

## Surface Transportation Board, DOT

## § 1155.2

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.

(d) A petitioner for an abandonment exemption must serve a copy of the petition on the persons receiving notices of exemption under § 1152.50(d). The petition must include the following statement: "Based on information in our possession, the line (does) (does not) contain federally granted right-of-way. Any documentation in petitioner's possession will be made available promptly to those requesting it."

(e) As Provided in § 1152.29(e)(2), rail carriers that receive authority to abandon a line by individual exemption under 49 U.S.C. 10502 must file with the Board a notice that abandonment has been consummated.

[61 FR 67883, Dec. 24, 1996, as amended at 62 FR 34670, June 27, 1997]

## PART 1155—SOLID WASTE RAIL TRANSFER FACILITIES

### Subpart A—General

Sec.

1155.1 Purpose and scope.

1155.2 Definitions.

### Subpart B—Procedures Governing Petitions To Require a Facility in Existence on October 16, 2008, To Apply for a Land- Use-Exemption Permit

1155.10 Contents of petition.

1155.11 Filing and service of petition.

1155.12 Participation in petition procedures.

1155.13 Board determination with respect to a Governor's petition.

### Subpart C—Procedures Governing Appli- cations for a Land-Use-Exemption Per- mit

1155.20 Notice of intent to apply for a land-use-exemption permit.

1155.21 Contents of application.

1155.22 Filings and service of application.

1155.23 Participation in application proceedings.

1155.24 Environmental review.

1155.25 Transfer and termination of a land-use-exemption permit.

1155.26 Board determinations under 49 U.S.C. 10909.

1155.27 Petitions to modify, amend, or revoke a land-use-exemption permit.

APPENDIX A TO PART 1155—FORM NOTICE OF INTENT TO APPLY

APPENDIX B TO PART 1155—FORM FEDERAL REGISTER NOTICE

AUTHORITY: 49 U.S.C. 721(a), 10908, 10909, 10910.

SOURCE: 77 FR 69774, Nov. 21, 2012, unless otherwise noted.

## PART 1155—SOLID WASTE RAIL TRANSFER FACILITIES

### Subpart A—General

#### § 1155.1 Purpose and scope.

49 U.S.C. 10501(c)(2)(B) excludes solid waste rail transfer facilities from the Board's jurisdiction except as provided under 49 U.S.C. 10908 and 10909. Sections 10908 and 10909 provide the Board authority to issue land-use-exemption permits for solid waste rail transfer facilities when certain conditions are met. The regulations in this part concern land-use-exemption permits and the Board's standard for review.

#### § 1155.2 Definitions.

(a) Unless otherwise provided in the text of these regulations, the following definitions apply in this part:

(1) *Commercial and retail waste* means material discarded by stores, offices, restaurants, warehouses, nonmanufacturing activities at industrial facilities, and other similar establishments or facilities.

(2) *Construction and demolition debris* means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition operations on pavements,