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July 11, 2024

Ms. Danielle Gosselin
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

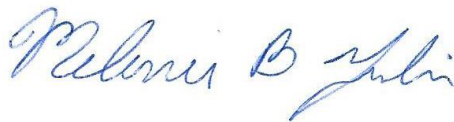
Re: **Docket No. AB-55 (Sub-No. 816X), CSX Transportation, Inc.—Abandonment
Exemption—in Pike County, KY**

Dear Ms. Gosselin:

Enclosed please find comments dated July 10, 2024, from the Kentucky Energy and Environment Cabinet Department for Environmental Protection. The Cabinet serves as the state clearing house for review of environmental documents.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Melanie B. Yasbin
Attorney for CSX Transportation, Inc.

Enclosure



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

ANTHONY R. HATTON
COMMISSIONER

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150 TELEFAX: 502-564-4245

July 10, 2024

CSX
500 Water St, J801, ,
Jacksonville, Florida 32202

Re: CSX Transportation - Abandonment Exemption in Pike Co. – NEPA 2024-0052

Dear Sir or Madam,

The Energy and Environment Cabinet serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection coordinates the review for Kentucky state agencies. We received your letter requesting an environmental review for this project. We have reviewed the document and provided comments below.

Division of Water:

The proposed work is endorsed by the Groundwater Section of the Watershed Management Branch. However, it is our recommendation that site be made aware of the requirements of 401 KAR 5:037 and the need to develop a Groundwater Protection Plan (GPP) for the protection of groundwater resources within that area.

This proposed project is not within a designated Source Water Protection Area.

The Water Quality Branch notes that best management practices should be utilized to reduce runoff from project activities into nearby waters.

Portions of the project in the regulated floodplain will require permitting from the Division of Water, Water Resources Branch.

Floodplain Maps

You can check <https://watermaps.ky.gov/RiskPortal/> to determine if your site is located in the 1% chance floodplain (shown in Blue or Blue /Red on the map). The 1% chance floodplain was formerly called the 100-year floodplain. You can use the search bar in the top right corner of the page to find your location using either a Latitude & Longitude, street address, or community name. A User's Guide link is available in the upper left-hand side of the page. If you would like additional

assistance determining if you are located in the floodplain, contact your community's local floodplain coordinator. Community contact information is provided at <https://eec.ky.gov/Environmental-Protection/Water/FloodDrought/Documents/FloodplainCoordinatorsList.pdf>.

If your site is in the 1% annual chance floodplain a stream construction permit from the Division of Water and Floodplain permit from your local community is required prior to construction.

Floodplain Permits

The Floodplain General Permit FPGP covers projects that have little potential to impact regulatory base flood elevation. The FPGP does have conditions, requirements, and exclusions listed so be sure your project can meet all these prior to the start of development. The most common activities covered by the GP include:

- Underground utilities only with no ground surface elevation changes, where stream crossings, if any, are completed by directional boring; or
- Installation of utility poles; or
- Installation of fences that do not obstruct water flow; or
- Stream obstruction removals of items such as woody debris from near bridges and culverts.

A second Floodplain General Permit (FPGP UNSUB) covers additions or repairs to an existing structure where the cost of repairs/upgrade is less than 50% of the structure value per the local county Property Valuation Administrator or Certified Residential or General Real Property Appraiser.

Both GPs available for covered projects do not require prior public notice or application to the Division prior to construction. Exclusions to the GPs include work in or along an outstanding state resource water (OSRW) or other special use water, if an Individual 401 WQC required for the development, and development of structures or dams. The Floodplain GPs can be downloaded at <https://eec.ky.gov/Environmental-Protection/Water/FloodDrought/Pages/UnderstandYourFloodHazards.aspx>.

If your site is in the floodplain and the GPs do not apply, an Individual Permit is required from the Division of Water for any proposed development. On the application, you must provide accurate latitude/longitude and an aerial map (maps from the Riskmap link above or Google maps are acceptable) in lieu of a topo map. The map must show where structures or crossing will be placed, and if fill or cut/fill is being done, draw the full extents of the fill on the aerial map. For the project description, describe what you plan to do to complete the project, how much (if any) fill will be brought into the floodplain, or how much material will be moved from or redistributed within the floodplain. For structures, describe the structure, provide the size and type of foundation (slab on grade, elevated, crawl space). For culverts, describe how much material will be brought in and what type, how high above current surface elevation will the material be placed, especially in low lying areas where the roadway would impede flow. Include the number of culverts pipes used and description (length, diameter and material). For a bridge, describe how the bridge abutments will be installed, the thickness of the bridge deck and the height of the lowest point of the bridge over the ordinary high water mark (plant line on the shoreline) and height of the bottom of the bridge deck above the bottom of the creek channel. If you are replacing a bridge or culvert, describe how the new installation will compare to the old- if the new installation will have a larger opening or pipes, will have more or less fill for the installation, indicate that on the application description.

