

#E1-21035



RE: AB 1068 Sub 3X MCRR NPDES Permit

Brown, Sandra

to:

Deel, Judith, 'Diana.Wood@stb.dot.gov'

08/12/2015 02:57 PM

Cc:

"Benz, David"

Hide Details

From: "Brown, Sandra" <Sandra.Brown@thompsonhine.com>

To: "Deel, Judith" <judith.deel@dnr.mo.gov>, "'Diana.Wood@stb.dot.gov'"

<Diana.Wood@stb.dot.gov>

Cc: "Benz, David" <David.Benz@thompsonhine.com>

History: This message has been replied to.

Thanks Judith. To keep everyone's expectations in check, the salvage contractor has said it could take 2 years to complete the salvage. But we are excited about the forward progress!

Sandy

From: Deel, Judith [<mailto:judith.deel@dnr.mo.gov>]
Sent: Wednesday, August 12, 2015 2:11 PM**To:** 'Diana.Wood@stb.dot.gov'; Brown, Sandra**Cc:** Benz, David**Subject:** RE: AB 1068 Sub 3X MCRR NPDES Permit

Thank you, Diana,

I'll share this with our colleagues at Missouri State Parks, I'm sure they will be pleased to hear the news.

Thanks,

Judith Deel
 Compliance Coordinator
 State Historic Preservation Office
 P.O. Box 176
 Jefferson City, Missouri 65102
judith.deel@dnr.mo.gov
 573/751-7862 (phone)

Promoting, Protecting and Enjoying our Natural Resources. Learn more at dnr.mo.gov.

From: Diana.Wood@stb.dot.gov [<mailto:Diana.Wood@stb.dot.gov>]
Sent: Wednesday, August 12, 2015 1:00 PM**To:** Brown, Sandra**Cc:** Benz, David; Deel, Judith**Subject:** Re: AB 1068 Sub 3X MCRR NPDES Permit

Sandy:

Thank you for the NPDES approval letter. As you may know, the Board issued a decision yesterday removing all the conditions in the original decision relating to salvage except the NPDES condition.

This email therefore acknowledges receipt of the NPDES permit and confirms that the four conditions that required MCRR to obtain certain approvals prior to initiating salvage have now been satisfied. It is now OK to proceed with salvage of the 144-mile rail line.

Thanks!

Diana

Diana F. Wood
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW Room 1110
Washington, DC 20423
202-245-0302 (phone)
202-245-0454 (fax)

-----"Brown, Sandra" <Sandra.Brown@thompsonhine.com> wrote: -----

To: "Diana.Wood@stb.dot.gov" <Diana.Wood@stb.dot.gov>
From: "Brown, Sandra" <Sandra.Brown@thompsonhine.com>
Date: 08/12/2015 01:07PM
Cc: "Benz, David" <David.Benz@thompsonhine.com>
Subject: AB 1068 Sub 3X MCRR NPDES Permit

Diana,

Attached is an excerpt from the approximately 200 page NPDES permit documentation that is sufficient to show the permit number and appropriate signatures for the permit.

Can you please confirm via return email that salvage may begin now that all conditions have been met since Judith has already provided her approval that salvage may begin from a cultural resource perspective.

Thank you.

Regards, Sandy

Sandra L. Brown | Partner | **Thompson Hine LLP**
1919 M Street, N.W., Suite 700 | Washington, DC 20036-1600
Office: 202.263.4101 | **Mobile:** 202.841.0067
Fax: 202.331.8330 | **Email:** Sandy.Brown@ThompsonHine.com
Web: <http://www.ThompsonHine.com>

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**THOMPSON
HINE**

[attachment "Missouri State Operating Permit.pdf" removed by Diana Wood/STB]



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

Missouri Central Railroad 144.3
MORA06927, Franklin County
Missouri Central Railroad Company
1910 Chouteau Ave
PO Box 66149, MC602
St. Louis, MO 63166

Enclosed please find your Missouri State Operating Permit which authorizes land disturbance activities for MORA06927. This permit has been issued as requested and is based upon application information entered in the Missouri Department of Natural Resources' (Department) ePermitting program. This permit contains several requirements and should be thoroughly read and understood. Please reference General Operating Permit number MORA06927 for future correspondences with the Department with regards to this land disturbance activity.

Acquisition of the permit does not imply that the requirements or ordinances of other local, state or federal permits are replaced or superseded. This permit does not authorize land disturbance activity in jurisdictional waters of the United States as defined by the Army Corps of Engineers (Corps), unless the permittee has obtained the required Clean Water Act Section 404 Permit. Not all land disturbance projects will require a 404 permit; however, if a 404 permit is required, land disturbance activities are not to be conducted in the jurisdictional area of the project until the 404 permit has been obtained. Information for the Missouri Corps offices can be found in the general operating permit's Fact Sheet.

