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SERVICE DATE – APRIL 4, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-541 (Sub-No. 1X)

PORTLAND & WESTERN RAILROAD, INC.—ABANDONMENT EXEMPTION—IN  
WASHINGTON COUNTY, OR

Decided: April 1, 2005

Portland & Western Railroad, Inc. (P&W), filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a portion of its line of railroad that extends from milepost 17.10 to milepost 20.05, near the City of Hillsboro, in Washington County, OR. Notice of the exemption was served and published in the Federal Register on March 4, 2005 (70 FR 10741). The exemption is scheduled to become effective on April 5, 2005.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in the proceeding on March 11, 2005. In the EA, SEA states that the Oregon Department of Environmental Quality, Northwest Region Gresham Office (ODEQ), has reviewed the information provided by P&W regarding the right-of-way proposed for abandonment against existing data bases and found no reported spills or releases of hazardous substances along the right-of-way. SEA indicates, however, that ODEQ does have concerns about leaching of hazardous substances from railroad ties, residual herbicides from vegetation suppression, and fuel drips from improperly maintained engines, and recommends that P&W hire an experienced environmental contractor to conduct an independent investigation and risk assessment along the rail line proposed for abandonment. SEA, therefore, recommends that a condition be placed on any decision granting abandonment authority, requiring P&W to contact ODEQ prior to commencement of any salvage activities on this project to address ODEQ's concerns about possible leaching of hazardous substances from railroad ties, residual herbicides from vegetation suppression, and fuel drips from improperly maintained engines.

Comments to the EA were due March 28, 2005. No comments were received by the due date. Accordingly, the environmental condition recommended by SEA in the EA will be imposed.

As conditioned, this decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the rail line described above is subject to the condition that P&W contact ODEQ prior to commencement of any salvage activities on this project to address ODEQ's concerns about possible leaching of hazardous substances from railroad ties, residual herbicides from vegetation suppression, and fuel drips from improperly maintained engines.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary