

TABLE I: SUMMARY OF REGULATORY FILE RECORDS

Document Number	Document Date	Document From	Document To	Document Subject	Document Type	Document Size
326	2/9/2000	Anderson Valley Advertiser		The \$70 Million Dollar Pipe Dream	Newspaper Article	2 Pages
333	8/4/1999	Anderson Valley Advertiser		Straighten Out the Rail Mess	Newspaper Article	3 Pages
48	12/29/1998	Attorney General	Attorney	Enclosed-filed copy of the Consent Decree	Report	Many Pages
369	7/30/1998	Attorney General	NCWQCB	Needs of the NCRA	Letter	2 Pages
372	5/27/1998	Attorney General	NCWQCB	Time schedule for CAO 97-47	Letter	2 Pages
385	4/16/1998	Attorney General	NCWQCB	Request by DFG and DTSC for civil action against NCRA	Letter	2 Pages
392	4/16/1998	Attorney General	NCWQCB	Request by DFG and DTSC for civil action against NCRA	Letter	2 Pages
49	6/17/1999	Attorney Generals Office	DFG, NCWQCB, DTSC	Copy of the NCRA signed Consent Decree	Report	Many Pages
68	7/23/1998	Attorney Generals Office	Chris Neary, Attorney	NCRA Meeting	Correspondence	1 Page
73	5/27/1998	Attorney Generals Office	Chris Neary, Attorney	NCRA Meeting Re-scheduled	Correspondence	1 Page
74	5/26/1998	Attorney Generals Office	Chris Neary, Attorney	NCRA Meeting Scheduled	Correspondence	2 Pages
93	3/19/2001	Attorney Generals Office	Chris Neary, Attorney	Request for Proposal and Qualifications for a Scope of Work to meet Consent Decree requirement: Agency comments	Letter	6 Pages
99	10/26/2000	Attorney Generals Office	CTC	Consent Decree and Caltrans funding of NCRA	Letter	14 Pages
102	10/12/2000	Attorney Generals Office	DTSC	NCRA compliance in regards to priority items agreed to in March 2000	Letter	9 Pages
107	3/9/2000	Attorney Generals Office	Chris Neary, Attorney	Letter requesting modifications to the action items and deadlines agreed to in the March 17, 2000 letter	Letter	3 Pages
108	4/24/2000	Attorney Generals Office	DTSC	Compliance	Correspondence	2 Pages
110	4/21/2000	Attorney Generals Office	DTSC	Comments on Consent Decree	Correspondence	2 Pages
116	3/17/2000	Attorney Generals Office	Chris Neary, Attorney	NCRA Consent Decree items requiring immediate attention	Letter	6 Pages
119	3/9/2000	Attorney Generals Office	DTSC	Reminder regarding a meeting with NCRA about Non-compliance with Consent Decree	Correspondence	1 Page
123	2/25/2000	Attorney Generals Office	DTSC	NCRA Consent Decree items requiring immediate attention	Letter	3 Pages
177	4/16/1998	Attorney Generals Office	NCWQCB	Request by DFG and DTSC for the Attorney Generals office to file a civil action against NCRA	Letter	2 Pages
183	4/13/1998	Attorney Generals Office	NCRA	Request by DFG and DTSC for the Attorney Generals office to file a civil action against NCRA	Letter	2 Pages
231	4/13/1998	Attorney Generals Office	NCRA	Request for civil action against NCRA by DFG and DTSC	Letter	1 Page
238	3/17/1995	Bace Environmental	NCWQCB	Report of findings, Southern Pacific Transportation Company, Willits	Correspondence	1 Page
239	5/19/1993	Bace Environmental	NCWQCB	Monitoring Well Permit Application for Southern Pacific Transportation Co. Willits Train Yard	Letter	6 Pages
240	5/6/1993	Bace Environmental	NCWQCB	Installation of Additional Wells at Southern Pacific Willits Yard	Letter	3 Pages
249	11/7/1991	Bace Environmental	NCWQCB	Results and analyses of soil samples obtained for project number 255	Report	Many Pages
292	3/9/1995	Bace Environmental	Southern Pacific Transportation Company	Report of Findings, Additional Soil and Groundwater Investigation	Report	Many Pages
294	8/26/1996	Bace Environmental	NCWQCB	Groundwater Monitoring, Northwestern Pacific Railroad, Willits	Report	Many Pages
293	9/7/1995	Bace Geotechnical	NCWQCB	Groundwater Monitoring, Northwestern Pacific Railroad, Willits	Report	Many Pages
243	11/6/1992	Brunsing Associates	NCWQCB	Groundwater Monitoring Report, Southern Pacific Railroad Yard, Locomotive Tie-up area, Willits	Report	Many Pages
246	2/20/1992	Brunsing Associates	NCWQCB	Analysis of water samples collected from Southern Pacific Willits Yard, Locker room area.	Letter	6 Pages
248	2/11/1992	Brunsing Associates	NCWQCB	Groundwater Investigation Report, Southern Pacific Locomotive Tie-up area, Willits	Report	Many Pages
252	9/30/1991	Brunsing Associates	NCWQCB	Workplan for additional site investigation; southern pacific railroad yard, locomotive tie-up area, willits	Report	15 Pages
256	2/00/91	Brunsing Associates	NCWQCB	Report of Findings, Soil Investigation, Southern Pacific Railroad Yard, Locomotive Parking Area, Willits	Report	Many Pages
257	2/12/1991	Brunsing Associates	NCWQCB	Report on Initial Sampling, Site Reconnaissance, and Proposed Boring Locations, Locomotive Parking and Refueling Areas, Willits	Report	Many Pages
261	10/25/1990	Brunsing Associates	NCWQCB	Response to comments on Workplan for Clean-up of oil stained soils in locomotive parking and refueling areas, Willits	Letter	3 Pages
262	8/31/1990	Brunsing Associates	NCWQCB	Workplan for Clean-up of Oil stained soils in Locomotive Parking and Refueling Areas, Willits	Letter	7 Pages
263	9/1/1990	Brunsing Associates	NCWQCB	Workplan for Clean-up of Oil stained soils in Locomotive Parking and Refueling Areas, Willits	Letter	7 Pages
325	2/17/2000	California Dept. Parks and Rec.	FEMA	Comments on Draft Environmental Assessment, Restoration of NPR, NCRA	Letter	4 Pages
150	11/6/1997	California Government	NCWQCB	North Coast Railroad Authority Act	Correspondence	1 Page
86	1/15/1998	Caltrans	NCRA	Caltrans is proceeding w/ specified actions that protect the State's interest and rights in the assets of NCRA-NWP.	Letter	11 Pages
54	3/29/1999	Chris Neary, Attorney	Deputy Attorney General	Receipt of Consent Decree	Letter	1 Page
57	3/8/1999	Chris Neary, Attorney	Deputy Attorney General	Agreement between NCRA & Southern Pacific (now Union Pacific) relating to environmental indemnity & funding request	Letter	8 Pages
63	9/3/1998	Chris Neary, Attorney	Deputy Attorney General	Development of a budget to determine the costs of environmental costs	Letter	5 Pages
69	7/23/1998	Chris Neary, Attorney	Deputy Attorney General	NCRA Meeting	Correspondence	1 Page
70	7/15/1998	Chris Neary, Attorney	Deputy Attorney General	NCRA Meeting	Correspondence	3 Pages
71	7/14/1998	Chris Neary, Attorney	Deputy Attorney General	NCRA Meeting	Correspondence	4 Pages
75	5/22/1998	Chris Neary, Attorney	Deputy Attorney General	NCRA Meeting and Differences in Opinion on matters	Correspondence	2 Pages
96	11/27/2000	Chris Neary, Attorney	Attorney Generals Office	DFG invoice totaling \$144,526.73	Letter	1 Page
103	8/15/2000	Chris Neary, Attorney	DTSC	NCRA has been allocated \$4.1 million for addressing environmental issues	Letter	2 Pages
111	4/19/2000	Chris Neary, Attorney	Attorney Generals Office	Consent Decree questions	Correspondence	2 Pages
341	12/28/1998	Columbia Analytical Services	NCWQCB	Willits storm water results from December	Letter	15 Pages
92	2/21/2001	CTC		Application Approval Amendment for Traffic Congestion Relief Program Project	Letter	4 Pages
79	5/8/1998	Daily Journal		FEMA subpoena stumps railroad	News article	4 Pages
197	1/12/1998	Dept of Transportation	NCWQCB	Caltrans is proceeding with specified actions that protect the State's Interest and rights in the assets of NCRA-NWP	Letter	11 Pages
405	1/15/1998	Dept. of Transportation	NCWQCB	Letter stating that Caltrans is proceeding with specified actions that protect the State's Interest and rights in the assets of the NCRA	Report	
51	4/27/1999	Deputy Attorney General	DTSC	Revised draft of the Consent Decree; NCRA Proposed Revisions	Letter	7 Pages
52	4/12/1999	Deputy Attorney General	Chris Neary, Attorney	Revised Proposed Consent Decree removing groundwater monitoring req's	Letter	2 Pages
53	3/26/1999	Deputy Attorney General	Chris Neary, Attorney	Revised Proposed Consent Decree and Stipulated Judgement proposed by DFG, DTSC and NCWQCB.	Letter	2 Pages
55	3/11/1999	Deputy Attorney General	DTSC	Railroad Cars in the Eel River	Letter	3 Pages
56	3/29/1999	Deputy Attorney General	CTC	Request for funding from the CTC by the NCRA	Letter	2 Pages
60	10/16/1998	Deputy Attorney General	CTC	Letter requesting CTC allocate funds to address NCRA's environmental problems	Letter	3 Pages
62	9/5/1998	Deputy Attorney General	Chris Neary, Attorney	Application materials for the DFG Fisheries Restoration Grants Program	Letter	2 Pages
90	11/19/2000	Deputy Attorney General	All	List of agencies which were faced to Max Bridges and Doug Christy	Correspondence	5 Pages
133	12/17/1999	DFG	Attorney Generals Office	Inspection of NCRA facilities - violations	Letter	2 Pages
138	10/8/1999	DFG	DFG	Procedure for handling Illegally Unpermitted Activities in Streams	Memorandum	1 Page
139	9/29/1999	DFG	Office of Spill Prevention and Response	Consent Decree Compliance by NCRA	Letter	23 Pages
145		DFG	DTSC	Photographs taken of NCRA facilities Des Rios, Eureka, Island Mountain, Scotia, South Fork and Willits by the DFG	Report	Many Pages
146	11/7/2001	DFG	KA	NCRA/NWPR Investigation Report	Report	Many Pages
184	2/13/1997	DFG	NCRA	NCRA Investigation Report	Report	Many Pages
16	8/20/1997	DTSC	NCRA	Inspection Report	Report	12 Pages
17	6/27/1997	DTSC	NCRA	Sampling Inspection Report	Report	Many Pages
46	2/13/1997	DTSC	NCRA	North Coast Regional Environmental Task Force	Report	Many Pages
50	5/27/1999	DTSC	John McLean	Confirmation of enrollment in the California Compliance School	Correspondence	1 Page
72	06/00/98	DTSC		Used Oil Management	Fact Sheet	6 Pages
84	4/7/1998	DTSC		Hazardous Waste Contractor Certification Requirement	Letter	2 Pages
97	11/8/2000	DTSC	NCRA	Proposed Island Mountain Site Characterization Plan by McEdwards Group; Plan found deficient and unacceptable	Report	18 Pages
101	8/17/2000	DTSC	DTSC	NCRA - review of Health and Safety plan addressing the characterization activities for Trinity County.	Letter	3 Pages
109	4/24/2000	DTSC	NCRA	Compliance and deadlines, responses to NCRA letters	Report	27 Pages
118	3/17/2000	DTSC	The McEdwards Group	Responses to Island Mountain Site Characterization Plan	Letter	8 Pages
124	2/18/2000	DTSC	Rail-Ways	Consent Decree deadlines	Report	Many Pages
126	2/4/2000	DTSC	Rail-Ways	Transport of waste oil from the Island Mountain facility	Letter	3 Pages
131	12/17/1999	DTSC	NCRA	Consent Decree violations	Letter	8 Pages
132	12/17/1999	DTSC	NCRA	Proposal for Scope of Work at Island Mountain still does not meet the guidelines	Letter	3 Pages
134	12/13/1999	DTSC	NWPR	Letter of Authorization to crush oil filters at the Willits Facility	Letter	6 Pages
137	10/15/1999	DTSC	Rail-Ways	Comments on submittals required by the Consent Decree	Letter	8 Pages

