



Oregon

Kate Brown, Governor

Department of Environmental Quality

Western Region Eugene Office

165 E. Seventh St.

Eugene, OR 97401

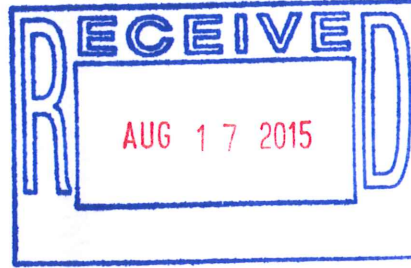
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Aug. 13, 2015

Mayor John Stromberg
City of Ashland
20 East Main St.
Ashland, OR 97520



Re: Ashland Rail Yard Cleanup - DEQ File No. 1146

Dear Mayor Stromberg:

Thank you for your Aug. 11 letter describing city concerns about cleanup actions recently proposed by Union Pacific for the Ashland Rail Yard. DEQ takes these concerns seriously and offers the following response to explain its position and authority for oversight of cleanup actions at the Ashland Rail Yard:

- Union Pacific agreed to undertake environmental investigations and cleanup with DEQ oversight under the terms of a Voluntary Cleanup Agreement executed in 1993. This agreement does not contemplate the use of DEQ's enforcement authority to demand a work schedule from UP because DEQ determined that the site poses a low environmental risk to human health and the environment in its vacant state.
- DEQ understands the city's concern about the use of trucks instead of railcars to transport contaminated soil offsite. Oregon environmental cleanup regulations require DEQ to favor the least costly cleanup method as long as it is effective and avoids additional environmental risks. DEQ believes that human health risks that may be associated with the use of trucks can be controlled to avoid worker and community exposure to hazardous substances. DEQ routinely reviews and approves such environmental controls on similar site cleanups across the state, and expects to do the same in this case if UP commits to taking specific measures to prevent dust, contaminated water, and equipment contamination. DEQ does not have the authority to regulate other impacts from cleanup actions such as noise, traffic, and pavement damage.
- DEQ is not aware of any active planning by UP for full site cleanup in the near future, and understands that current plans are for a limited site cleanup focused on one part of the property. DEQ has not yet received documentation of this plan from UP, but looks forward to reviewing it when available. DEQ's 2001 Record of Decision for the site allows for multiple phases of work to achieve cleanup objectives.

Please do not hesitate to contact me for further information or clarification needed by the city regarding this matter. After receiving a copy of the work plan for the proposed cleanup from UP, DEQ will discuss the merits of their proposal with the city and local citizens as needed.

Sincerely,

Michael E. Kucinski

Western Region Environmental Cleanup Program Manager

cc: Dave Kanner, City of Ashland Administrator
Kate Jackson and Greg Aitken, Oregon DEQ