally defined freshwater wetland or other water of the United States. Therefore, Department of the Army authorization is not required, and you may proceed with the project. However, you are cautioned that if the excavation and removal activities result in the movement of substantial amounts of dredge or fill material from one location to another in wetlands or other waters of the United States, then the activities are regulated and would require a Department of the Army permit. For example, activities where the dredge or fill material is sidecast into wetlands or other waters of the United States, activities that result in either the temporary or permanent stockpiling of dredge or fill material in wetlands or other waters of the United States, and mechanized landclearing activities in wetlands or other waters of the United States are regulated activities.

In future correspondence concerning this matter, please refer to SAC 53-2001-2014(K). You may still need state or local assent. Prior to performing any work, you should contact the South Carolina Department of Health and Environmental Control, Bureau of Water. A copy of this letter is being forwarded to that agency for their information. The address for this agency is provided on the enclosed list for your convenience.

If you have any questions concerning this matter, please contact Leslie L. Parker at (803) 253-3444. You can contact me at (843) 329-8044 or toll free (outside the Charleston area) at 1-866-329-8187.

Respectfully,

A handwritten signature in cursive script that reads "Fred Veal".

Fred Veal
Project Manager

Copy Furnished:

Mr. Quinton Epps
S.C. Department of Health
and Environmental Control
Bureau of Water
2600 Bull Street
Columbia, South Carolina 29201



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

Ms. Nancy B. Reynolds
Manager Line Transactions
Asset Management
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202

Dear Ms. Reynolds:

This letter is in response to your letter of December 14, 2001, received in my office on February 20, 2002, requesting comments from the Environmental Protection Agency (EPA), Region 4, on the abandonment of a portion of CSX Transportation, rail line in Greenville, Greenville County, South Carolina. Our review of your description of the activities associated with this project does not indicate any immediate concerns under Section 402 of the Clean Water Act (CWA).

Please be aware that this activity would be subject to the requirements of the CWA if, in the process of dismantling the track, 5 acres or more of land are disturbed by clearing or grading and if storm water discharges from this disturbance enters a surface water body by a conveyance (pipe, ditch, etc.). These considerations do not appear to be applicable to your proposed action and a permit under Section 402 of the CWA would not be required. However, the State of South Carolina Department of Health and Environmental Control, has been authorized to implement the National Pollutant Discharge Elimination System (NPDES) permit program, under Section 402 of the CWA. Please rely on the response you receive from the State for a final determination in this matter.

If I can be of further assistance to you, please contact me.

Sincerely,

Roosevelt Childress, Chief
NPDES and Biosolids Permits Section
Permits, Grants and Technical Assistance
Branch
Water Management Division

cc: South Carolina Department of Health and Environmental Control
Industrial Waste Division

HISTORIC REPORT

CSX TRANSPORTATION, INC.
GREENVILLE, GREENVILLE COUNTY, SOUTH CAROLINA
DOCKET AB-55 (SUB-NO. 612X)

1105.7(e)(1)

PROPOSED ACTION AND ALTERNATIVES. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable detailed map and drawings clearly delineating the project.

CSX Transportation, Inc. (CSXT) proposes to abandon 1.31 miles of its rail line in Greenville, Greenville County, South Carolina. There has been no originating or terminating traffic for at least two years and no future traffic is anticipated.

Abandonment of this line will result in the removal of the rail, cross-ties, and upper layer of ballast; and operations and maintenance of this line will cease.

The only alternative would be not to abandon and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2.)

1105.8(d)

- (1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad

structures that are 50 years old or older and are part of the proposed action.

Attached is a copy of the Greenville quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey prepared by the U. S. Department of Interior Geological Survey. The line to be abandoned has been identified by a heavy black diagonal line. (See Attachment 3.) There are no CSXT-owned structures that are 50 years old or older that are eligible for listing in the National Register that are part of the proposed action.

