

**CITY OF LEWISTOWN**

**BRAD PARRISH**  
**LARRY PHILLIPS**  
 First Ward Commissioners

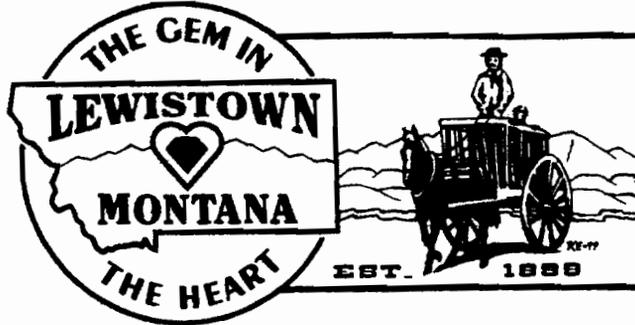
**DARRYL MCKENZIE**  
**PATTY TURK**  
 Second Ward Commissioners

**RICK POSS**  
**GARY LANDERS**  
 Third Ward Commissioners

**DAVE SATHER, JR.**  
 At-Large Commissioner

**KEVIN MYHRE**  
 City Manager

**MONTE BOETTGER**  
 City Attorney



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January 3, 2006

**NIKKI BRUMMOND**  
 Financial Officer

**JIM DANIELS**  
 Park and Recreation  
 Director

**KEVIN MYHRE**  
 Chief of Police

**WILLIAM D. RASH, JR.**  
 Fire Chief

**LEO KAPP**  
 Director of Public Works

**BRIDGETT JOHNSON**  
 Library Director

**DUANE FERDINAND**  
 Planning Director

Kenneth Blodgett  
 Surface Transportation Board  
 Case Control Unit  
 Washington, DC 20423

Docket No. AB-6 (Sub-No. 434X)

Dear Sir or Madam:

We offer the following comments regarding the environmental assessment pertaining to the above referenced docket number.

The U.S. Environmental Protection Agency, Region 8, completed a Phase I Environmental Site Assessment for Targeted Brownfields Assessment (TBA) for the RR Right of Way in Lewistown, Fergus County, Montana. The assessment was approved by the EPA on November 30, 2005. The City of Lewistown requested that EPA complete a Phase II assessment; however, the EPA was unable to obtain permission from the BNSF Railway Company to enter the RR ROW for the purpose of obtaining soil samples for analysis. As a result, only a Phase I assessment was accomplished.

The purpose of the Phase I assessment was to identify present, or likely to be present, hazardous substances or petroleum products that may present a material risk of harm to public health or the environment; review historical site data regarding site use and investigate activities that have been performed at and near the ROW; and to summarize issues on site that may require further investigation or action.

Visual examination of the RR ROW suggests that slag was used to raise the railroad grade. Slag often contains heavy metals. Testing would be necessary to determine if the slag is considered a hazardous substance. Creosote used in the RR ties is also a potential recognized environmental hazard if proper disposal is not followed. Other possible sources of contamination along the RR ROW include arsenic or other herbicides used for vegetation control, metals associated with oil or fuel leaks, coal ash from engines and other possible contaminants.

The Brewery Flats site, located south of the present abandonment request, was found to contain petroleum contaminants and heavy metals. This area is where the former Milwaukee Roundhouse was located along the railroad line to Heath. These tracks formerly connected to the tracks that are now proposed for abandonment. Through a combination of grants, the City of Lewistown has spent about \$750,000 toward the cleanup of the Brewery Flats site. It is likely that the same materials were used in the rail bed now being proposed for abandonment by the BNSF Railway Company. The environmental review makes no mention of the possible roadbed contaminants or possible contaminants from adjacent underground storage tanks or from other industrial uses.

Basically, it is unknown how much slag was used for the railroad bed or the presence and extent of other contaminants from illegal dumping, spills from cargo or fuel, or from storage areas along the railroad tracks. More information is required to determine if recognized environmental conditions exist at these sites.

Surface soil and the surface water pathways should be sampled to determine if contamination migration is occurring from the RR ROW. The City of Lewistown has a desire to redevelop the area as a utility corridor and pedestrian/biking path. Exposure from contamination, especially from slag, should be evaluated.

The map that accompanied the Phase I EA completed by the EPA shows many areas of observed stained soil, slag deposits, coal/ash, road tar, and dumped drums or other debris.

Thank you for the opportunity to comment.



Duane Ferdinand  
Planning Director