



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1118 F STREET • LEWISTON, ID 83501 • (208) 799-4370

Palouse River + Coulee City
Abandonment in Moscow

RECEIVED

2006 DEC 22 AM 8:17

IDAHO PUBLIC UTILITIES COMMISSION
JAMES E. RISCH, GOVERNOR
TONI HARDESTY, DIRECTOR

copy to:
Barb (file)
Ron

Dr

December 19, 2006

Karl Morell
Ball Janik LLP
1455 F Street, NW, Suite 225
Washington, D. C. 20005

PRC-R-06-01

RE: Comments Docket No. AB-570 (Sub-No. ~~229~~), Palouse River & Coulee City Railroad, Inc.-Abandonment Exemption-In Latah County, Idaho

Dear Mr. Morell:

The Lewiston Regional Office of the Department of Environmental Quality has received your request on behalf of Palouse River & Coulee City Railroad Great Northwest Railroad, Inc. for assistance in identifying possible water quality issues involved with the above mentioned project.

We appreciate the opportunity to review this project, and believe the railroad abandonment project provides the opportunity to coordinate our efforts to identify and produce an inventory of potential environmental quality problem areas that may arise from the abandonment of this section of railroad line. This letter does not constitute a Clean Water Act Section 401 certification and additional or different considerations and conditions may be specified in connection with the Department's review of specific activities. Currently, we have identified the following water quality and environmental project requirements and concerns.

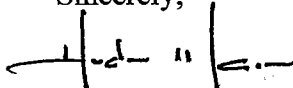
1. Water quality protection will need to be carefully addressed since the proposed abandonment crosses and is adjacent to Paradise Creek. Paradise Creek is identified in the Idaho State Water Quality Standards as Waterbody ID 17060108CL005_02, urban boundary to Idaho/Washington border. The waterbody is currently listed in Section 4 of the Idaho 2002 Integrated Report as impaired due to bacteria, siltation, thermal modification, flow alteration, habitat alteration, ammonia and nutrients, and is included in the Paradise Creek TMDL and the Idaho State Water Quality Management Plan. The Paradise Creek Total Maximum Daily Load lists allowable pollutant load allocations. Your project will need to comply with the allowable pollutant load allocations listed in the Total Maximum Daily Load.

2. The location of the abandonment is an industrial site and adjacent to a site mitigated for the presence of hazardous materials where known hazardous materials were stored and spills occurred. A hazardous material remediation plan, which includes DEQ notification, should be put in place to address hazardous material remediation if these substances are discovered during abandonment.
3. A Clean Water Act Section 402 Storm Water National Pollution Discharge Elimination Permit and an accompanying Storm Water Pollution Prevention Plan should be provided for the site during abandonment activities.

We suggest information be presented in a report that fully characterizes the site and the concerns we have raised and the hazard risk to water and the environment resulting from any activities associated with the railroad line abandonment activity. The report should be submitted to the Department to determine if additional or different considerations and conditions may be specified in connection with the Department's review of specific activities.

Thank you for the opportunity to provide further comment on this project. If you would like to discuss these comments or have any questions please contact the Lewiston Regional Office at (208) 799-4370.

Sincerely,



Hudson Mann
Acting Regional Administrator

Cc: Toni Hardesty, Director, Department of Environmental Quality
Curt Fransen, Idaho Attorney General Office
Don Howell IPUC/Boise