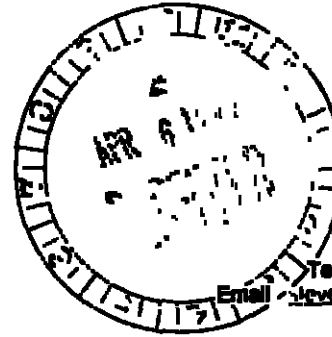




Steven C. Armbrust
Counsel
Florida Authorized House Counsel
Admitted in NY, Not Admitted in FL



219022

Law Department
500 Water Street
Speed Code J-150
Jacksonville, FL 32202
Fax (904) 245-3357
Telephone (904) 359-1229
Email steven_armbrust@CSX.com

April 4, 2007

VIA DHL EXPRESS

Honorable Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D C. 20423

**Re: STB Docket No. AB-55 (Sub-No. 633X)
CSX Transportation, Inc. - Abandonment
Exemption in Genesee County, Michigan**

Dear Secretary Williams:

Enclosed for filing, please find the original and ten copies of CSX Transportation, Inc.'s Petition for Exemption in the above-captioned proceeding (the "Petition"). A check in the amount of \$5,300.00 to cover the filing fee is also enclosed.

In addition, enclosed are the original and ten copies of a draft Federal Register notice along with compact disks for each of (i) the textual submission of the Petition in Microsoft Word, and (ii) the Federal Register notice in Microsoft Word.

I would appreciate your acknowledgment of receipt of these documents by stamping the enclosed extra copy of this letter and returning it to me in the enclosed self-addressed stamped envelope.

Sincerely,

Steven C. Armbrust

Office of the
Public Hearing

Public Hearing

Public Hearing

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO AB-55 (Sub-No. 633X)

**CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
IN GENESEE COUNTY, MICHIGAN**

PETITION FOR EXEMPTION

**STEVEN C ARMBRUST
500 Water Street - J150
Jacksonville, Florida 32202
(904) 359-1229**

**Counsel for:
CSX TRANSPORTATION, INC**

Dated: April 5, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-55 (SUB-NO. 633X)

**CSX TRANSPORTATION, INC. –
ABANDONMENT EXEMPTION –
IN GENESEE COUNTY, MICHIGAN**

PETITION FOR EXEMPTION

CSX Transportation, Inc. ("CSXT") petitions the Surface Transportation Board (the "Board") to exempt, under 49 U.S.C § 10502, CSXT's abandonment of a 1.78-mile rail line from the prior approval requirements of 49 U.S.C §§ 10903 and 10904 (this "Petition")

Proposed Transaction

CSXT proposes to abandon a line of railroad in its Northern Region, Chicago Division, Saginaw Subdivision, from Valuation Station 9195+50 to Valuation Station 9289+36, a distance of 1.78 miles, known as the Old Mainline in Atwood Yard, in the cities of Flint and Burton, Genesee County, Michigan (hereinafter referred to as the "Line"). The Line traverses through United States Postal Service ZIP Codes 48503 and 48529, and there are no stations on the Line. Maps showing the trackage proposed for abandonment, as well as the location of the trackage in the State of

Michigan, are attached to this Petition as Exhibit A. The Environmental Report required by 49 C.F.R. part 1105.7 and the Historic Report required by 49 C.F.R. part 1105.8 are attached as Exhibits B and C, respectively, to this Petition. Attached as Exhibit D is the Federal Register notice, Exhibit E is the certificate of publication, Exhibit F is the certificate of service and Exhibit G is the Verified Statement of Ellen Preslar with respect to carloads moved over the Line from January 2005 to March 20, 2007

Based on information in our possession, the Line does not contain any federally granted right-of-way. Any documentation in CSXT's possession concerning title will be made available promptly to those requesting it.

Potential Future Use of the Line as Industrial Track Supports Abandonment

For at least the past five years, the Line has only been used to serve Clean Harbors Environmental Services (f/k/a, Safety Kleen Industries, "Clean Harbors"), which is located near the beginning of the Line (i.e., Valuation Station 9289+36).¹ Clean Harbors has expressed interest in acquiring and maintaining a portion of the Line so it can switch and store its cars within its facility, and has executed a letter of non-opposition to the abandonment of the Line (see Attachment 3 to Exhibit B). In addition, CSXT does not expect any rail oriented business to develop on the Line; there is no overhead traffic on the Line; and there is no demand for service on the Line, other than from Clean Harbors. Therefore, CSXT is filing this Petition to request the Board's exemption to abandon the Line for purposes of reclassifying the track so that it can be sold or leased to Clean Harbors.

¹ As information, the contiguous portion of the rail line running north and west of the Line was formally abandoned on April 20, 1990, pursuant to Docket No. AB-55 (Sub No. 327X).

Because the Line is no longer needed for common carrier purposes, retention of the Line as regulated track is no longer necessary. In addition, CSXT has not been advised of any opposition to the abandonment, does not expect any such opposition and, as mentioned above, has received a letter of non-opposition from the only shipper on the Line, Clean Harbors.

Argument in Support of Abandonment

CSXT files this Petition under 49 U.S.C. § 10502 for an exemption from the provisions of 49 U.S.C. § 10903, in order to abandon the Line for purposes of downgrading the track so that it can be sold or leased to Clean Harbors. Under 49 U.S.C. § 10903, a rail line cannot be abandoned without the prior approval of the Board. However, under 49 U.S.C. § 10502, the Board must exempt a rail transaction from regulation when it finds that:

- (1) application of the pertinent statutory provisions is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101, and
- (2) either (a) the transaction is of limited scope or (b) regulation is unnecessary to protect shippers from the abuse of market power.

In this case, the proposed abandonment falls squarely within the statutory standards requiring exemption.

The rail transportation policy set forth in 49 U.S.C. § 10101 requires, as relevant here, that in exercising its regulatory authority, the Board will minimize the need for Federal regulatory control over the rail transportation system and, when regulation is necessary, render fair and expeditious regulatory decisions, reduce barriers to exit from the industry; foster sound economic

conditions and encourage efficient management; ensure the operation of transportation facilities and equipment without detriment to the public health and safety, and promote a sound transportation system meeting the needs of the public and the national defense.

Exemption of the proposed abandonment serves all of these elements of the above rail transportation policy. Specifically, by minimizing the regulatory expense and time lag inherent in a full abandonment application, exemption will expedite regulatory decisions and reduce regulatory barriers to exit. Exemption will also foster sound economic conditions and encourage efficient management. As earlier indicated, the only rail patron located on the line has filed a letter of non-opposition to the proposed abandonment (see Attachment 3 to Exhibit B) and has expressed an interest in acquiring and maintaining a portion of the Line. Therefore, the Line is no longer needed by CSXT for common carrier purposes and retention of the Line by CSXT is no longer justified, as the proceeds from the sale or lease of the assets dedicated thereto can and should be used elsewhere.

Because there are no longer any rail transportation customers on the Line other than Clean Harbors, who does not oppose the abandonment, it is clear that the proposed abandonment presents no opportunity for an abuse of market power. Further, the proposed abandonment is of limited scope, because it involves only 1.78 miles of trackage in one county in one State.

In short, full abandonment proceedings are unnecessary to carry out any of the relevant rail transportation policy elements of 49 U.S.C. § 10101. No vital interest of shippers, competitors or communities will be adversely affected, and the abandonment exemption CSXT seeks here will free it from the burdens associated with ownership and maintenance of the line.

Argument in Support of Offer of Financial Assistance Exemption

The sole user of the Line, Clean Harbors, has concluded that it no longer requires CSXT to provide common carrier service. Rather, Clean Harbors intends to use the Line to switch and store its cars within its facility. Accordingly, Clean Harbors has determined that once the Line is abandoned, the best use of the Line is for CSXT to reclassify it as excepted track and for Clean Harbors to acquire the Line as excepted track so that Clean Harbors will not incur a common carrier obligation.

Permitting the abandonment to become effective without application of the OFA condition will minimize the need for federal regulatory control over the rail system, expedite the STB's regulatory decisions, and reduce the regulatory barriers to exit from unprofitable rail service. 49 U.S.C. § 10101(2) and (7). The STB and its predecessor, the Interstate Commerce Commission, have granted exemptions from 49 U.S.C. § 10905 where the right-of-way is needed for a valid purpose and there is no overriding public need for continued rail service.² Even though Clean Harbors is not seeking to acquire the Line for a public purpose, CSXT contends that the Line meets these criteria

Clean Harbors is the only user of the Line. Clean Harbors intends to acquire the Line from CSXT to switch and store its cars within its facility. The imposition of an OFA condition would delay the acquisition of the Line by Clean Harbors. The acquisition could be delayed for at least six

² See, *Doniphan, Kensett and Searcy Railway—Abandonment Exemption—In Searcy, White County, AR*, STB Docket No. AB-558X (STB served May 6, 1999); *Union Pacific Railroad Company—Abandonment Exemption—In Salt Lake County, UT*, STB Docket No. AB-33 (Sub-No. 116X) (STB served September 30, 1998); *K & E Railway Company—Abandonment Exemption—In Alfalfa, Garfield, and Grant Counties, OK and Barber County, KS*, STB Docket No. AB-480X (STB served December 31, 1996), and *Southern Pacific Transportation Company—Discontinuance*

months, if not more, if this abandonment were subjected to an OFA condition. Clean Harbors' use of the Line, without the common carrier obligation would be delayed, if not thwarted.

The Line is not needed for common carrier rail service. The only purpose for the Line is use by Clean Harbors.

Environmental Report; Historic Report

The Environmental Report required by 49 C.F.R. part 1105.7 and the Historic Report required by 49 C.F.R. part 1105.8 are attached as Exhibits B and C, respectively, to this Petition.

Federal Register Notice

The Federal Register Notice is attached as Exhibit D.

Labor Protection

The interests of railroad employees of CSXT who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions as stated in Oregon Short Line R. Co. – Abandonment -- Goshen, 360 I.C.C. 91 (1979)

Notices

All communications with respect to this Petition should be directed to

**Steven C. Armbrust
Counsel
500 Water Street - J150
Jacksonville, Florida 32202
(904) 359-1229**

The newspaper notice required by 49 C.F.R. part 1105.12 was published in The Flint Journal on April 1, 2007. A copy of the publication from the newspaper is attached as Exhibit H.

Conclusion

CSXT accordingly requests that the Board grant an exemption from the provisions of 49 U.S.C. §§ 10903 and 10904, with regard to the proposed abandonment of the Line

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Armbrust', is positioned above a horizontal line.

STEVEN C. ARMBRUST, ESQ
500 Water Street
Jacksonville, Florida 32202

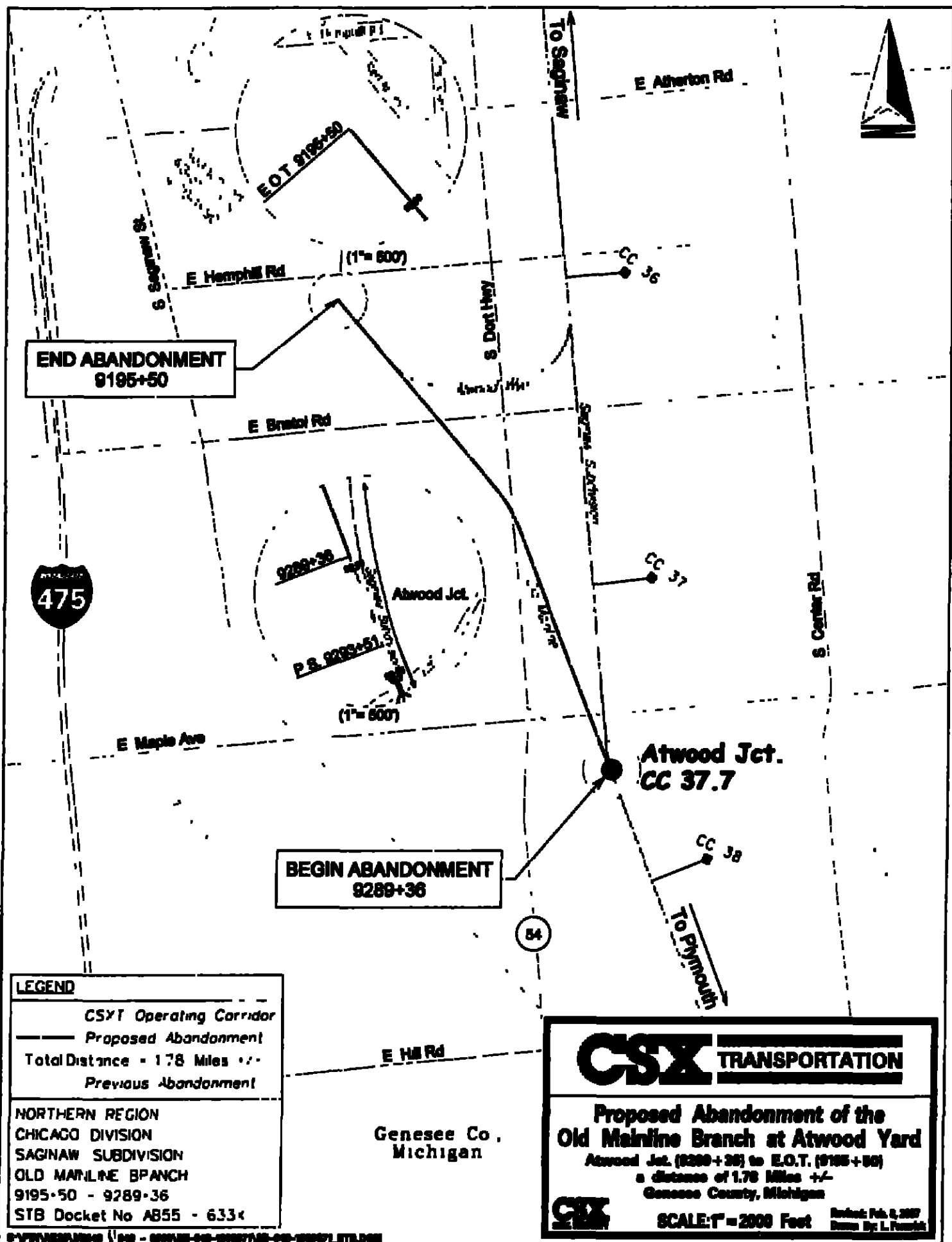
Counsel for
CSX Transportation, Inc.

