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William A. Mullins
william.mullins@troutmansanders.com

March 4, 2003

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

FEE RECEIVED

MAR 4 - 2003

**SURFACE
TRANSPORTATION BOARD**

**RE: Paducah & Louisville Railway, Inc. -- Abandonment Exemption
-- In McCracken County, Ky -- Docket AB-468 (Sub-No. 5X)**

Dear Secretary Williams:

Enclosed please find an original and ten copies of Paducah & Louisville Railway, Inc.'s Petition for Exemption in the above captioned proceeding. Please date stamp the extra copy of and return it to our courier.

Also enclosed is a draft *Federal Register* notice pursuant to 49 C.F.R. §1152.60(c). Three computer diskettes containing the draft *Federal Register* notice, as well as the Petition for Exemption and Certificate of Service and Publication, are also enclosed.

Finally, please find enclosed a check for \$4,700.00 for the filing fee. Please feel free to contact me if you have any questions.

Sincerely yours,



William A. Mullins

Enclosures

cc: All parties of record

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Office of Proceedings

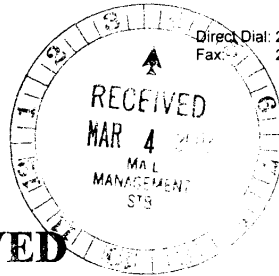
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**SURFACE
TRANSPORTATION BOARD**



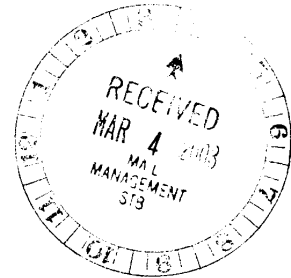
207335
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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-468 (SUB-NO. 5X)

**PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRAKEN COUNTY, KY**

PETITION FOR EXEMPTION



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TRANSPORTATION BOARD**

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*Attorneys for Paducah &
Louisville Railway, Inc.*

Dated: March 4, 2003

**ENTERED
Office of Proceedings**

MAR 4 2003

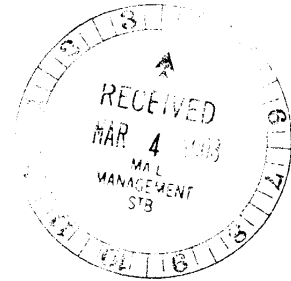
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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-468 (SUB-NO. 5X)

**PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRACKEN COUNTY, KY**

PETITION FOR EXEMPTION



I. INTRODUCTION

Pursuant to 49 U.S.C. §10502 and the Rules applicable thereto at 49 C.F.R. §1121, 49 C.F.R. §1152, and the Special Rules at 49 C.F.R. §1152.60, Paducah & Louisville Railway, Inc. ("P&L") files this petition seeking an exemption from the provision of 49 U.S.C. § 10903 to abandon approximately 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1 (the "Line"). The Line traverses through United State Postal Service ZIP Code 42003. A map showing the Line is attached as Exhibit A. There is currently one shipper on the Line, the Franklin Brick Company ("Franklin Brick"), who has utilized the line only to a limited extent over the past two years. The most recent discussions between P&L and Franklin Brick indicate that the latter may be interested in relocating to another rail-served site in the area.

II. PETITIONER'S BACKGROUND AND REPRESENTATIVE

The Paducah & Louisville Railway is a full-service, 270-mile, regional railroad with track in the western half of the Commonwealth of Kentucky. Its 223-mile main line runs between

Paducah and Louisville, while branch lines connect Paducah to Mayfield and Kevil, and Cecilia to Elizabethtown. P&L connects directly with five of the seven North American Class I carriers at three locations: in Paducah, with the Burlington Northern Santa Fe and the Canadian National (previously the Illinois Central Railroad); at Madisonville, with CSX Transportation; and at Louisville, with the Canadian Pacific Rail System, CSX Transportation, and Norfolk Southern Corporation. Class III short line connections are at Princeton with the Fredonia Valley Railroad, Inc. and at Louisville with the Louisville and Indiana Railroad Company.

The name, address, and telephone number of P&L's representative is as follows:

William A. Mullins
Troutman Sanders LLP
401 9th Street, NW
Suite 1000
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Tel. (202) 274-2950
Fax (202) 654-5621

III. LINE DESCRIPTIONS, ZIP CODE INFORMATION, AND MAP

The proposed action involves the abandonment of approximately 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1. The Line was acquired by P&L from the Illinois Central Gulf Railroad ("IC") in 1986 as a part of the acquisition of the entire P&L system.

Paducah & Louisville Railway, Inc.--Acquisition and Operation Exemption--Illinois Central Gulf Railroad Company, Finance Docket No. 30891 (ICC served Sept. 18, 1986). Based on information in P&L's possession, the Line does not contain federally granted right-of-way. Any documentation in petitioner's possession will be made available promptly to those requesting it.

The Line traverses United States Postal Service ZIP Code 42003. As noted above, a map of the Line is attached as Exhibit A.

IV. REASONS FOR THE ABANDONMENT

A. The Traffic on the Line Does Not Cover the Cost of Operation

Currently, there is only one rail-served customer on the Line: the Franklin Brick Company. Franklin Brick utilizes the Line at a nominal level, with only 66 carloads shipped in 2001 and only 58 carloads shipped in 2002. These shipments generated approximately \$40,100.00 in revenue in 2001 and \$39,600.00 in 2002, bringing the total for two years to approximately only \$80,000.00. A verified statement by Gaylon James, Assistant Vice President – Transportation & Labor for P&L, illustrating the traffic and revenue for the Line is attached hereto as Exhibit B. P&L is not aware of any other industry planning a location along the Line and there is no overhead traffic.

As illustrated above, traffic levels on the Line do not justify its continued operation and maintenance as such traffic does not even cover the cost of operation, maintenance or rehabilitation. The Line is in poor condition and quickly approaching the point that it is unsafe to continue to operate without substantial capital investment for upgrades. P&L estimates that it would cost approximately \$210,667.65 to rehabilitate the Line and \$405,398.40 to repair the seven grade crossings, bringing the total rehabilitation cost for the track and crossings to \$616,066.05. *See* Exhibit B. Therefore, it is apparent that the revenue earned by P&L on these carloads of brick cannot come close to offsetting the cost of upgrading the Line.

As operated today, the Line generates a net loss for P&L and, as the cost of rehabilitation far exceeds the gross revenues that P&L could anticipate to receive over many years of services, there appears to be no reasonable alternatives to abandonment of the Line. Furthermore, when

balancing the potential harm to the affected shipper and community, which is arguably non-existent, against the benefit of removing numerous grade crossings and discontinuing use of dilapidated track, P&L is of the opinion that the proposed abandonment would be beneficial to P&L, interstate commerce, and the general public.

B. The Customer Has Alternative Transportation Options Available

Franklin Brick has been significantly utilizing truck transportation for inbound shipments, which are the only types of shipments for which Franklin Brick utilizes P&L. According to the verified statement of Mr. James attached as Exhibit B, Franklin Brick uses motor carriers for more than 90% of its inbound shipments. Thus, motor carrier transportation provides a viable alternative to rail transportation. In addition, Franklin Brick has most recently indicated to P&L a willingness to possibly relocate Franklin Brick's facilities to another rail-served site in the area, thus creating even more transportation options via the continued use of P&L at a different site. A representative of Franklin Brick has been made aware that this petition for abandonment was forthcoming. In addition, a copy of this petition is being served on Franklin Brick.

C. Safety Considerations Favor Abandonment

Abandonment of the Line will result in the elimination of seven (7) public road grade crossings. As such, the likelihood of a collision between a train and a motor vehicle at those crossings will be completely eliminated. The elimination of at-grade rail crossings is an important safety goal at P&L.