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Document Number	Document Date	Document From	Document To	Document Subject	Document Type	Document Size
140	9/15/1999		The McEdwards Group	Letter responding to site characterization of Island Mountain not having all of the required elements	Letter	4 Pages
143	9/3/1999		The McEdwards Group	Consent Decree extensions	Letter	3 Pages
191	1/23/1997	Federal Railroad Admin.	NPR	Notice of Limited Relief from Emergency Order No. 14; allowing the transport of hazardous materials for purpose of repairs.	Letter	7 Pages
399	3/12/1998	Federal Railroad Administration	NCRA	Notice of grant of relief to transport fuel to construction site	Letter	4 Pages
47	1/4/2000	FEMA	NCRA et al.	Draft Environmental Assessment, NCRA, Northwestern Pacific Railroad	Report	Many Pages
5	12/5/1997	GeoMatrix	NCWQCB	Work Plan, Interim Cleanup Measures & Phase II ESA, Willits Station	Report	Many Pages
45	9/16/1998	GeoMatrix	DTSC	Interim Cleanup Measures and Soil and Grab Groundwater Sampling Results	Report	Many Pages
219	12/4/1997	GeoMatrix	NCWQCB	Workplan for Interim Cleanup Measures and Phase II Environmental Investigation, Willits Station Option Property	Report	8 Pages
406	8/1/1994	GeoMatrix	Hanson, Bridgett, Marcus, Vlahos & Rudy	Preliminary Site Assessment Northwestern Pacific Railroad, Marin, Sonoma, Mendocino, and Napa Counties, California	Report	Many Pages
409	3/5/1996	GeoMatrix	Holme Roberts & Owen	Phase II and Phase III Program Findings, Northwestern Pacific Railroad, Novato to Willits, California, Volume 1 of 3	Report	Many Pages
410	3/5/1996	GeoMatrix	Holme Roberts & Owen	Phase II and Phase III Program Findings, Northwestern Pacific Railroad, Novato to Willits, California, Volume 2 of 3	Report	Many Pages
411	3/5/1996	GeoMatrix	Holme Roberts & Owen	Phase II and Phase III Program Findings, Northwestern Pacific Railroad, Novato to Willits, California, Volume 3 of 3	Report	Many Pages
412	5/28/1997	GeoMatrix	Union Pacific Railroad Company	Phase IV Program Findings, Mileposts 69.1, 118.3, and 120.1, Northwestern Pacific Railroad, Novato to Willits, California	Report	Many Pages
196	1/14/1998	Governors OES	NCRA	Hazardous Materials Spill Report	Letter	1 Page
404	1/14/1998	Governors Office of Emergency Services		Hazardous Materials Spill Report - Willits	Report	1 Pages
156	11/14/1997	Humboldt County DHS		Copy of Notice of failing septic system at Eureka Yard; NCRA's comments	Correspondence	4 Pages
163	11/5/1997	Humboldt County DHS	HDPW	Falling Sewage Disposal System	Letter	2 Pages
184	11/21/1997	Humboldt County DHS		Copy of Hazardous Materials Business Plan	Letter	11 Pages
37	2/25/1993	IT Corp.	MCDEH	UST Removal Workplan etc.	Report	10 Pages
28	4/8/1993	IT Corp.	MCDEH	Laboratory Report for UST removal sampling	Report	23 Pages
407	3/27/1992	IT Corp.	NCRA	Phase I Site Assessment of the Eureka Southern Railroad	Report	Many Pages
408	6/29/1992	IT Corp.	NCRA	Phase II Site Assessment of the Eureka Southern Railroad	Report	Many Pages
33	9/13/1996	Jim Harrison	MCDEH	Correspondence regarding a 12,000 gallon AST at Willits Yard	Correspondence	1 Page
337	4/22/1999	John Moe	NCWQCB	Acknowledgement of receipt and reading of "Reimbursement Process for Regulatory Oversight"	Letter	1 Pages
152	11/14/1997	KA	NCWQCB	Resubmittal of NOI Applications	Letter	4 Pages
157	11/9/1997	KA	NCWQCB	Submittal of NOI Applications for Eureka and Willits Yards; Maps of yards included	Letter	4 Pages
162	11/9/1997	KA	NCWQCB	Submittal of NOI Applications for Willits and Eureka Maintenance Yards	Letter	5 Pages
165	11/5/1997	KA	NCWQCB	Willits and Eureka Yards - Current Task priorities	Letter	6 Pages
172	4/16/1997	KA	NCWQCB	Proposal to provide environmental services willits and eureka yards	Proposal	11 Pages
195	2/12/1998	KA	NCWQCB	NCRA CAO Compliance; request for waiver from the compliance dates for Cleanup and Abatement Order 97-134	Letter	8 Pages
204	2/12/1998	KA	NCWQCB	Request for waiver from the compliance dates for pending task identified by CAO 97-134	Letter	7 Pages
205	2/12/1998	KA	NCWQCB	Stormwater monitoring and reporting programs for Willits and Eureka NCRA Sites	Letter	1 Page
206	1/15/1998	KA	NCWQCB	NCRA Monthly Compliance Report - CAO 97-134	Letter	4 Pages
211	12/18/1997	KA	NCWQCB	Willits Railyard Interim Cleanup Activity, Review of work status & Geomatrix Workplan w/ regards to CAO 97-47	Letter	5 Pages
212	12/30/1997	KA	GeoMatrix	Willits track cleanup work within the locomotive maintenance area.	Letter	7 Pages
215	12/8/1997	KA	MCDEH	Hazardous Materials Business Plan for Willits Yard	Letter	2 Pages
216	12/5/1997	KA	NCWQCB	Completion of Willits HMBP	Letter	3 Pages
217	12/5/1997	KA	NCRA	Volunteer work action at the Willits Site	Letter	3 Pages
218	12/5/1997	KA	NCRA	Replacement pages for Stormwater Pollution Prevention Program	Letter	2 Pages
220	12/2/1997	KA	NCRA	Storm Water Pollution Prevention Plan, Willits	Report	5 Pages
85	2/12/1998	KA/NCRA	NCWQCB	CAO Compliance - request for a waiver from the compliance dates of Cleanup & Abatement Order 97-134	Letter	8 Pages
2	12/18/1997	Kleinfelder	UPRR	Willits Railyard Interim Cleanup Activity	Letter	5 Pages
3	12/5/1997	Kleinfelder	NCRA	Hazardous Materials Business Plan and Emergency Response Plan	Report	Many Pages
4	12/2/1997	Kleinfelder	NCRA	Stormwater Pollution Prevention Plan	Report	Many Pages
13	8/11/1997	Kleinfelder	MCDEH	NCRA Pending Environmental Assessment	Letter	2 Pages
289	12/9/1997	Kleinfelder	NCRA	Storm Water Pollution Prevention Plan, Northwestern Pacific Depot Building	Report	16 Pages
290	12/9/1997	Kleinfelder	NCRA	Storm Water Pollution Prevention Plan, Northwestern Pacific Depot Building	Report	16 Pages
291	1/22/1998	Kleinfelder	NCRA	Storm Water Monitoring Program, Northwestern Pacific Depot Building	Report	13 Pages
302	9/14/1998	Kleinfelder	NCWQCB	Revised Site Map for SPCC Plan, Willits	Letter	2 Pages
303	1/22/1998	Kleinfelder	NCWQCB	Storm Water Monitoring and Reporting Programs for Willits and Eureka Sites	Report	10 Pages
304	12/19/1997	Kleinfelder	NCWQCB	Correspondence regarding NCRA Eureka SWPPP dated 12-9-97	Correspondance	3 Pages
305	10/10/1997	Kleinfelder	NCWQCB	Transmittal to Pollution Prevention Plan for Eureka	Transmittal	1 Pages
306	12/5/1997	Kleinfelder	NCWQCB	Document Delivery Update, RWQCB Staff Report Comments, NCRA Projects	Letter	3 Pages
307	12/1/1997	Kleinfelder	NCWQCB	Eureka Maps	Letter	5 Pages
345	11/13/1998	Kleinfelder	NCWQCB	Response to Comments RWQCB SPCC Plan for NPR Willits	Letter	6 Pages
378	4/22/1998	Kleinfelder	NCWQCB	Three pages of photographs of the Willits Yard	Photographs	3 Pages
403	2/12/1998	Kleinfelder	NCWQCB	NCRA CAO Compliance waiver due to storms	Letter	4 Pages
1	12/30/1997	Kleinfelder (KA)	GeoMatrix	1997 Cleanup of Willits Railyard - Maintenance Area	Letter	7 Pages
88	1/15/1998	Little Lake Fire District	NCRA	Diesel Fuel Spill on January 14, 1998.	Letter	3 Pages
245	10/15/1992	Long and Levit	NCWQCB	File Copying	Letter	2 Pages
221	11/17/1997	Lord, Bissell & Brook	NCWQCB	Request for documents regarding Willits yard	Letter	2 Pages
43	11/30/1990	MC District Attorney	MCDEH	Eureka Southern Railroad oil spill/leak	Memorandum	3 Pages
18	5/5/1997	MCDEH	NCRA	Final Notice of Violations	Letter	7 Pages
25	3/31/1997	MCDEH		Executive Summary of an Interview with local Willits Paper	Letter	1 Page
31	10/9/1996	MCDEH	NCRA	Third & Final Notice for Failure to Complete Hazardous Materials Business Plan	Letter	2 Pages
32	9/17/1996	MCDEH	NCRA	Second Notice for Failure to Complete Hazardous Materials Business Plan	Letter	1 Page
34	8/26/1996	MCDEH		Notice of Requirement for creation of a Hazardous Materials Business Plan	Letter	2 Pages
40	3/5/1993	MCDEH		Copy of Permit and Receipt of UST Investigation Fees	Letter	1 Page
42	12/13/1990	MCDEH		Correspondence and photographs of inspection of spilled hydrocarbons on the Eureka & South Railroad Property at Dos Rios	Letter	9 Pages
78	4/30/1993	MCDEH	NCRA	Underground Hazardous Materials Storage Tank Abandonment Inspection Report, Dos Rios	Report	1 Page
286	3/24/1997	MCDEH	NCRA	Compliance letter in regards to the submission of a Hazardous Materials Business Plan	Letter	4 Pages
379	5/12/1998	MCDEH	NCRA	Notice of failure to submit modifications for HMBP - Willits	Letter	8 Pages
316	10/30/2000	McEdwards Group	NCWQCB	1999-2000 annual report for storm water discharges for NCRA's Willits Facility	Report	10 Pages
41	1/8/1993	Mend. Co. S Court		Subpoena for trial for The People of the State of California vs Jerry Gregg	Subpoena	4 Pages
83	5/1/1998	Mendocino County Observer		NWP railroad crimes or environmental crimes article	News article	1 Page
282	4/30/1996	Mendocino Recorder	NCRA	Copy of Grant Deed for Willits	Letter	Many Pages
283	4/30/1996	Mendocino Recorder	NCRA	Copy of Quitclaim Deed for Willits	Letter	7 Pages
14	5/8/1997	NCRA	MCDEH	Repositioning for unloading the contractors fuel car from Bell Springs to Willits	Letter	1 Page
15	8/0/1997	NCRA		Political & Physical Organization Structure	Letter	6 Pages
26	3/27/1997	NCRA	MCDEH	Acknowledgment of Violations and Letter stating that a RFP has been sent out	Letter	16 Pages
27	3/27/1997	NCRA	DTSC	RFP Environmental Mediation Services, Willits Yard, SEE ABOVE	Report	15 Pages
29	4/30/1996	NCRA	MCDEH	Grant Deed for the Willits Property	Report	7 Pages
30	4/30/1996	NCRA	MCDEH	Quitclaim Deed for the Willits Property	Report	7 Pages
35	5/21/1993	NCRA	MCDEH	Underground Storage Tank Permit Application - Forms A & B	Permit	2 Pages
36	3/29/1993	NCRA	MCDEH	UST Removal Permit for Tanks at Dos Rios and Bell Springs	Permit	1 Page
77	5/5/1998	NCRA	NCWQCB	Spill Prevention Control and Countermeasure Plan (SPCCP)	Report	Many Pages
91	3/20/2001	NCRA		Agenda for Meeting and Attendance Sheet	Letter	2 Pages
95	10/30/2000	NCRA		Meeting Notes From NCRA Quarterly Meeting	Letter	12 Pages
98	10/30/2000	NCRA	NCRA	Meeting Notes From NCRA Comprehensive Quarterly Review	Letter	7 Pages

