

EO-2234



Re: MCRR - conditions
Diana Wood to: Benz, David

02/11/2014 07:30 AM

David:

You are correct in that salvage can begin once the Missouri SHPO signs off on the Draft Archaeological Report, though we (OEA) will not issue any further memos recommending removal of the remaining conditions because (unlike the Section 106 and Section 7 conditions, which have been removed) the other conditions are not barriers to consummation. I've posted your email and attachment letter to NGS documenting the status of the remaining conditions in the environmental correspondence tracking system (ECT) under EI-20396 on the Board's web site.

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"Benz, David"

Diana: Here is a status of all the conditions:

02/10/2014 04:19:39 PM

From: "Benz, David" <David.Benz@thompsonhine.com>
To: "Diana.Wood@stb.dot.gov" <Diana.Wood@stb.dot.gov>
Date: 02/10/2014 04:19 PM
Subject: MCRR - conditions

Diana:

Here is a status of all the conditions:

1. Section 7 (Indiana Bat). Imposed July 8, 2013. Removed Aug. 12, 2013.
2. NGS markers. Imposed July 8, 2013. MCRR has consulted with NGS. See the attached letter. MCRR has heard nothing in response to this letter. Hence, the consultation seems complete.
3. Section 106 (historic). Imposed July 8, 2013. Removed Dec. 11, 2013.
4. Public Use. Imposed July 8, 2013. Expired Jan. 5, 2014.
5. Interim Trail Use. Imposed July 8, 2013. Extended in decision Jan. 8, 2014...but this condition does not prevent salvage.
6. MDNR consultation. Imposed August 12, 2013. This condition requires MCRR consult with MDNR regarding (1) proper handling and disposal of rail, ties, and track materials; and (2) whether a permit for open air burning is necessary. The STB also directed MCRR to comply with MDNR's reasonable requirements regarding these issues.

In order to fulfill its duties under this condition #6, MCRR had a phone conference with MDNR on December 18, 2013. MCRR and MDNR discussed the following:

1. No disposal of metal will occur. The metal rail materials (rails, ties plates, spikes, bolts/nuts) will be salvaged by MCRR's contractor. They will be removed and sold.