

3.10 Hazardous Material Release Sites

This section describes the existing conditions and potential environmental impacts associated with hazardous material release sites under the Proposed Acquisition and the No-Action Alternative. If the Board were to authorize the Proposed Acquisition, activities related to planned capital improvements, such as extending existing passing sidings or adding new sidings, could impact soil or groundwater that have been contaminated by past releases (such as spills or leaks) of hazardous materials.

3.10.1 Approach

OEA used the following methods to identify hazardous material release sites and evaluate each site's potential to affect or be affected by planned capital improvements related to the Proposed Acquisition. OEA defined the study areas for hazardous material release sites as the area within a 500-foot buffer around the estimated construction footprint of each planned capital improvement. OEA then conducted a search for hazardous material release sites in the study areas. For the purposes of this analysis, a hazardous material release site is an area that has been affected by a documented release of hazardous material into soil, groundwater, surface water, sediments, and/or air. Hazardous materials are hazardous substances as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. § 103), including hazardous wastes. EPA defines hazardous waste as waste with properties that make it dangerous or potentially harmful to human health or the environment.

In order to search for documented releases of hazardous materials, OEA obtained environmental database reports from Environmental Data Resources, Inc. (EDR) to identify environmental database listings within the study areas. Descriptions of these different environmental databases are included in **Appendix L**. In addition, OEA conducted a review of the FRA database of train collision reports and incidents reported to the Pipeline and Hazardous Materials Safety Administration to identify recorded hazardous materials incidents within the study areas.

After identifying hazardous material release sites in the study areas, OEA evaluated whether construction of the planned capital improvements could potentially affect those hazardous material release sites, based on the available information about each site. OEA concluded that a capital improvement could result in potential impacts on a hazardous material release site if one or more of the following conditions were met:

- The construction activities would disturb properties where identified hazardous material sites had not achieved regulatory closure with the applicable state or federal agency.
- The construction activities would disturb hazardous material release sites where an existing land use restriction prohibited disturbing contamination that was left in place (for example, contaminated soil covered with asphalt, clean soil, or another barrier).
 - If insufficient documentation was available for a hazardous material release site (such as a rail-related spill of hazardous materials) to make conclusions about

potential impacts, OEA conservatively assumed that no remediation had occurred and that the hazardous materials might still be present at the site.

3.10.2 Affected Environment

All 25 planned capital improvements would be adjacent to existing track and within the existing ROW. Areas adjacent to railroad tracks sometimes contain contamination from spills or releases during rail operations. In many locations, rail lines are also surrounded by industrial operations where releases of hazardous materials have occurred, and it is possible that hazardous materials have migrated into the railroad ROW from those operations. **Table 3.10-1** below presents the number of hazardous material release sites that OEA identified in the study area for each planned capital improvement, based on OEA's search of available environmental databases. The table shows both the number of rail-related releases in the study area for each planned capital improvement and the number of properties in the study area with documented releases. Some properties in the study areas may have had multiple documented releases but are counted only once in the table.

3.10.3 Environmental Consequences

This subsection discusses the potential environmental impacts related to hazardous material release sites from the Proposed Acquisition and the No-Action Alternative.

3.10.3.1 Proposed Acquisition

Based on OEA's review of the planned locations of the capital improvements, environmental database listings, and reports of rail-related incidents, OEA concluded that five of the 25 planned capital improvements have the potential to impact hazardous material release sites (**Table 3.10-1**). These are the Camanche, Blue Valley, Ottumwa, Laredo, and Asbury capital improvements (see Appendix L for maps of each capital improvement). The Applicants would build the capital improvements only as needed to support future rail traffic. As a result, the Applicants have not yet completed engineering and design for the planned capital improvements and would not complete engineering and design until after the completion of the Proposed Acquisition's environmental review process. Therefore, the details and timing of construction activities are not known. However, OEA assumes that construction of the planned capital improvements would involve ground-disturbing activities that could encounter hazardous materials if such materials are present. The Applicants would have to comply with federal and state regulations prior to construction if there is the potential to disturb contaminated soil and properly dispose of it if present. Those regulations are designed to protect the environment and human health from hazardous material release sites.

