

Following is text of letter sent today (9/27/04) re: comments on the environmental assessment for the Wyoming and Colorado Railroad Company, Carbon County, Wyoming.

September 27, 2004

Surface Transportation Board
Case Control Unit
Washington, DC 20423

ATTN: Kenneth Blodgett

RE: STB Docket No. AB-307 (Sub No. 5X)

Dear Mr. Blodgett:

The Wyoming Department of Environmental Quality (WDEQ) is in receipt of the September 21, 2004, (service date) environmental assessment [STB Docket No. AB-307 (Sub No. 5X)] for the Wyoming and Colorado Railroad Company, Inc. – Abandonment Exemption; Carbon County, Wyoming. WDEQ has the following comment on the environmental assessment and proposed abandonment exemption.

Pursuant to Wyoming Statute §37-9-1301 (Environmental Inventory and Cleanup After Cessation of Rail Services), 'any rail common carrier having annual carrier operating revenues in excess of ten million dollars (\$10,000,000.00), which ceases service on any railroad operating right-of-way in the state of Wyoming shall comply with the requirements of this section.' In essence, W.S. §37-9-1301 requires the rail carrier to certify that the operating rights-of-way over which service is ceasing are in compliance with Wyoming environmental quality laws or that the rail carrier provides a plan to bring the rights-of-way into compliance with the environmental quality laws.

The Wyoming and Colorado Railroad Company, Inc. must determine whether they are in compliance with W.S. §37-9-1301.

Should you have any questions regarding this comment, please feel free to contact me at 307.777.7752.

Sincerely,

Carl Anderson
Hazardous Waste Permitting/Corrective Action Program
Solid and Hazardous Waste Division

C: Dave Finley