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Document Number	Document Date	Document From	Document To	Document Subject	Document Type	Document Size
100	10/23/2000	NCRA		NCRA Compliance Obligations Under Consent Decree	Letter	3 Pages
106	4/15/2000	NCRA	DTSC	Management and Debris Clearance Plan	Letter	4 Pages
112	4/15/2000	NCRA	DTSC	The Management and Future Debris Clearance Plan	Letter	6 Pages
113	4/15/2000	NCRA	DTSC	Copy of Hazardous Waste Manifests	Letter	7 Pages
115	3/24/2000	NCRA	Attorney Generals Office	e-mail about NCRA financial information	Correspondence	1 Page
161	8/9/97	NCRA	NCWQCB	Political and Physical Organization Structure	Letter	6 Pages
185	3/11/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report	Report	13 Pages
271	9/18/1997	NCRA	NCWQCB	Letter in response to the control of pollution and acceptance of responsibilities for the Willits Yard	Letter	3 Pages
276	5/9/1997	NCRA	MCDEH	Final Notice of Violations	Letter	2 Pages
280	3/27/1997	NCRA	NCWQCB	Copy of the Request for Proposals for Environmental Mediation Services, Willits Rail Yard	Letter	10 Pages
299	1/22/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report, Eureka	Report	2 Pages
300	1/22/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report, Willits	Report	8 Pages
301	1/22/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report, Willits	Report	9 Pages
348	10/12/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Reports - Willits	Report	8 Pages
349	10/15/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report - Willits	Report	3 Pages
354	9/15/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Reports - Willits	Report	8 Pages
360	8/14/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Reports - Willits	Report	8 Pages
365	6/9/1998	NCRA	NCWQCB	Annual Site Inspection Report - Eureka	Report	3 Pages
366	6/9/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report - Eureka	Report	2 Pages
370	7/10/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report - Willits	Report	6 Pages
371	6/10/1998	NCRA	NCWQCB	Annual Site Inspection Report - Willits	Report	10 Pages
376	5/22/1998	NCRA	NCWQCB	Letter regarding Federal subpoenas	Letter	3 Pages
383	5/12/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report - Willits	Report	7 Pages
389	4/16/1998	NCRA	NCWQCB	HMBP	Letter	3 Pages
393	4/14/1998	NCRA	NCWQCB	Storm Water Monitoring Inspection Report - Willits	Letter	7 Pages
400	3/12/1998	NCRA	Federal Railroad Administration	Request to move car SP 509670 with fuel tanks on car	Letter	1 Page
401	3/12/1998	NCRA	NCWQCB	Request to move car SP 509670 with fuel tanks on car	Letter	2 Pages
402	12/19/1997	NCRA	NCWQCB	Accounting Information	Letter	1 Page
22	4/3/1997	NCRA?		Notes from Inspection of Willits yard on April 3, 1997	Letter	1 Page
7	11/25/1997	NCWQCB	NCRA	Executive Officers Summary Report - Compliance Orders	Report	Many Pages
8	11/19/1997	NCWQCB	NCRA	Northwestern Pacific Railroad - Regarding Hearing & Cleanup & Abatement Orders	Letter	6 Pages
9		NCWQCB	NCRA	Staff Report for NCRA Willits & Eureka Yards	Report	18 Pages
10		NCWQCB	NCRA	Time Schedule for Administrative Civil Liability	Report	Many Pages
11	10/1/1992	NCWQCB	City Eureka	Revision of Waste Discharge Reqs. For NCRA	Letter	1 Page
19	4/29/1997	NCWQCB	NCRA/SPRC	Cleanup & Abatement Order No. 97-47	Letter	7 Pages
20	4/29/1997	NCWQCB	NCRA	Transmittal of Cleanup & Abatement Order No. 97-47 - Including Copy of Order	Letter	8 Pages
39	3/17/1993	NCWQCB	NCRA	Comments on IT Corp Workplan for UST Removal Activities at Dos Rios, Bell Springs, and Alderpoint	Letter	3 Pages
44	4/27/1990	NCWQCB	ESRC	Cleanup & Abatement Order No. 90-94	Letter	3 Pages
61	9/9/1998	NCWQCB	DTSC	Update on the NCRA Willits & Eureka maintenance yard violations of NPDES Permit	Letter	10 Pages
65	8/19/1998	NCWQCB	NCRA	North Coast Railroad Authority, Willits and Eureka Yards	Letter	7 Pages
76	5/18/1998	NCWQCB	Mr. John Darling	NCRA Willits and Eureka Maintenance Yards	Correspondence	3 Pages
80	4/15/1998	NCWQCB	NCRA	Abatement Order for the Willits and Eureka yards	Report	18 Pages
82	5/7/1998	NCWQCB	NCRA	Revised Time Schedule for Abatement Order 97-134	Letter	6 Pages
88	1/14/1998	NCWQCB	NCWQCB	NWP Railroad, Willits Yard, Diesel Fuel Spill	Correspondence	3 Pages
94		NCWQCB	Chris Neary, Attorney	Proposal for Scope of Work guidelines	Letter	3 Pages
149	11/20/1997	NCWQCB	Union Pacific Railroad Company	Willits and Eureka Yards - regarding notice of intent (NOD) and storm monitoring plans	Correspondence	3 Pages
151	11/20/1997	NCWQCB	NCRA	NCRA Willits and Eureka Maintenance Yards	Correspondence	2 Pages
153	11/19/1997	NCWQCB	NCRA	Willits Yard, Cleanup and Abatement Order No. 97-47: compliance	Letter	3 Pages
154	11/18/1997	NCWQCB	NCRA	Eureka and Willits Compliance Issues in relation to NPDES Permits for Storm Water Discharges	Correspondence	Many Pages
160	11/13/1997	NCWQCB	NCRA	Notice of Evidentiary Hearing; Time Schedule for NCRA's Information	Letter	5 Pages
167	10/29/1997	NCWQCB	Eureka Times Standard, et al	Notice of Public Hearing	News article	Many Pages
168	10/24/1997	NCWQCB	NCRA	NPR - Notice of Public Hearing to consider additional enforcement action for failure to comply with CAO 97-47	News article	3 Pages
169	10/10/1997	NCWQCB	NCRA	Noncompliance with Consent Decree or CAO 97-47 for Willits Facility	Letter	6 Pages
173	9/26/1997	NCWQCB	NCWQCB	NCRA/UPR and Southern Pacific Railroad compliance	Correspondence	1 Page
174	9/9/1997	NCWQCB	NCRA	Noncompliance with Consent Decree or CAO 97-47 for Willits Facility	Letter	2 Pages
176	5/7/1998	NCWQCB	NCRA	Revised Time Schedule for Abatement Order 97-134	Letter	3 Pages
178	4/23/1998	NCWQCB	NCRA	Hearing procedure to determine whether enforcement action should be taken against NCRA	Letter	2 Pages
179	4/15/1998	NCWQCB	NCRA	Letter stating time of Regional Board meeting, regarding Willits and Eureka Rail yards	Letter	2 Pages
186	4/8/1998	NCWQCB	NCRA	Draft Executive Officers Summary Report for Willits and Eureka Yards	Report	17 Pages
187	3/18/1998	NCWQCB	NCWQCB	Telephone Conversation w/ Rail-Ways, Inc. about compliance issues and monitoring	Correspondence	1 Page
190	3/3/1998	NCWQCB	NCRA	Notice of Public Hearing for modification of the Time Schedule Order	Letter	12 Pages
207	1/14/1998	NCWQCB	NCWQCB	NWP Railroad, Willits Yard	Correspondence	3 Pages
208	1/14/1998	NCWQCB	NCWQCB	NWP Railroad, Willits Yard and Fuel spill at Willits yard	Correspondence	9 Pages
214	12/11/1997	NCWQCB	NCWQCB	Hearing Procedure to consider enforcement actions for operations of the NCRA Willits and Eureka Maintenance Yards	Letter	2 Pages
222	11/28/1997	NCWQCB	Lord, Bissell & Brook	Response to request for documents regarding Willits Yard	Letter	5 Pages
223	11/20/1997	NCWQCB	NCWQCB	Correspondence regarding Task 6 of CAO	Correspondence	2 Pages
224	8/26/1953	NCWQCB	NCWQCB	Photographs taken of Mill Creek, Willits, contamination.	Photos	2 Pages
226		NCWQCB	NCWQCB	Time Schedule for Administrative Civil Liability for Willits and Eureka yards	Letter	4 Pages
227		NCWQCB	NCWQCB	Time Schedule for Administrative Civil Liability for Willits and Eureka yards	Letter	4 Pages
228	4/29/1997	NCWQCB	NCWQCB	CAO 97-47	Letter	6 Pages
229	9/23/1998	NCWQCB	NCWQCB	Status of compliance by the NCRA Eureka and Willits Maintenance Yards	Letter	9 Pages
230	4/23/1998	NCWQCB	NCWQCB	Public hearing regarding NCRA compliance with Time Schedule for CAO 97-134, Willits & Eureka yards, NPDES	Letter	16 Pages
233	11/18/1997	NCWQCB	NCWQCB	Executive Officers Summary Report; evidentiary hearing regarding NCRA compliance for Willits and Eureka Yards	Report	Many Pages
234	1/23/1996	NCWQCB		Facilities Inspection Report; Surface Water Evaluation	Report	1 Page
235	6/22/1993	NCWQCB		Facilities Inspection Report; Observed Well Drilling In Willits	Report	2 Pages
236	11/28/1995	NCWQCB		Interoffice memo regarding file numbers	Correspondence	2 Pages
237	7/11/1995	NCWQCB	SP Environmental Systems	Summary of NPR activities and documented contamination of soil and groundwater.	Letter	2 Pages
242	3/16/1993	NCWQCB	Southern Pacific Transportation Company	Letter stating that the NCWQCB concurs with the Brunsing Associates soil and water investigation workplan	Letter	1 Page
244	10/23/1992	NCWQCB	Long and Levit	File Copying	Letter	1 Page
247	2/18/1992	NCWQCB	Southern Pacific Transportation Company	Letter from the NCWQCB stating that they have received the Brunsing Report and concur with conclusions for further investigation	Letter	1 Page
251	10/7/1991	NCWQCB	Southern Pacific Transportation Company	Letter stating the NCWQCB receipt and concurrence with Brunsing Associates workplan for Willits yard, dated 9/30/91	Letter	1 Page
254	7/9/1991	NCWQCB	SP Environmental Systems	Correspondence addressing work and future concerns at the Willits Site	Letter	1 Page
255	2/22/1991	NCWQCB	SP Environmental Systems	Letter stating the NCWQCB receipt and concurrence with Brunsing Associates initial sampling and reconnaissance of NPR Willits yard, dated 2/12/91	Letter	1 Page
259	1/9/1991	NCWQCB	NCWQCB	Interoffice communication regarding status report on Willits Investigation	Correspondence	1 Page
260	11/9/1990	NCWQCB	SP Environmental Systems	Letter stating that the NCWQCB concurs with the Brunsing Associates letter of response dated 10/25/90	Letter	1 Page
264	7/10/1990	NCWQCB	SP Environmental Systems	Letter requesting site remediation plan for Northwestern Pacific railroad, Willits Yard to investigate the extent of lead and petroleum product contamination of soil and groundwater.	Letter	1 Page
266	5/5/1989	NCWQCB	NCWQCB	Correspondence regarding oil saturated soil at the Willits yard	Letter	1 Page
267	3/21/1997	NCWQCB	NCWQCB	Facilities Inspection Report	Report	2 Pages
268	5/2/1997	NCWQCB	NCWQCB	Summary of Inspection of Willits yard.	Correspondence	5 Pages

TABLE I: SUMMARY OF REGULATORY FILE RECORDS

Document Number	Document Date	Document From	Document To	Document Subject	Document Type	Document Size
272	9/9/1997	NCWQCB	NCRA	Compliance with CAO 97-47	Letter	3 Pages
274	8/1/1997	NCWQCB	SP Environmental Systems	Letter regarding the status of Willits yard, and costs for next year	Letter	8 Pages
275	8/1/1997	NCWQCB	SP Environmental Systems	Letter regarding the status of Willits yard, and costs for next year	Letter	3 Pages
277	4/29/1997	NCWQCB	NCRA	Transmittal of Cleanup and Abatement Order 97-47	Letter	8 Pages
278	4/29/1997	NCWQCB	NCRA/SPR	Copy of Cleanup and Abatement Order 97-47; Lab results	Letter	21 Pages
279	3/26/1997	NCWQCB	NCRA	List of Environmental firms that do stormwater monitoring	Letter	9 Pages
281	3/25/1997	NCWQCB	NCRA	Letter stating that the Willits and Eureka yards are subject to regulation under the Clean Water Act	Letter	1 Page
287	3/20/1997	NCWQCB	NCRA	Two pages of text on Railroad Transportation	Letter	2 Pages
296	11/18/1997	NCWQCB	NCRA	Executive Officers Summary Report - Compliance Issues Related to NPDES Permit for Storm Water Discharges, Eureka and Willits Yards	Report	Many Pages
297	9/2/1999	NCWQCB	NCRA	Facilities Inspection Report, NCRA at Dyer Loop	Report	1 Pages
298	9/1/2000	NCWQCB	Northwestern Pacific Railways	Notice of Noncompliance: Failure to Comply with General Permit for Storm Water Discharges, Eureka	Letter	1 Pages
308	11/20/1997	NCWQCB	NCWQCB	NCRA Willits and Eureka Yards, Correspondance	Correspondance	2 Pages
314	9/1/2000	NCWQCB	NCRA	Notice of Noncompliance: Failure to Comply with General Permit for Storm Water Discharges, Willits	Letter	1 Pages
315	8/19/2000	NCWQCB	NCWQCB	Violations SINC Input Form	Letter	1 Pages
327	1/7/2000	NCWQCB	Rail-Ways, Inc.	Review of Compliance by NCRA	Letter	6 Pages
329	9/23/1999	NCWQCB	NCRA	Notice of Violation, Mandatory Submittal of Technical Report on Y2K Readiness	Letter	5 Pages
330	11/15/1999	NCWQCB	Jeff Smith	SPCC Modifications by the McEdwards Group	Letter	12 Pages
335	5/20/1999	NCWQCB	AGT Program Manager	Addition to the Aboveground Tank Program - Willits	Letter	22 Pages
339	4/5/1999	NCWQCB	John Moe, UP Environmental Systems	Update Letter	Letter	3 Pages
346	8/1/1997	NCWQCB	SP Environmental Systems	Update Letter	Letter	10 Pages
350	10/13/1998	NCWQCB	NCRA	Staff Report and Agenda for the October 22, 1998 Regional Water Board meeting	Report	3 Pages
351	10/13/1998	NCWQCB	NCRA	Staff Report and Agenda for the October 22, 1998 Regional Water Board meeting	Report	6 Pages
353	9/18/1998	NCWQCB	NCRA	Status report for the NCRA	Letter	2 Pages

TABLE 2

CONSENT DECREE COMPLIANCE MATRIX

List of Acronyms and Abbreviations (Please See Text for Explanation)

CEQA Categories

- I. Waste Debris and Cleanup and Storm Water Compliance at Maintenance Facilities-General
- II. Waste Debris and Cleanup Where Sensitive Areas Are Located, or Permits/Clearances Are Needed Prior to the Initiation of Activities
- III. Site Assessment, Characterization and Remediation
- IV. Consent Decree Environmental Compliance Plans and Programs

Report Acronyms

WMP	Waste Management Plan
FOMP	Flange Oiler Management Plan
MRP	Monitoring and Reporting Plan
HMMP	Hazardous Materials Management Plan
ECPP	Environmental Compliance Program Plan
SCP	Site Characterization Plan
GECP	Grading and Erosion Control Plan
SPCC	Spill Prevention, Control, and Countermeasures Plan
RP	Remediation Plan
WDCP	Waste and Debris Cleanup Plan
SWPPP	Storm Water Pollution Prevention Plan
CIP	Capital Improvement Program

Compliance Categories

Category A: NCRA appears to have addressed the issues specified in the Consent Decree, and may be found to be in compliance if inspected by the Compliance Officer.

Category B: NCRA appears to have addressed the bulk of issues in the Consent Decree, and are nearly compliant.

Category C-1: The paragraph in the Consent Decree appears to refer to future compliance issues during full operation of the rail line (rail cars are actually running). However, full compliance requires development and successful implementation of management plans that have not been written and approved by the State Agencies.

Category C-2: The paragraph in the Consent Decree appears to refer to future compliance issues during full operation of the rail line (rail cars are actually running). However, some of the issues specified in the CD appear to be applicable to present conditions as defined in Category D, below.

Category C-3: The paragraph in the Consent Decree appears to refer to future compliance issues during full operation of the rail line (rail cars are actually running). However, some of the issues specified in the CD appear to be applicable to cleanup, repair, construction, or maintenance activities that may occur prior to full rail operations.

Category D: Little or no change in the compliance status appears to occurred since the Consent Decree was signed.

TABLE 2: CONSENT DECREE COMPLIANCE MATRIX

PARAGRAPH	CONSENT DECREE REQUIREMENT	PRINCIPAL AFFECTED LOCATION	COMPLIANCE CATEGORY (See Section 7)	RECOMMENDED STRATEGIES TO ACHIEVE COMPLIANCE	PRINCIPAL GOVERNING DOCUMENT	CEQA CATEGORY (See Section 6)
3 - 10	<i>Housekeeping and operational standards for hazardous substances along the entire rail line</i>					
3	NCRA/NWP shall not discard railroad ties, steel rails, culverts or parts of culverts, or other debris generated by NCRA/NWP in its right-of-way or in any location where it may enter into waters of the State. NCRA/NWP shall not burn railroad ties.	Rail Line Maintenance Yards	C-2 C-3	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the requirements of this paragraph, and 2) removing discarded waste and debris. Procedures to eliminate unlawful burning of ties, improper disposal of debris, and removal of culverts and debris caused by washouts during operations will be addressed in the Waste Management Plan and industrial Storm Water Pollution and Prevention Plan. Procedures to prevent debris from entering waters of the state during repair will be addressed in the construction Storm Water Pollution and Prevention Plan. Procedures to clean up waste and debris will be specified in the Waste and Debris Cleanup Plan.	WMP SWPPP WDCP	IV
4	NCRA/NWP shall not place or deposit any cans, bottles, garbage, rubbish, petroleum product, empty containers, dirt, sediment, gravel; rock and/or earthen material, in the Eel River or any of its tributaries, or at any location where such material may pass into the Eel River or any of its tributaries.	Rail Line	C-2 C-3	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the requirements of this paragraph, and 2) removing discarded waste and debris. Procedures to eliminate disposal of petroleum products, refuse, debris, and earthen materials where they may impact the Eel River during operations will be addressed in the Waste Management Plan and industrial Storm Water Pollution and Prevention Plan. Procedures to prevent these materials from entering the Eel River and its tributaries during repair will be addressed in the construction Storm Water Pollution and Prevention Plan. Procedures to clean up waste and debris will be specified in the Waste and Debris Cleanup Plan.	WMP SWPPP WDCP	IV
5	NCRA/NWP shall not obstruct the natural flow or substantially change that streambed or streambank, of the Eel River or any of its tributaries, without first notifying DFG as required by Fish and Game Code section 1601, and obtaining and complying with a streambed alteration agreement and/or other measures imposed by DFG, or an arbitration panel, as necessary to protect fish and wildlife resources that may be substantially affected by NCRA/NWP's activities. DFG shall require that NCRA/NWP, as well as any contractors who perform the work, be signatories to the streambed alteration agreement. NCRA acknowledges that an application for a streambed alteration agreement may be subject to review under the California Environmental Quality Act, Public Resources Code section 21000, et seq. ("CEQA") and agrees to pay all reasonable fees imposed by DFG for costs of compliance with CEQA.	Rail Line	C-2 C-3	Compliance with the CD may be obtained by developing and successfully implementing planning documents that address the requirements of this paragraph. Administrative controls to assure compliance with this requirement will be incorporated into the programmatic-level Environmental Compliance Program Plan. Through the ECPP, contractors will be required to incorporate relevant provisions into construction Storm Water Pollution Prevention Plans. Quality Assurance procedures outlined in the ECPP will require NCRA to incorporate these provisions into contracts, and review the contractor's documents to verify compliance.	ECPP SWPPP	II III IV
6	If NCRA/NWP conducts activity regulated by Fish and Game Code Section 1601 in reliance on an exemption from the requirement for prior notification to DFG for certain emergency work or repairs, NCRA/NWP shall notify DFG and the compliance monitor of the activity being conducted with 14 days of commencement of the project, NCRA/NWP shall use the appropriate DFG formats and conduct its projects in compliance with DFGs terms, conditions and guidelines.	Rail Line	C-1	Compliance with the CD may be obtained by developing and successfully implementing planning documents that address the requirements of this paragraph. This requirement will be specified in the programmatic Environmental Compliance Program Plan.	ECPP	IV
7	NCRA/NWP shall not spill or discard lubricating oil or grease and/or containers of lubricating oil or grease, including any empty containers, or other petroleum products, in NCRA/NWP's right-of-way, or at any location where they may enter waters of the State.	Rail Line	C-2 C-3	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the requirements of this paragraph, and 2) cleaning up discarded grease containers. Proper handling and storage of viable petroleum products and wastes will be specified in the Hazardous Materials Management Plan and the Waste Management Plan. Procedures to remove discarded grease containers will be specified in the Waste and Debris Cleanup Plan.	HMMP WMP WDCP	IV
8	Within six months of execution of this Consent Decree, NCRA/NWP shall remove all visible railroad ties, steel rails, culverts, and/or other debris generated by railroad operations that are present in NCRA/NWP's right-of-way, within 150 feet of the high-water mark of the Eel River, Outlet Creek and/or any tributary of the Eel River, or in a place where they can pass into the waters of the State. NCRA shall investigate removal of the railroad car located in the streambed or the right-of-way that derailed during NCRA's operations in a timely manner. NCRA may request from DFG an extension of time for the actual removal of the railcar if necessary.	Rail Line	D	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the requirements of this paragraph, and 2) conducting investigative and cleanup activities. Proper removal procedures will be specified in the Waste and Debris Cleanup Plan.	WDCP	I II

