

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

EO -436
DFW

POST POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-490 (Sub-No. 1X)

March 13, 2007

ABANDONMENT TYPE

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

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

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

Amended Comments on the Post Post EA

Section 402 Stormwater Management Permit

This Post Post EA serves to clarify and amend the February 20, 2007 Post Post EA in which SEA inadvertently stated that the salvage contractor would be disturbing **less** than one acre of ground, when in fact, the contractor indicated (see attached letter dated February 6, 2007) that he would not disturb **over** one acre. Mr. Curtis Schopp, President of the National Salvage and Service Corporation, intended to write that disturbance would be less than the state permitting requirement of one acre, but mistakenly stated otherwise. He has since written a new letter (see attached letter dated February 27, 2007) that reflects the correct regulatory language of less than one acre. Mr. Jonathan McInnis, Manager of the State and Federal Site Assessment Section in the Bureau of Land and Waste Management, concurred with the changes, writing that the plans for the railroad abandonment in the area adjacent to the former US Finishing site are acceptable. Accordingly, SEA has determined that both the contamination (see Post Post EA dated February 15, 2007 for this proceeding) and stormwater permit issues have been satisfied, and recommends that condition 4 be removed.

SEA CONTACT: Diana Wood – phone: (202) 245-0302 DFW

Attachments

GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION

Mailing Address:
C/O Patricia Haskell-Robinson, Secretary
610 North Main Street
Greenville, South Carolina 29601
(864) 233-6277 Ext. 325

March 2, 2007

Board of Directors
Herman G. "Butch" Kirven, Jr.
Chairman and President
Joe Dill
Fred Payne
Patricia Haskell-Robinson
Secretary
Peter Strub
Treasurer

Mr. Curtis Schopp
President
National Salvage & Service Corporation
PO Box 300
Clear Creek, IN 47426

Dear Mr. Schopp:

Per e-mails dated February 27, 2007, from Ms. Diana Wood from the Surface Transportation Board (STB) and Mr. Jonathan McInnis from the South Carolina Department of Health and Environmental Control (DHEC), it is my understanding that both agencies are in concurrence with your amended letter dated February 27, 2007 to Mr. McInnis. In this letter you indicated that the National Salvage & Service Corporation (NSS) will ensure that the berm near the US Finishing site is not disrupted and that the NSS will not remove any ties adjacent to this site. Your letter further indicates that only the iron materials (rail, plates, and spikes) will be removed in this area.

Per your telephone conversation with Brian Kemp from DHEC and Sandra Yúdice on February 28, 2007, it is my understanding that the ties will be fork-lifted and set aside on the railroad right-of-way for removal by the Greenville County Economic Development Corporation (GCEDC). Therefore, the NSS will not disturb or backfill the indentations left after lifting the ties. Your letter further states that the NSS "will be disturbing less than one acre, so a stormwater permit will not be needed."

Based on the information stated above, this letter serves as the Notice to Proceed to begin the railroad salvage work next week on the Greenville and Northern Railroad running between the cities of Greenville and Travelers Rest in Greenville County, South Carolina. Per the agreement between the NSS and the GCEDC, your company has 180 days from February 22, 2007, to complete the salvage work.

If you have any questions please do not hesitate to contact me.

Sincerely,


Herman G. "Butch" Kirven, Jr.
President

Cc: GCEDC Board Members
Jonathan McInnis and Brian Kemp, SCDHEC
Diana Wood, STB
Joseph M. Kernell, County Administrator, Greenville County
Rick Brookey, Public Works, Greenville County
File



NATIONAL SALVAGE & SERVICE CORPORATION
REMOVE • RECOVER • RESTORE

February 27, 2007

Mr. Jonathan McInnis
South Carolina Department of Health & Environmental Control
Federal & State Site Assessment Section
Bureau of Land & Waste Management
2600 Bull Street
Columbia, SC 29201

RE: Greenville County Railroad Abandonment Project
Amended Letter

Dear Mr. McInnis:

National Salvage & Service Corporation is in receipt of your letter of February 5 addressed to Sandra Yúdice. In order to ensure that the berm is not disrupted, National will not remove any ties that are adjacent to the former US Finishing site. We will remove the iron materials (rail, plates, and spikes) only in this area.

National will be disturbing less than one acre, so a stormwater permit will not be needed.

Please let me know if there is any additional information that is needed prior to starting removal.

