

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 196X)

UNION PACIFIC RAILROAD COMPANY–
ABANDONMENT EXEMPTION–IN LOS ANGELES COUNTY, CA

Decided: December 27, 2002

Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon the Lakewood Industrial Lead, a 0.85-mile rail line extending from milepost 16.50, near Cover Street, in Lakewood, to milepost 17.35 at the end of the line, south of Wardlow Street, in Long Beach, Los Angeles County, CA. Notice of the exemption was served and published in the Federal Register on November 27, 2002 (67 FR 71009-10). The exemption is scheduled to become effective on December 28, 2002.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on December 3, 2002. In the EA, SEA states that the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) has expressed a number of concerns related to potential hazardous wastes/materials contamination from current or historic activities on and in the vicinity of the right-of-way, and recommends four conditions to address these concerns. The conditions are: (1) UP shall consult with DTSC regarding any environmental investigations that are required by applicable Federal and state hazardous wastes/materials regulations before abandonment activities can be initiated; (2) UP shall cease abandonment activities and immediately consult with DTSC regarding remediation activities that are required by applicable Federal and state hazardous wastes/materials regulations if unknown hazardous wastes/materials or soil or groundwater contamination are encountered during abandonment activities; (3) UP shall consult with DTSC regarding any soil sampling requirements and soil disposal restrictions that are imposed by applicable Federal and state hazardous wastes/materials regulations if abandonment activities require soil excavation; and (4) UP shall consult with DTSC regarding any lead-based paint and asbestos-containing materials sampling and disposal requirements that are imposed by applicable Federal and state hazardous wastes/materials regulations if abandonment activities require the demolition of any building structure. For each of these conditions, SEA recommends imposing a requirement that UP report the results of any consultations to the Board.¹

¹ In addition to the four conditions, SEA initially recommended that UP be required to retain its

The four consultation conditions, including the reporting requirements, recommended by SEA will be imposed.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Upon reconsideration, the exemption of the abandonment of the line described above is subject to the consultation conditions and reporting requirements outlined above.
2. This decision is effective on its service date.

By the Board, Beryl Gordon, Acting Director, Office of Proceedings.

Vernon A. Williams
Secretary

¹(...continued)

interest in and take no steps to alter the historic integrity of the right-of-way until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA). In a letter dated November 4, 2002, the California Department of Parks and Recreation, Office of Historic Preservation concluded that the proposed abandonment would have no effect on historic properties. Therefore, SEA now states that there is no need to impose the historic preservation condition.