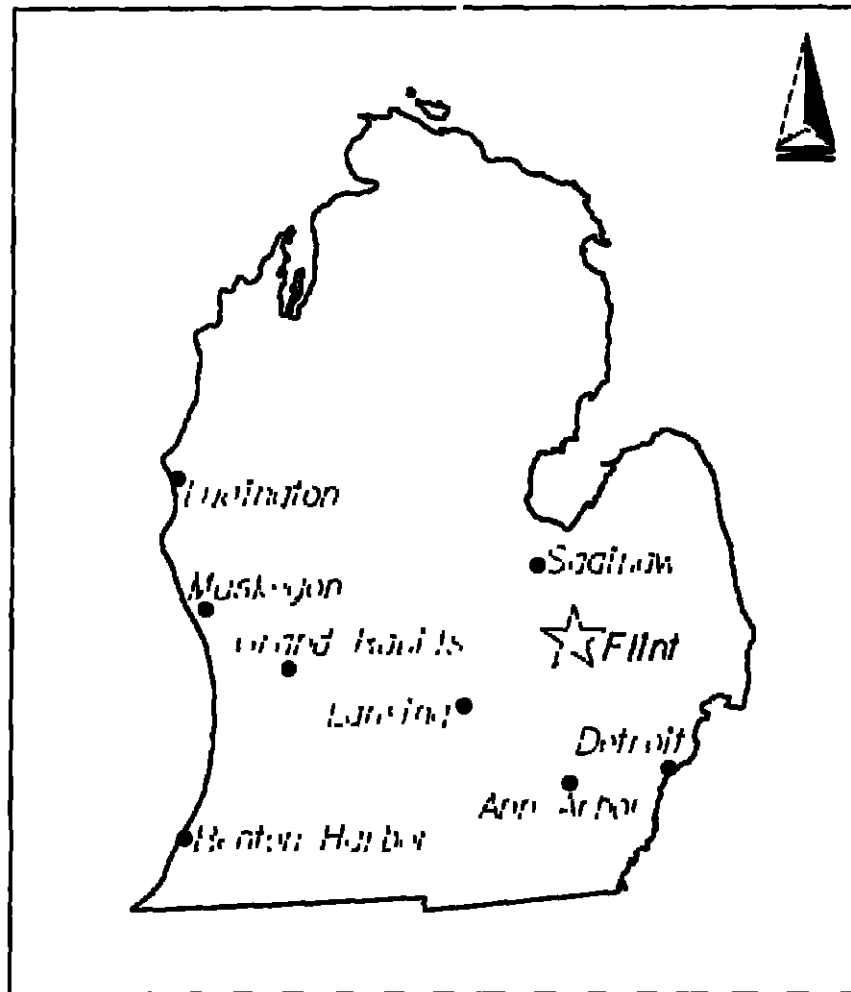
Dated: April 5, 2007

EXHIBIT A

Maps

[Please see attached]





AREA MAP

- Proposed Abandonment -
 Old Mainline Branch
 1.78 Miles +/-
 Genesee County, Michigan

EXHIBIT B

Environmental Report

[Please see attached]

**CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R. part 1105.11**

In accordance with 49 C.F.R. part 1105.7(b), I hereby certify that on March 9, 2007, a copy of the Environmental Report was served upon the below listed parties, by first-class mail, postage prepaid.

**Ms. Julie Hinterman, Director
Genesee County Planning Department
1101 Beach Street
Room 223
Flint, MI 48502**

**Ms. Sheree Pierce
City of Flint Planning Department
1101 South Saginaw
Room 105
Flint, MI 48502**

**Mr. Tom Strasser
City of Burton Planning Department
4303 South Center Road
Burton, MI 48519**

**U.S. Environmental Protection Agency
Region 5
Attn: Mr. Ken Westlake (B19J)
77 West Jackson Blvd
Chicago, IL 60604**

**Michigan Department of Environmental Quality
Land & Water Management Division
525 West Allegan Street
P.O. Box 30473
Lansing, MI 48909-7973**

**U.S. Department of the Interior
Fish & Wildlife Commission
2651 Coolidge Road
Suite 101
East Lansing, MI 48823-6316**

U S Army Corps of Engineers
Detroit District - Civil Works Office
477 Michigan Ave
Detroit, MI 48231-1027 48226

USDA - NRCS
Flint Service Center
1525 North Elms Road
Flint, MI 48532

State of Michigan Clearinghouse
Attn: Mr Richard Pfaff
535 Griswold
Suite 300
Detroit, MI 48226

Ms. Sandra Washington, Chief
National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102

Michigan Department of Natural Resources
Land & Water Management Division
PO Box 30028
Lansing, MI 48909

National Geodetic Service (NOAA) at 'NGS InfoCenter@noaa.gov' (via email)

A handwritten signature in black ink, appearing to read 'S. Armbrust', is written over a horizontal line.

Steven C. Armbrust
April 4, 2007

ENVIRONMENTAL REPORT

**CSX TRANSPORTATION, INC.
DOCKET AB-55 (SUB-NO. 633X)
CITIES of FLINT and BURTON, GENESEE COUNTY, MICHIGAN**

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.

CSXT proposes to abandon approximately 1.78-miles of its rail operation between from Valuation Station 9195+50 to Valuation Station 9289+36, known as the Old Mainline in Atwood Yard, Cities of Flint and Burton, Genesee County, Michigan

The above referenced 1.78-mile line has been used to serve Clean Harbors Environmental Services (formerly Safety Kleen Industries). Clean Harbors has expressed interest in owning and maintaining a portion of the line segment. Therefore, CSX is proposing to formally abandon the line segment for purposes of downgrading the track so that it can be sold or leased to Clean Harbors. Operations over the line will not cease until such time as the customer no longer requires rail service. (See Attachment 3)

If rail service is no longer required, abandonment of this line will result in the removal of the rail, cross-ties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub-grade or sub-grade structures.

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 passenger traffic on this line. Since the line is proposed to be downgraded with freight traffic to continue, there will be no effect on existing regional or local transportation systems or patterns.

Traffic over the line will cease only at such time as the customer no longer requires rail service.

(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.**

Applicant has not received a response to its inquiries dated February 20, 2007 from Ms. Julie Hinterman of the Genesee County Planning Department or Ms. Sheree Pierce of the City of Flint Planning Department seeking information regarding this statement (See Attachments 4 and 5).

However, during a previous proposal of an abandonment of this line segment, Applicant received a response dated April 11, 2003 from Ms. Julie Hinterman of the Genesee County Planning Commission stating *"Our Genesee County 2025 Long Range Transportation Plan do not site this section of railway as an integral part of the County's transportation network"* (See Attachment 7).

Applicant received a CSX Environmental Report Response Form dated March 16, 2007 from Mr. Tom Strasser, Deputy Planning Official for the City of Burton stating that the proposed abandonment will have no impact (See Attachment 6).

Since the line segment is proposed to be downgraded, potentially leased or sold to the customer with service over the line ceasing only in the event that the customer no longer requires rail service, Applicant does not feel that the proposed action is inconsistent with local and/or regional plans

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

Applicant received a CSXT Environmental Report Response Form dated March 19, 2007 from Ms Christina Nickola, District Conservationist for the U S Department of Agriculture, Natural Resources Conservation Service for Genesee County, Michigan, stating *"No environmental impact"* Ms Nickola's attachment stated *"This area was converted from agricultural land at some point in the past and lost its prime farmland value at that time The proposed actions do not require any further determination from our office "* (See Attachments 8 and 9)

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

Applicant received a response dated March 9, 2007 from Mr Chris Anteau of the State of Michigan Department of Environmental Quality stating *"Our review indicates that this project is located outside of Michigan's coastal zone boundary No adverse impacts to coastal resources are anticipated from this proposed activity "* (See Attachment 10)

Should rail service not be required by the customer at this location in the future, Applicant does not feel that the simple removal of track material should have any adverse impact on land or water uses

- (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 properties, proposed to be abandoned, may be suitable for other public purposes, but may be subject to reversionary interests that may affect the 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 in excess of the above thresholds

(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 a 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 a 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).

Applicant does not believe there will be any negative effect by 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 records do not indicate that there has been any hazardous material spills or hazardous waste sites located on the line segment

(B) 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.

Applicant received a response dated March 16, 2007 from Mr Craig Czamecki of the U S Department of the Interior – Fish and Wildlife Service in East Lansing, Michigan, stating "Our records do not indicate the presence of any federally listed or proposed threatened and endangered species, candidate species, or critical habitat in the action area " (See Attachment 11)

During a previous proposal of an abandonment of this line segment, Applicant received a response dated March 18, 2003 from Mr Craig Czamecki, Field Supervisor of the U S Department of the Interior – Fish and Wildlife Service in East Lansing, Michigan stating "Based on information presently

available, there are no endangered, threatened, proposed, or candidate species, or critical habitat occurring within the project area " (See Attachment 12)

- (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 segment does not appear to be near any parks, wildlife sanctuaries, refuges, or forests

Applicant received a response postmarked March 9, 2007 from the National Park Service – Midwest Regional Office in Omaha, Nebraska stating "We have no comment on your proposed action " (See Attachment 16)

(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.**

Applicant has not received a response to its inquiry dated February 20, 2007, to the Michigan Department of Environmental Quality – Land & Water Management Division in Lansing, Michigan requesting information regarding this statement (See Attachment 13)

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies

- (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.**

Applicant received a response dated March 8, 2007 from Mr. James Luke of the U S Army Corps of Engineers in Detroit, Michigan, stating " a portion of the Corps' regulatory responsibilities were assumed by the Michigan Department of Environmental Quality (MDEQ) This project site is within the assumed area. Unless otherwise notified, a separate authorization from the Corps is not required, however, a permit from the MDEQ may be required Therefore, we recommend that you contact the MDEQ " (See Attachment 14)

Applicant solicited initial comments from the MDEQ on February 20, 2007 Applicant solicited further comment and included a preliminary environmental report on March 9, 2007 Applicant received a response from the MDEQ dated March 9, 2007 in regards to the Coastal Zone Management, however, no further comments have been received

Applicant is not aware of any designated wetlands or 100-year flood plains within the proposed project

Upon receiving abandonment authority, removal of 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 Applicant does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, 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 Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways Based upon this course of action, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required