- (2) **A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The right-of-way is approximately 25 to 30 feet from the centerline of track.

- (3) **Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

Not applicable.

- (4) **The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

Not applicable.

- (5) **A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:**

The Greenville, Spartanburg and Anderson Railway (GS&A) acquired this property in 1911. The GS&A was incorporated under the general laws of South Carolina in 1909. The

Piedmont & Northern Railway Company was incorporated under the general laws of South Carolina in 1911 and acquired the properties of the GS&A and the Piedmont Traction Company in 1914. The Piedmont and Northern Railway Company merged into Seaboard Coast Line Railroad Company in 1969.

In 1967, the Seaboard Coast Line was formed by a merger of the Atlantic Coast Line and Seaboard Air Line Railroads. In 1972, the Family Lines was adopted to identify the Louisville and Nashville Railroad and the Seaboard Coast Line Railroad. On November 1, 1980, Seaboard Coast Line Industries, Inc. (which was formed in May 1969) and Chessie System, Inc. merged and became CSX Corporation. On January 1, 1983, the merger of the Family Lines' affiliates formed the Seaboard System Railroad, Inc., which name was changed on July 1, 1986 to CSX Transportation, Inc.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

- (6) **A brief summary of documents in the carrier's possession, such as engineering drawings that might be useful in documenting a structure that is found to be historic:**

Not applicable.

- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):**

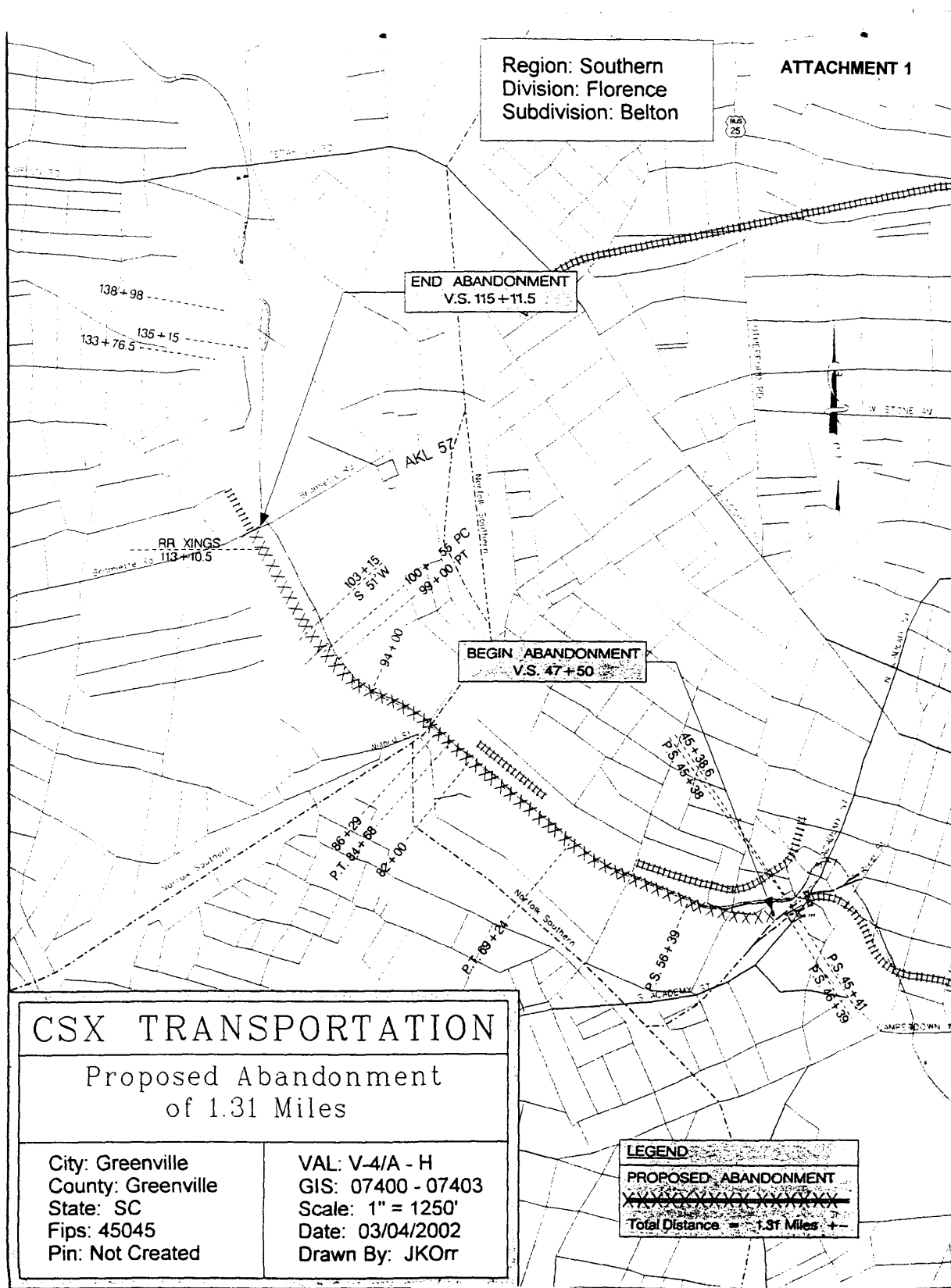
A review of our records indicates there are no CSXT-owned structures over 50 years old on this line segment that are