V. THE EXEMPTION STANDARDS HAVE BEEN MET

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 the transaction is of limited scope or regulation is unnecessary to protect shippers from the abuse of market power. The abandonment proposed by P&L here clearly falls within the statutory standards requiring exemption under Section 10502.

The national rail transportation policy as enumerated in 49 U.S.C. §10101 obviates the need for detailed scrutiny by the Board under 49 U.S.C. §10903 in this instance. The need for federal regulatory control over the rail transportation system is minimized in this context in the form of a simple exemption for abandonment of the subject line. *See* 49 U.S.C. §10101(2). Specifically, by minimizing the regulatory expense and delay inherent in a full abandonment application, exemption will expedite regulatory decisions and reduce regulatory barriers to exit. *See* 49 U.S.C. §§10101(2) and (7). Furthermore, by permitting P&L to abandon a line that is significantly deteriorated, serves only one customer with minimal traffic, and will only cause significant avoidable losses for P&L in the future, the allowance of an exemption by the STB in this instance will allow P&L to compete more effectively, foster sound economic conditions, and encourage efficient management in accordance with the national rail transportation policy. *See* 49 U.S.C. §§10101(4), (5), and (9).

The proposed abandonment is clearly a transaction of “limited scope,” as it involves only 5,780 feet of rail line. The lone customer on the Line has made miniscule use of the Line over the past few years. And, with viable transportation alternatives available to this remaining customer, which it has already been utilizing to a great extent, it is clear that the proposed abandonment presents no opportunity for an abuse of market power.

In conclusion, a full abandonment proceeding is unnecessary to carry out any of the relevant rail transportation policy guidelines set forth in 49 U.S.C. §10101. No vital interest of

shippers, competitors, or communities will be adversely affected; rather, the abandonment exemption P&L seeks here will free it from the encumbrances associated with ownership and maintenance of burdensome and unprofitable line.

VI. ENVIRONMENTAL AND HISTORIC REPORT AND SERVICE CERTIFICATE

The Environmental Report required by 49 C.F.R. §1105.7 and the Historic Report required by 49 C.F.R. §1105.8 were previously served on the STB and the required parties and are attached here as Exhibits C and D, respectively, to this Petition for Exemption. The Certificate of Service evidencing P&L's compliance with 49 C.F.R. §1105.11 is attached to the corresponding reports.

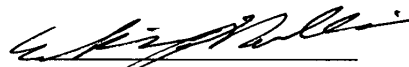
VII. LABOR PROTECTIVE CONDITIONS

P&L is agreeable to the labor protective conditions imposed in abandonment proceedings as prescribed in *Oregon Short Line R. Co. – Abandonment – Goshen*, 360 I.C.C. 91 (1979).

WHEREFORE, Paducah & Louisville Railway, Inc. respectfully requests that the Board issue a decision exempting the proposed abandonment from the provisions of 49 U.S.C. §10903 and direct that the exemption be effective on the date of the Board's decision.

Dated this 4th day of March, 2003.

Respectfully submitted,



William A. Mullins
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Fax (202) 654-5621

*Attorneys for Paducah &
Louisville Railway, Inc.*

CERTIFICATE OF SERVICE AND PUBLICATION

Pursuant to 49 C.F.R. § 1152.60(d), the undersigned hereby certifies that a copy of the foregoing Petition for Exemption in STB Docket No. AB-468 (Sub.-No. 5X) by Paducah & Louisville Railway, Inc. was served on the date indicated below by mailing a copy, first class mail postage prepaid, to the following:

Military Traffic Management Command
Transportation Engineering Agency
Attn: Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, VA 23606-2574

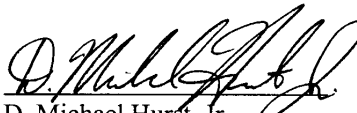
U.S. Department of Interior
National Park Service
Recreation Resource Assistance Division
P.O. Box 37127
Washington DC 20013-7127

U.S. Department of Agriculture
Chief of Forest Service
P.O. Box 96090
Washington, DC 20090

Kentucky Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40602-0615

Franklin Brick Company
3657 Trousdale Drive
Nashville, TN 37204

Dated this 4th day of March, 2003


D. Michael Hurst, Jr.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-468 (SUB-NO. 5X)

**PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRAKEN COUNTY, KY**

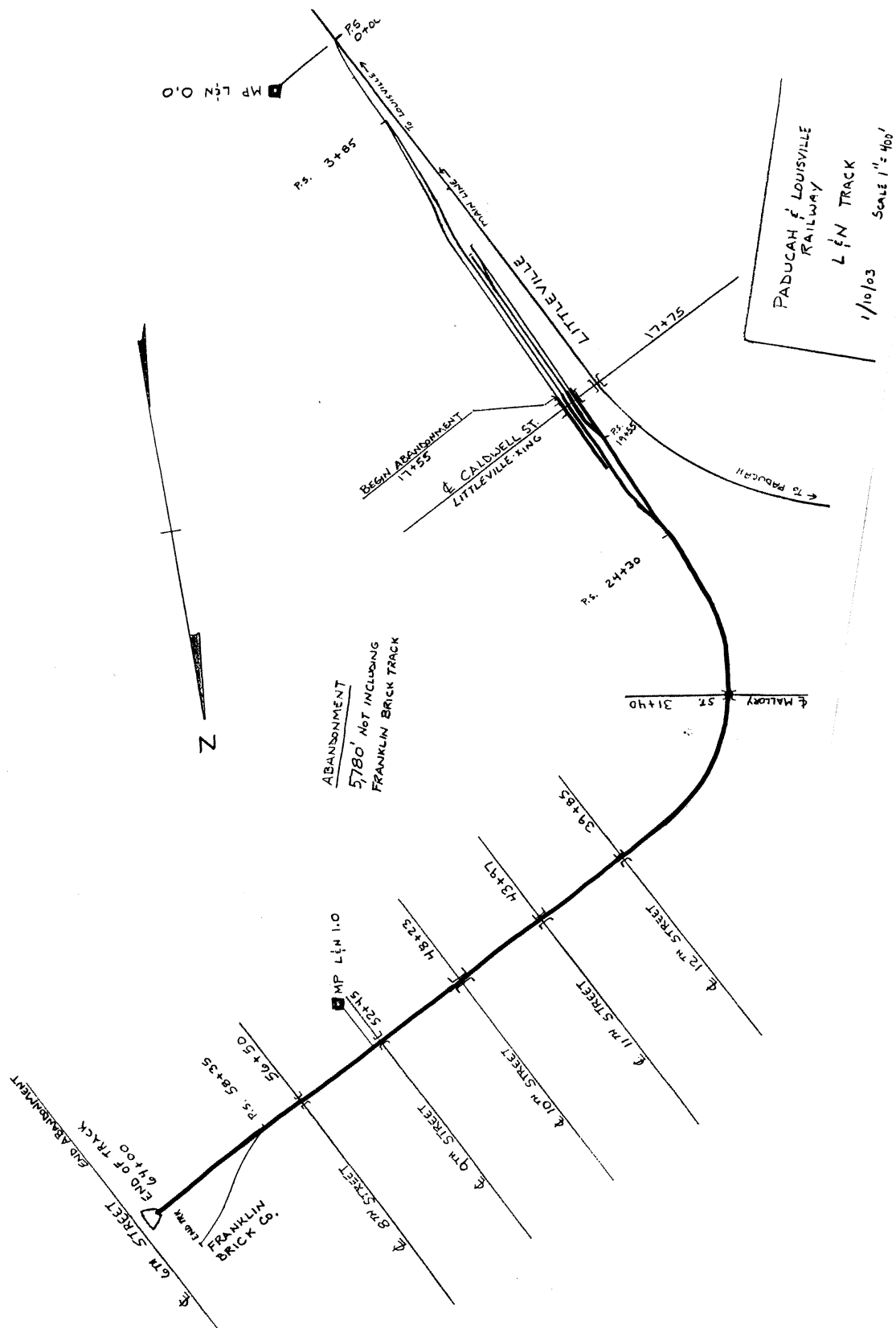
PETITION FOR EXEMPTION

ATTACHMENT A

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Fax (202) 654-5621

Dated: March 4, 2003

*Attorneys for Paducah &
Louisville Railway, Inc.*



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-468 (SUB-NO. 5X)

**PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRAKEN COUNTY, KY**

PETITION FOR EXEMPTION

ATTACHMENT B

William A. Mullins
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Tel. (202) 274-2950
Fax (202) 654-5621

Dated: March 4, 2003

*Attorneys for Paducah &
Louisville Railway, Inc.*

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-468 (SUB-NO. 5X)

**PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRAKEN COUNTY, KY**

VERIFIED STATEMENT OF GAYLON I. JAMES

My name is Gaylon I. James. I am Assistant Vice President – Transportation & Labor (“A.V.P”) for the Paducah & Louisville Railway, Inc. (“P&L”). My business address is 1500 Kentucky Avenue, Paducah, KY 42003. I am submitting this statement as part of P&L’s Petition for Exemption to abandon approximately 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1 (the “Line”). As A.V.P. of P&L, I have specialized knowledge of the traffic and transportation needs of the railroad, as well as costs and expenditures experienced by P&L.

The purpose of my statement is to provide the reader with an understanding of the traffic levels over the Line for the past two years and to illustrate the massive capital investments that would be required to rehabilitate the Line and its various grade crossings if P&L were denied authority to abandon the Line.

First, with regard to traffic on the Line, it should be noted that the Franklin Brick Company (“Franklin Brick”) is the only shipper served on the Line. Franklin Brick has used the

Line only sporadically and to a minimal extent over the past decade. Within the past two years, Franklin Brick received only 66 carloads of materials over the Line from January 1, 2001 to December 31, 2001, and only 58 carloads from January 1, 2002 to December 31, 2002. These shipments generated approximately 40,100.00 in revenue in 2001 and \$39,600.00 in 2002 – a total of approximately \$80,000.00 in two years. Franklin Brick utilizes P&L only for inbound shipments of materials to distribute its product. However, almost all of Franklin Brick's inbound shipments are provided by motor carriers in the area, with trucking companies transporting more than 90% of Franklin Brick's inbound shipments. Thus, it is clear that local motor carrier transportation provides a viable alternative to rail transportation via P&L over the Line. In addition, Franklin Brick has indicated to P&L a willingness to possibly relocate Franklin Brick's facilities to another rail-served site in the area, thus creating even more transportation options via the continued use of P&L at a different site.

Second, the amount of capital investments required to keep the Line functional is exorbitant compared with the amount of traffic moved over the Line. For instance, P&L estimates that it would cost \$210,667.65 to rehabilitate the Line. In addition, the seven grade crossings along this short Line would cost an astonishing \$405,398.40 to repair. Such investments cannot be justified as the traffic does not even cover the cost of operation. The Line is in poor condition and quickly approaching the point that it is unsafe to continue to operate without substantial capital investments for upgrades. The revenue earned by P&L on these carloads of brick cannot come close to offsetting the cost of upgrading the Line. The Line is a net loss for P&L and, since the cost of rehabilitation far exceeds the gross revenues that P&L could anticipate to receive over many years of services, there appears to be no reasonable alternative but to abandon the Line. Furthermore, when balancing the potential harm to the

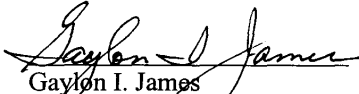
affected shipper and community, which is naught, against the benefit of removing numerous grade crossings and discontinuing use of dilapidated track, I believe the proposed abandonment would be beneficial to the general public, interstate commerce and P&L.

VERIFICATION

I, Gaylon I. James, verify under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this statement.

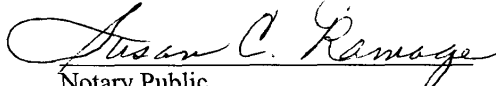
Feb 25, 2003
Date


Gaylon I. James
A.V.P. – Transportation & Labor
Paducah & Louisville Railway, Inc.

**COMMONWEALTH OF KENTUCKY
COUNTY OF MCCrackEN**

The foregoing Verified Statement of Gaylon I. James was subscribed and sworn
to before me on the 25th of February, 2003, on behalf of Paducah & Louisville Railway, Inc.

My commission expires: October 15, 2005.


Notary Public

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-468 (SUB-NO. 5X)

**PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRAKEN COUNTY, KY**

PETITION FOR EXEMPTION

ATTACHMENT C

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Dated: March 4, 2003

*Attorneys for Paducah &
Louisville Railway, Inc.*

TROUTMAN SANDERS LLP

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February 7, 2003

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Secretary Vernon A. Williams
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

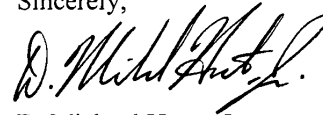
**RE: Proposed Abandonment by Paducah & Louisville Railway, Inc.
Docket No. AB-468 (Sub-No. 5X)
Environmental and Historic Reports**

Dear Mr. Secretary:

Please find enclosed for filing in the above-captioned docket an original and ten (10) copies of the Environmental Report and Historic Report prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8, with the corresponding Certificates of Service pursuant to 49 C.F.R §§ 1105.7(c) and 1105.11.

Paducah & Louisville anticipates filing a Petition for Exemption in this matter on or about February 27, 2003. Please contact me if you have any questions or concerns. Thank you.

Sincerely,



D. Michael Hurst, Jr.

Enclosures

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-468 (SUB-NO. 5X)

PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRACKEN COUNTY, KY

PETITION FOR EXEMPTION

ENVIRONMENTAL REPORT



The following information is provided in accordance with 49 C.F.R. § 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.

Paducah & Louisville Railway, Inc. ("P&L") proposes to abandon approximately 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1 (the "Line"). The Line currently serves only one customer, which has used the Line minimally over the last two years.

Abandonment of the Line will result in the removal of the rail, crossties, other track material, and ballast. Maintenance of the Line will cease.

The only alternative would be not to abandon and to pass the opportunity costs of remaining on the Line to all other P&L customers. This would not be a prudent utilization of carrier resources.

A map which delineates the proposed project is attached (*See Attachment 1*).

(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 P&L passenger traffic on the Line. Freight traffic on the Line will be served by motor carriers that serve the area if the lone shipper currently served by the Line decides to remain at its location. Motor carriers in the area currently service this shipper on a significant basis. Recent discussions with the sole shipper located on the Line seem to indicate that the shipper is possibly interested in relocating to another line served by P&L.

(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.**

P&L does not consider the proposed abandonment to be inconsistent with existing land use plans. P&L has contacted Danny Orazine, McCracken County Judge/Executive, McCracken County Courthouse, 300 South Seventh Street, Paducah, KY 42003, (270) 444-4707, regarding this proposed abandonment. *See* Attachment 2. A copy of this report has been supplied to Danny Orazine, McCracken County Judge/Executive, for his information and comment.

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

P&L does not believe that the proposed abandonment will have any adverse impact on prime agricultural land. P&L has contacted the U.S.D.A. Natural Resources Conservation Service in Lexington, Kentucky regarding this proposed abandonment and requested assistance in identifying any potential effects on prime agricultural land. *See* Attachment 3. A copy of this report has been supplied to the U.S.D.A. Natural Resources Conservation Service in Lexington, Kentucky, for its information and comment.