- (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).**

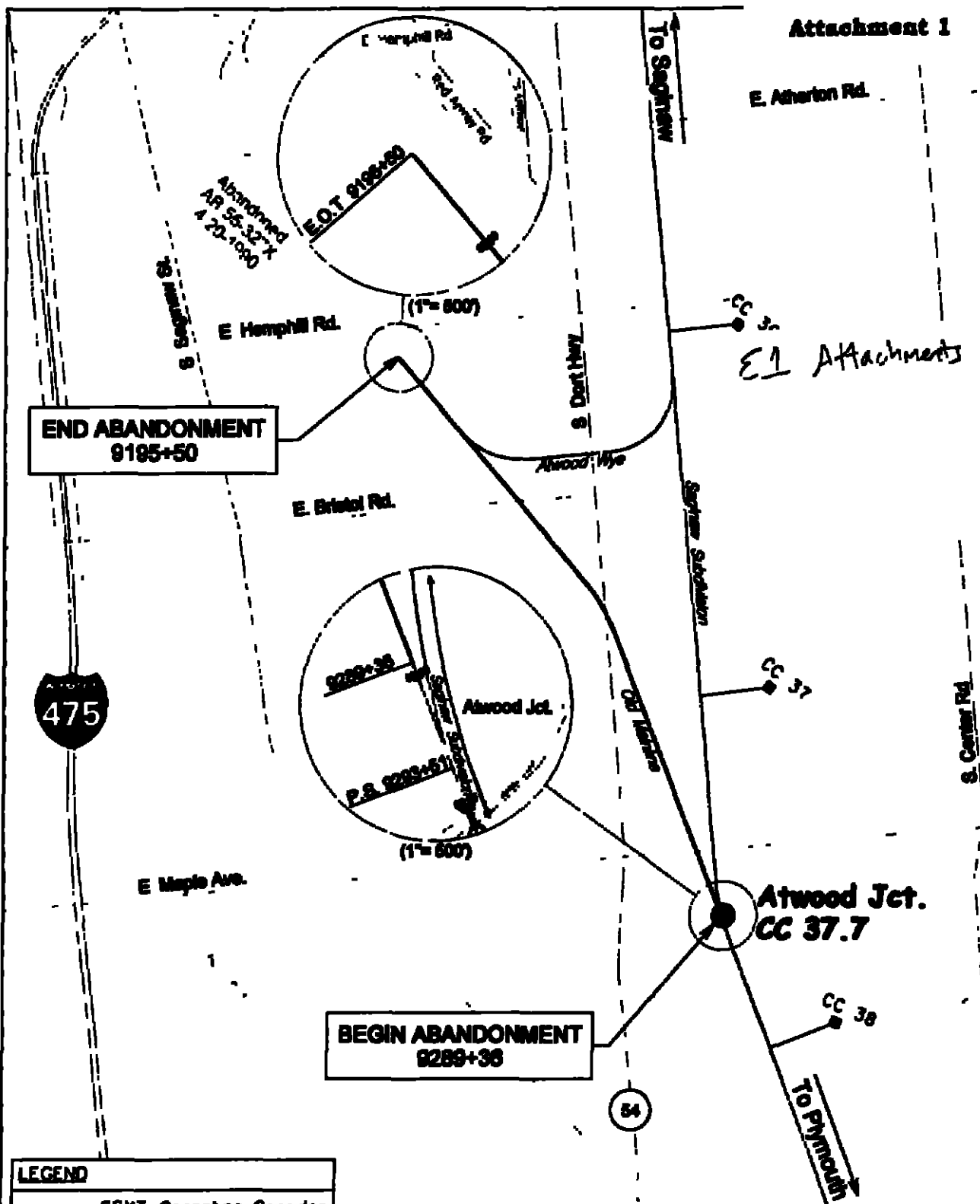
Applicant has not received a response to its inquiry dated January 24, 2007, to the U S Environmental Protection Agency, Region 5 in Chicago, Illinois, requesting information regarding this statement (See Attachment 15)

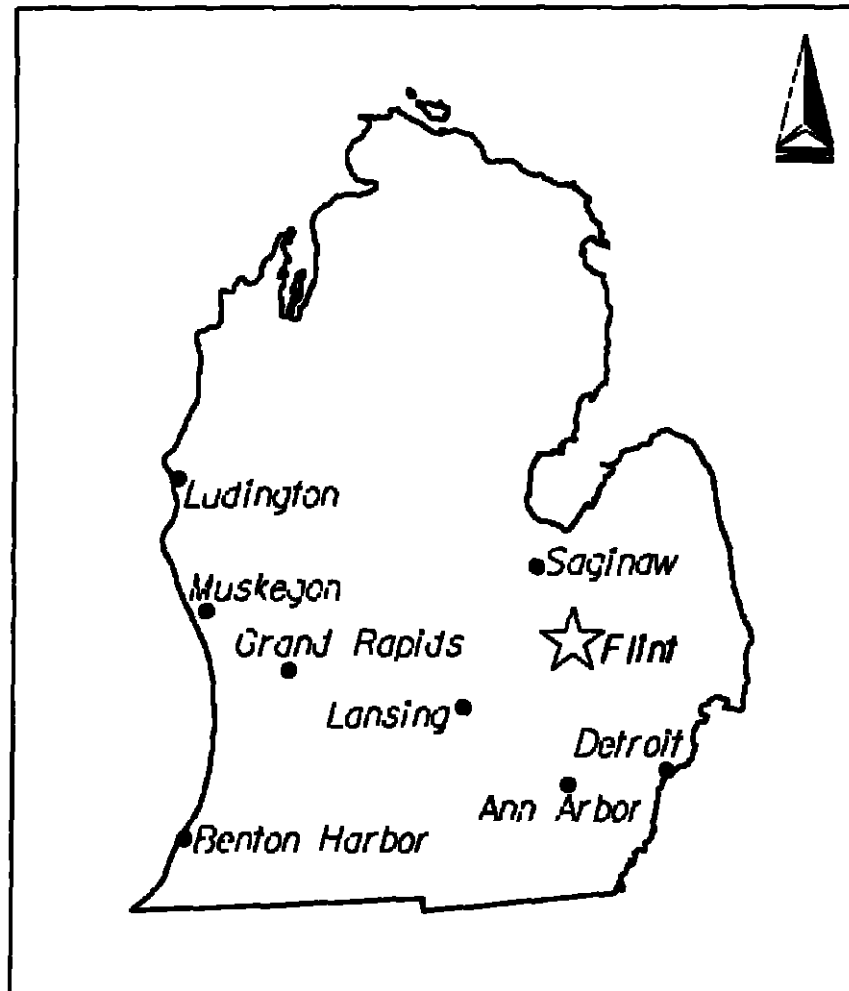
Based upon the course of action described in Section 9 (II), Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

10. MITIGATION

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

Applicant does not anticipate any adverse environmental impacts in the project area as a result of this abandonment, however, if mitigation is necessary, Applicant will comply with State and Federal regulations and obtain any necessary permits required





AREA MAP

- Proposed Abandonment -
Old Mainline Branch
1.78 Miles +/-
Genesee County, Michigan



January 31, 2007

Mr. Dave Geraci
CSXT Transportation
Network Rationalization
500 Water Street - J200
Jacksonville, FL 32202

Dear Mr. Geraci:

Clean Harbors has been advised that CSX Transportation intends to seek approval from the Surface Transportation Board to abandon a portion of the railroad's operation in Flint, Genesee County, Michigan.

Since CSX is proposing to abandon the rail line for purposes of downgrading the track, we do not oppose the abandonment.

We understand that you may submit this letter to the Surface Transportation Board as part of the proceedings on the proposed abandonment.

Sincerely,

A handwritten signature in black ink that reads "Andrew Wieland". The signature is written in a cursive style with a large, stylized "A" and "W".

P. Andrew Wieland
Director, Rail
Clean Harbors Environmental Services, Inc.

"People and Technology Creating a Better Environment"



Dave Geraci
Manager - Network Rationalization

Attachment 4

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 389-1088
FAX: (904) 389-1111
E-Mail: Dave_Geraci@CSX.com

February 20, 2007

Ms Julie Hinterman, Director
Genesee County Planning Department
1101 Beach Street
Room 223
Flint, MI 48502

Dear Ms Hinterman.

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Valuation Station 9195+50 to Valuation Station 9289+36, a distance of 1.78 miles, known as the Old Mainline in Atwood Yard, Cities of Flint and Burton, Genesee County, Michigan, as depicted on the attached map.

The proposed abandonment is intended to be used to "downgrade" the track segment in order to potentially sell or lease this segment to Clean Harbors Environmental Services, Inc., the only shipper at this location. Operations over the line will not cease until such time as the customer no longer requires rail service.

This line segment was previously proposed for abandonment in May of 2003, however, other circumstances prevented CSXT from actually filing with the Surface Transportation Board (STB). Attached are the initial comments were received from your office.

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

"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."

CSXT would appreciate your advice as to the existence of a long-range comprehensive planning map for Genesee County and the line's relationship to such planning.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

Attachments



ROOM 223 - 1101 BEACH STREET FLINT, MICHIGAN 48502-1470

TELEPHONE (810) 257-3010 FAX (810) 257-3185

CHAPIN W. COOK, AICP
DIRECTOR-COORDINATOR
THOMAS G. GOERGEN
ASSISTANT DIRECTOR

April 11, 2003

Ms. Mary J. Peterson
CSX Transportation
500 Water Street, J-200
Jacksonville, FL 32202

**SUBJECT: Abandonment of CSX Transportation, Inc. rail line West of Dort Highway
between Maple Road and Hemphill Road in Genesee County, MI**

Dear Ms. Peterson:

You recently requested that we review the proposed action indicated above. Our Genesee County 2025 Long Range Transportation Plan and the I-69/I-75 Transportation Study do not site this section of railway as an integral part of the County's transportation network. Our information indicates that the section of rail line north of the proposed abandonment has already been abandoned. Also, please see attached floodplain and wetland information.

There are several other segments of your rail line that could potentially be abandoned and we would like information identifying future plans for CSX rail lines in Genesee County. This will allow us to keep accurate records of the current and future status of your rail system, helping us to assess and plan for future rail transportation needs in Genesee County.

Should you have any questions or concerns, please feel free to call me at (810) 257-3010. Thank you for your attention to this matter.

Sincerely,

Julie Hinterman, Principal Planner
Genesee County Metropolitan Planning Commission

cc: Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, D.C. 20423-0001

JH JN ms
K:\trans\railroadaban-spr-03

30

AN EQUAL OPPORTUNITY ORGANIZATION

FLINT-GENESEE COUNTY 2025 LONG RANGE TRANSPORTATION PLAN

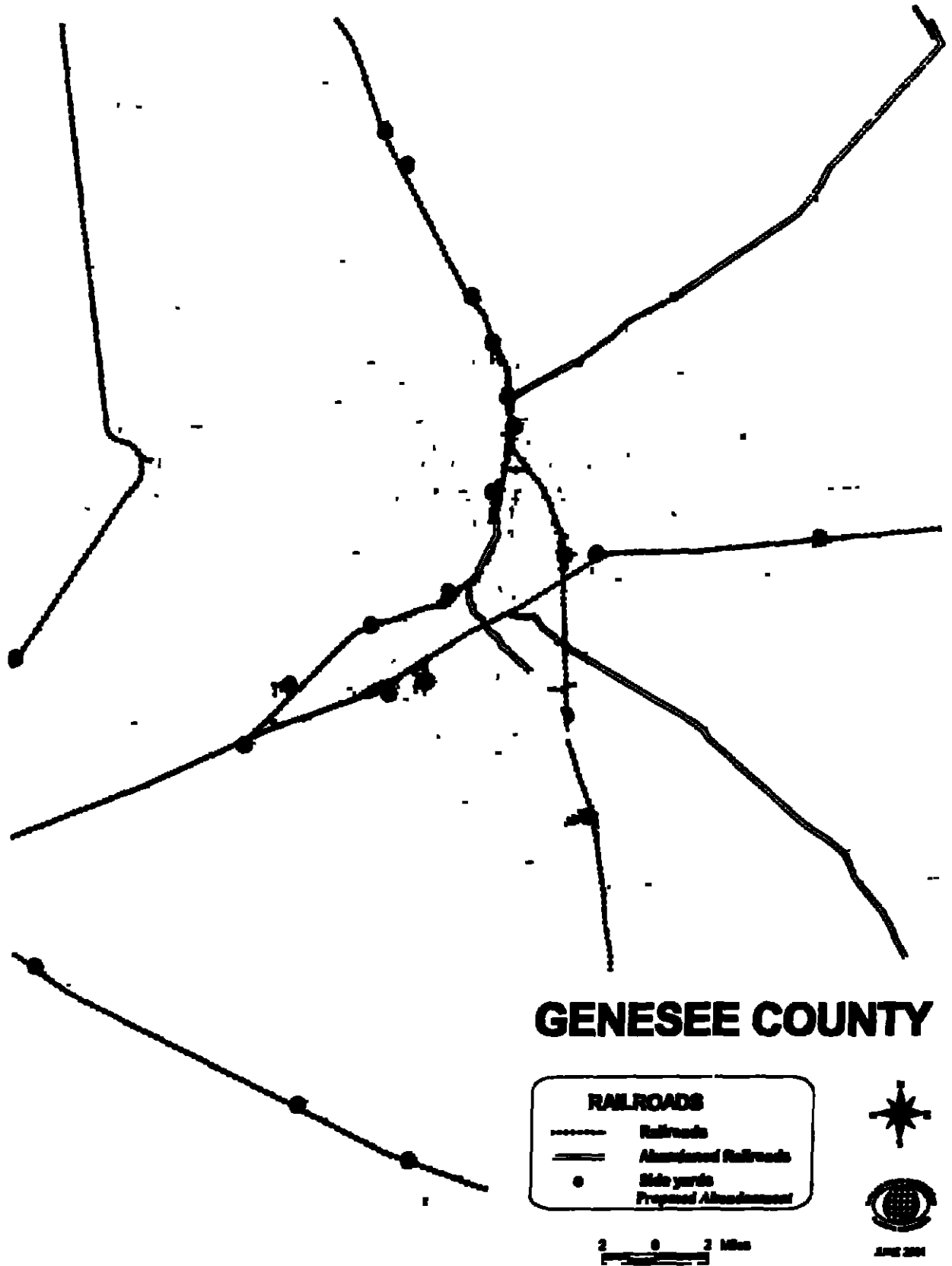


FIGURE 6-6



Dave Geraci
Manager - Network Rationalization

Attachment 5

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 358-1000
FAX (904) 358-1111
E-Mail: Dave_Geraci@CSX.com

