



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHWEST REGIONAL OFFICE



#E1-18666
DZW

August 10, 2011

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Dr., Suite 902
Chicago, IL 60606-2832

Re: Pittsburgh & West Virginia Proposed Abandonment
Railway Project
Allegheny County

Dear Mr. Barron:

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. Demolition waste cannot be burned.
5. Fugitive dust emissions must be controlled according to 25 Pa. Code Section 123.1.
6. For any project located in Allegheny County, notification of the project should be sent to Allegheny County Health Department, Air Quality Division, Clack Health Center, Building 7, 3901 Penn Avenue, Pittsburgh, PA 15224, 412.578.8103.

400 Waterfront Drive, Pittsburgh, PA 15222-4745

412.442.4000 FAX 412.442.4194

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Environmental Cleanup

7. 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. If existing or new storage tanks will be used to store material, contact our Division of Storage Tanks at 717.772.5599 regarding requirements for tank registration.

Oil and Gas

9. The applicant or contractor should contact DCNR's Bureau of Topographic and Geologic Survey at 412.442.4235, 500 Waterfront Drive, Pittsburgh, PA 15222, in order to determine whether any existing or abandoned oil and gas wells are known to exist within the project boundary. Adequate plugging of such wells is required.

Watershed Management

10. 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.
11. Persons proposing or conducting earth disturbance activities must develop, accelerated erosion and sedimentation and to manage post construction stormwater. Written Erosion and Sedimentation Control Plans are required for projects if earth disturbance activities will result in a total disturbance of equal to or greater than 5,000 square feet or if the activity has the potential to discharge to a water classified as a High Quality (HQ) or Exceptional Value (EV) water under DEP's Chapter 93 regulations. If your project involves construction activities, including clearing and grubbing, grading and excavation activities, involving 1 acre or more of earth disturbance an NPDES Permit for Stormwater Discharges Associated with Construction Activities is required. The NPDES permit will typically be a General Permit PAG-2 unless the project is located in a HQ or EV Watershed or there is a potential for contaminated soil on site. If the project is located within an HQ or EV Watershed or there is a potential for contaminates soil on site an individual NPDES permit is 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 review and approve Erosion and Sedimentation Control Plans and NPDES General

Permits (PAG-2). Individual NPDES permits are reviewed by the Conservation District however the permits are issued by the DEP's Regional Office after final review and concurrence.

Waste Management

12. 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

13. 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 Bureau of Water Standards & Facility Regulation at this address.

Water Management

14. 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.
15. 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.

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16. Waste concrete and concrete truck wash down can be harmful to aquatic life. Care should be taken to keep waste concrete and concrete truck wastewater from reaching storm drains, streams, drainage ditches and catch basins.

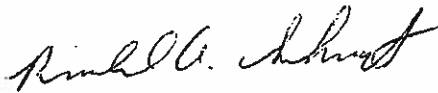
You may access our eMapPA website at:

<http://www.emappa.dep.state.pa.us/emappa/viewer.htm> to view the facilities of environmental interest or concern that are near your proposed project.

The Department of Environmental Protection (DEP) will coordinate the review of multiple permits for proposed projects to ensure efficient use of its resources, thorough environmental review, and consistent department action on proposed projects before the commencement of operations, construction or other activities that require DEP permits or approvals.

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,



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