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

The Commonwealth of Kentucky does not have a 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.**

In the opinion of P&L, the properties proposed for abandonment might be suitable for other public purposes or for utility corridor usage.

(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. To minimize the production of repetitive data, the information on overall efficiency in § 1105.7(e)(4)(iii) need not be supplied if the more detailed information in § 1105.7(e)(4)(iv) is required.**

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 percent (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 percent (measured by carload activity), or (C) An average increase in truck traffic of more than 10 percent 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 nonattainment area under the Clean Air Act, and will result in either: (A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, (B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or (C) An average increase in truck traffic of more than 10 percent 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 restrictions); 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).

The proposed abandonment will have no detrimental effects on public health and safety. Rather, since traffic over the line will cease, public health and safety will actually improve through the elimination of seven (7) grade crossings and associated signs and structures resulting from the abandonment.

- (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.**

The proposed abandonment will not impact the transportation of hazardous materials.

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

P&L is unaware of any hazardous waste sites or sites where there have been hazardous material spills on this Line.

(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.**

P&L is confident that the proposed abandonment will not have an adverse impact on endangered or threatened species or areas designated as a critical habitat. P&L contacted the U.S. Fish and Wildlife Service in Atlanta, Georgia (which has jurisdiction over Kentucky) regarding the proposed abandonment and requested assistance in determining whether endangered or threatened species or areas designated as a critical habitat are likely to be adversely impacted. *See* Attachment 4. A copy of this report has been supplied to the U.S. Fish and Wildlife Service for its information and comment.

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

Based upon P&L's review of the area, the Line is not within any wildlife sanctuary or refuge, National or State parks or forests. P&L has contacted the National Park Service regarding the proposed abandonment and requested

assistance in determining whether the proposed abandonment will have any potential effects on wildlife sanctuaries or refuges, or National or State parks or forests. *See* Attachment 5. A copy of this report has been supplied to the National Park Service for its information and comment.

(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.**

P&L is confident that the proposed abandonment will be consistent with applicable water quality standards. P&L contacted the Kentucky Department for Environmental Protection ("KYDEP") and the United States Environmental Protection Agency ("EPA") concerning this matter requesting assistance in determining whether the proposed abandonment is consistent with applicable Federal, State or local water quality standards. *See* Attachment 6 and 7. A copy of this report is being supplied to the KYDEP and the EPA for their information and further comment.

- (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.**

P&L is confident that no designated wetlands or 100-year flood plains will be adversely impacted by the proposed abandonment. P&L contacted the U.S. Army Corps of Engineers, Louisville District, concerning these matters. *See* Attachment 8. A copy of this report is being supplied to the U.S. Army Corps of Engineers, Louisville District, for its information and comment.

- (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.)**

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. P&L does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and does 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 Line and will not be discarded along the right of way nor 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 and waterways.

Based upon this course of action, Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

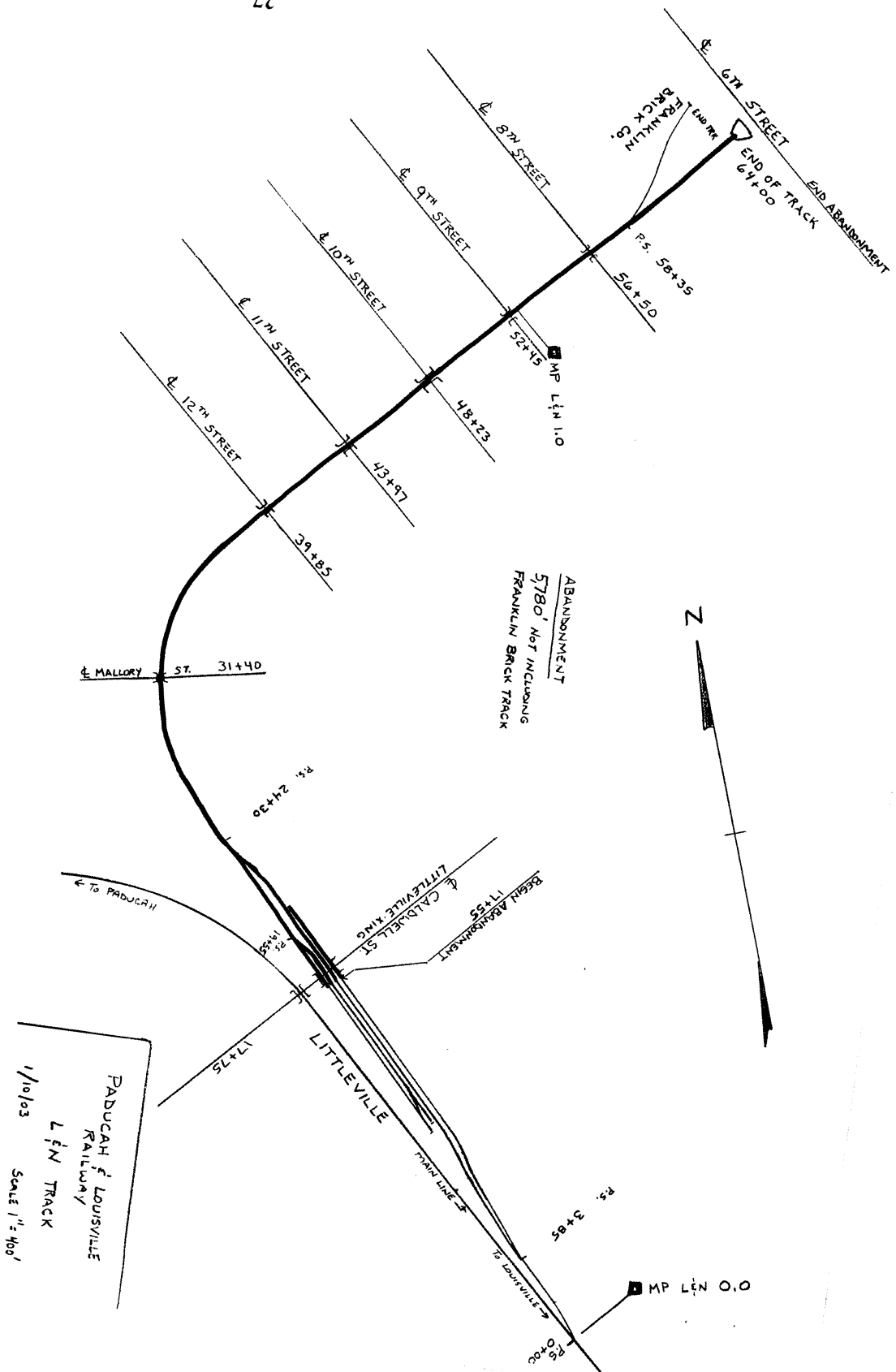
P&L contacted the EPA and the KYDEP concerning this matter and requested assistance in identifying any potential impacts on applicable water quality standards and determining whether the proposed abandonment is consistent with applicable Federal, State, or local water quality standards. *See Attachments 6 and 7.* A copy of this report is being supplied to both entities for their information and comment.

(10) **PROPOSED 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.

Environmental Report
Attachment 1 - Map



Environmental Report
Attachment 2
Letter to Danny Orazine

TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W
A LIMITED LIABILITY PARTNERSHIP

401 9TH STREET, N.W. - SUITE 1000
WASHINGTON, D.C. 20004-2134
www.troutmansanders.com
TELEPHONE: 202-274-2950

D. Michael Hurst, Jr.
mike.hurst@troutmansanders.com

Direct Dial: 202-274-2887
Fax: 202-654-5635

February 7, 2003

Danny Orazine
McCracken County Judge/Executive
McCracken County Courthouse
300 South Seventh Street
Paducah, KY 42003

**RE: Docket No. AB-468 (Sub-No. 5X), Paducah & Louisville Railway, Inc. --
Abandonment Exemption -- In McCracken County, KY**

Dear Mr. Orazine:

The Paducah & Louisville Railway, Inc. ("P&L") is planning to file a Petition for Exemption with the Surface Transportation Board ("STB"), on or about March 3, 2003, for P&L to abandon 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1. A map of the line segment which is proposed for abandonment is enclosed. Also find enclosed a copy of the Environmental Report submitted to the STB.

Pursuant to the STB's environmental regulations at 49 C.F.R. Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on existing land use plans. We must determine whether the proposed abandonment is inconsistent with existing land use plans.

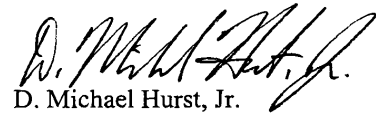
We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

TROUTMAN SANDERS LLP
ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

Danny Orazine
February 7, 2003
Page 2

Thank you in advance for your assistance. If you have any questions regarding this matter, please do not hesitate to contact me at your convenience.

Sincerely,


D. Michael Hurst, Jr.

Enclosures

Environmental Report
Attachment 3
Letter to U.S.D.A. Natural Resources Conservation Service

TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W
A LIMITED LIABILITY PARTNERSHIP

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D. Michael Hurst, Jr.
mike.hurst@troutmansanders.com

Direct Dial: 202-274-2887
Fax: 202-654-5635

February 7, 2003

David Sawyer
State Conservationist
U.S.D.A. Natural Resources Conservation Service
771 Corporate Drive, Suite 110
Lexington Kentucky 40503

**RE: Docket No. AB-468 (Sub-No. 5X), Paducah & Louisville Railway, Inc. --
Abandonment Exemption -- In McCracken County, KY**

Dear Mr. Sawyer:

The Paducah & Louisville Railway, Inc. ("P&L") is planning to file a Petition for Exemption with the Surface Transportation Board ("STB"), on or about March 3, 2003, for P&L to abandon 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1. A map of the line segment which is proposed for abandonment is enclosed. Also enclosed for your review is the Environmental Report submitted by P&L to the STB.

Pursuant to the STB's environmental regulations at 49 C.F.R. Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential impacts on prime agricultural land.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your assistance. If you have any questions regarding this matter, please do not hesitate to contact me at your convenience.

Sincerely,



D. Michael Hurst, Jr.

Enclosures

Environmental Report
Attachment 4
Letter to U.S. Fish and Wildlife Service at Atlanta, Georgia

TROUTMAN SANDERS LLP

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A LIMITED LIABILITY PARTNERSHIP

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D. Michael Hurst, Jr.
mike.hurst@troutmansanders.com

Direct Dial: 202-274-2887
Fax: 202-654-5635

February 7, 2003

U. S. Fish and Wildlife Service
Southeast Region, Atlanta Regional Office
1875 Century Boulevard, Suite 200
Atlanta, GA 30345

**RE: Docket No. AB-468 (Sub-No. 5X), Paducah & Louisville Railway, Inc. --
Abandonment Exemption -- In McCracken County, KY**

Dear Sir or Madam:

The Paducah & Louisville Railway, Inc. ("P&L") is planning to file a Petition for Exemption with the Surface Transportation Board ("STB"), on or about March 3, 2003, for P&L to abandon 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1. A map of the line segment which is proposed for abandonment is enclosed. Also enclosed for your review is the Environmental Report submitted by P&L to the STB.

Pursuant to the STB's environmental regulations at 49 C.F.R. Part 1105, we are advising you of this proposed action so that you may assist us in determining whether it is likely to adversely impact endangered or threatened species or areas designated as a critical habitat.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your assistance. If you have any questions regarding this matter, please do not hesitate to contact me at your convenience.

Sincerely,



D. Michael Hurst, Jr.

Enclosures

Environmental Report
Attachment 5
Letter to National Park Service

TROUTMAN SANDERS LLP

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A LIMITED LIABILITY PARTNERSHIP

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D. Michael Hurst, Jr.
mike.hurst@troutmansanders.com

Direct Dial: 202-274-2887
Fax: 202-654-5635

February 7, 2003

National Park Service
Recreational Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

**RE: Docket No. AB-468 (Sub-No. 5X), Paducah & Louisville Railway, Inc. --
Abandonment Exemption -- In McCracken County, KY**

Dear Sir or Madam:

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Pursuant to the STB's environmental regulations at 49 C.F.R. Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on wildlife sanctuaries or refuges, or National or State parks or forests.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your assistance. If you have any questions regarding this matter, please do not hesitate to contact me at your convenience.

Sincerely,



D. Michael Hurst, Jr.

Enclosures

Environmental Report
Attachment 6
Letter to Kentucky Department for Environmental Protection

TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W
A LIMITED LIABILITY PARTNERSHIP

401 9TH STREET, N.W. - SUITE 1000
WASHINGTON, D.C. 20004-2134
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D. Michael Hurst, Jr.
mike.hurst@troutmansanders.com

Direct Dial: 202-274-2867
Fax: 202-654-5635

February 7, 2003

Kentucky Department for Environmental Protection
Fort Boone Plaza
14 Reilly Road
Frankfort, KY 40601

**RE: Docket No. AB-468 (Sub-No. 5X), Paducah & Louisville Railway, Inc. --
Abandonment Exemption -- In McCracken County, KY**

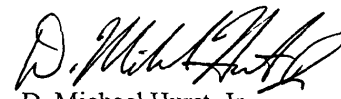
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Pursuant to the STB's environmental regulations at 49 C.F.R. Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on applicable water quality standards. We also seek your assistance in determining whether the proposed abandonment is consistent with applicable Federal, State or local water quality standards. P&L does not believe any permits under Section 402 of the Clean Water Act will be required.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB. Thank you in advance for your assistance. If you have any questions regarding this matter, please do not hesitate to contact me at your convenience.

Sincerely,



D. Michael Hurst, Jr.

Enclosures

Environmental Report
Attachment 7
Letter to U.S. Environmental Protection Agency

TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W
A LIMITED LIABILITY PARTNERSHIP

401 9TH STREET, N.W. - SUITE 1000
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D. Michael Hurst, Jr.
mike.hurst@troutmansanders.com

Direct Dial: 202-274-2887
Fax: 202-654-5635

February 7, 2003

U.S. Environmental Protection Agency
Region 4
61 Forsyth Street, SW
Atlanta, GA 30303-3104

**RE: Docket No. AB-468 (Sub-No. 5X), Paducah & Louisville Railway, Inc. --
Abandonment Exemption -- In McCracken County, KY**

Dear Sir or Madam:

The Paducah & Louisville Railway, Inc. ("P&L") is planning to file a Petition for Exemption with the Surface Transportation Board ("STB"), on or about March 3, 2003, for P&L to abandon 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1. A map of the line segment which is proposed for abandonment is enclosed. Also enclosed for your review is the Environmental Report submitted by P&L to the STB.

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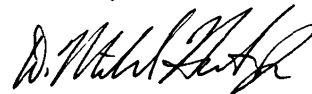
We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that

· TROUTMAN SANDERS LLP
ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

U.S. Environmental Protection Agency
February 7, 2003
Page 2

we can forward it to the STB. Thank you in advance for your assistance. If you have any questions regarding this matter, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Michael Hurst, Jr.", written in a cursive style.

