



PA 16139
Pennsylvania Department of Environmental Protection KB

400 Waterfront Drive
Pittsburgh, PA 15222-4745
September 12, 2008

Southwest Regional Office

412-442-4189
Fax 412-442-4194

Victor Rutson
Chief Environmental Analysis
Surface Transportation Board
395 East Street S.W.
Office of Economics, Environmental Analysis
Washington, DC 20423-0001

FD 35131

Re: Environmental Assessment Project
Construction of Line of Railroad to New Coal Mine
Various Municipalities
Greene County

Dear Mr. Rutson:

DEP's regional program staff have reviewed the above project for environmental regulatory and policy requirements, and submit the following comments for your attention. These comments are only based on project information you provided, and may not be comprehensive. The applicant has the responsibility of complying with all relevant environmental laws and regulations for the project.

General

1. The applicant should contact the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation, Box 1026, Harrisburg, PA 17108-1026, telephone number 717-783-8946, to determine if the project will pass through or otherwise impact historic or archaeological sites. Any review comments by the commission should be included with the appropriate DEP permit applications.
2. The Pennsylvania Natural Diversity Inventory List (PNDI) should be cross-checked against the site location to determine if any resources of special concern are located within the project area.
3. Any utility company with transmission lines within the project area should be contacted at least 30 days prior to work start by the contractor. The applicant or contractor should call 1-800-242-1776 before beginning any excavation.

Air Quality

4. All asbestos abatement procedures must conform to the requirements of the National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 61, Subpart M. Any contractor removing asbestos must be licensed by the Pennsylvania Department of Labor and Industry. Removal of asbestos materials must take place prior to general demolition and also requires at least ten (10) days advance notification to the following individuals:

Regional Air Quality Manager
PA Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412-442-4000

and

Region III Asbestos Coordinator
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029

5. Demolition waste cannot be burned.
6. Fugitive dust emissions must be controlled according to 25 Pa. Code Section 123.1.

Environmental Cleanup

7. If you plan to seek environmental liability protection under Act 2 or approved-use fill authorization by the DEP, a historical records search should be performed to determine all previous industrial operations conducted on this site. Contaminant testing should be comprehensive enough to indicate all previous sources of contamination. Off-site migration of contaminants through air, soil, or groundwater should be thoroughly addressed.

If you encounter contaminated soil during excavation contact the Southwest Region's Waste Management representative at 412-442-4125, and Environmental Cleanup Program representative at 412-442-5217, for proper management.

8. If above or below-ground storage tanks are to be removed, contact the Department's Storage Tank Program representative at 412-442-4091 to ensure that the requirements of 25 Pa. Code Chapter 245 are met.

Mining

9. The proposed project may be over abandoned underground mines. In general, any section of this project which would lie above or near an abandoned underground mine would be at some risk of mine subsidence, with the level of risk dependent on a number of factors.

The California District Mining Office has an extensive repository of underground mine maps, some of which undoubtedly are in the vicinity of this project. For an appointment to research these maps, please contact:

Bureau of District Mining Operations
California Office
25 Technology Drive
California Technology Park
Coal Center, PA 15423
James P. Welsh
Phone 724-769-1100

Oil and Gas

10. Two gas wells are known to exist within or in close proximity to your project area. The wells should be identified in the field prior to conducting any activities. Caution should be taken not to disturb the wells, pipelines, and associated facilities. Well location information about the wells can be obtained by contacting DCNR's Bureau of Topographic and Geologic Survey at 412-442-4235, 500 Waterfront Drive, Pittsburgh, PA 15222.

Watershed Management

11. Work in and along streams and wetlands requires a Water Obstruction and Encroachment Permit from the Permitting & Technical Services Section. The area regulated is the stream and any area within the 100-year flood boundaries of any Federal Flood Insurance Study or 50 feet from the top of each stream bank if no flood insurance study exists. All wetland impacts are regulated. Please contact the Permitting & Technical Services representative at 412-442-4315.
12. The following table outlines the requirements for (1) Erosion and Sedimentation (E&S) Control Plans, (2) National Pollutant Discharge Elimination System (NPDES) Permits for Storm Water (SW) Associated with Construction Activities be it either a General Permit (PAG-2) or an individual permit, and (3) Post Construction Storm Water Management Plans (PCSMP) as required by the U.S. EPA's NPDES Phase II Storm Water Program.

When required, the NPDES permit will typically be General Permit PAG-2 unless the project is located in a High Quality (HQ) or Exceptional Value (EV) Watershed as classified in DEP's 25 Pa. Code Chapter 93 Regulations. If located in a HQ or EV Watershed an individual permit will be required.