The Camanche capital improvement is a planned extension of an existing siding near Camanche, Iowa. The Archer Daniels Midland Corn Processing Facility Industrial Waste Landfill built in the 1980s-1990s is in the vicinity of the planned capital improvement construction footprint.

Table 3.10-1. Hazardous Material Release Sites in Capital Improvement Study Areas

Name of Capital Improvement	State	County	Number of Properties with Releases in Study Area ¹	Number of Rail-Related Incidents in Study Area ²	Number of Sites with Potential for Impacts
MP 377	Arkansas	Polk	0	2	0
Chicago MP 75	Illinois	Ogle	0	7	0
MP 71	Iowa	Clayton	0	0	0
Deer Creek	Iowa	Clinton	0	0	0
Camanche	Iowa	Clinton	3	4	2
Letts	Iowa	Louisa	0	0	0
Moravia	Iowa	Monroe	0	1	0
MP 255	Iowa	Washington	0	0	0
MP 24	Iowa	Jackson	0	0	0
Ottumwa	Iowa	Wapello	0	1	1
Mansfield	Louisiana	De Soto Parish	0	0	0
Gentry	Arkansas	Benton	1	1	0
Loring	Louisiana	Sabine	0	2	0
Singer	Louisiana	Beauregard	1	2	0
Newtown	Missouri	Sullivan	0	1	0
MP 431	Missouri	Livingston	0	0	0
MP 186	Missouri	McDonald	0	3	0
Grandview/IFG	Missouri	Cass, Jackson	2	3	0
Blue Valley	Missouri	Jackson	6	19	3
Laredo	Missouri	Grundy	0	3	1
Asbury	Missouri	Jasper	1	1	1
MP 247	Oklahoma	Adair	0	0	0
Cave Springs	Oklahoma	Adair	0	2	0
Heavener	Oklahoma	Le Flore	1	9	0
Spiro	Oklahoma	Le Flore	0	4	0

- ¹ Hazardous material release sites were compiled by EDR Inc., from the databases listed in **Appendix L**. OEA collected location information from these listings from EDR and other sources.
- ² FRA incidents were determined using information derived from the Pipeline and Hazardous Materials Safety Administration and FRA online databases.
- ³ Sites with potential for impacts include: (1) releases for which remediation has not been completed that are located within or adjacent to the estimated construction footprint of the planned capital improvement, (2) locations where construction activities could disturb a contained release, and (3) locations where releases are known to have occurred but for which there is insufficient documentation to determine whether or not contamination could remain.

The May 2016 *Landfill Cap Improvement Plan* shows the approximate waste limits of the landfill as occurring beneath the railroad tracks and within the conceptual construction footprint of the siding extension. However, the landfill originated in the 1900s and its exact limits in relation to the ROW are unavailable. The railroad in this area predates the landfill since it was originally part of the Chicago, Milwaukee, St. Paul, and Pacific Railroad, which was built around the 1880s and 1890s. In addition, the Camanche siding extension would abut the Alliant Energy Generation Station, a coal-fired power plant, and contamination from the coal ash landfill at that power plant could be present within the conceptual construction footprint of the siding extension.

The Ottumwa capital improvement is a planned extension of an existing siding near Ottumwa, Iowa. OEA identified one rail-related incident that potentially occurred in June 1985 at the location of the planned siding extension (Incident ID I-1985060133), which resulted in spillage of acetic acid solution from a tank car due to a defective auxiliary valve on the tank car. Based on the limited documentation available for this incident, OEA conservatively concluded that residual amounts of acetic acid may be present within the estimated construction footprint of the Ottumwa siding extension.

The Blue Valley capital improvement would involve extending an existing siding in both directions in order to create an approximately 4-mile double track in the Blue Valley area of Kansas City, Missouri. OEA identified three properties with documented releases of hazardous materials near the Blue Valley capital improvement. These properties are the Kerr-McGee Chemical Corporation, Union Wire Rope, and the former General Motors Leeds Plant. It is possible that contamination from these properties has migrated into the estimated construction footprint of the capital improvement and could be encountered during construction activities.

