

#EO-758

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

POST POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
STB DOCKET NO. AB-6 (Sub-No. 450X)

December 12, 2007

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

On September 13, 2007, the Surface Transportation Board issued a decision in this proceeding indicating that the abandonment was subject to the following environmental condition: (1) To ensure appropriate consideration of the Missouri Department of Natural Resources' (MDNR) comments regarding stormwater management issues and the possible need for a National Pollutant Discharge Elimination System (NPDES) permit, and the concern for potential contamination on the right-of-way, the BNSF Railway Company (BNSF) shall consult with MDNR prior to commencement of any salvage activities, or prior to consummation of the abandonment, if the rail line has already been completely salvaged, as BNSF indicates.

On December 11, 2007, BNSF submitted correspondence to the Section of Environmental Analysis (SEA) indicating that all required communication between BNSF and MDNR relating to the stormwater/contamination condition had been addressed (see attached). Based on the information presented, SEA finds that BNSF has fulfilled its agency consultation requirements. Therefore, SEA recommends that the above referenced condition pertaining to stormwater and potential contamination on the right-of-way be removed.

SEA CONTACT:

Diana Wood, *DfW*
202-245-0302
woodd@stb.dot.gov

Attachment



"Sims, John A"
<John.Sims@bnsf.com>
12/11/2007 11:45 AM

To <woodd@stb.dot.gov>
cc "Sims, John A" <John.Sims@bnsf.com>
bcc
Subject FW: STB Docket No. AB-6 (Sub-No. 450X); BNSF Railway
CompanyAbandonment in Kearney, Clay County, Missouri

HEI-3288
Dfw
AB 6-450X

Ms. Wood,

See messages below. This is regarding Condition # 1 in the STB decision served September 13, 2007.

Thanks,

John Sims, Paralegal

BNSF - Law Dept

2500 Lou Menk Dr, 3rd Fl

Fort Worth, TX 76131-2828

(817) 352-2376

From: Tim Stallman [mailto:tim.stallman@dnr.mo.gov]
Sent: Tuesday, December 11, 2007 10:41 AM
To: Sims, John A
Subject: RE: STB Docket No. AB-6 (Sub-No. 450X); BNSF Railway CompanyAbandonment in Kearney,
Clay County, Missouri

We have no further questions.

Tim Stallman, RG
Environmental Specialist
573-751-7634

"Sims, John A"
<John.Sims@bnsf.com>

12/11/2007 10:35 AM

To tim.stallman@dnr.mo.gov
cc "Sims, John A" <John.Sims@bnsf.com>
Subject RE: STB Docket No. AB-6 (Sub-No. 450X); BNSF Railway Company
Abandonment in Kearney, Clay County, Missouri

See message below.

I don't believe I ever received a reply from you.

From: Sims, John A

Sent: Wednesday, November 07, 2007 1:08 PM

To: 'tim.stallman@dnr.mo.gov'

Cc: Sims, John A

Subject: STB Docket No. AB-6 (Sub-No. 450X); BNSF Railway Company Abandonment in Kearney, Clay County, Missouri

Mr. Stallman,

Please reference your e-mail message, dated April 11, 2007, addressed to Sidney Strickland (BNSF outside counsel) regarding the above-referenced rail line. Below is a description of how the salvage process works.

The salvage process involves bidding out the track materials on the open market, selecting a qualified rail material salvager, negotiating a salvage contract with the winning bidder, having the salvage contractor remove the track materials along the line and then have BNSF's local roadmaster inspect the salvage job to make sure the work done complies with BNSF standards and is completed to BNSF's satisfaction.

The salvager starts the removal process with the unbolting of the track materials or rails. The rails are removed along with all the steel parts including angle bars, tie plates, spikes, switches and any other metal parts.

Next the wooden ties are removed. The wooden ties are separated into three groups including (1) second hand quality ties which are in good condition and may be used again in rail service, (2) landscape quality ties which are sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped to EPA approved disposal sites.

Bridges and timber trestles are then dismantled and removed. The wooden bridge pilings are either pulled out, cut off at ground level, or broken off at below the mud line. Steel bridges are dismantled and removed. If there are concrete abutments and piers, they may be left intact. Following the salvage operations, any waterflows in the area should not be disrupted. No fills or other material or debris are to be placed in water bodies by BNSF salvage contractors.

The culverts and the right-of-way stays intact and is not disturbed. This allows waterflows along the line to be unaffected by the abandonment salvage activity.

Road crossings are then removed and remediated. Signalized crossings are dismantled and removed. Road crossings are removed and then repaved with either gravel, asphalt or concrete.

If this satisfies your concerns that there will be no ground disturbance,

please send us a reply message that states that no permit is required and you have no further concerns.

If you have any questions, please give me a call at 817-352-2376.

Sincerely,

John Sims, Paralegal

BNSF - Law Dept

2500 Lou Menk Dr, 3rd Fl

Fort Worth, TX 76131-2828

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