For specific guidance on your project please contact the County Conservation District Office for the county in which your project is located. The Conservation District will approve all E&S plans, review and approve all general permits PAG-2 and review all individual permits in HQ & EV Watersheds. Individual permits, however, will be issued by DEP's Regional Office.

PAG-2 and NPDES Phase II Requirements For Construction Activities

Disturbed Area	Written E&S Plan	Approved E&S Plan	NPDES SW Construction Permit	PCSMP
0-5000 sq. ft.	Yes	No	No	N/A
5000 sq. ft. to less than 1 acre	Yes	Not required but may be a municipal requirement	No	N/A
1 to <5 acres w/o point source to surface waters	Yes	Not required but may be a municipal requirement	No	N/A
1 to <5 acres with point source to surface waters	Yes	Not required but may be a municipal requirement	Yes	Yes
5 or more acres	Yes	Required	Yes	Yes

If the permitted activity is in an MS4 municipality, the municipality must approve the PCSM plan. The applicant should send the PCSM plan to the MS4 municipality along with the municipal notification. Even where the approval of the PCSM plan is not required, the permittee must develop and implement the PCSM and will certify that the BMPs were implemented in accordance with the PCSM plan when the Notice of Termination (NOT) is submitted.

A point source is a discharge from the disturbed area or the erosion control facilities through a pipe, ditch, swale or stream. A non-point source typically applies only to sites with sheet flow discharges or complete infiltration.

Consider use of pervious pavement and/or "water gardens" for storm water management. Utilizing these measures could eliminate the need for an NPDES permit. For additional information, contact the Watershed Management Program's Permitting and Technical Services Section, Stormwater Engineers, at 412-442-4315.

Waste Management

13. For construction/demolition and deconstruction projects, you should evaluate the materials generated to determine what can be recycled, salvaged or processed for reuse. Please visit DEP's website: www.dep.state.pa.us and enter DEP Key word: "Construction and Demolition Waste" to find further information on handling construction/demolition material.

Any remaining solid waste including non-useable construction and demolition waste, asbestos, and other materials must be properly stored and disposed promptly at an approved facility. For further information, call 412-442-4156.

Water Supply Management

14. Abandoned wells should be handled in accordance with the requirements of the Water Supply Management Program. Contact DEP's Water Supply representative at 412-442-4217.
15. Abandonment, removal, or plugging of water lines must be coordinated with the owner of the main lines.
16. All downstream public water supplies which may potentially be affected by sedimentation or stream flow changes must be directly contacted by the contractor at least 30 days prior to work start. Any public water supply problem resulting from this project must immediately be reported to DEP's Water Supply Management Program at this address.
17. If this project impacts any public drinking water source, both the public water supply and the appropriate DEP District Office or DEP's Water Supply Management Program must be notified at least 30 days prior to work start.

Fayette-Greene Co.
100 New Salem Road
Uniontown, PA 15401
724-439-7431

Water Management

18. Any activities utilizing pollutants are required by Section 91.34 of Title 25 to take all necessary measures to prevent the substances from reaching waters of the Commonwealth. A Preparedness, Prevention and Contingency Plan (PPC Plan) must be developed and maintained on site for this project in accordance with the "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" which can be found at "<http://www.depweb.state.pa.us/dep/site/default.asp>" and click on "Technical Guidance" and type 400-2200-001 into the search field.
19. Wastewater Discharges - Any discharge to a waterway or the ground surface requires either an NPDES discharge permit, Water Quality Management Part II Permit or temporary discharge approval. Temporary discharge approvals must meet the current guidelines. If treatment facilities are needed to meet the effluent limitations imposed by the NPDES permit, a Part II permit is required for the construction of those treatment facilities. If wastewater from an industrial process is recirculated/reused, an NPDES permit would not be needed. Contact DEP's Water Management Program representative at 412-442-4038.

For your convenience, we have enclosed our e-Map information from our website, (http://www.dep.pa.us/external_gis/gis_home.htm) of known environmental features within the area you identified which may be of interest or concern to you with your project.

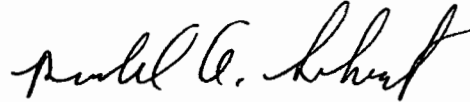
Victor Rutson

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September 12, 2008

Should you have any questions or if the project is significantly modified in the future, please contact this office at the telephone number listed above.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald A. Schwartz". The signature is fluid and cursive, with a large, stylized "S" at the end.

Ronald A. Schwartz, P.E.
Assistant Regional Director
Southwest Regional Office

Enclosure

cc: Ms. Jo Carole Dawkins – Dawkins Environmental Consulting✓