

EO-1205



Danielle Gosselin/STB

05/12/2009 12:32 PM

To DMDeClement@aol.com

cc Vicki Rutson/STB@STB

bcc

Subject Clean Railroads Act

Dear Mr. DeClement,

Thank you for your letter dated April 6, 2009 requesting guidance from the Surface Transportation Board's Section of Environmental Analysis regarding compliance with the Clean Railroads Act of 2008. The Board's interim rules require that existing facilities comply with State environmental laws but do not require that existing facilities come before the Board with proof of compliance unless the State, acting through the governor or his/her designee, petitions the Board to require that the existing facility apply for a land-use exemption. Please see the attached Board decision dated January 14, 2009 in Ex Parte 684. This decision can also be found on our website under the E-library tab, Decisions & Notices.



39645.pdf

If you have any further questions, please feel free to contact me.

Thanks,
Danielle

Danielle Gosselin
Attorney-Adviser
Section of Environmental Analysis
Surface Transportation Board
Tel: (202) 245-0300