February 20, 2007

Ms Sherree Pierce
City of Flint Planning Department
1101 South Saginaw
Room 105
Flint, MI 48502

Dear Ms Pierce

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Valuation Station 9195+50 to Valuation Station 9289+36, a distance of 1.78 miles, known as the Old Mainline in Atwood Yard, Cities of Flint and Burton, Genesee County, Michigan, as depicted on the attached map.

The proposed abandonment is intended to be used to "downgrade" the track segment in order to potentially sell or lease this segment to Clean Harbors Environmental Services, Inc., the only shipper at this location. Operations over the line will not cease until such time as the customer no longer requires rail service.

This line segment was previously proposed for abandonment in May of 2003, however, other circumstances prevented CSXT from actually filing with the Surface Transportation Board (STB).

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

"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."

CSXT would appreciate your advice as to the existence of a long-range comprehensive planning map for the City of Flint and the line's relationship to such planning.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

Attachments

CSXT Environmental Report Response Form

Attachment 6

STB Docket Number AB 55 Sub No. 633X

Petition for Exemption in the Cities of Flint and Burton from Valuation Station 9195+50 to Valuation Station 9289+36, known as the Old Mainline in Atwood Yard, Genesee County, Michigan.

Agency response (check one):

☒ No Environmental Impact

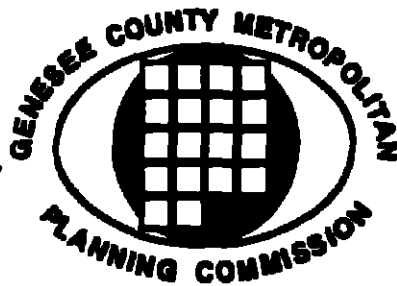
☐ Environmental Impact as follows (or attached):

Date: 3-16-07

Signature: Tom Strasser

Name: Tom STRASSER

Title: Deputy Planning Official



Attachment 7

ROOM 223 - 1101 BEACH STREET FLINT, MICHIGAN 48502-1470

TELEPHONE (810) 257-3010 FAX (810) 257-3185

**CHAPIN W. COOK, AICP
DIRECTOR-COORDINATOR
THOMAS G. GOERGEN
ASSISTANT DIRECTOR**

April 11, 2003

Ms. Mary J. Peterson
CSX Transportation
500 Water Street, J-200
Jacksonville, FL 32202

**SUBJECT: Abandonment of CSX Transportation, Inc. rail line West of Dort Highway
between Maple Road and Hemphill Road in Genesee County, MI**

Dear Ms. Peterson:

You recently requested that we review the proposed action indicated above. Our Genesee County 2025 Long Range Transportation Plan and the I-69/I-75 Transportation Study do not site this section of railway as an integral part of the County's transportation network. Our information indicates that the section of rail line north of the proposed abandonment has already been abandoned. Also, please see attached floodplain and wetland information.

There are several other segments of your rail line that could potentially be abandoned and we would like information identifying future plans for CSX rail lines in Genesee County. This will allow us to keep accurate records of the current and future status of your rail system, helping us to assess and plan for future rail transportation needs in Genesee County.

Should you have any questions or concerns, please feel free to call me at (810) 257-3010. Thank you for your attention to this matter.

Sincerely,

Julie Hinterman, Principal Planner
Genesee County Metropolitan Planning Commission

cc: Surface Transportation Board
Section of Environmental Analysis
1925 K. Street, N W , Room 504
Washington, D.C. 20423-0001

CSXT Environmental Report Response Form

Attachment 8

STB Docket Number AB 55 Sub No. 633X

Petition for Exemption in the Cities of Flint and Burton from Valuation Station 9195+50 to Valuation Station 9289+36, known as the Old Mainline in Atwood Yard, Genesee County, Michigan.

Agency response (check one):

☒ No Environmental Impact *See Attached*

☐ Environmental Impact as follows (or attached):

Date:

3-19-07

Signature:

Christina Nikola

Name:

Christina Nikola

Title:

District Conservationist

United States Department of Agriculture



Helping People Help the Land
Natural Resources Conservation Service
Field Office
1525 N. Elm Rd
Flint, MI 48532
810-230-8788 Ext 3

Attachment 9

March 19, 2007

Dave Geraci
CSX Transportation INC
Network Rationalization J200
500 Water Street
Jacksonville FL 32202-9928

Dear Mr Geraci,

I have reviewed the site that is proposed for abandonment under the rules of the Land Evaluation and Site Assessment (LESA) system. This area was converted from agricultural land at some point in the past and lost its prime farmland value at that time. The proposed actions do not require any further determination from our office due to the site's non-agricultural status.

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Nickola", is written over the typed name.

Christina Nickola
District Conservationist



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

Attachment 10

March 9, 2007

Mr. Dave Gerachi
CSX Transportation
500 Water Street - J200
Jacksonville, FL 32202

Dear Mr. Gerachi:

SUBJECT Federal Consistency Determination, Rail Abandonment of the Old Mainline in
Atwood Yard, Flint and Burton, Genesee County, Michigan

Staff of the Land and Water Management Division have reviewed this phase of the project for consistency with Michigan's Coastal Management Program (MCMP), as required by Section 307 of the Coastal Zone Management Act, PL 92-583, as amended (CZMA). Thank you for providing the opportunity to review this proposed activity.

Our review indicates that this project is located outside of Michigan's coastal management boundary. No adverse impacts to coastal resources are anticipated from this proposed activity as described in the information you forwarded to our office. Therefore, this phase of the project is consistent with MCMP.

This consistency determination does not waive the need for permits that may be required under other federal, state or local statutes. Please call me if you have any questions regarding this review.

Sincerely,

Chris Anteau
Great Lakes Shorelands Unit
Land and Water Management Division
517-373-3894

cc Ms Catherine Ballard

34



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

**East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316**

March 16, 2007

**Mr. Dave Geraci
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202**

**Re Railroad Abandonment, Old Mainline in Atwood Yard, Cities of Flint and Burton,
Genesee County, Michigan**

Dear Mr. Geraci:

We are responding to your letter of February 20, 2007, requesting our concurrence on the above referenced project. We provide these comments pursuant to section 7 of the Endangered Species Act of 1973, as amended (Act).

Our records do not indicate the presence of any federally listed or proposed threatened and endangered species, candidate species, or critical habitat in the action area. This precludes the need for further action on this project as required by section 7 of the Act.

For future endangered and threatened species list requests and section 7 consultations with the U.S. Fish and Wildlife Service, please refer to our new endangered species and technical assistance website, <http://www.fws.gov/midwest/endangered/section7/index.htm>. In some cases, you may be able to conclude the endangered species review process without contacting this office.

We appreciate your concern for endangered and threatened species. Please direct any questions to Barbara Hosler of this office at 517/351-6326.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Czarnecki", is written over the typed name.

**Craig A. Czarnecki
Field Supervisor**



IN REPLY REFER TO

United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

March 18, 2003

Mary Jon Peterson
CSX Transportation
500 Water Street - J-200
Jacksonville, FL 32202

Attachment 12

Re: Endangered Species List Request, Proposed Abandonment of a Portion of Railroad, Flint, Genesee County, Michigan

Dear Ms Peterson:

Thank you for your March 4, 2003 request for information on endangered, threatened, proposed, or candidate species and critical habitat which may be present within the proposed project area. Your request and this response are made pursuant to Section 7 of the Endangered Species Act of 1973 (the Act), as amended, (87 Stat. 884, 16 U.S.C. 1531 *et seq*).

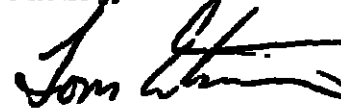
Based on information presently available, there are no endangered, threatened, proposed, or candidate species, or critical habitat occurring within the proposed project area. This presently precludes the need for further action on this project as required under Section 7 of the Act.

We advise, however, that should a species become officially listed or proposed before completion of this project, the Federal action agency for the work would be required to reevaluate its responsibilities under the Act. Further, should new information become available that indicates listed or proposed species may be present and/or affected, consultation should be initiated with this office.

Since threatened and endangered species data is continually updated, new information pertaining to this project may become available which may modify these recommendations. Therefore, we recommend your agency annually request updates to this list.

We appreciate the opportunity to provide these comments. Please refer any questions directly to Tamela Dandridge of this office at (517) 351-8315 or the above address.

Sincerely,

for 
Craig A. Czarniecki
Field Supervisor

cc: Michigan Department of Natural Resources, Wildlife Division, Lansing, MI
(Attn: Lori Sargent)



Dave Geraci
Manager - Network Rationalization

Attachment 13

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 389-1000
FAX (904) 389-1111
E-Mail Dave_Geraci@CSX.com

February 20, 2007

Michigan Department of Environmental Quality
Land & Water Management Division
525 West Allegan Street
P O. Box 30473
Lansing, MI 48909-7973

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Valuation Station 9195+50 to Valuation Station 9289+36, a distance of 1.78 miles, known as the Old Mainline in Atwood Yard, Cities of Flint and Burton, Genesee County, Michigan, as depicted on the attached map.

The proposed abandonment is intended to be used to "downgrade" the track segment in order to potentially sell or lease this segment to Clean Harbors Environmental Services, Inc., the only shipper at this location. Operations over the line will not cease until such time as the customer no longer requires rail service.

This line segment was previously proposed for abandonment in May of 2003, however, other circumstances prevented CSXT from actually filing with the Surface Transportation Board (STB).

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

(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."

(iii) State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

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 public and private crossings, and no new access roads are contemplated. CSXT does 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 cross-ties 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 pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action

Sincerely,

A handwritten signature in black ink, appearing to be "D. C.", followed by a horizontal line.

Attachments



DEPARTMENT OF THE ARMY
DETROIT DISTRICT CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231 1027

Attachment 14

March 8, 2007

IN REPLY REFER TO

**Engineering & Technical Services
Regulatory Office
File No LRE-2007-226-225**

**Mr Dave Geraci
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202**

Dear Mr Geraci

This is in response to the enclosed correspondence received regarding Department of the Army jurisdiction concerning abandonment of 1 78 miles of rail line known as the Old Mainline in Atwood Yard, located just south of Hemphill Road between South Saginaw Street and South Dort Highway traveling south just past East Maple Avenue in the cities of Flint and Burton, Michigan (Section 29, T7N, R7E, Genesee County) It is our understanding that you are inquiring about potential permitting requirements from the U S. Army Corps of Engineers.

Please be aware that in 1984, a portion of the Corps' regulatory responsibilities were assumed by the Michigan Department of Environmental Quality (MDEQ). This project site is within the assumed area Unless otherwise notified, a separate authorization from the Corps is not required, however, a permit from the MDEQ may be required. Therefore, we recommend that you contact the MDEQ, Land and Water Management Division, 525 West Allegan Street, P.O Box 30242, Lansing, Michigan 48909-7973, or at (517)335-6010, for a jurisdictional determination of State permit requirements.

