



"Headrick, Kathy, C"
<kathy.headrick@nscorp.com>
>

06/24/2009 11:07 AM

To Alan.Cassiday@stb.dot.gov

cc "Kirchner, Marc C." <marc.kirchner@nscorp.com>,
"Paschall, James R." <james.paschall@nscorp.com>

bcc

Subject RE: AB-290 (Sub-No. 309X)

ET
17808
alc

Mr. Cassiday,

I will be sending the new certificate of service to you today by overnight mail.

The initial Environmental Report was served on April 14th. The revised date refers to adding responses received after the initial report was served, but prior to filing the report as an exhibit to our notice of exemption. The word "Revised" was used inadvertently in the body of the certificate of service.

We will be doing a combined Environmental and Historic Report with a certificate of service to all environmental agencies and the SHPO for future filings.

Thank you for your assistance.

Kathy Headrick

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From: Alan.Cassiday@stb.dot.gov [mailto:Alan.Cassiday@stb.dot.gov]

Sent: Wednesday, June 24, 2009 10:40 AM

To: Headrick, Kathy, C

Cc: Kirchner, Marc C.

Subject: AB-290 (Sub-No. 309X)

K Headrick:

I wanted to follow up on a couple of things relative to our phone conversation yesterday.

I need to have the Environmental Assessment completed by June 30th (a week from yesterday).

I will need to have certification of service for the additional mailings prior to that day in order to include that action in the EA.

Also on the service listing on page 33, it is titled as a listing for the Environmental Report but refers to 1105.8(c). That rule concerns only the distribution of the Historic Report, not the Environmental Report.

The regulations specifically state that the Environmental Report should also include the Historic Report. Both would thereby be governed by 1105.7 concerning serving that combined report on the parties listed therein, 20 days prior to filing with the Board.

But there is no specific instruction in the regulations that require the Environmental Report be sent to the State Historic Preservation Officer. Other applicants send both to the SHPO assumably to avoid an alternate handling for just one mailing. While not required, it would probably work in an applicants interest to send the combined report to the SHPO.

Lastly, page 33 states that the Revised Environmental Report was mailed on April 14th. The title page of the report is dated April 14th with a revised date of May 14th. Is the contradiction an error in the mailing date or was the intial report the document served?

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