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**FAX**

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**TO Victoria Rutson, Chief  
Surface Transportation Board  
Section of Environmental Analysis**

**DATE 6/26/2006**

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**FROM Terri Miller  
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**MESSAGE**

Ecology Comments for Kettle Falls International Railway  
Abandonment Exemption Petition  
Docket No. AB-994 (Sub-No. 1X)



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 329-3400

June 26, 2006

Victoria Rutson, Chief  
Surface Transportation Board  
Section of Environmental Analysis  
1925 K. Street, N.W.  
Washington, DC 20423-0001

Dear Ms. Rutson:

Thank you for the opportunity to comment on the Kettle Falls International Railway Abandonment Exemption Proposal Docket No. AB-994 (Sub-No. 1X) (Proponent – Kettle Falls International Railway). The Department of Ecology has reviewed the documents and would like to submit the following comments:

Toxics Cleanup Program

There is no indication in the information provided as to what was shipped along this rail line. It looks like there was only one shipper who used the line but it does not identify the material that was shipped. This may be important since undoubtedly some material was spilled either in on-loading, off-loading and/or transport. From the information provided, we don't know if the material, once released could be an impact to the environment or not.

It is fairly common to find petroleum products released to soil along railroad trackage. There needs to be soil sampling conducted to determine if indeed there were releases and if the concentrations are such that soil needs to be cleaned up to meet state cleanup levels.

Hazardous Waste and Toxics Cleanup Program

The applicant must ensure all wastes generated from operations at this site are designated and managed in accordance with the Dangerous Waste Regulations, Chapter 173-303 WAC. Documentation of designation and proper management must be retained.

Wood waste from demolition work may be regulated dangerous waste due to pesticide treatment.

Treated wood waste and wood products are excluded by WAC 173-303-071(3)(g) of the Dangerous Waste Regulations under certain conditions. For more information on treated wood exclusion, see Ecology publication "Focus on Treated Wood Exclusion" at

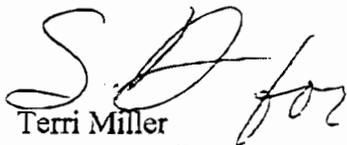


<http://www.ecy.wa.gov/pubs/0304038.pdf> or the Ecology Web site  
<http://www.ecy.wa.gov/programs/hwtr/demodebris/pages2/demowood.html>.

Shorelands and Environmental Assistance Program

Regardless if all work is performed within railroad right-of-way, any activity within 200' of the ordinary high water mark of a shoreline of the state or associated wetland, may be subject to permitting per the local Shoreline Master Program and the State Shoreline Management Act, Chapter 90.58 of the Revised Code of Washington (RCW). Also, work performed may be subject to the Ferry County Critical Area Ordinance adopted per the Washington State Growth Management Act. Please contact the Ferry County Planning Department for additional information.

Sincerely,



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Eastern Regional Office  
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cc: Mike Ogborn, Manaer, Kettle Falls Railway, LLC