Thank you for giving the Corps of Engineers the opportunity to review this project. Please pass this letter along to any responsible parties related to the subject property. If you have any questions please contact me at the above address or at (313) 226-3396. Please refer to File Number LRE-2007-226-225.

Sincerely,

A handwritten signature in black ink, appearing to read "J. D. Luke", written over a horizontal line.

James D. Luke
Project Manager
Enforcement Branch

Enclosure

Copy Furnished:
MDEQ, Lansing District Office
USACE, Bay City Field Office



TRANSPORTATION
Dave Geraci

Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Phone (904) 359-1086
FAX (904) 359-1111
E-Mail Dave_Geraci@CSX.com

February 20, 2007

U S Army Corps of Engineers
Detroit District - Civil Works Office
477 Michigan Ave
Detroit, MI 48231-1027 48226

REGISTRATION OFFICE
2007 FEB 28 AM 10:37

Gentlemen

Please be advised that CSX Transportation, Inc is considering abandonment of a portion of its rail line from Valuation Station 9195+50 to Valuation Station 9289+36, a distance of 1.78 miles, known as the Old Mainline in Atwood Yard, Cities of Flint and Burton, Genesee County, Michigan, as depicted on the attached map

The proposed abandonment is intended to be used to "downgrade" the track segment in order to potentially sell or lease this segment to Clean Harbors Environmental Services, Inc, the only shipper at this location. Operations over the line will not cease until such time as the customer no longer requires rail service.

This line segment was previously proposed for abandonment in May of 2003, however, other circumstances prevented CSXT from actually filing with the Surface Transportation Board (STB)

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.79(u) require that CSXT develop a response to the following statement:

"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."

It is CSXT's opinion that there will be no impact on designated wetlands or 100-year flood plains because our intent at this time is to only remove CSXT's metal track material, crossties and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. CSXT does not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and CSXT does not anticipate any dredging or use of fill in the removal of the track material. The track removal 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. 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.

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact on wetlands or 100-year flood plains, and that no permits under Section 404 will be required.

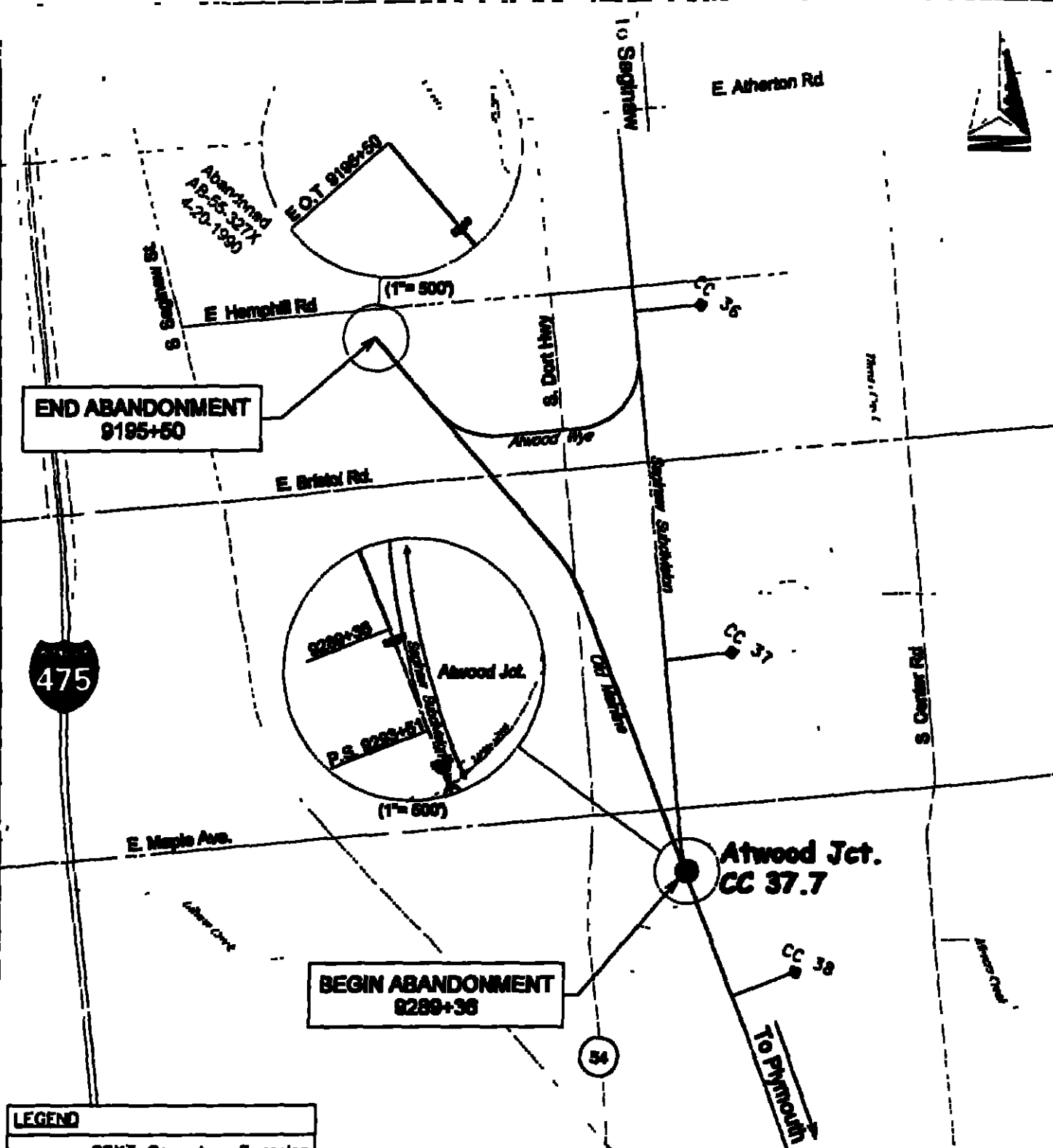
As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action

Sincerely,

A handwritten signature in black ink, appearing to be "D. C.", written over a horizontal line.

Attachments



LEGEND

— CSXT Operating Corridor

- - - Proposed Abandonment

Total Distance - 178 Miles +/-

Previous Abandonment

NORTHERN REGION

CHICAGO DIVISION

SAGINAW SUBDIVISION

OLD MAINLINE BRANCH

9195+50 - 9289+36

STB Docket No AB55 - 633X

CSX TRANSPORTATION

Proposed Abandonment of the

Old Mainline Branch at Atwood Yard

Atwood Jct. (9289+36) to E.O.T. (9195+50)

a distance of 178 Miles +/-

Genesee County, Michigan

SCALE: 1"=2000 Feet

Revised Feb. 8, 2005

Drawn By L. P. Smith



Dave Geraci
Manager - Network Rationalization

Attachment 15

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 358-1000
FAX (904) 358-1111
E-Mail: Dave_Geraci@CSX.com

February 20, 2007

U.S. Environmental Protection Agency
Region 5
Attn: Mr. Ken Westlake (B19J)
77 West Jackson Blvd.
Chicago, IL 60604

Dear Mr. Westlake:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Valuation Station 9195+50 to Valuation Station 9289+36, a distance of 1.78 miles, known as the Old Mainline in Atwood Yard, Cities of Flint and Burton, Genesee County, Michigan, as depicted on the attached map.

The proposed abandonment is intended to be used to "downgrade" the track segment in order to potentially sell or lease this segment to Clean Harbors Environmental Services, Inc., the only shipper at this location. Operations over the line will not cease until such time as the customer no longer requires rail service.

This line segment was previously proposed for abandonment in May of 2003, however, other circumstances prevented CSXT from actually filing with the Surface Transportation Board (STB).

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (ii) require that CSXT develop a response to the following statements:

- (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."
- (ii) "State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

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 public and private crossings, and no new access roads are contemplated. CSXT does 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 cross-ties 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 pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

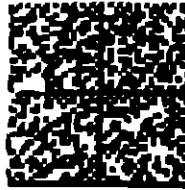
Sincerely,

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line and a small upward stroke.

Attachments

Attachment 16

**Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102**



J-19-82036859

\$00 240

03/09/2007

Mailed From 68102
US POSTAGE

**CSX Transportation
500 Water Street, J200
Jacksonville, Florida 32202**



Re CSX Transportation Proposed Abandonment, Old Mainline in Atwood Yard, Genesee County

We have received your letter of February 20, 2007 concerning the above referenced project.

- ☒ **We have no comment on your proposed action**
- ☒ **Please address any further correspondence about this project or any project to the following address.**

**Regional Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102**

Due to limited staff and the number of requests we receive for early coordination, we ask that companies/agencies assume we will have no comments on projects if they have not heard from us within 30 days of our receipt of the request.

Thank you,

Regional Environmental Coordinator

EXHIBIT C

Historical Report

[Please see attached]

**CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R part 1105.11**

In accordance with 49 C.F.R 1105 8(c), I hereby certify that on March 2, 2007, a copy of the Historic Report was served upon the below listed party, by first-class mail, postage prepaid:

**Mr. Brian D. Conway, SHPO
Michigan Historic Center
702 West Kalamazoo Street
PO Box 30740
Lansing, Michigan 48909-8240**

A handwritten signature in black ink, appearing to read "Steven C. Armbrust", is written over a horizontal line.

**Steven C. Armbrust
April 4, 2007**



Dave Garaci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 358-1088
Fax (904) 358-1111
E-Mail Dave_Garaci@CSX.com

March 2, 2007

Mr. Brian D. Conway, SHPO
Michigan Historical Center
702 West Kalamazoo Street
P.O. Box 30740
Lansing, MI 48909-8240

RE: CSX Transportation, Inc.
Proposed Line Abandonment
Genesee County, Michigan
Docket AB-55 (Sub-No. 633X)

Dear Mr. Conway:

Please be advised that on April 5, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 1.78 miles of railroad from Valuation Station 9195+50 to Valuation Station 9289+36, a distance of 1.78 miles, known as the Old Mainline in Atwood Yard, Cities of Flint and Burton, Genesee County, Michigan, as shown in the attached historic report.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board.

In accordance with those Regulations, I am attaching a Historic Report covering the above proposed abandonment. I would appreciate receiving a letter confirming that this project will have no impact upon cultural resources from your office. If you have questions, please feel free to call me.

Sincerely,

Attachments

Copy:

Surface Transportation Board - SEA, 395 East Street, SW, Washington, DC 20423
Mr. Steven Armbrust, Counsel, CSXT, 500 Water St.-J150, Jacksonville, FL 32202

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
(CITIES of FLINT and BURTON, GENESEE COUNTY, MICHIGAN)
DOCKET AB-55 (SUB-NO. 633X)**

1105.7(c)(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.

CSXT proposes to abandon approximately 1.78-miles of its rail operation between from Valuation Station 9195+50 to Valuation Station 9289+36, known as the Old Mainline in Atwood Yard, Cities of Flint and Burton, Genesee County, Michigan.

The above referenced 1.78-mile line has been used to serve Clean Harbors Environmental Services (formerly Safety Kleen Industries). Clean Harbors has expressed interest in owning and maintaining a portion of the line segment. Therefore, CSX is proposing to formally abandon the line segment for purposes of downgrading the track so that it can be sold or leased to Clean Harbors. Operations over the line will not cease until such time as the customer no longer requires rail service.

If rail service is no longer required, abandonment of this line will result in the removal of the rail, cross-ties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub-grade or sub-grade structures.

As further information, the contiguous line segment (running north and west) was formally approved for abandonment on April 20, 1990.

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 Flint South 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 on this line segment is approximately fifty (50) feet from the centerline of track. The line runs through a commercial segment of the southern portion of Flint.

- (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:**

This line segment was previously owned by the Pere Marquette Railway Company (PM). It was organized under the law of the State of Michigan on March 12, 1917, for the purposes of acquiring the property of the (PM) and its receivers.

During 1947, the Chesapeake and Ohio Railway Company (C&O) acquired the PM with its 1,941 miles of line in Michigan, Ohio, Indiana, Illinois, Canada and New York.

On February 26, 1973, the Chessie System Inc. was formed, and Chessie System Railroads was adopted as the new corporate identity for the C&O, Baltimore & Ohio (B&O) and Western Maryland (WM) Railroads. On November 1, 1980, Seaboard Coastline Industries Inc. and Chessie Systems Inc. merged and became CSX Corporation. On April 30, 1987, the B&O was merged with the C&O and finally the C&O merged into CSX Transportation on September 2, 1987.

- (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.

