



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

RECEIVED  
FILED



2004 JUN 17 AM 8:46

IDAHO PUBLIC  
UTILITIES COMMISSION

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2648 • (208) 769-1422

Dirk Kempthorne, Governor  
C. Stephen Allred, Director

June 15, 2004

Ron Law, Executive Administrator  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, Idaho 83720-0074

Subject: Proposed Union Pacific Railroad Abandonment.

Dear Mr. Law:

This letter is in response to the Idaho Public Utilities Commission's notice concerning abandonment of the Coeur d'Alene Industrial Lead from milepost 2.25 Feeley Spur to milepost 7.5 near Gibbs, Idaho. At its eastern terminus the rail line flanks the Spokane River for approximately a mile. The rail line passes by residential neighborhoods, schools and parks in western Coeur d'Alene. It is readily accessible to the public. After discussions with long time residents of the Coeur d'Alene area, our understanding is that the line primarily carried forest products to and from lumber mills. Petroleum products were transported to heating oil distributors and an asphalt plant. Creosote from treated ties is a contaminant known to exist along the railroad bed. Herbicides, used in vegetation control and spilled petroleum product are potential contaminants in the rail corridor as well.

The Department of Environmental Quality (DEQ) is not aware of any large releases of hazardous materials along the rail line. Based on the potential contaminants of petroleum products, the long history of line operation and our experience with other rail line abandonment projects, DEQ requests a reconnaissance assessment of the rail bed and adjacent right of way over its length. The assessment should inventory any areas with discolored soils or devoid of vegetation for no apparent reason. The extent of these areas should be mapped. Any areas inventoried should undergo soil testing using a defensible sampling design to establish the nature of any contamination, its extent, and maximum concentration values. The type of contamination suspected at any particular site should dictate the constituents sampled and assessed. A diesel extended TPH analysis (Method # SW8015 modified) may be indicated given the fact that heavy petroleum products were carried over the line.

Since the line is known to have creosote contamination on its bed and it is easily accessed from the populated areas it passes, additional testing and assessment should be completed to assure that no public health issues exist. A scientifically supportable random sampling of the grade and right of way should be completed to establish the surface and near surface (12 inches) concentrations of creosote and herbicides. These data should be subjected to a risk based assessment protocol that should guide grade closure alternatives protective of human health and the environment.

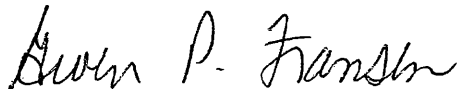
Ron Law, Executive Administrator  
June 15, 2004  
Page 2

There is a short section of the rail grade situated along the Spokane River. Any abandonment activities such as rails and ties removal should apply best management practices (BMPs) designed to protect the river from nonpoint source pollution. Once installed these BMPs should be inspected on a regular basis and enhanced if not achieving the desired control of runoff and nonpoint source pollution.

Any area used to temporarily store and/or treat salvaged rails and ties should be situated well away from the river. It should be adequately fenced to restrict public access. Any temporary storage and/or treatment facility situated any place along the rail line will be over the Rathdrum Prairie-Spokane Valley Aquifer, a sole drinking water source for 450,000 residents of the region. Local critical materials regulations (IDAPA 41.01.01.400) designed for aquifer protection will apply to any associated chemical storage at a storage and/or treatment site. Groundwater protection is required by the Idaho Groundwater Rule (IDAPA 58.01.11). Primary and secondary impermeable layers for containment of drainage generated from precipitation on stored rails and ties would be warranted. Adequate measures to collect, isolate and treat any accumulating liquids should be in place. Should tie washing be contemplated on such a site, liquid waste minimization measures would be required in addition to a liquids removal or treatment plan. RCRA regulations may apply, dependent on any wastes generated.

If you have any questions concerning this response, please direct these to Kreg Beck at 208-769-1422 or [kbeck@deq.state.id.us](mailto:kbeck@deq.state.id.us).

Sincerely,



Gwen P. Fransen  
Regional Administrator

c: Surface Transportation Board, 1925 K St., NW, Washington, D.C. 20423-0001  
C. Stephen Allred, DEQ-State Office  
Kreg Beck, DEQ-Coeur d'Alene  
Richard Martindale, PHD-Coeur d'Alene  
Rand Wichman, Kootenai County Planning & Zoning