

CSXT Environmental Report Response Form

STB Docket Number AB 55 Sub No. 691X

Notice of Exemption from Railroad Milepost QBU 0.0 (Fitchburg) to the end of track at Railroad Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts.

Agency response (check one):

No Environmental Impact

Environmental Impact as follows (or attached):

Attached letter from Leominster
Conservation Commission dated 11-12-2008

Date:

November 12, 2008

Signature:

Kelley M. Freda

Name:

Kelley M. Freda

Title:

Conservation Commission Chairperson



Kelley Freda
Chairperson

CONSERVATION COMMISSION
City of Leominster, Massachusetts
CITY HALL - 25 WEST STREET
LEOMINSTER, MASSACHUSETTS 01453
www.leominster-ma.gov

Joanne M DiNardo
Conservation Agent
conservation@leominster-ma.gov

telephone (978) 534-7524 facsimile (978) 537-8112

November 12, 2008

Section of Environmental Analysis (SEA)
Surface Transportation Board
395 East Street, NW
Washington, DC. 20423

RE: CSXT Proposed Abandonment
Docket No AB-55 (Sub No. 691X)

To Whom It May Concern:

The Leominster Conservation Commission is in receipt of a preliminary Environmental Report for Docket No AB-55 (Sub No.691X), proposed abandonment of 4.2 miles of railroad from Railroad Milepost QBU 0.0 (Fitchburg) to Milepost QBU 4.2 (Leominster) in Worcester County, Massachusetts. Please be advised that at the present time, a section of the property is under an Enforcement Order and the entity who acquires this property will take responsibility to correct the situation. We believe that you must make this requirement known to any potential buyers.

CSX is in violation of the Massachusetts Wetlands Protection Act 310 CMR 10 due to a collapsed culvert and section of the railbed that is located within the proposed abandonment. This section is causing fill to be discharged into a wetland and waterway and it is located next to the Longhorn Steakhouse on North Main Street.

CSX was first advised of this violation on July 26, 2007 through a telephone conversation with the commission's prior agent Larry Gianakis Jr., and the commission subsequently received a letter dated July 30, 2007 acknowledging our concerns. Several phone conversations were made, and a site walk with George Whitaker of CSX took place on June 12, 2008 where he estimated the cost of repairs to be close to \$500,000. CSX was also informed again on a July 16, 2008 conference call that this situation needed to be remedied. Ultimately, because there had been no corrective action taken in over a year, the Leominster Conservation Commission issued an Enforcement Order on August 12, 2008. The certified return receipt was signed by a CSX representative on August 18, 2008.

The violation of the Wetlands Protection Act has resulted due to severe eroding along the rail bed, and the subsequent culvert collapse that has occurred. During rain events, a substantial amount of sand is being washed into the brook which then flows to the Nashua River, which is a Class A recreational water.

Due to this violation, the Leominster Conservation Commission does not agree with the preliminary Environmental Report as it was presented. The information contained within the report needs to be corrected and reflect the known conditions on this section of the railway.

If you have questions or need further clarification, please call me at (978) 537-8154 or the Commission's Agent, Joanne DiNardo at (978) 534-7524.

Sincerely,

A handwritten signature in cursive script that reads "Kelley M. Freda".

Kelley M. Freda
Chair

Cc: Dean J. Mazarella, Mayor City of Leominster
Lisa Vallee, Economic Development Coordinator, City of Leominster
Dave Geraci, CSS Manager-Network Rationalization