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SERVICE DATE – SEPTEMBER 27, 2004

DO

FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-876X]

R.J. Corman Equipment Company, LLC–Abandonment Exemption–in Johnson, Magoffin and Breathitt Counties, KY

[STB Docket No. AB-875X]

R.J. Corman Railroad Company/Bardstown Line–Discontinuance of Service Exemption–in Johnson, Magoffin and Breathitt Counties, KY

On September 7, 2004, (1) R.J. Corman Equipment Company, LLC (RJCE) and (2) R.J. Corman Railroad Company/Bardstown Line (RJCR) jointly filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903.<sup>1</sup> RCJE seeks to abandon and RJCR seeks to discontinue service on, a line of railroad known as the Dawkins Line, extending from milepost 0.05 at Dawkins, KY, to the end of the track at milepost 36.13 near Evanston, KY, a distance of approximately 36.08 miles in Johnson, Magoffin and Breathitt Counties, KY. The line traverses United States Postal Service Zip Codes 41240, 41260,

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<sup>1</sup> RJCE and RJCR are commonly controlled by Richard J. Corman and are part of the R.J. Corman family of railroads, which includes seven other Class III rail carriers in the eastern United States.

41222, 41465, and 41339 and includes the stations of Paintsville, Ivyton, Royalton, Magoffin and Skyline.

The line does not contain federally granted rights-of-way. Any documentation in the possession of RJCE and RJCR will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in Oregon Short Line R. Co.–Abandonment–Goshen, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by December 23, 2004.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,100 filing fee. See 49 CFR 1002.2(f)(25).

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 under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than October 15, 2004. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket Nos. AB-876X and AB-875X and must be sent to: (1) Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423-0001, and (2) Thomas J. Litwiler, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832. Replies to the petition are due on or before

October 15, 2004.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 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 (SEA) at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain copy of the EA (or EIS). 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.

Board decisions and notices are available on our website at "[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV)."

Decided: September 21, 2004.

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

Vernon A. Williams

Secretary