D. Michael Hurst, Jr.

Enclosures

Environmental Report
Attachment 8
Letter to U.S. Army Corps of Engineers, Louisville District

TROUTMAN SANDERS LLP

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A LIMITED LIABILITY PARTNERSHIP

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mike.hurst@troutmansanders.com

Direct Dial: 202-274-2887
Fax: 202-654-5635

February 7, 2003

U.S. Army Corps of Engineers
Louisville District
P.O. 59
Louisville, KY 40201-0059

**RE: Docket No. AB-468 (Sub-No. 5X), Paducah & Louisville Railway, Inc. --
Abandonment Exemption -- In McCracken County, KY**

Dear Sir or Madam:

The Paducah & Louisville Railway, Inc. ("P&L") is planning to file a Petition for Exemption with the Surface Transportation Board ("STB"), on or about March 3, 2003, for P&L to abandon 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1. A map of the line segment which is proposed for abandonment is enclosed. Also find enclosed the Environmental Report submitted by P&L to the STB.

Pursuant to the STB's environmental regulations at 49 C.F.R. Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on designated wetlands or 100-year flood plains. P&L does not believe that any permits under Section 404 of the Clean Water Act will be required.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your assistance. If you have any questions regarding this matter, please do not hesitate to contact me at your convenience.

Sincerely,



D. Michael Hurst, Jr.

Enclosures

Environmental Report
Attachment 9
Publication of Notice in Newspaper and Affidavit of Publication

BUCKS

ay, Wednesday &
or sale items only
jes-or-refunds for
tions
epaid
uesday is 12 noon

5-8700
ay!

VERTISING

..... Fri. 3 p.m.
..... 12 Noon Prev. Day
..... 12 Noon Prev. Day
..... Noon Fri.
..... Thurs. 4 p.m.
..... Thurs. 4 p.m.
..... Wed. 4 p.m.
..... Thurs. Noon
..... Thurs. 4 p.m.
..... Fri. 4 p.m.
..... Mon. Noon
..... Tues. Noon
..... Wed. Noon

rcard & Visa!

p.m.

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will be responsible for only one incor-
ld be reported immediately so correc-

& Worldwide:
he Paducah Sun Classifieds, you can
! and on SunSix Internet for an addi-

ate Party Ad Rates:

109 NOTICE

NOTICE OF INTENT TO ABANDON RAIL SERVICE

Paducah & Louisville Railway, Inc. (P&L) gives notice that on or about February 20, 2003, P&L intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. § 10505 from the prior approval requirements of 49 U.S.C. § 10903, et seq., permitting the abandonment of 5,780 feet of railroad in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah). The line extends on each side of railroad milepost 1. The proceeding has been docketed as No. AB-468 (Sub-No. 5X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at (202) 565-1552.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, NW, Washington, DC 20423, and one copy must be served on applicants' representative. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (202) 565-1594. Copies of any comments or requests for conditions should be served on the applicant's representative: William A. Mulline, Troutman Sandvik LLP, 401 9th Street, NW, Suite 1000, Washington, DC 20004, (202) 274-2950.

clude infrastructure design, land use and industry research, marketing assistance and other services customarily required in such projects. Five (5) copies of the Statement of Qualifications will be accepted in a sealed envelope until 12:00 noon CST, Friday, February 28, 2003 at the address listed below. You may contact (in writing) this office for additional information:

Purchase Area Regional Industrial Authority, Inc.
Mr. Bill Beasley
General Manager
P.O. Box 588
Mayfield, KY 42066
Fax (270) 251-6110

LEGAL NOTICE
The Purchase Area Regional Industrial Authority is accepting Statements of Qualifications from Accounting firms. Please submit two (2) Copies of the Statements of Qualifications to:
Attn: Bill Beasley
2000 McCracken Blvd.
Paducah, KY 42001.
The deadline for submission is 4:00 PM, CST, Friday, February 14, 2003.

113 SPECIAL NOTICE

CHECK YOUR AD

Advertisers are requested to check the first insertion of ads for any error. The Paducah Sun will be responsible for only ONE INCORRECT INSERTION. Any error should be reported immediately so corrections can be made. CHECK YOUR AD carefully and notify The Classified Advertising Department during office hours: Monday through Friday, 8:00 a.m. - 4:30 p.m., in case of an error.....

575-8700

WE WANT IT BACK!

The Paducah Sun
This is the daily newspaper

delivered the following day. For subscription extensions due to missed or wet deliveries, you must call our Customer Service Department within 48 hours of the problem.

Remember, if you are having difficulties, please call our Customer Service Department at 575-8800 (outside McCracken County 1-800-599-1771) for help.

MAXIMIZE your reach with your Sun Classified! Run the same line ad you're running in The Paducah Sun Classifieds for a FULL WEEK in EXTRA! and on SunSix Internet for just \$5 extra. You'll find classifieds online at www.sunsix.com. Save \$6 off the regular price with this special. To place your Paducah Sun Classified along with your Maxified ad, call 575-8700.

SORRY!

He will not be there this Sat. Night, but don't miss next Sat. night @ Casa Mexicana Restaurant
GARY BOBO
Classic R&B • 8PM
Every Other Sat. Night
For Bookings, 444-2041

CLASSIFIED ADVERTISING POLICY
On all personal and happy ads, The Paducah Sun reserves the right to divulge the name of the party placing the ad. Also, we will no longer put any age on happy birthday ads.

114 PERSONAL

PATTI'S 1880's Settlement in Grand Rivers, KY has a Wedding Chapel that is ideal for intimate and informal weddings. Please call 888-736-2515 or 270-362-4296 for details and availability. Bring this ad in and receive \$25 off the Chapel Wedding fee.

HUNGRY? Is your mouth watering for a meal to remember? Don't want to fight the crowds at the mall? Visit Patti's in Grand Rivers where "friends bring friends" for a special meal and a great time!

CHRISTIAN Dating Service. 5,000 members. Sale/confidential. Free package. 1-800-829-3283
START Dating Tonight! 800-ROMANCE ext. 1802
SWM seeks SWF, 25-35, 270-876-7304.

117 LOST & FOUND

LOST: Black male mix, 45 lbs. Brown eyes, black nose, black ears. Man re-

about please call 270-527-6917. Ms. Heath was a retired school teacher.

122 FREE FOR THE TAKING

PALLETS

Free for the taking while supply lasts. Pick up in The Paducah Sun alley.

FREE young male cat, neutered, .442-5557, Ext. 42, or 1-800-955-0353.

36" AVOCADO gas stove & hood, works great. 534-9717.

WHY buy a pot bellied pig, when you can adopt free. 270-830-6188, Kara.

FOSTER/TEMP. homes needed for pot bellied pigs. 270-830-6188, Kara.

PART Terrier, house broke, spayed, shots & wormed. 270-488-3305.

FREE puppies, 1/2 Lab, 1/2 Collie. 876-7600.

2 EMPLOYMENT

224 DOMESTIC & CHILD CARE

NANNY wanted in home to take care of my children, along with light housekeeping, references required. Send reply to Box 03377, c/o The Paducah Sun, PO Box 2300, Paducah, KY 42002-2300.

NOTE TO PARENTS: Kentucky State Law requires licensing for child care facilities providing care for 4 or more children not related to the licensee by blood, marriage or adoption.

NEEDED responsible caring mom for part-time child care. Moor's Camp Benton area. 527-0593.

IN-HOME Christian childcare, references available 1126 N. 32nd, 442-2668

Childcare in my home, 904 Corinth Church Rd., Grand Rivers. 928-3293.

WE clean homes. Reasonable rates. 443-5290.

