UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
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Philadelphia, Pennsylvania 19103-2029

OCT 29 2013

Daniel Koenig
Federal Transit Administration
1990 K Street, NW, Suite 510
Washington, DC 20006-1178

Henry Kay
Maryland Transit Administration
100 South Charles Street
Tower 2, Suite 700
Baltimore, Maryland 21201

RE: Purple Line Final Environmental Impact Statement and Draft Section 4(f) Evaluation, Montgomery and Prince George's Counties, Maryland, August 2013, CEQ # 20130259

Dear Misers Koenig and Kay:

In accordance with Section 102(2) (C) of the National Environmental Policy Act (NEPA), 42 U.S.C. § 4332(2) (C), Section 309 of the Clean Air Act, 42 U.S.C. § 7609, and the Council on Environmental Quality (CEQ) regulations, 40 CFR Parts 1500-1508, the United States Environmental Protection Agency (EPA), has reviewed the Final Environmental Impact Statement (FEIS) for the above referenced project. The FEIS was prepared by Federal Transit Administration (FTA) and is dated December 2012. EPA reviewed the September 2008 Alternatives Analysis/ Draft EIS, and submitted a comment letter dated January 14, 2009. In this letter EPA rated the DEIS as "LO-1" (Lack of Objections-Adequate), according to the EPA rating system described on the website www.epa.gov/compliance/nepa/comments/ratings.html.

The FEIS analyzes two alternatives, including the no build alternative and the preferred alternative. The preferred alternative involves the construction and operation of a new light rail transit corridor over 16.2 miles from the Bethesda Metrorail station in Montgomery County to the New Carrollton Metrorail/MARC/Amtrak station in Prince George's County. Adverse environmental impacts to ecological resources resulting from the preferred alternative are relatively low. Stream impacts are approximately 5,507 linear feet, wetland impacts of 0.88 acres, forest impacts of approximately 48 acres, and 8.63 acres of park acquisition. EPA recognizes that updated and detailed analysis for many resources has been completed since the DEIS and that while several resource impacts have been decreased, some, including parks, have increased. Additional avoidance and minimization techniques should be incorporated where practicable, and appropriate mitigation developed, as the project moves forward.

EPA recognizes efforts made to evaluate and address community concerns and impacts, to coordinate this project with the community and resource agencies, and detail avoidance and minimization efforts as well as mitigation. EPA has appreciated efforts to present updated project information and developments at Interagency Review Meeting. EPA would be pleased to continue to be involved in the project as well as participate in more detailed development of wetland and stream compensatory mitigation. We appreciate efforts taken to improve and update the environmental justice analysis and the cumulative effects analysis for the FEIS using most recently available data.

The FEIS includes mitigation for long-term operational impacts as well as construction effects; however, there still remains a great deal of information that should be or is planned to be shared with the public, including information regarding noise, vibration, utility disruptions, and traffic and pedestrian movements. EPA suggests that FTA and Maryland Transit Administration (MTA) consider the best ways to share and communicate relevant information, which may not yet be available, with the public and local stakeholders after the Record of Decision (ROD) and during construction. EPA supports memorializing environmental and community commitments in order to ensure that the efforts and mitigation identified in the FEIS are carried forward during future phases. We understand that a Transportation Management Plan (TMP) and Environmental Compliance Plan (ECP) will be developed after the ROD and prior to the initiation of construction. Please find additional suggestions for your consideration regarding future communication and environmental commitments that may be included in the ECP or TMP.

Thank you for providing EPA the opportunity to review the Purple Line Project FEIS. EPA looks forward to working with FTA and MTA as the project moves forward. If you have any questions regarding these comments, the staff contact for this project is Ms. Alaina McCurdy; she can be reached at 215-814-2741.

Sincerely,

Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

Enclosure

Purple Line FEIS
Enclosure- Additional Environmental Commitments for Consideration

Air

- Consider whether an air quality and dust control specification could be put in place, which would outline necessary measures and requirements for contractors to follow in order to control on- and off-site nuisance dust. Consider implementing a dust control program.
- Consider whether a PM-10 or PM-2.5 monitoring program should be utilized.
- Use ultra-low sulfur diesel (ULSD) fuel in off-road construction equipment with an engine horsepower (HP) rating of 50 HP or above.
- Use diesel engine retrofit technology in off-road equipment to further reduce emissions. Such technology may include diesel oxidation catalyst/ diesel particulate filter (DOC/DPF), engine upgrades, engine replacements, or combinations of these strategies;
- Limit unnecessary idling times on diesel-powered engines to three minutes;
- Locate diesel-powered exhausts away from fresh air intakes
- Control dust related to the construction site through a Construction Environmental Protection Program (CEPP), including a Soil Erosion and Sediment Control Plan that includes, among other things, spraying of a suppressing agent (nonhazardous, biodegradable) on dust piles, containing fugitive dust, and adjusting construction activities to respond to meteorological conditions, as appropriate.

Noise and Vibration

- Where practicable, schedule individual project construction activities to avoid or minimize adverse impacts. Consider using noise barriers, including temporary barriers, semi-permanent barriers, noise curtains, and/or noise tents. Consider using vibration reducing techniques or mitigation measures. Consider how best to communicate the use of these techniques to the public.
- Coordinate construction activities with projects under construction in adjacent and nearby locations to avoid or minimize impacts.
- Consider condition of surrounding buildings, structures, infrastructure, and utilities, where appropriate. Consider whether pre-construction building inspections are warranted. Consider whether any special protection is needed for historic properties.
- Prepare contingency measures in the event established limits are exceeded. Consider steps to avoid generating noise/vibration from cumulative operations that may exceed noise limits.
- Consider establishing a public communication plan in order to keep the public informed and attempt to reduce public frustration. This plan could include regular public meetings, emails, a hotline, and other notices. The plan could also include expanded and clarified information on the construction impacts, operations and schedule.
- Consider whether a noise technician/acoustical engineer is needed during peak construction phases.
- Suggest restricting the use of certain types of equipment during noise/vibration-sensitive hours. Consider restricting night work all together. Consider sharing information specific to pile-driving and blasting operations and whether special notification procedures may be necessary.

- Consider whether temporary relocations of noise/vibration-sensitive receptors are an option or whether relocations are necessary.

Other

- We encourage that each of the commitments outlined in Section 4.20 be included in the ROD.
- Consider how to communicate final forest planting mitigation plans that will be coordinated with the Department of Natural Resources to the public.
- Be sure to communicate construction related and/or permanent park access and other property access changes with the public as more information becomes available closer to construction.
- Suggest providing additional, more detailed information to the public during construction regarding construction generated dust and congestion and associated effects on community resources, as limited information was available at the time of the FEIS.
- As more information becomes available through coordination with utility service providers, please consider the best way to share this information with the public who may be impacted by service disruptions. Suggest memorializing how residents will be notified of disruptions, and when notifications will be given. Consider what steps/actions may need to be taken in the event of an unexpected service outage.