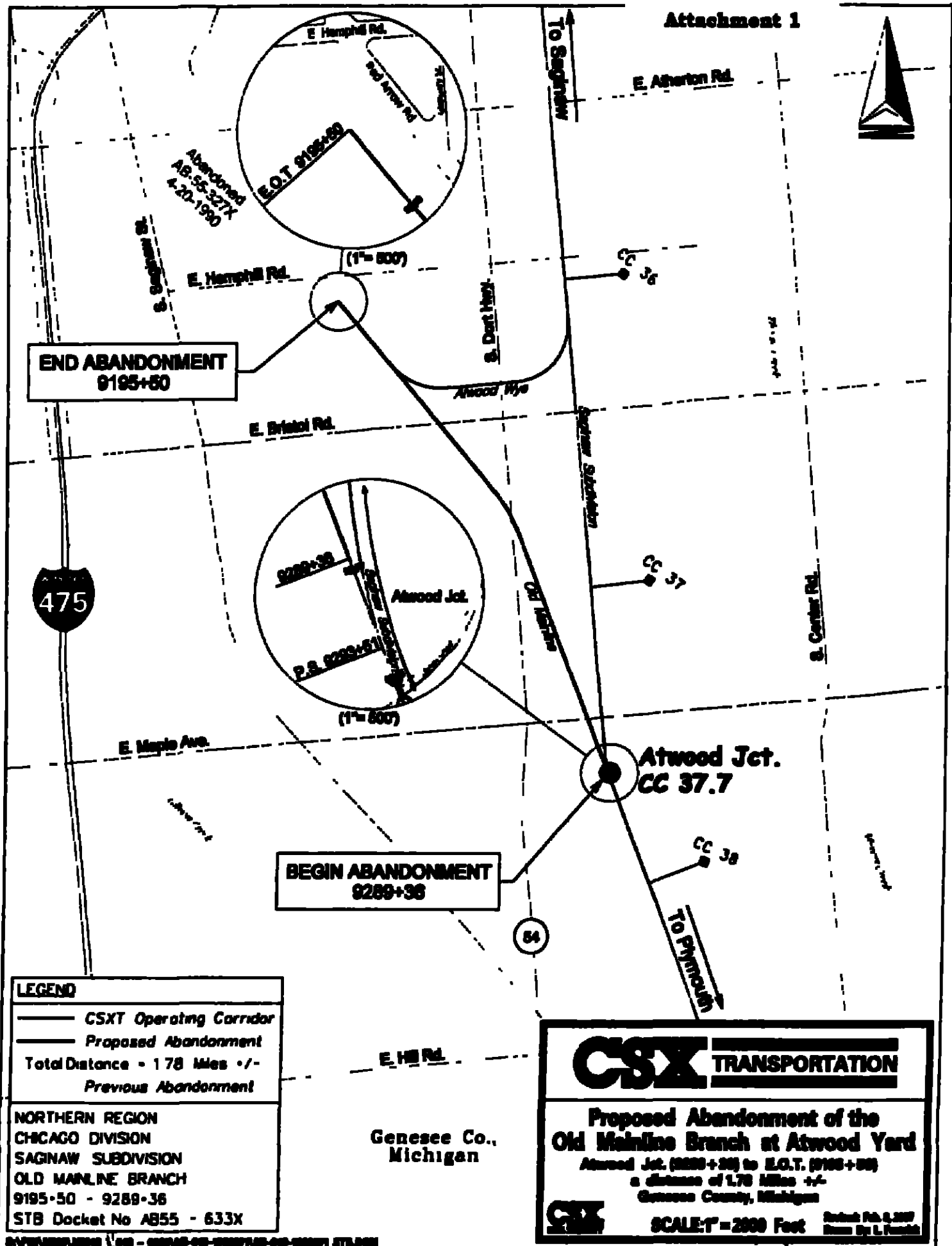
- (7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously 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):

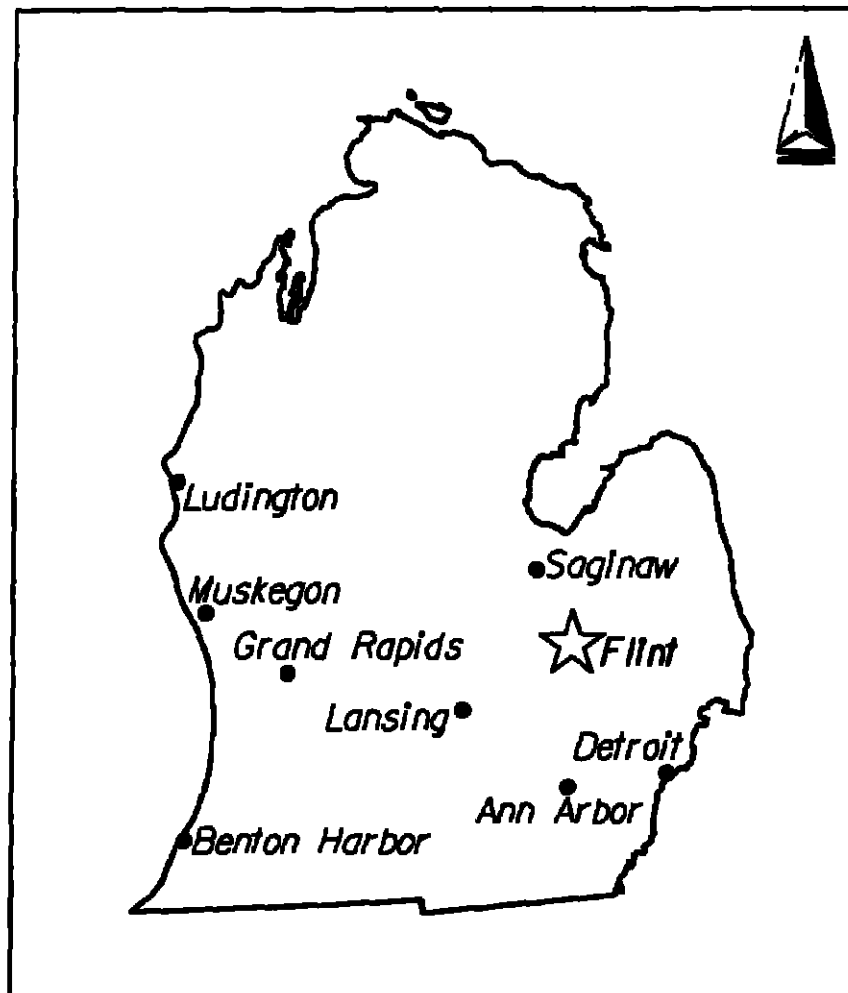
A review of our records indicates there are no CSXT-owned structures over 50 years old on this line segment that are eligible for listing in the National Register.

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.

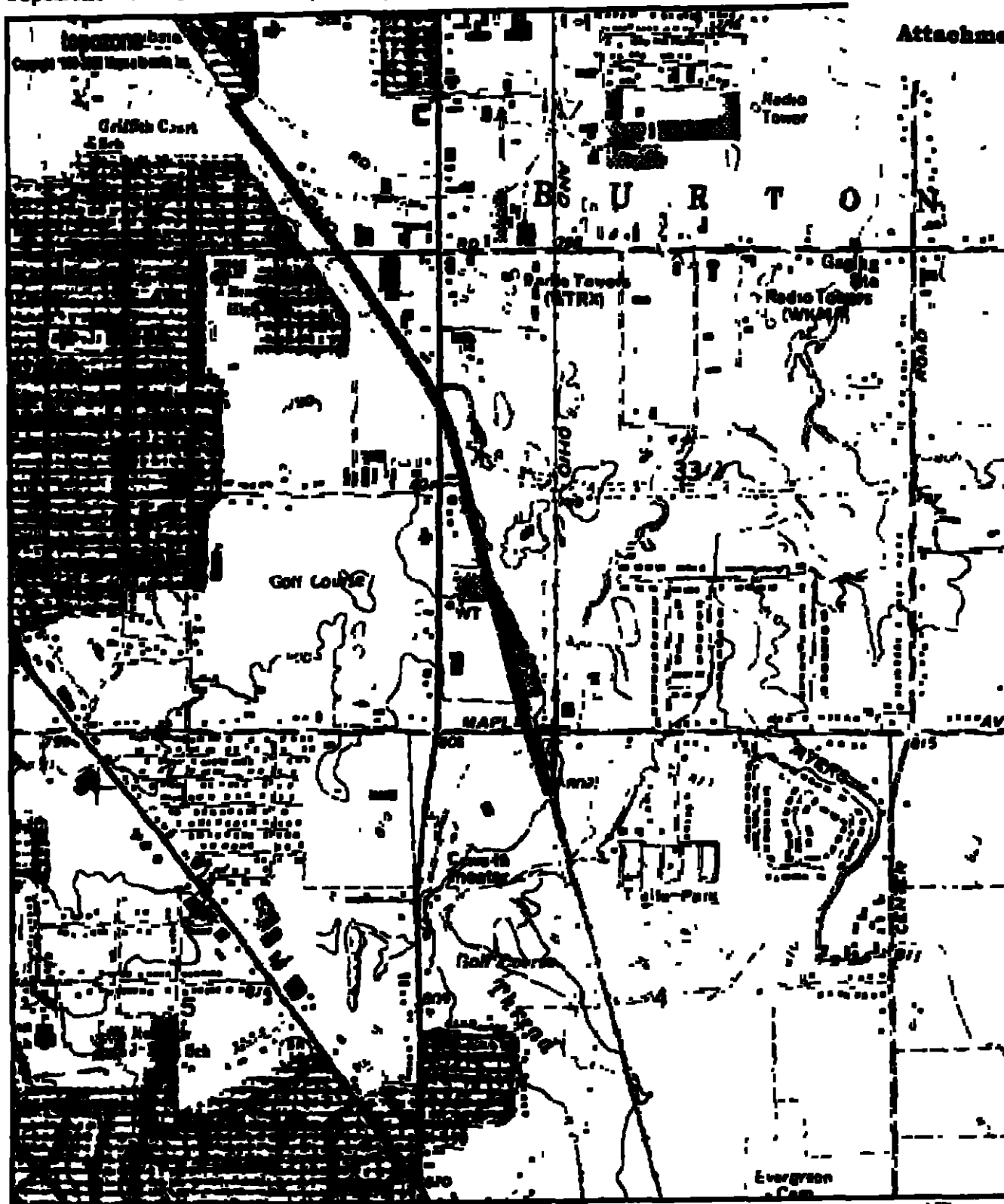




AREA MAP

- Proposed Abandonment -
Old Mainline Branch
1.78 Miles +/-
Genesee County, Michigan

NORTHERN REGION - CHICAGO DIVISION - SAGINAW SUBDIVISION - OLD MAINLINE BRANCH



0 0.3 0.6 0.9 1.2 1.5 km
0 0.2 0.4 0.6 0.8 1 mi

UTM 17 283906E 4759997N (NAD27)
USGS Flint South (MI) Quadrangle
Projection is UTM Zone 17 NAD83 Datum

M=-6.863
G=-1.807



JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR WILLIAM ANDERSON
DIRECTOR

March 8, 2007

DAVE GERACI
CSX TRANSPORTATION
500 WATER STREET - J200
JACKSONVILLE FL 32202

Dear Mr Geraci

The State Historic Preservation Officer (SHPO) received your request for review under Section 106 of the National Historic Preservation Act of 1966, as amended. The Section 106 regulations specify what is required for a Section 106 review [36 CFR § 800.11]. The information that you have sent is incomplete. The SHPO cannot initiate the Section 106 review process until we receive complete project information. We are therefore returning your project for resubmittal.

The SHPO receives approximately 3,500 projects for review annually. Consistency and accuracy in the information submitted is necessary to facilitate the timely review of these projects. For this reason, we cannot review projects that do not meet this standard and that do not provide us with adequate information in the required format.

The mandatory application form and instructions for submitting projects for review under Section 106 may be downloaded in MS Word format from our website at www.michigan.gov/shpo/section106. Please read each requirement carefully in its respective field, and respond in full. In addition, please ensure that future project submissions will utilize the application form. Incomplete applications and projects not submitted on the application forms will be sent back to the applicant without comment.

Once the required information is received in full by the SHPO, we can proceed with the review. The Section 106 process for this project is not complete. If you have any questions, please contact the Environmental Review section of the SHPO at (517) 335-2721 or by e-mail at ER@michigan.gov.

Thank you for your cooperation.