Other Permits

Anytime you need a state floodplain permit, and you live in a community that participates in the NFIP, a local permit is also required. Find the contact information your local floodplain manager at <https://eec.ky.gov/Environmental-Protection/Water/FloodDrought/Documents/FloodplainCoordinatorsList.pdf>.

Your local floodplain manager can help you with the state permit, as well as help you with the local permit and to understand the floodplain requirements.

If you are working below the top of the bank, within a stream channel, or within wetlands, a 404 permit from the US Army Corps of Engineers and 401 Water Quality Certification may also be required. Our Water Quality Certification section will review the application to determine if 401/404 permitting is needed. For information on permitting procedures or for other information, visit <https://eec.ky.gov/Environmental-Protection/Water/PermitCert/WQ401Cert/Pages/Apply-for-Certification.aspx>.

Field Operations Branch has no comment.

The Director's Office has no comment.

Division of Enforcement:

CSX Transportation, Inc., ("CSXT") proposes to abandon an approximately 5.1-mile rail line that runs between milepost Cumberland Main Line (CML) 9.0 and milepost CML 14.1, Louisville Division, Winns Branch-Big Sandy Subdivision, in Pike County, KY (the "Line"). The Line runs through the U.S. Postal Zip Codes 41557 and 41501. CSXT does not intend to disturb any of the underlying roadbeds and does not anticipate any dredging or use of fill in the removal of track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses. The Kentucky Division of Enforcement endorses this project.

Division for Air Quality:

401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at <https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf>

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at <https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx>

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the National Ambient Air Quality Standards (NAAQS). These air quality control strategies are beneficial to the health of citizens of Kentucky.

- ¿ Utilize alternatively fueled equipment.
- ¿ Utilize other emission controls that are applicable to your equipment.
- ¿ Reduce idling time on equipment.

The Division also suggests an investigation into compliance with applicable local government regulations.

Division of Waste Management:

Based on the information provided by the applicant for this project:

Underground Storage Tank (UST) Branch records indicate the following underground storage tank site issues identified within the project impact area:

Closed Sites:

Mountain Water District

MASTER AI ID: 3672

LONGITUDE: -82.45757

LATITUDE: 37.549833

Larry Blake Pinson Farm

MASTER AI ID: 57399

LONGITUDE: -82.455423

LATITUDE: 37.521674

Harris BP

MASTER AI ID: 58490

LONGITUDE: -82.468161

LATITUDE: 37.540397

Zebulon Service Station

MASTER AI ID: 68299

LONGITUDE: -82.465668

LATITUDE: 37.534841

Vickie Serve & Save

MASTER AI ID: 58410

LONGITUDE: -82.444011

LATITUDE: 37.497291

Jean Slone Grocery

MASTER AI ID: 58501

LONGITUDE: -82.443474

LATITUDE: 37.495778

If any UST's are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate the following superfund site issues identified within the project impact area:

Bailey Trucking Diesel Spill

MASTER AI ID: 128370

SUBJECT ITEM DESIGNATION: Transportation Accident

CLOSURE OPTION DESC: Option C Restored

CLOSURE DATE: 06/21/2000

LAT LONG SOURCE: SI

LONGITUDE: -82.457631

LATITUDE: 37.551556

Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

Recycling and Local Assistance (RLA) Branch records indicate no RLA tracked open dump sites within the project impact area. Any questions or issues should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

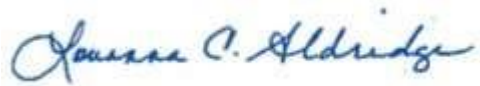
The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Kentucky Nature Preserves

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool (kynaturepreserves.org) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

This review is based upon the information that was provided by the applicant. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments. If you should have any questions, please contact me at (502) 782-0863 or e-mail Louanna.Aldridge@ky.gov.

Sincerely,

A handwritten signature in blue ink that reads "Louanna C. Aldridge". The signature is fluid and cursive, with the first name being the most prominent.

Louanna Aldridge
Environmental Scientist Consultant
Office of the Commissioner
Department for Environmental Protection
Energy and Environment Cabinet