

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-871X

STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION—  
ABANDONMENT EXEMPTION—IN BELKNAP COUNTY, NH

Decided: October 24, 2006

The State of New Hampshire, Department of Transportation, Bureau of Rail and Transit (NHDOT), filed an amended notice of exemption<sup>1</sup> under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a portion of rail line known as the Lakeport Spur, in Belknap County, NH, extending from engineering station 1 + 70 to engineering station 11 + 28.11 (on Valuation Section V.21, Map 65-A). Notice of the exemption was served and published in the Federal Register on September 25, 2006 (71 FR 55826-27). The exemption is scheduled to become effective on October 25, 2006.

SEA served an environmental assessment (EA) in this proceeding on September 29, 2006. In the EA, SEA states that the New Hampshire Department of Environmental Services (NHDES) has identified 12 hazardous materials remediation sites near the area of the proposed abandonment. Therefore, SEA recommends that a condition be imposed requiring NHDOT to consult with NHDES before beginning any salvage activities regarding the remediation sites and comply with NHDES's recommendations during salvage activities.

Comments to the EA were due by October 16, 2006. No comments to the EA were received by the due date. Accordingly, the condition recommended by SEA in the EA will be imposed. Based on SEA's recommendation, the proposed abandonment, if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

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<sup>1</sup> NHDOT originally filed its notice of exemption on March 14, 2006. After consulting with the Board's Section of Environmental Analysis (SEA), NHDOT filed an amended notice of exemption on September 5, 2006, which became the official filing date.

2. Upon reconsideration, the exemption for abandonment of the line described above is subject to the condition that NHDOT consult with NHDES regarding the remediation sites before beginning any salvage activities and comply with NHDES's recommendations during salvage activities.

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary