

* * * PUBLIC NOTICE * * *

Union Pacific Railroad Company, Dunsmuir Railyard, North Fueling Facility

REQUEST FOR PUBLIC COMMENTS UNDER
SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT

In accordance with Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and the implementing regulations at 36 C.F.R. Part 800, the United States Environmental Protection Agency (EPA) Region 9 provides notice of, and requests public comment on, a Clean Water Act (CWA) 311(c) Order for Removal, Mitigation or Prevention of a Substantial Threat of Oil Discharge at the Union Pacific Railroad Company (UPRR), Dunsmuir Railyard, North Fueling Facility. EPA's action is considered an undertaking under the NHPA which triggers application of the NHPA Section 106 process.

Background:

The Dunsmuir Railyard is located in the northeast quarter of Section 25, Township 29 North, Range 4 West (Mount Diablo Base and Meridian). The Railyard is defined by a north-south oriented railyard right-of-way that is approximately 2,100 feet long. The Railyard is located between Sacramento Avenue and the Sacramento River. The Railyard has operated since the early 1900s. Prior to 1955, the facility (then operated by the Southern Pacific Transportation Company) was equipped with a steel tank with a capacity of 2.3 million gallons. The tank held Bunker C fuel to power steam locomotives. It was replaced by a 200,000-gallon diesel tank in 1955. UPRR acquired the property in 1996. UPRR transitioned away from fuel storage and fueling operations at the site and by 2003, most of these activities had ceased.

Unknown amounts of Bunker C and diesel fuels have seeped into the soil, groundwater, and Upper Sacramento River. Several attempts have been made over the last century to stop contamination from migrating into the river. Current response activities stem from a citizen report of oil along the riverbank near the facility in 2018. Since then, environmental response actions have included:

- Additional site investigation to support design and implementation of site cleanup activities
- Excavation of impacted material along the surface of the riverbank and partial riverbank restoration
- Installation of oil barriers in the river and along sections of the concrete walkway adjacent to the river
- Installation of containment boom in the river

The Central Valley Regional Water Quality Control Board (RWQCB) issued a Cleanup and Abatement Order to address site-wide contamination and discharge. Additionally, the EPA issued a CWA Order to UPRR requiring response actions to remove the discharge or to mitigate or prevent the substantial threat of a discharge of oil. A Unified Command consisting of the EPA, RWQCB, California Department of Fish and Wildlife-Office of Spill Prevention and

Response, and UPRR has been formed and will be coordinating on the site cleanup and restoration project.

EPA is the lead oversight agency for the following planned response actions:

- Removal of retaining walls and the adjacent walkway
- Excavation of oil-impacted soil along 1,000 feet of shoreline
- Riverbank restoration along the shoreline to increase river capacity and create additional habitat for birds and fish

Section 106 of the NHPA requires EPA to consider the potential effects of these permit actions on historic properties eligible for inclusion in the National Register of Historic Places. EPA found that there were no historic properties located within the area of potential effects (APE). The APE is located within the Railyard and runs along the Upper Sacramento River. The APE for the project includes parts of the railyard, including a retaining wall, and other areas of ground disturbance to the north of the retaining wall. Temporary staging areas will be on UPRR right of way, within existing work areas of the rail yard. Ground disturbance associated with the project will reach depths of approximately 20 feet during 2022 activities. Ground disturbance for subsequent work in 2023 will reach a depth of approximately 20 feet. Most of this area has historically placed fill material, up to 15 feet deep. The APE also includes two buildings slated for removal as part of the subsequent work in 2023. On August 2, 2022, the EPA sent a consultation letter to the California State Historic Preservation Officer (SHPO) that defined the APE and included EPA's finding of no historic properties affected in accordance with 36 C.F.R. § 800.4(d)(1).

Public Comments: Any interested person may submit written comments to Tara Fitzgerald, On-Scene Coordinator, U. S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, California 94105-3901 or by electronic mail to fitzgerald.tara@epa.gov by **September 1, 2022**.