The Laredo capital improvement is a planned extension of an existing siding near Laredo, Missouri. OEA identified one rail-related incident involving hazardous materials at this location. The incident (Incident ID I-2003060224) involved the release of approximately 200 gallons of argon caused by a loose valve. According to the incident report, the valve was closed to stop the release and no additional response actions were performed. Because argon is a gas at room temperature, OEA concludes that there is no potential to encounter residual hazardous material at the Laredo capital improvement location as a result of this incident. OEA also notes that argon is nontoxic and is not known to contribute to any long-term environmental effects in soil or water.

The Asbury capital improvement is a planned extension of an existing siding near Asbury, Missouri. This siding extension would be located within the Oronogo-Duenweg Mining Belt Superfund site, which encompasses approximately 270 square miles in Jasper and Newton counties in Missouri. According to documentation produced by EPA, cleanup activities in this Superfund site are ongoing. The Superfund site is divided into a number of distinct areas called Operable Units that each require specific cleanup actions. The Asbury siding extension is not located within any of the Operable Units associated with the Oronogo-Duenweg Mining Belt Superfund site. Therefore, OEA concludes that contamination related to the Superfund site is unlikely to be present in the estimated construction footprint of the siding extension.

Aside from the Camanche, Blue Valley, Ottumwa, and Asbury capital improvements, OEA concludes that the other 21 planned capital improvements would not affect or be affected by hazardous material release sites (see **Appendix L** for additional information).

3.10.3.2 No-Action Alternative

Under the No-Action Alternative, the Board would not authorize the Proposed Acquisition, and CP would not acquire KCS. The Applicants would not construct the 25 planned capital improvements associated with the Proposed Acquisition. Therefore, the potential impacts described above on hazardous material sites would not occur under the No-Action Alternative. In the absence of the Proposed Acquisition, however, CP or KCS could make capital improvements along their rail lines in the future without seeking Board authority if needed to support rail operations.

3.10.4 Conclusion

If the Board authorizes the Proposed Acquisition, the Applicants plan to make certain capital improvements in the existing railroad ROW. OEA identified hazardous material sites in the study areas for five of the 25 planned capital improvements and concluded that four capital improvements have the potential to impact hazardous material release sites. The Applicants would have to comply with federal and state regulations prior to construction if there is the potential to disturb contaminated soil and properly dispose of it if present. Those regulations are designed to protect the environment and human health from hazardous material release sites.

To minimize impacts to hazardous material release sites, the Applicants have proposed voluntary mitigation that includes a commitment to comply with applicable solid and hazardous waste regulations during the work associated with the planned capital improvements (see *Chapter 4, Mitigation, Voluntary Mitigation Measure [VM]-Haz. Material Sites-01 and VM-Haz. Material Sites-05*). The Applicants also commit to developing a site-specific spill prevention, control, and response plan for each capital improvement (VM-Haz. Material Site-02). To further minimize the potential for impacts, OEA is recommending mitigation measures for the Board to consider. Specifically, OEA recommends that the Board impose mitigation requiring the Applicants to confine construction activities to the existing railroad ROW to the extent practicable (Mitigation Measure [MM]-General-03), follow appropriate procedures for identifying potential contamination and consulting with applicable agencies in the event that contamination is encountered (MM-Haz. Material Sites-05) and comply with applicable regulations regarding the handling and disposal of any waste materials (MM-Haz. Material Sites-04).

OEA also recommends that the Board impose mitigation requiring the Applicants to notify EPA prior to undertaking any capital improvements related to the Proposed Acquisition within the EPA Oronogo-Duenweg Mining Belt Superfund site (MM-Haz. Material Sites-02) and notify the Iowa Department of Natural Resources prior to undertaking any capital improvements related to the Proposed Acquisition adjacent to the Archer Daniels Midland Corn Processing Facility Industrial Waste Landfill (MM-Haz. Material Sites-02).