DEFINITIONS OF ACRONYMS

WMP Waste Management Plan
 HMMP Hazardous Materials Management Plan
 GECP Grading and Erosion Control Plan
 WDCP Waste and Debris Cleanup Plan

FOMP Flange Oiler Management Plan
 ECPP Environmental Compliance Program Plan
 SPCC Spill Prevention, Control, and Countermeasures Plan
 SWPPP Storm Water Pollution Prevention Plan

MRP Monitoring and Reporting Plan
 SCP Site Characterization Plan
 RP Remediation Plan
 CIP Capital Improvement Program

TABLE 2: CONSENT DECREE COMPLIANCE MATRIX

PARAGRAPH	CONSENT DECREE REQUIREMENT	PRINCIPAL AFFECTED LOCATION	COMPLIANCE CATEGORY (See Section 7)	RECOMMENDED STRATEGIES TO ACHIEVE COMPLIANCE	PRINCIPAL GOVERNING DOCUMENT	CEQA CATEGORY (See Section 6)
9	Within 60 days of execution of this Consent Decree for the segment of railroad south of Willits and within 60 days of commencement of construction in the Eel River Canyon for the segment of the railroad north of Willits, NCRA/NWP shall submit to DFG, DTSC, and the Regional Board a plan for collection and removal of all waste railroad ties, culverts or parts of culverts, and other debris that is generated in the future during operation of NCRA/NWP, from NCRA's right-of-way, maintenance facilities, or other areas where NCRA/NWP conducts activities. The plan shall also discuss how and where NCRA/NWP will store new and/or used railroad ties, and how it will collect, reuse, and/or dispose of railroad ties in an appropriate manner. DFG, DTSC and the Regional Board will review the plan and notify NCRA/NWP if it is acceptable or if the plan must be modified. After DFG, DTSC and the Regional Board have approved the plan, within 30 days, NCRA/NWP shall implement the proposals set forth in the plan and shall conduct training to ensure that all NCRA/NWP employees, consultants, agents and/or contractors are aware of the plan's provisions and are instructed to comply with them.	Rail Line; Maintenance Facilities	D	Compliance with the CD may be obtained by submitting planning documents that address the requirements of this paragraph. Two documents are required. First, a Waste and Debris Cleanup Plan will be prepared that addresses removal of existing ties and debris. Second, a Waste Management Plan will be prepared to address handling, storage, and disposal of ties and debris generated during rail operations.	WDCP WMP	I II
10	Within 30 days of execution of this Consent Decree, NCRA/NWP shall submit to DFG, DTSC and the Regional Board a plan for management of flange oilers (greasing stations) along the track. The plan shall identify the locations of all flange oilers, describe how they operate, and describe how they will be maintained. The plan shall set forth measures that NCRA/NWP will follow to ensure that the flange oilers are operated and maintained in a manner that eliminates releases of hazardous substances in the environment, including the Eel River, its tributaries, and their streambeds. The plan shall also address the method of collection and disposal of empty cans of lubricants used in the flange oilers and shall consider the option of using vegetable oil based lubricants, rather than petroleum-based lubricants. DFG, DTSC and the Regional Board will review the plan and notify NCRA/NWP if it is acceptable or if the plan must be modified. After DFG, DTSC and the Regional Board have approved the plan, within 30 days, NCRA/NWP employees, consultants, agents and/or contractors are aware of the plan's provisions and are instructed to comply with them. NCRA/NWP contracts for services that may involve activities along the tracks shall include provisions requiring compliance with environmental laws and references to this Consent Decree and specifically approved plans that identify operating protocols.	Rail Line	D	Compliance with the CD may be obtained by submitting planning documents that address the requirements of this paragraph. In addition, appropriate inquiry into alternative greasers or methods of greasing the track needs to be made. A Flange Oiler Management Plan will be prepared that specifies the location, operation, maintenance, and removal of flange oilers. The handling, storage, and disposal of spent grease drums will be specified in the Waste Management Plan. If steam cleaning is used during construction, repair, or remediation, the methods of steam cleaning, testing, handling and disposal procedures will be specified in the appropriate work plans.	FOMP WMP	IV
11 - 28	<i>Hazardous Waste Generation and Management</i>					
11	NCRA/NWP must determine whether stream cleaning water treated with chemical additives, such as descaling agents, is a hazardous waste by methods specified in section 66262.11 of Title 22, California Code of Regulations; or is deleterious to fish within the meaning of Fish and Game Code section 5650, prior to disposal of this wastestream from trains operated by NCRA/NWP onto the ground or in a location where it may enter waters of the state. If this wastestream is deleterious to fish, it shall not be disposed of in a location where it may enter waters of the state, and in addition, if it is hazardous, it shall be stored, transported and disposed of in compliance with the California Health and Safety Code and Title 22 of the California Code of Regulations.	Maintenance Facilities	C-1	Compliance with the CD may be obtained by developing and successfully implementing planning documents that address the requirements of this paragraph. If steam-cleaning water is proven to be stored at a site, compliance may be obtained by sampling the water as per 22 CCR and the F&G code. It is anticipated that the State Agencies will verify compliance upon receipt of documentation that these plans have been successfully implemented, and any existing water has been tested.	WDCP	I IV
12	NCRA/NWP shall not burn used oil filters and shall not throw used oil filters into any garbage containers or dumpsters or dispose of them at any solid waste disposal facility. NCRA/NWP shall manage used oil filters in compliance with Section 66266.130 of Title 22. NCRA/NWP shall stored drained used oil filters in a closed, rainproof container that is labeled, "Drained Used Oil Filters" as required by Section 66266.130(c)(3). NCRA/NWP shall use a bill of lading, as required by Section 66266.130(c)(5) of Title 22, to record the transfer of used oil filters that are managed in compliance with Section 66266.130(b) and (c). Any used oil filters that are not managed in compliance with Section 66266.130(b) and (c) are hazardous waste that must be disposed of at an authorized facility as required by Health and Safety Code Section 25250.4 and 25201(a). NCRA/NWP shall use a bill of lading and/or hazardous waste manifest to record all offsite shipments of used oil filters. NCRA/NWP shall ship all used oil filters stored at its facilities at the time of execution of this Consent Decree to an authorized facility within 30 days of execution of this Consent Decree. Within 10 days of such shipments, NCRA/NWP shall send copies of the bills of lading and/or hazardous waste manifest used for the shipments to DTSC's Berkeley office.	Maintenance Facilities	C-2 C-3	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the requirements of this paragraph, and 2) disposing of stored used oil filters. Proper procedures to remove existing used oil filters will be specified in the Waste and Debris Cleanup Plan. Proper storage, handling, and disposal of used oil filters during rail operations will be specified in the Waste Management Plan and the Hazardous Materials Management Plan for each storage site.	WDCP WMP HMMP	IV
13	NCRA/NWP shall not dispose of lead acid batteries at any solid waste facility, or on or in any land, surface waters, watercourses or marine waters. NCRA/NWP shall store damaged batteries as required by Section	Maintenance Facilities	C-2	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the management of spent	WDCP	I

DEFINITIONS OF ACRONYMS

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 SCP Site Characterization Plan
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TABLE 2: CONSENT DECREE COMPLIANCE MATRIX