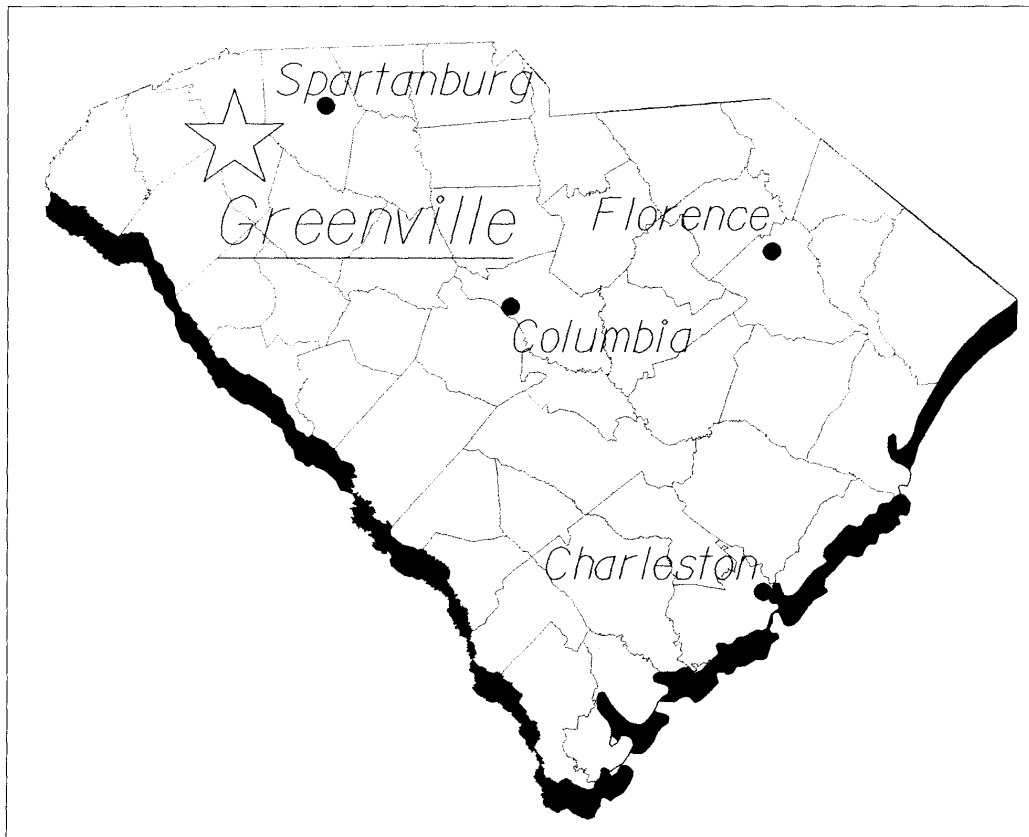
eligible for listing in the National Register.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

- (8) **A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.





