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SERVICE DATE – JANUARY 23, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 290 (Sub-No. 417X)

NORFOLK SOUTHERN RAILWAY COMPANY—ABANDONMENT EXEMPTION—IN
MINGO COUNTY, W. VA.

Decided: January 23, 2025

Norfolk Southern Railway Company (NSR) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon an approximately 3.5-mile rail line extending from milepost AL 0.0 +/- at or near Sprigg, W. Va., to milepost AL 3.5 +/- at or near Vimy, W. Va., in the vicinity of Matewan, Mingo County, W. Va. (the Line). Notice of the exemption was served and published in the Federal Register on November 20, 2024 (89 Fed. Reg. 91,868). The exemption became effective on December 20, 2024.

By decision served December 19, 2024, the Board imposed, as recommended by its Office of Environmental Analysis (OEA), a historic preservation condition pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108 (Section 106 condition).

In a Supplemental Final Environmental Assessment served on December 26, 2024, OEA states that, on December 19, 2024, it received a letter from the West Virginia State Historic Preservation Office stating that the two railroad bridges on the Line are not eligible for the National Register of Historic Places (National Register) and that the proposed abandonment would have no effect on any architectural resources eligible for or included in the National Register. Accordingly, OEA has determined that NSR's proposed abandonment would not affect historic properties listed in or eligible for listing in the National Register. As a result, OEA recommends that the Section 106 condition imposed in the December 19, 2024 decision be removed.

Consistent with OEA's recommendation, this proceeding will be reopened, and the previously imposed Section 106 condition will be removed.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. Upon reconsideration, the Section 106 condition imposed in the December 19, 2024 decision is removed.

3. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.