Sincerely,

Brian G. Grennell
Environmental Review Specialist

for Brian D. Conway
State Historic Preservation Officer

Enclosure(s)



Dave Garaci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 388-1088
Fax (904) 388-1111
E-Mail: Dave_Garaci@CSX.com

March 22, 2007

Mr. Brian Grennell
State Historic Preservation Office
Michigan Historical Center
702 West Kalamazoo Street
P.O. Box 30740
Lansing, MI 48909-8240

RE: CSX Transportation, Inc.
Proposed Line Abandonment
Genesee County, Michigan
Docket AB-55 (Sub-No. 633X)

Dear Mr. Grennell:

I have received your letter dated March 8, 2007 regarding the proposed abandonment of our rail line. In accordance with that letter, I have completed and enclosed the Application for Section 106 Review.

For additional information and reference, I have further enclosed maps and the original historic report submitted on March 8, 2007.

Please feel free to contact me should you have any further questions and I look forward to receiving your response at your earliest convenience.

Sincerely,

Attachments

Copy:

Surface Transportation Board - SEA, 395 East Street, SW, Washington, DC 20423
Mr. Steven Armbrust, Counsel, CSXT, 500 Water St.-J150, Jacksonville, FL 32202

**STATE HISTORIC PRESERVATION OFFICE
Application for Section 106 Review**

SHPO Use Only			
☐ IN	Received Date ____ / ____ / ____		Log In Date ____ / ____ / ____
☐ OUT	Response Date ____ / ____ / ____		Log Out Date ____ / ____ / ____
	Sent Date ____ / ____ / ____		

Submit one copy for each project for which review is requested. This application is required. Please type. Applications must be complete for review to begin. Incomplete applications will be sent back to the applicant without comment. Send only the information and attachments requested on this application. Materials submitted for review cannot be returned. Due to limited resources we are unable to accept this application electronically.

I. GENERAL INFORMATION

☒ **THIS IS A NEW SUBMITTAL** ☐ **THIS IS MORE INFORMATION RELATING TO ER#**

- ☐ Funding Notice
- ☐ Survey
- ☐ MOA or PA
- ☒ Other Railroad Abandonment pursuant to Federal Regulation at 49 CFR 1105.8(d)

- a Project Name CSX Rail Abandonment AB 55 Sub No 633X (Old Mainline at Atwood Yard)
- b Project Address (if available) Valuation Station 9195+50 to Valuation Station 9289+36
- c Municipal Unit Cities of Flint and Burton County Genesee
- d Federal Agency and Contact (If you do not know the federal agency involved in your project please contact the party requiring you to apply for Section 106 review, not the SHPO, for this information) Surface Transportation Board - Section of Environmental Analysis, Ms. Vicki Rutson, 395 East Street, NW, Washington, DC 20423-0001 Phone (202) 245-0295
- e State Agency and Contact (if applicable) N/A
- f Consultant or Applicant Contact Information (if applicable) Dave Gereci, CSX Transportation, 500 Water Street - J200, Jacksonville, FL 32202 Phone (904) 359-1088

II. GROUND DISTURBING ACTIVITY (INCLUDING EXCAVATION, GRADING, TREE REMOVALS, UTILITY INSTALLATION, ETC.)

DOES THIS PROJECT INVOLVE GROUND-DISTURBING ACTIVITY? ☒ **YES** ☐ **NO** (If no, proceed to section III)

Exact project location must be submitted on a USGS Quad map (portions, photocopies of portions, and electronic USGS maps are acceptable as long as the location is clearly marked)

- a USGS Quad Map Name Flint South
- b Township 7North Range 7East Section.
- c Description of width, length and depth of proposed ground disturbing activity 10 feet wide and no more than 24 inches deep Removal of cross-ties, rail and on track material
- d Previous land use and disturbances The line was disturbed during construction by cuts and fill The line has been used as a line of railroad
- e Current land use and conditions Line is currently being used as a line of railroad Condition of line has deteriorated since construction and re-construction over the years, but is still very operable
- f Does the landowner know of any archaeological resources found on the property? NO
Please describe

III. PROJECT WORK DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Note: Every project has an APE.

- a Provide a detailed written description of the project (plans, specifications, Environmental Impact Statements (EIS), Environmental Assessments (EA), etc. cannot be substituted for the written description) 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 CSXT does 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 cross-ties 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 pollutant materials from entering any watercourses

- b Provide a localized map indicating the location of the project, road names must be included and legible
- c On the above-mentioned map, identify the APE
- d Provide a written description of the APE (physical, visual, auditory, and sociocultural), the steps taken to identify the APE, and the justification for the boundaries chosen The APE for this project would be approximately 10 feet wide by 1 foot high This is based on the fact that the rail is within this location and would merely be removed using the methods explained in section (a).

IV. IDENTIFICATION OF HISTORIC PROPERTIES

- a List and date all properties 50 years of age or older located in the APE. If the property is located within a National Register eligible, listed or local district it is only necessary to identify the district. A review of all records indicate that there are NO properties 50 years of age or older.
 - b Describe the steps taken to identify whether or not any historic properties exist in the APE and include the level of effort made to carry out such steps. CSX has reviewed all valuation maps, structure references (for buildings) and all databases and found no structures on the line to be over 50 years old. There are no bridges, culverts or buildings located on this line segment.
 - c Based on the information contained in "b", please choose one:
 - ☐ Historic Properties Present in the APE
 - ☒ No Historic Properties Present in the APE
 - d Describe the condition, previous disturbance to, and history of any historic properties located in the APE. The line segment may have been disturbed by cuts and fills during construction. Further, due to regular maintenance requirements, the rail and ties must be replaced periodically to prevent derailment or other operational failure.
-

V. PHOTOGRAPHS

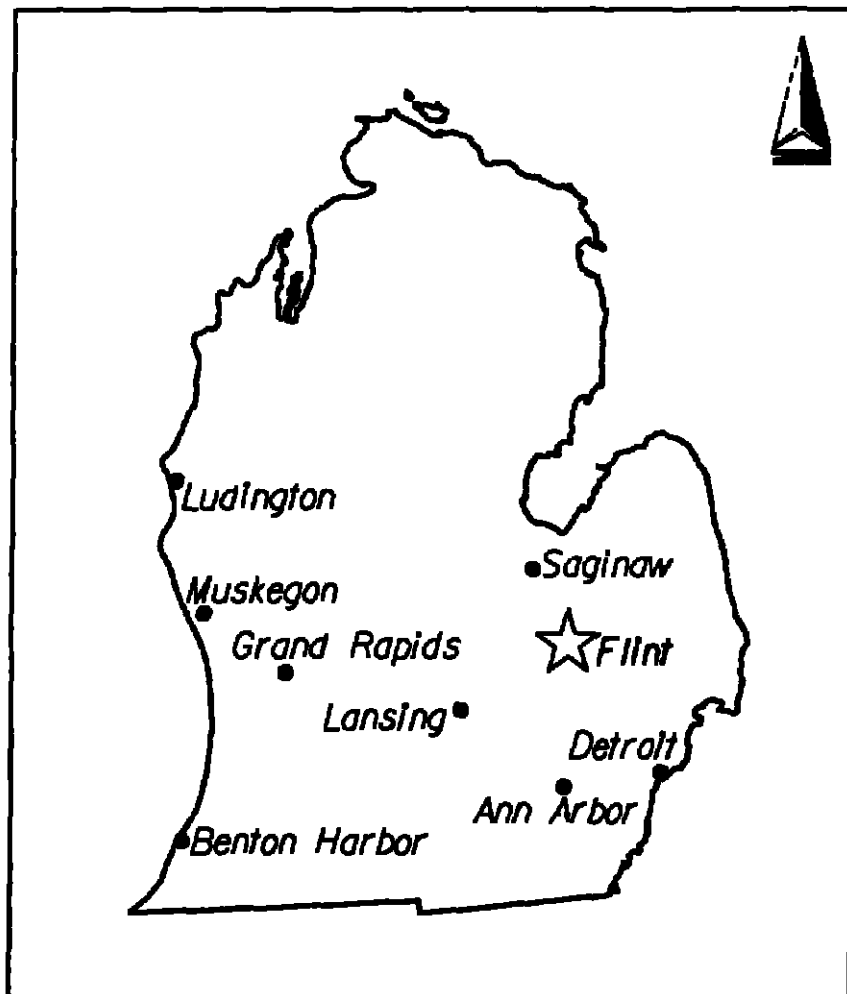
Note: All photographs must be keyed to a localized map.

- a Provide photographs of the site itself.
 - b Provide photographs of all properties 50 years of age or older located in the APE (faxed or photocopied photographs are not acceptable).
-

VI. DETERMINATION OF EFFECT

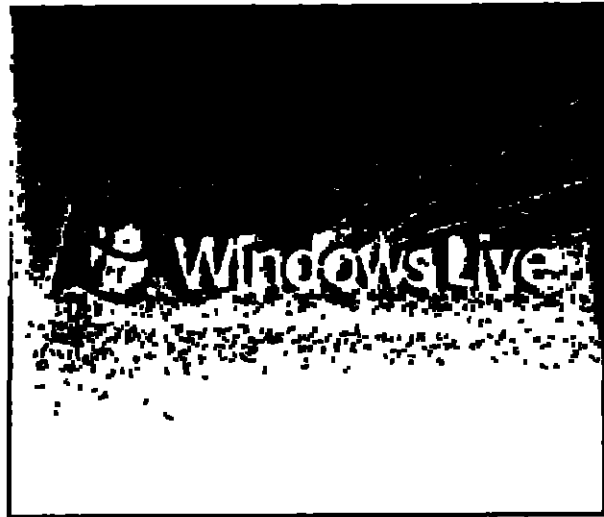
- ☒ No historic properties affected based on [36 CFR § 800.4(d)(1)], please provide the basis for this determination.
- ☐ No Adverse Effect [36 CFR § 800.5(b)] on historic properties, explain why the criteria of adverse effect, 36 CFR Part 800.5(a)(1), were found not applicable.
- ☐ Adverse Effect [36 CFR § 800.5(d)(2)] on historic properties, explain why the criteria of adverse effect, [36 CFR Part 800.5(a)(1)], were found applicable.

Please print and mail completed form and required information to:
State Historic Preservation Office, Environmental Review Office, Michigan Historical Center, 702
W. Kalamazoo Street, P.O. Box 30740, Lansing, MI 48909-8240

