

Legality of planned Adirondack oil train storage plan questioned

Adirondack Wild group calls for New York state action about oil tanker plan for Forest Preserve

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*Oil train cars in the Port of Albany on Wednesday April 22, 2015 in Albany, N.Y.
(Michael P. Farrell/Times Union)*

An Adirondack conservation group claimed that a plan by a railway company to store hundreds of emptied-out crude oil rail tankers near the High Peaks is illegal in a letter Wednesday to Gov. **Andrew Cuomo**.

Adirondack Wild disputed a claim by Chicago-based **Iowa Pacific Holdings** that the company does not need state approval to store tankers in Essex County along tracks of the Saratoga and North Creek Railway, which it owns. Acting chairman for the group, **Chris Amato**, urged the state **Department of**

Environmental Conservation and the **Adirondack Park Agency** to step in quickly.

"We do not see any signs that the state is even looking into this," said Amato, a lawyer and former high-ranking DEC official. "Once those oil tankers are stored there, getting them out will be a lot tougher than not letting them in in the first place."

DEC spokesman **Kevin Frazier** said, "Storing tank cars on tracks in the Forest Preserve is concerning and presents unique issues. DEC is evaluating the potential legal and environmental implications of the proposal."

The APA is "certainly concerned over this proposal and continues to research this matter in close coordination with other agencies," spokesman **Keith McKeever** said.

Last month, Iowa Pacific Holdings President **Ed Ellis** told a panel of Warren County lawmakers that his company believes it needs no outside permission to begin storing the tankers along the Essex County portion of the line and was informing the county merely as a courtesy.

The company is already marketing the line as available for storage of oil tankers that don't meet current Canadian and proposed new U.S. safety standards, and will await either retrofitting or scrapping.

The 30-mile line, which runs from North Creek to near Tahawus in the High Peaks, is owned by Warren County in Warren and Saratoga counties, and leased by the railroad since 2010. The tracks in Essex County are owned by the railroad.

Ellis told county lawmakers that his company could store hundreds of tanker cars on a section of track in Essex County called the Sanford Lake line that runs along the Hudson and Boreas rivers. He said the tankers would contain only oil residue and pose a "virtually non-existent" risk of explosion or fire. "We have been storing tanker cars on our line in Colorado for nine years without a problem," Ellis said.

Amato said the state also needs to protect its recent \$50 million purchase of former Finch Pruyn lands in the area that were added to the forever-wild Forest Preserve. "There has been significant public investment here. The area should not be transformed into an oil train junkyard without any state review or approval," he said.

In addition to its Adirondack line, Iowa Pacific Holdings is also offering other rail lines in California, Colorado, Illinois, Oregon and Texas for tanker storage, according to the company website.

In 2012, Iowa Pacific purchased the rail line from NL Industries, which had stopped mining at Tahawus in the 1980s. Since then, the company has spent millions to replace rails and ties, rehabilitate track sidings and add rock ballast.

Iowa Pacific is a privately held, Chicago-based operator of nine U.S. railroads, manages two rail lines in the United Kingdom and runs other rail-related businesses.

Ellis told county lawmakers the tanker car storage revenue in the Adirondacks could be worth "seven figures" a year.