



Dave Geraci
Manager - Network Rationalization

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February 12, 2008

Surface Transportation Board
Section of Environmental Analysis
395 East Street, SW
Washington, DC 20423-0001

RE: CSXT Abandonment
Niagara County, NY
STB Docket AB-55 (Sub-No. 649X)

Dear STB - SEA:

This refers to CSX Transportation's Notice of Exemption filed on September 7, 2007, requesting authority to abandon its rail line described above. In response to CSXT's letter dated January 21, 2008, Mr. Steven Doleski, Regional Permit Administrator for the New York State Department of Environmental Conservation has responded stating "...a SPDES General Permit will not be required."

Sincerely,

Attachment

Copy: Mr. Steven Armbrust, CSXT, 500 Water Street-J150, Jacksonville, FL, 32202

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 9
270 Michigan Avenue, Buffalo, New York, 14203-2915
Phone: (716) 851-7165 • **FAX:** (716) 851-7168
Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

January 28, 2008

Mr. Dave Geraci
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202

Dear Mr. Geraci:

**CSX RAIL ABANDONMENT PROPOSAL
CITY OF NORTH TONAWANDA, NIAGARA COUNTY**

Thank you for your response to the questions in our letter dated October 5, 2007 concerning the above-noted project. Please be advised that no Department permit will be required provided the following condition regarding State Pollutant Discharge Elimination System (SPDES) General Permit (GP-02-01) for stormwater discharge from construction activities is complied with.

The Environmental Report you provided states "Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any subgrade or subgrade structures." If the existing subbase layer remains six inches or greater a SPDES General Permit will not be required.

Thank you for providing this office the opportunity to review the proposed project. If you have any questions, please feel free to contact Mr. Mark Passuite or me at 716/851-7165.

Respectfully,

Steven J. Doleski
Regional Permit Administrator

MP:

cc: Honorable Lawrence Soos, Mayor, North Tonawanda