Please contact the applicable Regional Office if you would like to schedule an Environmental Assistance Visit (EAV). Regional Office contact information is contained with the documents issued with the operating permit. During the visit, Department staff will review the requirements of the permit and answer questions pertaining to Land Disturbance activities.

Sincerely,

Water Protection Program

A handwritten signature in cursive script, reading "John Madras".

John Madras
Director

Missouri Central Railroad 144.3
MORA06927

ePermitting Certification and Signature Document

Missouri State Operating General Permit number MORA06927 was issued on 07/22/2015 based on information entered into the Missouri Department of Natural Resources' electronic Permitting (ePermitting) system. Missouri Regulation 10 CSR 20-6.010(2)(B) requires that all applications for construction and operating permits be signed. Please print, review, sign, and mail this document to the Missouri Department of Natural Resources (Department) within 30 days of the Issue Date (07/22/2015).

If the Department does not receive this document with signature within 30 days, this general operating permit may be considered not valid and subsequently revoked.

Missouri Central Railroad 144.3, Franklin County
144.3 linear miles west of Beaufort
BEAUFORT, MO 63013
Total Permitted Area: 999.99 Acres
Total Number of Permitted Features: 56

The below Certifications were electronically certified in the ePermitting system by:

Name: Nancy Morgan
Title: Consulting Engineer
Date: 07/21/2015

Based upon the selection you made on the 'New Permit' screen; it was indicated that multiple polygons were drawn because the project is a linear project with multiple, separate disturbance areas.

Is any part of the area that is being disturbed in a jurisdictional water of the United States? If yes, you must also receive a Clean Water Act, Section 404 Permit for this site from the United States Army Corp of Engineers.
No

I understand there may be an established Local Authority Erosion Control Plan in the city or the unincorporated area of the county where land disturbance activities covered under this general permit will occur. (Note - you may want to contact your local authority to determine if there are any requirements).
Agreed

A Storm Water Pollution Prevention Plan (SWPPP) must be developed for this site. This plan must be developed in accordance with requirements and guidelines specified within the general permit for storm water discharges from land disturbance activities. The application, as completed in ePermitting is considered incomplete if the SWPPP has not been developed.
Agreed

I certify that I am familiar with the information contained in the application, that to the best of my knowledge and belief such information is true, complete and accurate, and being granted this permit, I agree to abide by the Missouri Clean Water Law and all rules, regulations, orders and decisions, and terms of this permit, subject to any legitimate appeal available to an applicant under the Missouri Clean Water Commission
Agreed

Signature

Date

The above must be signed by the Owner, Continuing Authority, or Main Facility Contact. Please send this document with original signature to the Water Protection Program, PO Box 176, Jefferson City, MO 65102. If you do not agree with the above Certifications, please contact the Department by phone at (573) 751-1300.

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

General Operating Permit

compliance with the Missouri Clean Water Law, (chapter 644 R.S. Mo as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (the Law 92-500, 92nd Congress) as amended,

Permit No.: MORA06927
Applicant: Missouri Central Railroad Company
Address: 1910 Chouteau Ave
PO Box 66149, MC602
St. Louis, MO 63166
Issuing Authority: Missouri Central Railroad Company
1910 Chouteau Ave
PO Box 66149, MC602
St. Louis, MO 63166
Facility Name: Missouri Central Railroad 144.3
Facility Address: 144.3 linear miles west of Beaufort
BEAUFORT, MO 63013
Facility Description: See Next Page
Facility Coordinates: See Next Page
Receiving Stream: See Next Page
Stream Classified Stream - ID#: See Next Page
GS# and Sub Watershed#: See Next Page

authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein.

FACILITY DESCRIPTION All Outfalls SIC # 1629

Outfalls - Construction or land disturbance activity (e.g., clearing, grubbing, excavating, grading and other activities that result in the destruction of the root system and/or land disturbance activity that is reasonably certain to cause pollution to waters of the state).

This permit authorizes only wastewater, including storm water, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System, it does not apply to other regulated areas. This permit may be appealed in accordance with RSMo Section 644.051.6 and 621.250, 10 CSR 6.020, and 10 CSR 20-1.020.

Sara Parker Panley

02/2015

Issue date

Sara Parker Panley, Director
Department of Natural Resources

John Madras

07/2017

Expiration date

John Madras
Director, Water Protection Program