PARAGRAPH	CONSENT DECREE REQUIREMENT	PRINCIPAL AFFECTED LOCATION	COMPLIANCE CATEGORY (See Section 7)	RECOMMENDED STRATEGIES TO ACHIEVE COMPLIANCE	PRINCIPAL GOVERNING DOCUMENT	CEQA CATEGORY (See Section 6)
	66266.81(b) of Title 22, in a structurally secure, closed container that is labeled with the date the battery was first placed in the container and in a manner that minimizes the release of acid and lead. NCRA/NWP shall use a bill of lading or hazardous waste manifest to record all shipments of spent lead acid batteries that are shipped to person who stores the batteries or who uses, reuses, recycles or reclaims the batteries or their components. NCRA/NWP shall ship all spent lead acid batteries stored at its facilities at the time of execution of this Consent Decree to an authorized offsite facility within 30 days of execution of this Consent Decree. Within 10 days of such shipments, NCRA/NWP shall send copies of the bills of lading and/or hazardous waste manifest used for the shipments to DTSC's Berkeley office.		C-3	batteries, and 2) removing discarded batteries. Procedures to properly store, transport, and dispose of batteries will be addressed in the Waste Management Plan. Procedures to clean up discarded batteries will be specified in the Waste and Debris Cleanup Plan.	WMP	II IV
14	NCRA/NWP shall manage used oil in compliance with Article 13 of Chapter 6.5 of the Health and Safety Code, Sections 25250.1 through 25250.25, and shall keep all records required for used oil managed under that section. NCRA/NWP shall not mix hazardous waste, including but not limited to waste solvents, ethylene glycol (antifreeze), diesel fuel, and/or gasoline with used oil, except as authorized by the Health and Safety Code. NCRA/NWP shall not dispose of used oil by any of the following methods: (1) by discharge to sewers, drainage systems, surface water or groundwater, watercourses, marine waters; (2) by incineration or burning as fuel; or (3) by deposit on land.	Maintenance Facilities	C-2 C-3	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the management of waste oil and other wastes, and 2) cleanup of existing waste oil. Procedures to properly store, transport, and dispose of wastes will be addressed in the Waste Management Plan. Procedures to clean up stored oil and waste products will be specified in the Waste and Debris Cleanup Plan.	WDCP WMP HMMP	I II IV
15	NCRA/NWP shall conduct its operations to ensure that if leaks and/or spills or used oil, waste oil, waste fuels and/or product occur, (1) the release of such materials onto the ground or into waters of the State is stopped immediately upon discovery, (2) the leaked or spilled material is collected and contained for later disposal at an authorized location, and (3) NCRA/NWP shall give notification of such releases to the appropriate authorities as required by law and to the compliance monitor. NCRA/NWP shall immediately repair all leaking valves and/or pipes on tanks or containers used for accumulation of used oil, waste oil, waste fuels and/or product and shall maintain them in satisfactory condition to minimize the possibility of future leaks.	Maintenance Facilities	C-2 C-3	Compliance with the CD may be obtained by developing and implementing a Contingency Plan that contains procedures to contain spills, perform cleanup activities, give required notices, and perform preventative measures. Contingency planning for repair and construction activities shall be addressed in site-specific work plans developed by NCRA or independent contractors.	CP	I II IV
16	NCRA/NWP shall use a properly completed Uniform Hazardous Waste Manifest (Form 8022A) for all hazardous waste to be transported off-site, as required by Section 66262.23 of Title 22. NCRA/NWP shall only transfer hazardous waste to a transporter who holds a valid registration from DTSC, as required by Health and Safety Code Section 25163(a)(1).	Maintenance Facilities	C-1 C-3	Compliance with the CD may be obtained by shipping hazardous waste under manifest by DTSC-registered transporters. This requirement shall be in effect during cleanup activities, soil remediation activities, during normal operation, and any time hazardous waste is generated and transported. Hazardous waste management will be specified in the Waste and Debris Cleanup Plan for existing waste, the Waste Management Plan for waste generated during operations, and site-specific work plans for waste generated during remediation, repair, or construction.	WDCP WMP	I II IV
17	NCRA/NWP shall immediately label all containers used to store hazardous waste with the information required in Section 66262.34(f) of Title 22. NCRA/NWP shall immediately store hazardous waste only in containers that comply with the requirements of Article 9 of Chapter 15 of Title 22, California Code of Regulations.	Maintenance Facilities	B	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the requirements of this paragraph, and 2) re-packing improperly containerized waste, and 3) labeling existing containers. Proper procedures to remove existing waste will be specified in the Waste and Debris Cleanup Plan. Proper storage, handling, and disposal of waste during rail operations will be specified in the Waste Management Plan, the Hazardous Materials Management Plans, and site-specific work plans.	WDCP WMP	I II IV
18	NCRA/NWP shall conduct weekly inspections of containers used to store hazardous waste as required by Section 66265.174 of Title 22. Immediately upon identification of containers of hazardous waste that are in poor condition, badly dented, or which have open tops or bungs without lids, NCRA/NWP shall repackage all hazardous waste into containers that are in good condition and are securely closed.	Maintenance Facilities	D	Compliance with the CD may be obtained by developing and implementing waste management plans that include a requirement for weekly inspections and appropriate containerization. The weekly inspection requirement will be specified in the programmatic Environmental Compliance Program Plan and containerization requirements will be specified in the Waste Management Plan. Both requirements will be specified in the Waste and Debris Cleanup Plan for cleanup, the Remediation Plan for soil excavation and removal, and site-specific construction or repair work plans as applicable.	ECPP WMP	I II IV

DEFINITIONS OF ACRONYMS

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 CIP Capital Improvement Program

TABLE 2: CONSENT DECREE COMPLIANCE MATRIX

PARAGRAPH	CONSENT DECREE REQUIREMENT	PRINCIPAL AFFECTED LOCATION	COMPLIANCE CATEGORY (See Section 7)	RECOMMENDED STRATEGIES TO ACHIEVE COMPLIANCE	PRINCIPAL GOVERNING DOCUMENT	CEQA CATEGORY (See Section 6)
19	The waste (approximately 6500 gallons) stored in a railcar at the Willits Facility shall be transported offsite to an authorized facility within 60 days of execution of this Consent Decree and the manifest, if any, used for this, shipment shall be provided to DTSC's Berkeley office within 10 days of shipment offsite. This railcar shall be decontaminated and any rinsewater generated during decontamination shall be managed as hazardous waste, unless NCRA/NWP has determined that it is not hazardous waste pursuant to the procedures in Section 66262.11 of Title 22. All waste stored in 55-gallon drums located at the Willits Facility shall be transported offsite to an authorized facility within 30 days of execution of this Consent Decree and the manifest used for the shipment, if any, shall be provided to DTSC's Berkeley office within 10 days of shipment offsite. If manifests are not used for the offsite transport of the wastes referred to in this paragraph, NCRA/NWP shall submit documentation to DTSC's Berkeley office within 10 days of shipment offsite. If manifests are not used for the offsite transport of the wastes referred to in this paragraph, NCRA/NWP shall submit documentation to STSC's Berkeley office within 10 days of the offsite shipments supporting the determination that the wastes were not hazardous.	Willits Maintenance Facility	D	Compliance with the CD may be obtained by developing and successfully implementing the Waste and debris Cleanup.	WDCP	I
20	For all wastes generated by NCRA/NWP, NCRA/NWP shall determine if the waste is hazardous waste in accordance with Section 66266.11 of Title 22. All wastes determined to be hazardous wastes, and all used oil, that is accumulated and/or stored by NCRA/NWP in drums or containers, shall be transported offsite to an authorized location, within the time limits set forth in Section 66262.34 of Title 22. Until December 31, 2000, NCRA/NWP shall provide copies of all manifests used for offsite shipments of hazardous waste, and all bills of lading for offsite shipments of used oil and/or waste oil, to DTSC's Berkeley office within 10 days of the shipments.	Maintenance Facilities	D	Compliance with the CD may be obtained by 1) developing and successfully implementing planning documents that address the requirements of this paragraph, and 2) disposing of stored wastes. Proper procedures to remove existing waste will be specified in the Waste and Debris Cleanup Plan. Proper storage, handling, and disposal of waste during rail operations will be specified in the Waste Management Plan and the Hazardous Materials Management Plan for each storage site. Testing and transportation requirements for existing waste will be specified in the Waste and Debris Cleanup Plan. Testing and transportation requirements during operations will be specified in the Waste Management Plan. Testing, handling, and disposal procedures during remediation will be specified in the Remediation Plan..	WDCP WMP	I II IV
21	All hazardous waste generated by NCRA/NWP shall be accumulated and stored in compliance with Section 66262.34 of Title 22 and shall be stored and/or offered for transportation in containers that comply with Department of Transportation regulations at Title 49, Code of Federal Regulations, Part 178.	Maintenance Facilities	D	Compliance with the CD may be obtained by developing and successfully implementing planning documents that address the requirements of this paragraph. Containerization and storage requirements will be specified in the Waste and Debris Cleanup Plan for cleanup operations, Hazardous Waste Management Plan for rail operations; and the Remediation Plan for soil removal..	WDCP WMP	I II IV
22	NCRA/NWP shall comply with the following requirements within 90 days of execution of this Consent Decree: (a) provide training to all employees involved in the management or handling of hazardous wastes to as required by Section 66265.15(a) of Title 22 and (b) maintain records of all required employee training as required by Section 66265.15(d) (4) of Title 22; (c) provide a complete list of the job titles, job description, job duties and required training for all employees who manage or handle hazardous waste as required by Section 66265.15(d)(1), (2) and (3) of Title 22, and the name of individual assigned to each position. NCRA/NWP shall provide an annual review of the training provided to the employees who manage or handle hazardous waste as required by Section 66265.15(c). The individuals in charge of NCRA/NWP's environmental compliance at the Willits maintenance facility and the Eureka maintenance facility, shall comply with the above requirements by attending Modules 1 through 4 of the California Compliance School given by the California Community Colleges Foundation.	Willits and Eureka Maintenance facilities; Other Maintenance Facilities as Required	D	Compliance with the CD may be obtained by developing and successfully implementing a programmatic Environmental Compliance Program Plan specifying the organization structure of hazardous waste management, job titles and descriptions, training requirements, documentation, record keeping, and annual review requirements. In addition, the individuals in charge of NCRA/NWP's environmental compliance at the Willits maintenance facility and the Eureka maintenance facility (and any other manager as appropriate) shall attend Modules 1 through 4 of the California Compliance School given by the California Community Colleges Foundation. In addition, all contracted personnel handling hazardous waste during cleanup, remediation, construction or repair activities shall be trained and managed in accordance with the requirements specified in paragraph 22.	ECPP	I II IV
23	NCRA/NWP shall not conduct treatment of hazardous wastes without authorization as required by Health and Safety Code Section 25201(a).	Maintenance facilities	C-1 C-3	Compliance with the CD may be obtained by developing and successfully implementing waste management plans that describe proper handling of waste, including a ban on non-permitted treatment. These procedures shall be included in a Waste and Debris Cleanup Plan for cleanup activities, a Waste Management Plan for operations, and site-specific work plans for remediation, construction, or repair.	WDCP WMP	I II IV

DEFINITIONS OF ACRONYMS

WMP Waste Management Plan
 HMMP Hazardous Materials Management Plan
 GECP Grading and Erosion Control Plan
 WDCP Waste and Debris Cleanup Plan

FOMP Flange Oiler Management Plan
 ECPP Environmental Compliance Program Plan
 SPCC Spill Prevention, Control, and Countermeasures Plan
 SWPPP Storm Water Pollution Prevention Plan

MRP Monitoring and Reporting Plan
 SCP Site Characterization Plan
 RP Remediation Plan
 CIP Capital Improvement Program

