



"Sims, John A"
<John.Sims@bnsf.com>
12/01/2006 11:46 AM

To <blodgettk@stb.dot.gov>
cc "Sims, John A" <John.Sims@bnsf.com>
bcc
Subject FW: Railroad Abandonment AB-6 (Sub. No. 440X)

BT-2598
KB

Ken,

See attached messages. This is regarding Condition No. 1 in the STB decision served on May 15, 2006.

If you have any questions, please call me at (817) 352-2376.

Sincerely,
John Sims, Paralegal
BNSF - Law Dept

-----Original Message-----

From: Liz Waite [mailto:liz.waite@stricklandpllc.com]
Sent: Thursday, November 30, 2006 12:07 PM
To: Sims, John A
Subject: Fwd: Railroad Abandonment AB-6 (Sub. No. 440X)

John,

Attached is an email from Deborah Coronet of the Washington Department of Ecology. Her response covers condition #1 for the Olympia I salvage conditions. Please let me know if you have any questions.

Liz

-----Original Message-----

From: "Cornett, Deborah" <DCOR461@ecy.wa.gov>
Sent: 2006-11-30 12:47:48
To: Liz Waite <liz.waite@stricklandpllc.com>,
"Toteff, Sally (ORA)" <sally.toteff@ora.wa.gov>
Subject: RE: Railroad Abandonment AB-6 (Sub. No. 440X)

Hi Liz- I apologize for being late responding!!

In your email, you stated that "...BNSF may" and then listed some BMP (Best Management Practices) options. I need to clarify that BNSF is required to protect water quality. Removal of the creosoted materials to prevent their entry into the water is an example of a step that will protect water quality. The selection of BMPs, such as silt fences, is an example of a BMP that may be considered appropriate. The final selection of BMPs is up to BNSF because they will need to assess the site, the activities, and the schedule of the operations in order to choose suitable techniques. Also, my understanding is that this project is expected to be under one acre.

Hope this clarifies my comments. Please let me know if you have other questions.

Deborah Cornett (360.407.7269)

-----Original Message-----

From: Liz Waite [mailto:liz.waite@stricklandpllc.com]

Sent: Thursday, November 02, 2006 2:34 PM
To: Cornett, Deborah; Toteff, Sally (ORA)
Cc: john.sims@bnsf.com; Carlton Curry
Subject: Railroad Abandonment AB-6 (Sub. No. 440X)

Ms. Coronett,

As we discussed via phone, the Surface Transportation Board (STB) issued an Environmental Assessment (EA) for the above mentioned docket. In the EA, the STB recommends that BNSF contact the WDOE concerning Watershed Resources and that BNSF comply with DOE's reasonable requirements.

Based on the STB's recommendations, I spoke with you regarding practicing best management during salvage to protect any amount of debris from entering water bodies. Specifically, you mentioned BNSF may want to erect temporary fences, clear any creosote soaked materials from the area, and contain petroleum in staging areas. Finally, you asked that BNSF notify you one week prior to commencing salvage activities so that you have the opportunity to survey the abandonment site.

Please let me know if this email accurately reflects our conversation. If you are satisfied that it does, I would request permission to forward this email and your response to the STB. Thank you.

Liz Waite
Sidney Strickland and Associates
(202) 338-1325

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