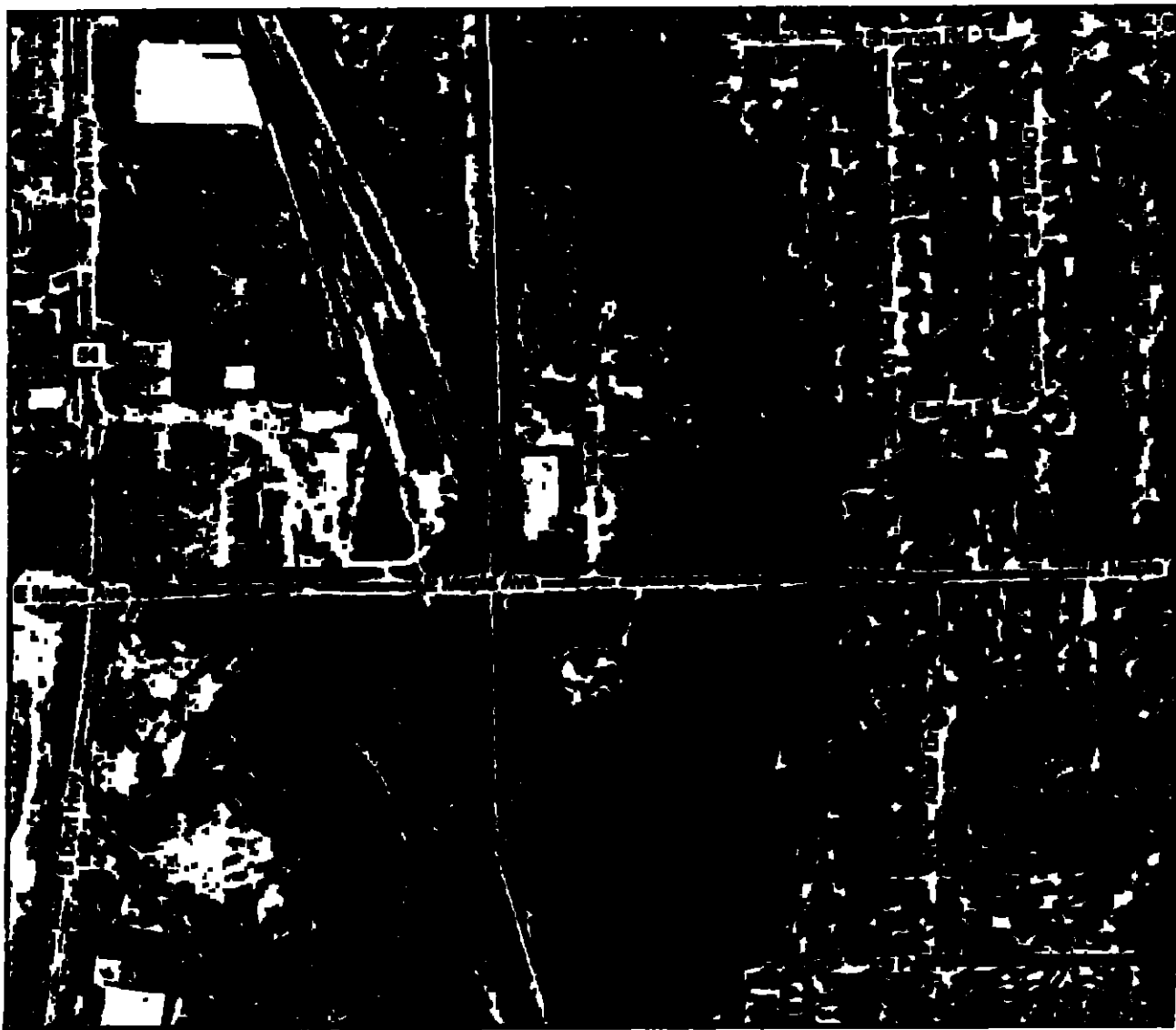


AREA MAP

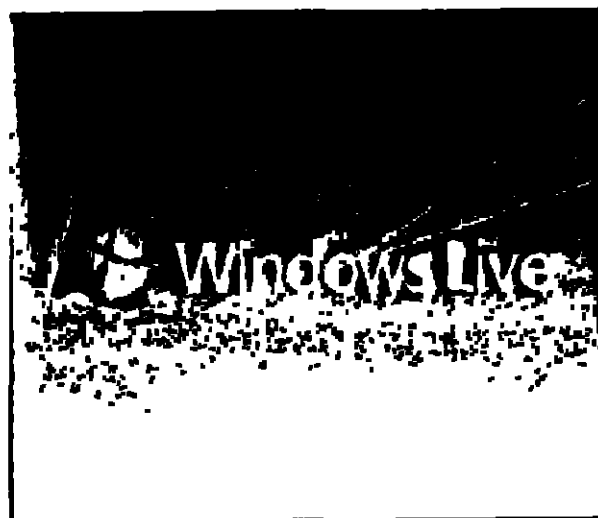
- Proposed Abandonment -
Old Mainline Branch
1.78 Miles +/-
Genesee County, Michigan



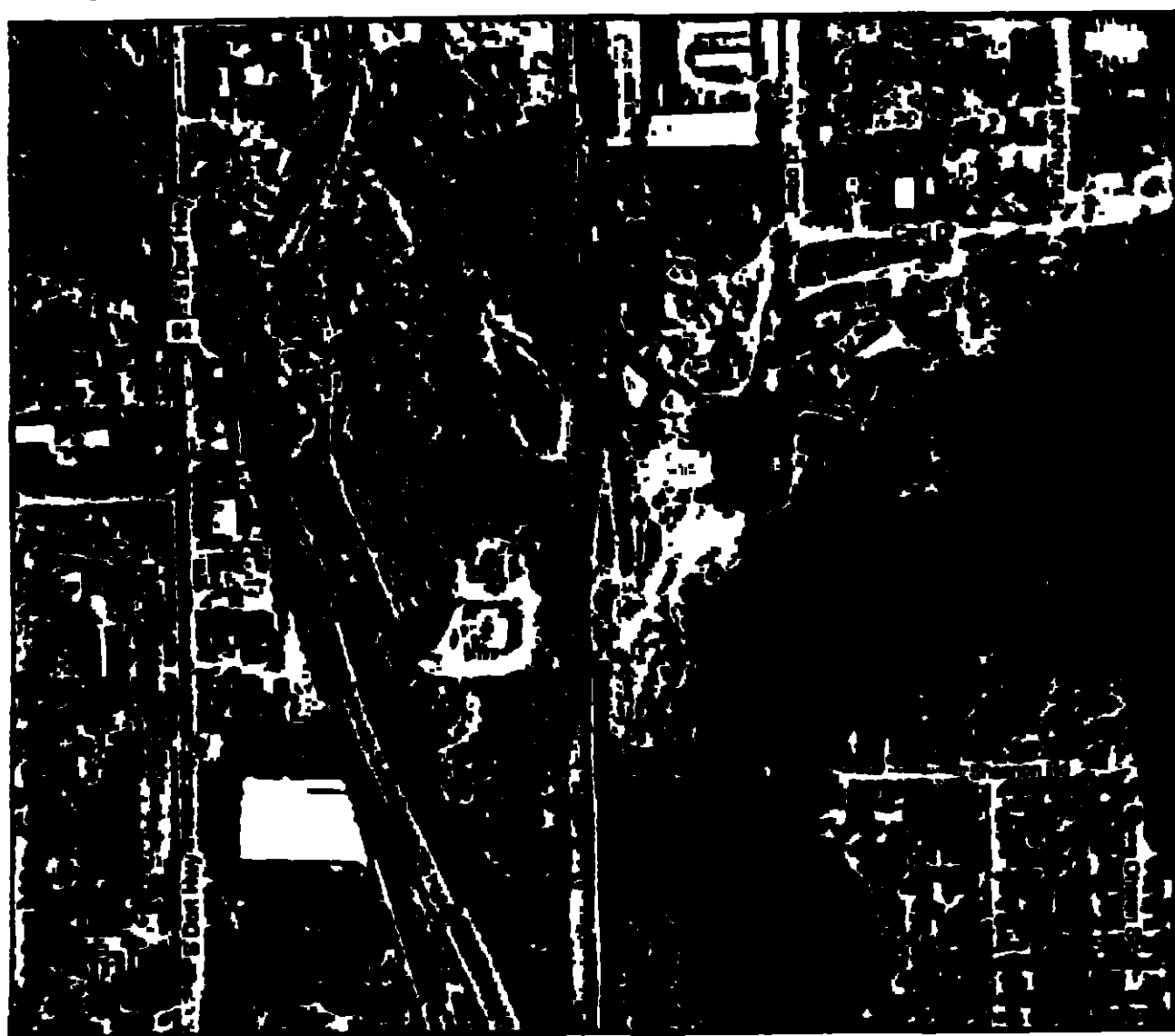
↑ A



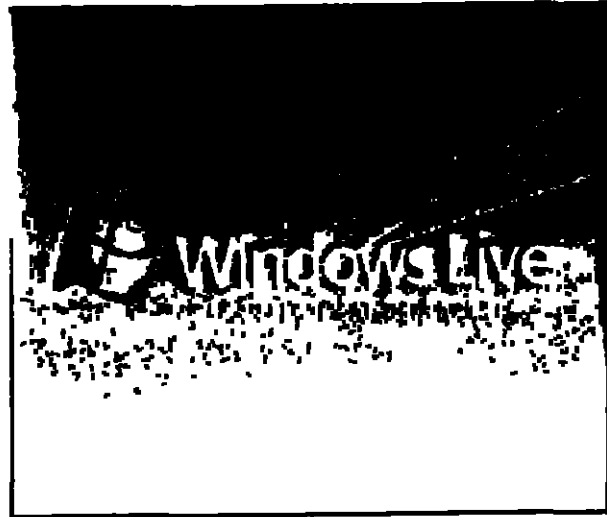
68



B↑



A↓



B↓

70

EXHIBIT D

FEDERAL REGISTER NOTICE

STB No AB 55 (Sub-No.633X)

Notice of Petition for Exemption to Abandon

On April 5, 2007, CSX Transportation, Inc. (CSXT) filed with the Surface Transportation Board, Washington, D.C 20423, a petition for exemption for the abandonment of a line of railroad known as the Old Mainline in Atwood Yard extending from Valuation Station 9195+50 to Valuation Station 9289+36, in the Northern Region, Chicago Division, Saginaw Subdivision, in the cities of Flint and Burton, Genesee County, Michigan, which traverses through 48503 and 48529 United States Postal Service ZIP Codes, a distance of 1.78 miles, in Genesee County, Michigan. There are no stations impacted by the proposed transaction. The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interests of railroad employees of CSXT who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions as stated in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). CSXT has requested the Board to grant an exemption from the offer of financial assistance process. If the exemption is not granted, any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption. All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis. An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

EXHIBIT E

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 633X) was advertised on April 1, 2007 in The Flint Journal, a newspaper of general circulation in Genesee County, Michigan, as required by 49 C.F.R. part 1105.12.

A handwritten signature in black ink, appearing to read "S. Armbrust", is written over a horizontal line.

Steven C. Armbrust
April 4, 2007

EXHIBIT F

Pursuant to 49 C F R part 1152.60(d), the undersigned hereby certifies that this Petition regarding the proposed abandonment in Docket No AB-55 (Sub-No 633X) was mailed via overnight mail on March 23, 2007, to the following parties.

State Public Service Commission

Michigan Public Service Commission
Attn: Chairman J Peter Lark
6545 Mercantile Way
Suite 7
Lansing, MI 48911

Military Surface Deployment and Distribution Command Transportation Engineering Agency

SDDCTEA
ATTN. Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, Virginia 23606-2574

National Park Service

National Park Service
Attn Ms Cheri Espersen
1201 Eye St., NW
9th floor (Org Code 2240)
Washington, DC 20005
National Park Service

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1201 Eye St., N W
Washington, DC 20005

U.S. Department of Agriculture

**U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Auditors' Building
14th Street and Independence Avenue, S.W.
Washington, D.C. 20250**



**Steven C. Armbrust
April 4, 2007**

EXHIBIT G

Verified Statement

[Please see attached]

Traffic Verification

**RE: MI 053A – CSXT Proposed Abandonment – Northern Region,
Chicago Division, Saginaw Subdivision from Valuation Station
9195+50 to Valuation Station 9289+36, a distance of 1.78 miles,
known as the Old Mainline in Atwood Yard, Cities of Flint and
Burton, Genesee County, Michigan.
Docket No. AB-55 (Sub-No. 633X)**

**In preparation for filing a Petition for Exemption on the above-referenced
line segment, listed below are the carloads handled over the line for the
years 2005, 2006, and year-to-date 2007:**

PATRON	STATION	COMMODITY	CARLOADS		
			2005	2006	2007*
Clean Harbors Environmental Services 4475 Dort Highway Burton, MI 48505	Flint	Chemicals	4	14	0
		Chem Waste Products	39	240	58
		Rev Mvmt – Rwy Cars	<u>33</u>	<u>116</u>	<u>31</u>
			76	370	89

*** through March 20, 2007**

**This line has been used to serve Clean Harbors Environmental Services
(formerly Safety Kleen Industries). Clean Harbors has expressed interest
in owning and maintaining a portion of the line segment. Therefore,
Network Rationalization is proposing to formally abandon the line
segment for purposes of downgrading the track so that it can be sold or
leased to Clean Harbors. Clean Harbors has already executed a letter of
non-opposition.**

**Clean Harbors confirmed that 2005 traffic dropped off as a result of a
restructuring of the company and re-tooling of the plant. Once the plant
was re-tooled and restructured, it returned to full operations in the last
quarter of 2005.**

**There are no defense installations served by this line or in the immediate
vicinity.**

Ellen M. Preslar
Ellen M. Preslar
Manager Regulatory Costing
CSXT Network Rationalization

EXHIBIT H

Copy of Newspaper Publication

[Please see attached]

Public Service at (202)
800-452-5861, Contact us to
subscribe or request a
complete guide to living
on the American frontier.
Only \$19.95.
Available only through
this site. Call today!
P.O. Box 1000
Ft. Collins, Colorado
80521

STB No AB 55 (Sub-No. 633X)

Notice of Petition for Exemption to Abandon



On April 5, 2007, CSX Transportation, Inc. (CSXT) filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment of a line of railroad known as the Old Mainline in Atwood Yard extending from Valuation Station 9195+50 to Valuation Station 9289+36, in the Northern Region, Chicago Division, Saginaw Subdivision, in the cities of Flint and Burton, Genesee County, Michigan, which traverses through 48503 and 48529 United States Postal Service ZIP Codes, a distance of 1.78 miles, in Genesee County, Michigan. There are no stations impacted by the proposed transaction. The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interests of railroad employees of CSXT who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions as stated in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). CSXT has requested the Board to grant an exemption from the offer of financial assistance process. If the exemption is not granted, any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption. All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the FEDERAL REGISTER.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis. An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.