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PARAGRAPH	CONSENT DECREE REQUIREMENT	PRINCIPAL AFFECTED LOCATION	COMPLIANCE CATEGORY (See Section 7)	RECOMMENDED STRATEGIES TO ACHIEVE COMPLIANCE	PRINCIPAL GOVERNING DOCUMENT	CEQA CATEGORY (See Section 6)
24	NCRA/NWP shall comply with the following requirements within 90 days of execution of this Consent Decree: (a) provide DTSC with a copy of its contingency plan and/or other substitute documents relied on to comply with Section 66265.51(a) and 66265.52 Title 22; (b) notify DTSC of the locations where copies of the contingency plan and/or substitute documents are maintained as required by Section 66265.53(a) Title 22 and (c) document compliance with Section 66265.53(b) of Title 22.	Maintenance facilities	D	Compliance with the CD may be obtained by developing and successfully implementing a Contingency Plan, and notifying DTSC of its location as required by regulation. The maintenance and notification requirements may be specified in the programmatic Environmental Compliance Program Plan. The terms of this paragraph shall be met by, upon approval by DTSC, including adequate contingency planning in other plans such as the Spill Prevention, Control, and Countermeasures Plans or other appropriate documents.	CP ECPP	I II IV
25	The contingency plan or substitute documents for NCRA/NWP must address potential fires, explosions, and unplanned releases of hazardous waste or hazardous waste constituents at all locations where NCRA/NWP generates or stores hazardous wastes, including but not limited to waste fuels, used oil, lubricants, solvents, and/or batteries. The contingency plan shall include a listing of all emergency equipment that NCRA/NWP provides as required by Section 66265.32 of Title 22, and shall state the location(s) of all such emergency equipment.	Maintenance facilities	D	Compliance with the CD may be obtained by including all of the items specified in Paragraph 25 into the Contingency Plan.	CP	I II IV
26	NCRA/NWP shall give the immediate notification required by Section 66265.56(d)(2) of Title 22 to the State Office of Emergency Services of any fire, explosion, or release of hazardous waste or hazardous waste constituents that threatens to enter any creek, river or other waters of the State. NCRA/NWP shall submit a written report on the incident to DTSC as required by Section 66265.56(j) of Title 22 whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents that threatens to enter any creek, river or waters of the State and to the compliance monitor.	Maintenance Facilities	C-1	Compliance with the CD may be obtained by developing and successfully implementing a Contingency Plan or substitute document that contains requirements for all items specified in Paragraph 26.	CP	I II IV
27	Within 30 days of execution of this Consent Decree, (1) all tanks or containers used by NCRA/NWP for oil and/or fuel storage, and (2) all tanks or containers used by NCRA/NWP to store hazardous waste, shall be locked, fenced or otherwise secured to prevent unauthorized access.	Maintenance Facilities	D	Compliance with the CD may be obtained by fencing and securing sites where security is not adequate, specifically Island Mountain and Fort Seward.	WDCP WMP	I IV
28	NCRA/NWP shall immediately apply for an Identification Number pursuant to section 66262.12 of Title 22.	Maintenance Facilities	D	Compliance may be obtained by 1) applying for temporary project-specific EPA numbers prior to removal of containerized waste, and another when soil remediation begins; 2) Obtaining one or multiple permanent EPA numbers before NCRA begins accumulating or generating new waste.	ECPP	I II III IV
29 - 31	<i>Spill Prevention and Storm Water Management</i>					
29	Within 60 days of execution of this Consent Decree, NCRA/NWP shall submit to the Regional Board a revised Spill Prevention, Control, and Countermeasure Plan ("SPCC Plan") for the Willits Facility that complies with Part 112 of Title 40 of the CFRs, including but not limited to the following specific modifications and/or additions: (a) plans to relocate the aboveground storage tank or take other action to provide access for corrective action for past spills to soils under and in the immediate vicinity of the tank (b) increased security measures for the facility, (c) vandalism protection for the aboveground tank, including complete exclusion fencing with barbed/razor wire for the tank, and security for all valving, (d) provisions for secondary containment of potential spills during fueling of locomotives and during transfer of fuel into onsite storage tank(s) and prevention of discharge from the secondary containment, and (e) a detailed oil spill prevention personnel training program. The Regional Board shall review and approve the SPCC Plan, or notify NCRA/NWP in writing of modifications and/or additions that are required for the Regional Board to accept SPCC Plan. NCRA/NWP shall make the modifications and/or changes to the workplan that the Regional Board requires. Within 30 days of the Regional Board's approval of the revised SPC Plan for the WILLITS FACILITY, NCRA/NWP shall provide a written report to the Regional Board that documents that the NCRA/NWP is in continuous compliance with its SPCC Plan for the WILLITS FACILITY.	Willits Maintenance Facility; Facilities Where AST's Will Be Located	D	Compliance may be obtained when SPCC's are implemented for AST's constructed for future operations. It appears that the pre-existing AST's at the maintenance facilities have been decommissioned, and SPCC's are not appropriate at this time,	SPCC	IV
30	Within 60 days of execution of this Consent Decree, NCRA/NWP shall submit to the Regional Board a revised Storm Water Pollution Prevention Plan (SWPPP) for the Willits Facility that complies with State Water Resources Control Board Order No. DWQ - 97-03, including but not limited to the following specific modifications and/or additions: (1) employee training program in pollution prevention and implementation	Willits Maintenance Facility;	D	Compliance may be obtained by 1) submitting and implementing a pre-construction SWPPP for Willits, 2) developing a construction SWPPP for repair and construction activities, and 3) an industrial SWPPP for rail	SWPPP	I IV

DEFINITIONS OF ACRONYMS

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GECP	Grading and Erosion Control Plan	SPCC	Spill Prevention, Control, and Countermeasures Plan	RP	Remediation Plan
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	of best management practices, (2) identification of control areas for all equipment maintenance and repair activities and identification of waste handling measures within control areas, and (3) permanent elimination of discharge conduits to surface streams or storm drains from within control areas. The Regional Board shall review and approve the SWPPP, or notify NCRA/NWP in writing of modifications and/or additions that are required for the Regional Board to accept the SWPPP. NCRA/NWP shall make the modifications and/or changes to the workplan that the Regional Board requires. Within 30 days of the Regional Board's approval of the revised SWPPP for the WILLITS FACILITY, NCRA/NWP shall provide a written report to the Regional Board that documents that the NCRA/NWP is in continuous compliance with its SWPPP for the WILLITS FACILITY.	Other Facilities and Rail Line Where Required by Regulation		operations.		
31	Within 30 days of initiation of rail service at the Eureka Facility, NCRA/NWP shall provide a written report to the Regional Board that documents that the NCRA/NWP is in continuous compliance with its SWPPP for the Eureka Facility.	Eureka Maintenance Facility; Other Facilities and Rail Line Where required by Regulation	D	Compliance may be obtained after documentation is produced within 30 days of rail service verifying that the Eureka SWPPP has been successfully implemented.	ECPP	IV
32 - 33	<i>Waste Discharge Requirements and Monitoring and Reporting Program</i>					
32	Until the Regional Board adopts new waste discharge requirements that expressly supersede Waste Discharge Requirements Order No. 92-128, NCRA/NWP shall comply with the Waste Discharge Requirements Order No. 92-128, attached hereto as Exhibit A including but not limited to the requirement contained in Prohibition A.1 to A.6, until the Regional Board adopts new waste discharge requirements that expressly supersede Waste Discharge Requirements Order No. 92-128. Notwithstanding the Regional Board's Discharge prohibition A.6, which allows discharge of soil, silt, or other earthen material to any stream or watercourse in the basin if necessary to correct right-of-way damage that is preventing safe passage of trains, NCRA/NWP may not discharge such materials if such an act would violate Prohibitions A.1 to A.5 or any other prohibitions or requirements contained in Order No. 92-128 or any other provisions of this Consent Decree. For purposes of enforcing any Waste Discharges Requirement, no discharge shall occur in reliance on Prohibition A.6 during routine line maintenance activities, or to repair rail lines that have been closed to safe passage of trains for greater than 7 days, and NCRA/NWP shall have the burden of establishing that there were no reasonable alternatives to any such discharge of soil, silt, or other earthen material to any stream or watercourse. An exception to the requirement contained in Prohibition A.6 can be made for right-of-way improvements approved in writing by the Executive Office of the Regional Board. Any such exception remains subject to all relevant DFG requirements. NCRA/NWP shall comply with any future waste discharge requirements lawfully adopted for NCRA/NWP by the Regional Board. This Paragraph does not modify or affect Paragraphs 5 or 6 of this Consent Decree or any other general authorizations or conditions issued in advance by DFG pursuant to Fish and Game Code § 1601 (f) to NCRA/NWP, its operators or contractors, for immediate emergency work necessary to protect life or property.	Rail line	C-2	Compliance with the CD may be obtained by developing and successfully implementing plans to meet the requirements of this paragraph. Controls designed to meet the provisions in Order 92-128 will be specified in the construction Storm Water Pollution and Control Plan for sites with potential impacts. Adherence to these Orders by contractors will be assured by contractual agreement. Administrative control will be provided by NCRA through requirements specified in the programmatic Environmental Compliance Program Plan.	ECPP SWPPP	I II III IV
33	Until the Regional Board adopts new monitoring and reporting programs that expressly supersedes Monitoring and Reporting Program No. 92-128, NCRA/NWP shall comply with Monitoring and Reporting Program No. 92-128 attached hereto as Exhibit B, including but not limited to the requirements that: (a) NCRA/NWP submit monthly reports to the Regional Board, by the 15th day of the following month, identifying when it has determined that right-of-way damage is preventing safe passage of trains and expeditious restoration of service cannot be accomplished except by discharging waste earthen material to watercourses, steep slopes immediately adjacent to watercourses, and (b) when earthen materials are discharged to flowing water, NCRA/NWP shall measure and record turbidity during each day that discharge occurs, in the manner set forth in Monitoring and Reporting Program No. 92-128. NCRA/NWP shall comply with any future monitoring and reporting program lawfully adopted for NCRA/NWP by the Regional Board.	Rail Line	D	Compliance with the CD may be obtained by developing and successfully implementing plans to meet the requirements of this paragraph. Sampling protocol will be specified in the Monitoring and Reporting Program for sites with potential impacts. Adherence to these Orders by contractors will be assured by contractual agreement. Administrative control will be provided by NCRA through requirements specified in the programmatic Environmental Compliance Program Plan.	MRP	I II III IV

