



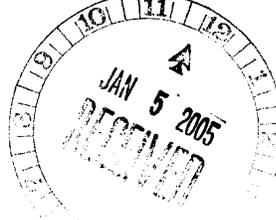
Pennsylvania Department of Environmental Protection

212932

2 East Main Street  
Norristown, PA 19401  
December 22, 2004

**Southeast Regional Office**

Mr. Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001



Phone: 484-250-5970  
Fax: 484-250-5971

ENTERED  
Office of Proceedings  
JAN 05 2005

Re: Abandonment of Railroad Operations  
STB Docket No. AB-290 (Sub-No. 256X)  
Downingtown Borough  
Chester County

Dear Mr. Williams:

Part of  
Public Record

This is in response to your decision of December 15, 2004, regarding the abandonment of railroad operations between milepost 18.92 and milepost 19.72 in Downingtown Borough, Chester County.

The abandonment of railroad operations is reviewed by Mr. Greg Schrum, PA DCNR, Bureau of State Parks, Resources Management and Planning Division, P.O. Box 8551, Harrisburg, PA 17105-8551. Details on railroad line abandonment should be sent to Mr. Schrum for DCNR's comments.

The following additional information may be helpful:

1. If the railroad intends to operate and maintain the existing bridges, or if the railroad intends to transfer ownership of the existing bridges to someone else who will operate and maintain them, then no Chapter 105 Water Obstruction and Encroachment Permit (WO&E) would be required. Since there would be no construction activity associated with the operation and maintenance of the bridges, there would be no requirement to obtain water quality certification under Section 401(a) of the Federal Clean Water Act (33 USC).
2. If the railroad intends to remove the existing bridges on its right-of-way, then Water Quality Certification under Section 401(a) would be required. In order to obtain this water quality certification, the railroad would need to apply to this office for a WO&E permit. A permit application is enclosed.



Also, a plan for controlling accelerated erosion and sedimentation during construction must be submitted to and approved by the Chester County Conservation District at 601 Westtown Road, Suite 240, P.O. Box 2747, West Chester, PA 19380-0990, prior to starting work. The Pennsylvania Fish & Boat Commission's Southeast Regional Office must be notified at Brubaker Valley Road, P.O. Box 9, Elm, PA 17521 at 717-626-0228.

3. If the railroad intends to remove the tracks or ties, then no Chapter 105 Water Obstruction and Encroachment Permit would be required.

As a construction material, railroad ties can be sold or given away. Otherwise, railroad ties should be disposed of as residual waste at a municipal waste landfill accepting residual waste. If you have questions regarding the disposal of other waste, please contact Mr. Ronald Furlan at 484-250-5960.

If you have any questions regarding this matter, please call me at 484-250-5162.

Sincerely,



Todd A. Schaible  
Water Pollution Biologist 2  
Soils and Waterways Section

Enclosure

cc: Mr. Anderson  
Mr. Furlan  
U.S. Army Corps of Engineers, Philadelphia District  
Mr. Schrum, PA Department of Conservation and Natural Resources  
Chester County Conservation District  
PA Fish and Boat Commission, Southeast Region  
Re 30 (GJS04WQM)357-1