Sincerely,

Curtis C. Schopp
President



"Brian K. Kemp"
<kempbk@dhec.sc.gov>
02/27/2007 05:21 PM

To "Jonathan McInnis" <MCINNIJG@dhec.sc.gov>, "Susan
Turner" <TURNERSG@dhec.sc.gov>,
<SYudice@greenvillecounty.org>
cc "Melissa McIndoe" <MCINDOMJ@dhec.sc.gov>,
<emily.pyle@nssx.biz>, <Diana.Wood@stb.dot.gov>
bcc

Subject Re: FW: AB 490 Sub No 1X

History: This message has been replied to and forwarded.

Sandra,

Sorry I was unavailable when you called. I was on a major emergency response for SCDHEC.

I re-iterate what Jonathan wrote in his e-mail to you, and would strongly recommend once again that Melissa McIndoe of SCDHEC Permitting Section be contacted to resolve the storm water permitting issue.

Thanks,
Brian Kemp

>>> Jonathan McInnis 02/27/07 16:39 PM >>>
Sandra,

We are fine with your plans for the railroad abandonment in the area adjacent to the former US Finishing site. I will be happy to send a letter documenting our concurrence tomorrow. I did discuss the stormwater permitting issue with Melissa McIndoe of our Bureau of Water and she stated again that a permit will be required if the total disturbed acreage of the project is great than an acre. I would suggest you followup with Melissa (803 898-4033 McIndoMJ@dhec.sc.gov) to resolve any possible stormwater permitting issues. THANKS!

Jonathan

Jonathan McInnis, Manager
State & Federal Site Assessment Section
SCDHEC Bureau of Land & Waste Management
(803) 896-4061
(803) 896-4001 fax
mcinnijg@dhec.sc.gov

>>> "Yudice, Sandra" <SYudice@greenvillecounty.org> 2/27/2007 2:41 PM >>>

Brian/Jonathan/Susan,

Diana Wood from the STB call today. Diana indicated that the NSS letter to Jonathan needs "the wording changed in the Feb 6, 2007 letter from NSSC to SCDHEC. Our Proceedings Dept will not write a final decision on this case because the second paragraph states that "National will not be disturbing over one acre...", and the regulations are written for less than one acre. So the letter needs to be changed to reflect that less than one acre will be disturbed. Please do this today, otherwise, Proceedings has informed me that they will return everything to the applicant."

Diana also indicated that "the letter [from the NSS] should reflect the current date (just add a note that it's the amended version on the letter). Also, could you send an email with the amended letter back to SCDHEC explaining the error and then ask for their concurrence, which should cite the amended and currently dated letter?"

The STB is moving tomorrow and they're disconnecting computers and telephone lines for a few days. Diana recommended that we take care of this today; otherwise the Proceedings Dept. will send all documents back to us delaying the starting of the railroad salvage again...and we don't want that.

Sorry for the rush on this but it is out of our hands. Thanks for your prompt assistance!

Sandra

From: Emily Pyle [mailto:emily.pyle@nssx.biz]
Sent: Tuesday, February 27, 2007 12:44 PM
To: Yudice, Sandra
Subject: RE: AB 490 Sub No 1X

Sandra,

Do you feel this revised letter meets Diana's requirements from her recent e-mail?

Thanks,
Emily

From: Yudice, Sandra [mailto:SYudice@greenvillecounty.org]
Sent: Tuesday, February 27, 2007 11:16 AM
To: Diana.Wood@stb.dot.gov
Cc: Emily Pyle
Subject: FW: AB 490 Sub No 1X
Importance: High

Diana,
Is this revised letter acceptable? Thanks. Sandra

From: Emily Pyle [mailto:emily.pyle@nssx.biz]
Sent: Tuesday, February 27, 2007 10:54 AM
To: Yudice, Sandra
Subject: RE: AB 490 Sub No 1X

Sandra,

Please let me know if this is acceptable; we will resend to Jonathan if so.

Thanks,
Emily

From: Yudice, Sandra [mailto:SYudice@greenvillecounty.org]
Sent: Tuesday, February 27, 2007 10:16 AM

To: Emily Pyle
Subject: FW: AB 490 Sub No 1X
Importance: High

From: Diana.Wood@stb.dot.gov [mailto:Diana.Wood@stb.dot.gov]
Sent: Tuesday, February 27, 2007 10:08 AM
To: Yudice, Sandra; curtis.schopp@nssx.biz
Subject: AB 490 Sub No 1X

Sandra and Curtis:

Sorry to bother you about this project, but I need the wording changed in the Feb 6, 2007 letter from NSSC to SCDHEC. Our Proceedings Dept will not write a final decision on this case because the second paragraph states that "National will not be disturbing over one acre...", and the regulations are written for less than one acre. So the letter needs to be changed to reflect that less than one acre will be disturbed. Please do this today, otherwise, Proceedings has informed me that they will return everything to the applicant.

Diana
202-565-1552
202-245-0302 after march 5, 2007