AREA MAP

Proposed Abandonment-
1.31 Miles (6,939.22 ft)
Greenville County
Greenville, SC

SOUTHERN REGION - FLORENCE DIVISION - BELTON SUBDIVISION

ATTACHMENT 3

U. S. DEPT. OF THE INTERIOR
QUADRANGLE GEOLOGICAL SURVEY

GREENVILLE QUADRANGLE
South Carolina - Greenville County
1957 - Photorevised 1976
Page 1 of 1



EXHIBIT F

CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R. 1105.11 and 1105.7(b)

In accordance with 49 C.F.R. §1105.7(b), I hereby certify that on March 22, 2002, a copy of the Environmental Report was served upon the below listed parties, by first-class mail, postage prepaid:

Southeast Region
Regional Director
National Park Service
100 Alabama Street, SW
1924 Building
Atlanta, GA 30303

Mr. Frank Maida
DOC/NOAA
National Geodetic Survey N/NGS23
1315 East West Highway, Station 8736
Silver Spring, MD 20910-3282

United States Department of Agriculture
Natural Resources Conservation Service
Greenville Service Center
301 University Ridge
Greenville, SC 29601-3664

Ms. Omeagia Burgess
State Single Point of Contact
Grant Services
Office of the Governor
1205 Pendleton Street, Room 477
Columbia, SC 29201

Mr. Mike Meatze
Utilities Engineer
South Carolina Department of Transportation
P.O. Box 191
Columbia, SC 29202

U.S. Army Corps of Engineers
Charleston District
69A Hagood Avenue
Charleston, SC 29403-5107

U.S. Department of the Interior
Fish and Wildlife Service
176 Croghan Spur Road, Suite 200
Charleston, SC 29407

Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29407

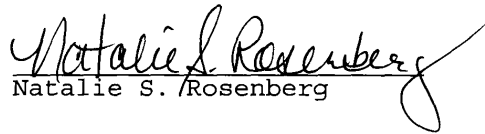
United States Environmental Protection Agency
Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

City of Greenville
Economic and Community Development Department
P.O. Box 2207
Greenville, SC 29602-2207

Greenville County Planning Commission
301 University Ridge, Suite 400
Greenville, SC 29601

In accordance with 49 C.F.R. 1105.8(c), I hereby certify that on March 8, 2002, a copy of the Historic Report was served upon the below listed party, by first-class mail, postage prepaid:

Ms. Mary Watson Edmonds
Deputy State Historic Preservation Officer
P.O. Box 11669, Capital Station
Columbia, SC 29211-1669


Natalie S. Rosenberg

Dated: April 19, 2002

EXHIBIT G

VERIFICATION

STATE OF FLORIDA)
)
DUVAL COUNTY)

B. J. LEAGUE, being duly sworn, states that she is Assistant Vice President-Asset Management of CSX Transportation, Inc.; that she is authorized to verify and file with the Surface Transportation Board the foregoing Notice of Exemption in Docket Docket No. AB-55 (Sub-No. 612X) on behalf of CSX Transportation, Inc.; that she has carefully examined all of the statements in the Notice of Exemption; that she has knowledge of the facts and matters relied upon in the Notice of Exemption; and that all representations set forth therein are true and correct to the best of her knowledge, information and belief.

B. J. League
B. J. LEAGUE

Subscribed and sworn to
before me, a Notary Public
in and for the State and
County above named, this
17th day of April, 2002.

Linda C. Farrok
Notary Public
My Commission Expires: _____