NEED childcare? 2059 Rudd Speed Rd 898-3747

227 MEDICAL HELP WANTED

SUPERIOR CARE RN/LPN
Superior Care Home, Inc., an 88-bed long term care facility, is currently accepting applications for the following position:

CHARGE NURSE
7AM-3PM With Occasional 3PM-11PM Coverage
Wage Scale LPN: \$13.20-\$15.45

petitive salary & rewarding benefits.
Contact Kaye Travis
270-753-1434
Fax: 270-759-9936
Email: kaye.travis@medshares.com

122 FREE FOR THE TAKING

PALLETS

Free for the taking while supply lasts. Pick up in The Paducah Sun alley.

FREE young male cat, neutered, .442-5557, Ext. 42, or 1-800-955-0353.

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PART Terrier, house broke, spayed, shots & wormed. 270-488-3305.

FREE puppies, 1/2 Lab, 1/2 Collie. 876-7600.

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NOTE TO PARENTS: Kentucky State Law requires licensing for child care facilities providing care for 4 or more children not related to the licensee by blood, marriage or adoption.

NEEDED responsible caring mom for part-time child care. Moor's Camp Benton area. 527-0593.

IN-HOME Christian childcare, references available 1126 N. 32nd, 442-2668

Childcare in my home, 904 Corinth Church Rd., Grand Rivers. 928-3293.

WE clean homes. Reasonable rates. 443-5290.

NEED childcare? 2059 Rudd Speed Rd 898-3747

227 MEDICAL HELP WANTED

SUPERIOR CARE RN/LPN
Superior Care Home, Inc., an 88-bed long term care facility, is currently accepting applications for the following position:

CHARGE NURSE
7AM-3PM With Occasional 3PM-11PM Coverage
Wage Scale LPN: \$13.20-\$15.45

109 NOTICE

NOTICE OF INTENT TO ABANDON RAIL SERVICE

Paducah & Louisville Railway, Inc. (P&L) gives notice that on or about February 20, 2003, P&L intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. § 10505 from the prior approval requirements of 49 U.S.C. § 10903, et seq., permitting the abandonment of 5,780 feet of railroad in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah). The line extends on each side of railroad milepost 1. The proceeding has been docketed as No. AB-468 (Sub-No. 5X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at (202) 565-1552.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, NW, Washington, DC 20423, and one copy must be served on applicants' representative. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (202) 565-1594. Copies of any comments or requests for conditions should be served on the applicant's representative: William A. Mulline, Troutman Sandvik LLP, 401 9th Street, NW, Suite 1000, Washington, DC 20004, (202) 274-2950.

109 NOTICE

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THE

Paducah Sun

408 KENTUCKY AVE. - P.O. BOX 2300 - PADUCAH, KENTUCKY 42002-2300 270-575-8600

AFFIDAVIT OF PUBLICATION

STATE OF KENTUCKY)
COUNTY OF McCRACKEN) SS
)

I, JUDY GORDON, being Classified Advertising Manager of The
Paducah Sun, published in Paducah, Kentucky, hereby states that The Paducah Sun carried the
advertisement of: NOTICE OF INTENT TO ABANDON RAIL SERVICE

ON THE FOLLOWING DATES: FEBRUARY 1, 2003

SIGNATURE: Judy Gordon

DATE: FEBRUARY 1, 2003

Subscribed and sworn to before me by the Affiant named in the afore-going Affidavit, being
personally known to me this 3RD day of FEBRUARY 2003.

My commission expires AUGUST 11, 2003.

Carolee J. Kinsey
Notary Public

Certificate of Service For Environmental Report
Pursuant to the Requirements of 49 C.F.R. §§ 1105.7(c) and 1105.11

Pursuant to the requirements of 49 C.F.R. §§ 1105.7(c) and 1105.11, the undersigned hereby certifies that a copy of the Environmental Report in Finance Docket No. AB-468(Sub-No. 5X) was mailed via first class mail on February 7, 2003, to the following parties:

Kentucky State Clearinghouse
Capital Plaza Tower
12th Floor
300 Washington Street
Frankfort, KY 40601

David Sawyer
State Conservationist
U.S.D.A. Natural Resources Conservation
Service
771 Corporate Drive, Suite 110
Lexington, Kentucky 40503

Department of Natural Resources and
Environmental Protection
Cabinet Department for Environmental Protection
Fort Boone Plaza
14 Reilly Road
Frankfort, KY 40601

National Geodetic Survey
Department of Commerce/NOAA
SSMC3
Station 9356
1315 E. West Highway
Silver Spring, MD 20910

Danny Orazine
McCracken County Judge/Executive
McCracken County Courthouse
300 South Seventh Street
Paducah, KY 42003

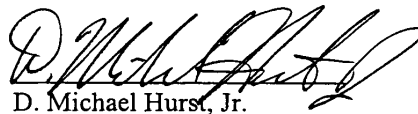
U.S. Army Corps of Engineers
Louisville District
P.O. Box 59
Louisville, KY 40201-0059

U.S. Environmental Protection Agency
Region 4
61 Forsyth Street, SW
Atlanta, GA 30303-3104

National Park Service
Recreational Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

U. S. Fish and Wildlife Service
Southeast Region, Atlanta Regional Office
1875 Century Boulevard, Suite 200
Atlanta, GA 30345

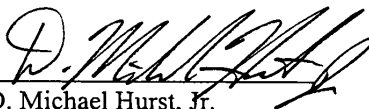
Date: February 7, 2003


D. Michael Hurst, Jr.

Certificate of Publication in Newspaper of General Circulation
Pursuant to the Requirements of 49 C.F.R. § 1105.7(c)

The undersigned further certifies that a notice of the abandonment was published in *The Paducah Sun* on **February 1, 2003**. *The Paducah Sun* is generally circulated in the county where the rail line is located. The notice was in the form prescribed by the Board for a Petition for Exemption at 1105.12. An affidavit of publication from the newspaper is attached to this Environmental Report. *See Attachment 9*

Date: February 7, 2003


D. Michael Hurst, Jr.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-468 (SUB-NO. 5X)

**PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRAKEN COUNTY, KY**

PETITION FOR EXEMPTION

ATTACHMENT D

William A. Mullins
D. Michael Hurst, Jr.
TROUTMAN SANDERS LLP
401 9th Street, NW
Suite 1000
Washington, DC 20004
Tel. (202) 274-2950
Fax (202) 654-5621

Dated: March 4, 2003

*Attorneys for Paducah &
Louisville Railway, Inc.*

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-468 (SUB-NO. 5X)

PADUCAH & LOUISVILLE RAILWAY, INC.
-- ABANDONMENT EXEMPTION --
IN McCRACKEN COUNTY, KY

PETITION FOR EXEMPTION

HISTORIC REPORT

↑
RECEIVED
FEB 7 2006
MAIL
MANAGEMENT
STB

1105.7 (e)(1)

(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.

Paducah & Louisville Railway, Inc. ("P&L") proposes to abandon approximately 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1 (the "Line").

Abandonment of this line will result in the removal of the rail, cross-ties, other track material, and ballast. Maintenance of this line will cease.

The only alternative would be not to abandon and to pass the opportunity costs of remaining on the line to all other P&L customers. This would not be a prudent utilization of carrier resources.

A map which delineates the proposed project is attached (*See Attachment 1*).

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;**

A map of the Line is attached and has been supplied to the Kentucky Heritage Council. See Attachment 2. In addition, there are no railroad structures on the line 50 years old or older that are part of the proposed abandonment.

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

The right-of-way ranges from 66 to 100 feet in width. The right-of-way traverses a predominantly flat area in the City of Paducah, McCracken County, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1.

- (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 as there are no railroad structures on the property that are 50 years old or older.

- (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 as there are no railroad structures on the property that are 50 years old or older.

