

Adirondack Park Agency urged to act against oil tanker storage

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Worried that the state's appeal to the federal government to block the storage of obsolete oil tanker cars on an Adirondack rail line may take too long, opponents are urging the Adirondack Park Agency to take immediate action against the line's owner.

The conservation group Adirondack Wild: Friends of the Forest Preserve, is urging the state park agency to issue a "cease and desist" order against Chicago-based Iowa Pacific Holdings to block tanker storage on part of the line near the Boreas and Opalescent rivers.

Iowa Pacific owns the Saratoga and North Creek Railroad, and is leasing out the line to the owners of obsolete DOT-111 rail oil tankers. Under pressure from the state, last month a company controlled by billionaire investor Warren Buffett announced it would be removing dozens of tankers that it owns from the line.

Gov. Andrew Cuomo, the state Department of Environmental Conservation, the counties of Essex and Warren, and numerous environmental groups oppose the tanker storage. Last month, the DEC filed a complaint with the federal Surface Transportation Board seeking to wrest control of the 30-mile rail line, which runs from Tahawus in the Adirondacks High Peaks to North Creek in Warren County.

The company has been defiant, vowing to continue to seek hundreds more oil tankers for storage. Company President Ed Ellis said the revenue from leasing storage space is needed to maintain the line and defray company expenses.

This fall, Iowa Pacific started accepting obsolete DOT-111 oil tanker cars for storage as part of plans to lease enough track space to store 2,000 cars or more. That many cars could stretch for 20 miles if stored end to end.

Christopher Amato, a lawyer with the environmental law firm of Earthjustice, which is representing Adirondack Wild, said Thursday that the state's appeal to the federal government is valuable, but the process could take months or years to resolve while more tankers could be brought in.

He said the Park Agency could move immediately against Iowa Pacific under the state Wild, Scenic and Recreational Rivers System Act on tankers now stored in the towns of Newcomb and Minerva in Essex County.

The agency had no immediate comment on the request, which was made Dec. 20 by Dave Gibson, managing partner of Adirondack Wild.

On Dec. 22, agency Executive Director Terry Martino wrote to Gibson, saying the state was opposed to the tanker storage. She added that the agency would "continue to review all legal and regulatory options."