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34 - 35	<i>Willits Cleanup and Abatement Order No. 97-47 and Associated Monitoring and Reporting Programs</i>					
34	By September 1, 1999, NCRA/NWP shall submit the workplan to the Regional Board required by section C of Cleanup an Abatement Order No. 97-129 (pages 5-6). With respect to cleanup and abatement activities required by sections A and B of Order No. 97-129, the workplan shall include, but not be limited to, the method used to survey the complete rail line for existing and threatened discharges of waste earthen materials and non-earthen materials discharged to, or deposited where they may enter into, waters of the state; the results of the survey; feasible alternatives for cleaning up and abating those discharges and threatened discharges; and proposed selected alternatives for cleaning up and abating those discharges and threatened discharges. The workplan shall include a schedule for implementation of the proposed actions that provides for all actions to be completed within 12 months after approval of the workplan by the Regional Board. The Regional Board shall review and approve the workplan, or notify NCRA/NWP in writing of modifications and/or additions that are required for the Regional Board to accept the workplan. NCRA/NWP shall make the modifications and/or changes to the workplan that the Regional Board requires. NCRA/NWP shall begin implementation of the plan within 30 days of approval and shall complete implementations of the workplan pursuant to the schedule contained in the workplan but in no case later than 12 months after approval. Extensions of time to implement specific actions may be granted by the Regional Board if rail line closures preclude access necessary to conduct those actions.	Rail line	D	Compliance with the CD may be obtained by developing and successfully implementing several plans that address the provisions of Cleanup and Abatement Order No. 97-129. As specified in this report, the Environmental Site Assessments will inventory the location of ties, drums, canisters, and other solid waste, as well as identify potential locations of soil and groundwater contamination. The Site Characterization Plans will specify where borings will be located and analytical methods used. The Feasibility Study will compare and select the preferred alternative. Waste and Debris Cleanup Plan will specify procedures to remove solid waste. The earthen material threats will be abated during the repair of the rail line, as specified in the construction Storm Water Pollution and Prevention Plan.	ESA SCP FS WDCP	I II
35	Within 60 days after execution of this Consent Decree, NCRA/NWP shall submit to the Regional Board the monitoring and reporting program required by section D of Cleanup and Abatement Order No. 97-129 (page 6). The Regional Board will review the monitoring and reporting program and approve it, or notify NCRA/NWP in writing of modifications and/or additions that are required for the Regional Board to approve it. NCRA/NWP shall make the modifications and/or changes to the monitoring and reporting program that the Regional Board requires. NCRA/NWP shall begin implementation of the monitoring and reporting program within 30 days of approval. The monitoring and reporting program required by this paragraph is in addition to Monitoring and Reporting Program No. 92-128.	Rail Line	D	Compliance may be obtained by submitting a Monitoring and Reporting Program for construction activities that may threaten the Eel River through the discharge of earthen materials, as required by paragraph 35.	MRP	IV
36	NCRA/NWP shall promptly send to the compliance monitor discussed in paragraph 50 below, all documentation that demonstrates that NCRA/NWP has complied with the requirements of paragraphs 4 through 35 of this Consent Decree.	Rail Line	D	Compliance with the CD will be obtained by regularly communicating with the Compliance Officer, submitting all relevant documents, and receiving sign-off on completed actions. The notification program will be specified in the programmatic Environmental Compliance Program Plan.	ECPP	I II III IV
37	Fish and Game Code Sections 5901 and/or 5948 prohibit barriers to fish passing up and down stream in streams of the State. Barriers to fish passing up and down stream in the Eel River and/or tributaries of the Eel River, as a result of NCRA/NWP facilities, have been identified at Bridge Creek (RRM 243.38). NCRA/NWP shall continue to apply to DFG for grants from the Salmon and Steelhead Trout Restoration Account to help fund actions that are necessary to eliminate barriers to fish migration at the Bridge Creek location. If funding is not granted or is not adequate, NCRA/NWP shall apply for additional grants in subsequent years and/or shall seek alternative funding sources. The Compliance Monitor and/or DFG may inspect the work required under this paragraph and notify NCRA/NWP the work was satisfactorily performed, or whether additional work and/or modifications are required to achieve the goals of the project. NCRA/NWP shall perform the additional work and/or modifications within 30 days of receiving such notification from DFG and/or Compliance Monitor.	N/A	A	Compliance with the CD shall be met by continuing to apply to DFG for grants from the Salmon and Steelhead Trout Restoration Account, and seek additional grants or alternative funding sources in subsequent years. The conditions specified in Paragraph 37 will likely be conducted by the Capital Improvements Team and NCRA staff in conjunction with DFG.	N/A	IV
38 -39	<i>Willits Cleanup and Abatement Order No. 97-47 and Associated Monitoring and Reporting Programs</i>					

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38	DFG, DTSC and the Regional Board allege that numerous spills and releases of used oil, waste fuel, battery acid and/or other hazardous substances to soil and/or groundwater have occurred at the NCRA maintenance facility in Willits ("the Willits Facility"). The Regional Board issued Cleanup and Abatement Order No. 97-47 on April 29, 1997 to NCRA and Southern Pacific Railroad Company requiring, among other things, investigation of the complete horizontal and vertical extent of soil and groundwater contamination at the Willits Facility and interim cleanup measures. Union Pacific Railroad Company ("Union Pacific"), following its acquisition of Southern Pacific Railroad Company, has taken some action to comply with the Cleanup and Abatement Order, and DTSC and DFG are informed that Union Pacific is proceeding with further actions that are required to comply with the Order.	Willits Maintenance Facility; Other Facilities and Rail Line Where required by Regulation	N/A	Compliance may be obtained by developing and implementing several plans and activities designed to meet the objectives of Cleanup and Abatement Order No. 97-47. These include a plan for controlling waste during operations (to be addressed in the Waste Management Plan), inventory of wastes for reconciliation of disposal quantities (WMP), preparation of a Spill Prevention Control and Countermeasures Plan for an AST (required if the removed AST is replaced), preparation of a Storm Water Pollution and Prevention Plan, a workplan for the cleanup of the concrete sump (addressed in the Remediation Plan), management plans for the storage, handling, and disposal of waste (WMP), and investigation of potential soil and groundwater contamination at the site (addressed in the Site Characterization Plan), and cleanup of soil and water resources (addressed in the Remediation Plan).	WDCP WMP SPCC SWPPP ESA SCP RP	III
39	In the event that Union Pacific and/or NCRA/NWP do not complete all actions required to ensure compliance with the Consent Decree and minimization of risk to public health, safety or the environment from spills and releases of used oil, waste fuels, battery acid or other hazardous substances at the Willits Facility, DTSC, DFG and the Regional Board reserve all rights under all applicable laws and regulations, including, but not limited to, the right to obtain injunctive relief requiring NCRA/NWP to conduct the actions referred to above and the right to recover the costs of conducting or overseeing such actions, regardless of whether or not the spills and/or releases at issue are included in the allegations of the Complaint in this matter. Union Pacific and NCRA/NWP reserve their right to dispute any costs claimed.	N/A	N/A	N/A	N/A	N/A
40 - 49	<i>Site Characterization and Remediation Plan for <u>Island Mountain</u></i>					
40	Sampling and analysis of soil at the site, to the depth of groundwater, should be conducted to define the lateral and vertical extent and concentration of any contamination originating at each of the following areas: a) each location where samples were collected from soil by DTSC during its inspection on April 22, 1997. These locations are identified in the "Sampling Inspection Report" dated June 27, 1997, attached as Exhibit D. b) any areas where visible contamination, staining or identifiable hydrocarbon sheens are present; c) any areas where noticeable hydrocarbon odors are present; d) any areas where previous spills or releases of used oil, waste fuel, battery acid, or other hazardous substances occurred, including areas that were covered with blank or plywood or other materials.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by developing and implementing several plans and actions designed to characterize soil and groundwater at maintenance facilities. The Environmental Site Assessment will identify potential locations of soil and groundwater contamination. The Site Characterization Plan will specify where borings will be located and analytical methods used.	ESA SCP	III
41	All contaminated equipment at the site, including but not limited to dumpsters, drums, other containers and/or buildings, shall be either a) decontaminated, and assurance samples collected and analyzed to demonstrate the effectiveness of the decontamination procedures; or b) removed from the site and disposed of as a hazardous waste at a facility authorized by DTSC.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by developing and implementing several plans and actions designed to meet the objectives of paragraph 41. The Environmental Site Assessment will inventory the location of contaminated equipment. The Waste and Debris Cleanup Plan will specify procedures to decontaminate equipment. Compliance with Paragraph 41 will be obtained once decontamination has been documented.	ESA WDCP	III
42	All samples shall be analyzed for total metals, petroleum hydrocarbons, diesel, motor oil, and semi-volatile organics.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by analyzing soil and groundwater for the specified contaminants of concern. The Site Characterization Plan will specify the analytical requirements for soil and groundwater testing.	SCP	III
43	The Characterization Plan shall include the following: a) identification of the sampling locations; b) quality assurance and quality control measures to be used during sampling; c) use of chain of custody documentation; d) identification of the methods of sample collection; e) identification of methods of preservation to be used for each sample; f) use of a certified laboratory for all analytical work; g) all sample collection and handling procedures for soil samples and groundwater samples shall comply with the procedures in the Standard Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods (SW-846); h) all contractors implementing the site characterization and remediation must have the Hazardous Substances Removal and Remedial Actions Certification issued under Business and Professions Code Section 7059.7.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by developing and following the Site Characterization Plan, which will include all of the items specified in Paragraph 43.	SCP	III

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44	Within 30 days of receipt of the Plan, DTSC shall provide written approval or approval conditioned on modifications to the Plan identified by DTSC. DTSC may require additional sample locations that are required to comply with paragraph 36 above. NCRA/NWP shall notify DTSC ten days in advance of the dates on which sampling will be done. One or more DTSC employees may observe the sampling and may request that samples are taken at any additional locations where they may determine sampling is required under paragraph 35 above and NCRA/NWP shall comply with this request. The sampling shall be done within 60 days of DTSC's approval of the Characterization Plan.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by adhering to the requirements of Paragraph 44. These requirements will be specified in the Site Characterization Plans.	SCP	III
45	Within 60 days of the date the analytical results of the samples collected under the Characterization Plan are received by the NCRA/NWP, should any contamination of the surrounding areas or groundwater be found, NCRA/NWP shall develop and submit to the Department for approval a plan for remediation of the identified contamination. The remediation Plan shall include the following: a) field sampling, chain of custody documents, copies of all data from analysis of the samples taken at the site and a summary of the data; b) measures to remediate all confirmed soil contamination to a level that will protect human health and the environment; c) assurance sampling and analysis that will confirm the completion of the remediation pursuant to the approved Remediation Plan. The assurance sampling shall meet the requirements set forth in paragraph 43; d) preparation of a Remediation Report for submittal to the Department. The Remediation Report shall include the following: (1) copies of all assurance sampling field data; (2) the laboratory results including QA/QC documenting that remediation to the levels approved by the Department has been achieved; (3) copies of all signed manifests for removal of all hazardous wastes and contaminated equipment, soils, waters, or debris; and (4) certifications, by NCRA/NWP and a registered professional engineer that the remediation has been completed in accordance with the approved Remediation Plan.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by specifying all items included in Paragraph 45 in the Remediation Plan.	RP	III
46	Within 30 days of receipt of approval of the Remediation Plan by the Department, NCRA/NWP shall begin implementing the onsite remediation activities. All remediation activities shall be performed according to the approved schedule in the approved Remediation Plan.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by completing remediation activities as specified in the approved Remediation Plan.	RP	III
47	Within 30 days of the completion of the remediation activities, NCRA/NWP shall collect the assurance samples required by the approved Remediation Plan	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by conducting Quality Assurance sampling in conformance with the Remediation Plan.	RP	III
48	Within 30 days of the receipt of the analytical results from the assurance sampling, NCRA/NWP shall submit the Remediation Report to DTSC.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by submitting the Remediation Report to the State Agencies.	RP	III
49	The Island Mountain Site Characterization Plan and the Island Mountain Remediation Plan shall include the following: a) a timeline showing the anticipated time for the start and completion of the specific activities; b) a health and safety plan; c) the names, addresses and EPA ID number if applicable, for any consultant or contractor involved in the sampling or remediation activities; d) the names, addresses and EPA ID numbers of any registered haulers used for the transport of any hazardous wastes, contaminated equipment, soils, waters or debris from the site; e) the names, addresses and EPA ID numbers of any facility to which hazardous wastes, contaminated equipment, soils, waters or debris will be transported for either treatment or disposal; and f) the names and training for any individuals involved in implementing the Plans.	Island Mountain; Other Facilities and Rail Line as Required	D	Compliance may be obtained by including into the Site Characterization Plans and Remediation Plans the items specified in Paragraph 49.	SCP RP	III

DEFINITIONS OF ACRONYMS

WMP Waste Management Plan
 HMMP Hazardous Materials Management Plan
 GECP Grading and Erosion Control Plan
 WDCP Waste and Debris Cleanup Plan

FOMP Flange Oiler Management Plan
 ECPP Environmental Compliance Program Plan
 SPCC Spill Prevention, Control, and Countermeasures Plan
 SWPPP Storm Water Pollution Prevention Plan

MRP Monitoring and Reporting Plan
 SCP Site Characterization Plan
 RP Remediation Plan
 CIP Capital Improvement Program