- (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;**

To the best of P&L's information and belief, the Line was constructed in 1871 by the Elizabethtown and Paducah Railroad as one segment of a rail line that eventually connected the railroad's namesake cities. After several foreclosures, the Line was merged into the Illinois Central Railroad in 1951. On August 27, 1986, the Illinois Central Gulf Railroad sold the rail line between Paducah and Louisville, Kentucky, including the Rail Line, to the P&L. P&L has held the common carrier obligation on the Line since that time.

As a result of the proposed abandonment, maintenance on the Line will cease, and the rail, crossties, other track material, and ballast will be salvaged.

- (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;**

Engineering sketches, photographs, station maps.

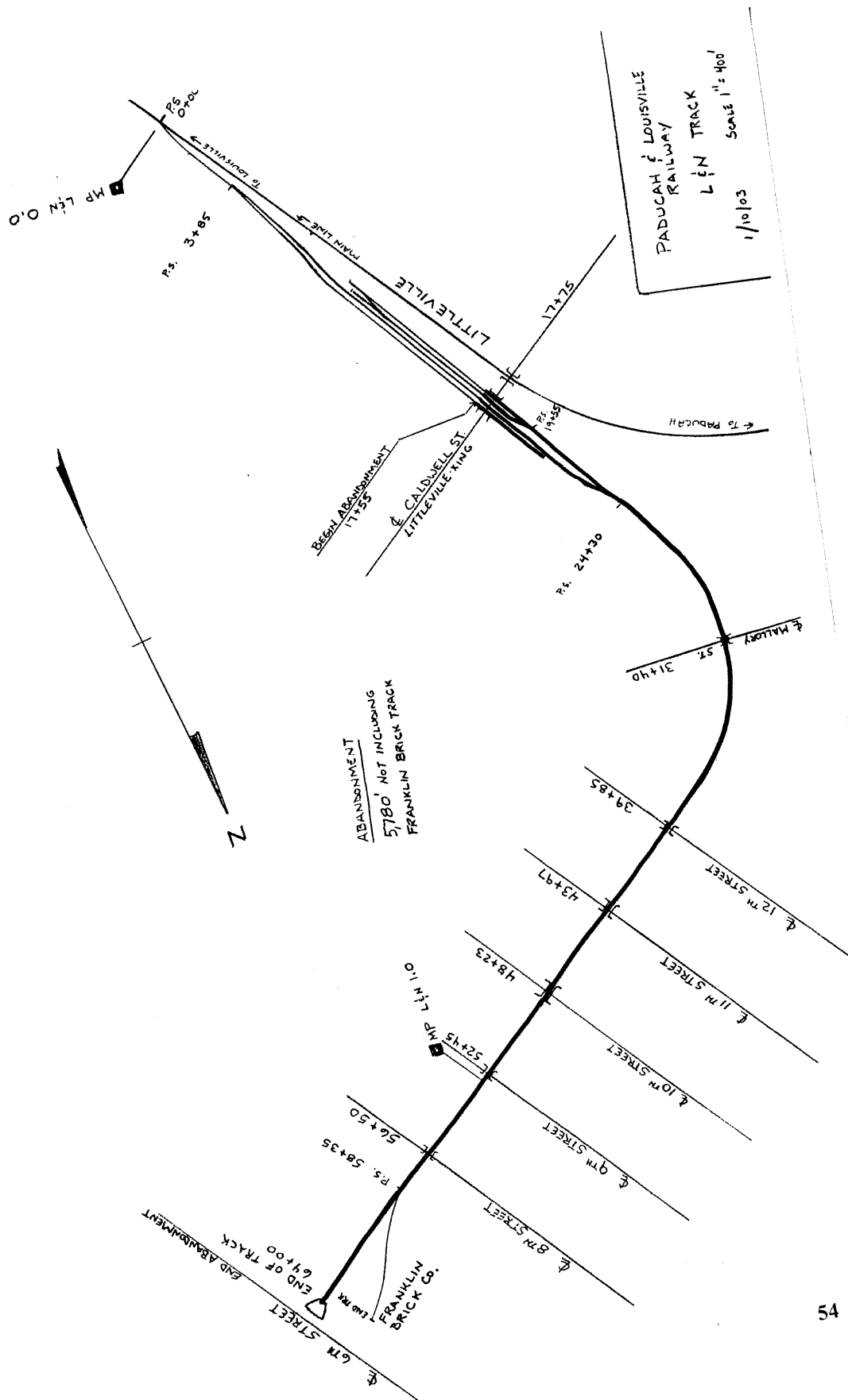
- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously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

Not applicable as there are no railroad structures on the property that are 50 years old or older.

- (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 manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The Line is constructed of cuts and fills which appear to have been created at the time of construction. Any archeological resources that may have been located on the right-of-way (P&L knows of none) were disturbed at that time. P&L's records do not indicate any swampy conditions or hazardous materials spills along the right-of-way.

Historic Report
Attachment 1 - Map



Historic Report
Attachment 2 - Letter to Kentucky Heritage Council

TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W
A LIMITED LIABILITY PARTNERSHIP

401 9TH STREET, N.W. - SUITE 1000
WASHINGTON, D.C. 20004-2134
www.troutmansanders.com
TELEPHONE: 202-274-2950

D. Michael Hurst, Jr.
mike.hurst@troutmansanders.com

Direct Dial: 202-274-2887
Fax: 202-654-5635

February 7, 2003

Kentucky Heritage Council
Capital Plaza Tower
12th Floor
300 Washington Street
Frankfort, KY 40601

**RE: Docket No. AB-468 (Sub-No. 5X), Paducah & Louisville Railway, Inc. --
Abandonment Exemption -- In McCracken County, KY**

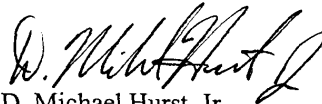
Dear Sir or Madam:

The Paducah & Louisville Railway, Inc. ("P&L") is planning to file a Petition for Exemption with the Surface Transportation Board ("STB"), on or about March 3, 2003, for P&L to abandon 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1. The proposed abandonment will involve the removal of rail, ties, and other track material. A map of the line segment which is proposed for abandonment is enclosed.

In connection with the rail line that is to become the subject of notice for authority to abandon, 49 C.F.R. § 1105.8 requires that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. A Historic Report for this Notice of Exemption is enclosed. As you will note in the report, there are no bridges that are 50 years old or older located along the rail line.

If you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,



D. Michael Hurst, Jr.

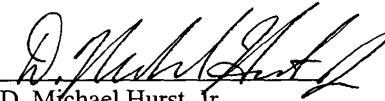
Enclosures

Certificate of Service For Historic Report
Pursuant to the Requirements of 49 C.F.R. § 1105.11

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Finance Docket No. AB-468(Sub-No. 5X) was mailed via first class mail on February 7, to the following parties:

Kentucky Heritage Council
Capital Plaza Tower
12th Floor
300 Washington Street
Frankfort, KY 40601

Date: February 7, 2003


D. Michael Hurst, Jr.

DRAFT FEDERAL REGISTER NOTICE

STB Docket No. AB-468 (Sub-No. 5X)

Notice of Petition for Exemption to Abandon

On March 4, 2003, Paducah & Louisville Railway, Inc. (P&L) filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment of 5,780 feet of rail line located in the City of Paducah, McCracken County, Kentucky, running from station number 17+55 (near Caldwell Street in Paducah) to station number 64+00 (near 6th Street in Paducah), extending on each side of railroad milepost 1, and traversing through United States Postal Service ZIP Code 42003.

To the best of P&L's knowledge, 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 interest of railroad employees will be protected by the labor protective conditions imposed in Oregon Short Line R. Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

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. Environmental Assessments 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.