



May 20, 2019

Devin Clary
Director of Environmental
Montana Rail Link
101 International Drive
Missoula, MT 59808

via email: dclary@mtrail.com

RE: Spill Closure [CVID #20922]

Dear Ms. Clary:

On January 29, 2019, the Enforcement Program (ENF) of the Department of Environmental Quality (DEQ) was informed that a Montana Rail Link (MRL) train derailed railroad milepost 130.8 east of Livingston, MT.

The derailment resulted in coal spilling onto the banks and into the water of Rocky Creek. MRL retained Olympus Technical Services, Inc. (Olympus) to respond to the spill. Olympus installed control measures in the surface water to limit the area impacted by the spill. On March 19, 2019, DEQ received the sample analysis from the derailment site; the analysis confirms there were no exceedances of water quality standards.

On April 9, 2019, I met with you at the site and conducted a field investigation (report and photolog enclosed). During the investigation I observed materials requiring removal, a small amount of coal remaining on the creek banks, and general clean-up to be completed. We discussed a general cleanup plan for the remaining materials.

On May 1, 2019 MRL notified DEQ the coal and waste material removal was complete and the area had been reseeded. MRL provided photographs and a seed certificate for confirmation of the clean-up.

ENF has determined the clean-up and sample results to be satisfactory in addressing the potential harm from the derailment and is closing the spill at this time.

If you have any questions, please contact me at the phone number or email address listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Bawden", with a long horizontal flourish extending to the right.

Susan Bawden
Environmental Enforcement Specialist
406.444.3390; sbawden@mt.gov

cc via email: George Mathieus, Deputy Director, DEQ
Jon Dilliard, Kevin Smith, Jon Kenning, DEQ Water Quality Division
Kristi Ponzoso, Public Policy Director, DEQ
Gallatin County DES
Gallatin County Sanitarian

Field Investigation Report
Montana Department of Environmental Quality
Enforcement Division
P.O. Box 200901
Helena, Montana 59620
Phone (406) 444-0379

FIELD INVESTIGATION INFORMATION		Inspection Type: Field Investigation	Date: 04/09/2019
Comments			
VIOLATION SITE		FITS Site Name:	
Incident Site Name: GALLATIN COUNTY RR MP 130.8			
Incident County: GALLATIN			
Contact Name: CLARY, DEVIN			Phone: (406)523-1463
Address: MONTANA RAIL LINK INC, MISSOULA, MT 59808			
REVIEW INFORMATION			
Time Arrive	09:00:00 AM		
Inspector	BAWDEN, SUSAN		
Field Contact	350035 CLARY, DEVIN 101 INTERNATIONAL DRIVE MISSOULA MT, 59808 (406)523-1582		
Background	Train Derailment on 29 JAN 19		
Summary	<p>Kim Speckman and I arrived on site at approximately 09:15 AM and met with Devin Clary, MRL Director of Environmental, as well as Theresa and Katrina both of the MRL Real Estate Division. Devin gave us a short safety talk and then we toured the site. While the majority of the coal and debris have been removed, clean up had to stop in February due to weather. . At the time of the investigation, the ground has mostly thawed and is now somewhat soggy. Devin stated they hope to get back to the clean up in the next month as soon as the ground can handle the large equipment required. MRL plans on scraping the remaining coal off the banks; and collecting and sorting the debris for recycling or disposal.</p> <p>At the time of the FI, the water in Rocky Creek was high and is close to reaching the lower extent of the coal. MRL recognizes the problem and is working to prevent coal from washing down the waterway.</p> <p>Once the clean up and removal of debris is complete, MRL will reseed the area as necessary.</p>		
Recommendations	Continue to communicate with MRL as clean up continues.		
Sample Summary	Photographs		
ENFORCEMENT DIVISION USE ONLY			
Enforcement ID#:		Complaint/Violation ID#: 21142	

MT DEQ ENFORCEMENT DIVISION

Photographer's signature

Susan Bawden

PHOTOGRAPHER: Susan Bawden

PHOTO #: 1

CVID: 21142

SUBJECT: MRL Train Derailment

LOCATION: Rocky Creek, W of Livingston

COUNTY: Gallatin

DATE: 09APR19

WEATHER: Cold, Rain and Sleet. 36 F

CAMERA: Digital

EXPLANATION: Location of derailment. Looking NW along tracks at N side of derailment. Photo taken at 45.646895, -110.873919



PHOTO #: 2

CVID: 21142

SUBJECT: MRL Train Derailment

LOCATION: Rocky Creek, W of Livingston

COUNTY: Gallatin

DATE: 09APR19

WEATHER: Cold, Rain and Sleet. 36 F

CAMERA: Digital

EXPLANATION: Panning N from photo #1 looking at derailment site.



PHOTO #: 3

CVID: 21142

SUBJECT: MRL Train Derailment

LOCATION: Rocky Creek, W of Livingston

COUNTY: Gallatin

DATE: 09APR19

WEATHER: Cold, Rain and Sleet. 36 F

CAMERA: Digital

EXPLANATION: Panning NE from photo # 2 looking at derailment site.



PHOTO #: 4
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Looking SW at S side of derailment site. A railcar spanned the creek at this location, but did not enter the water. Coal can be seen on both sides of Rocky Creek. Photo taken at 45.647043, -110.873618



PHOTO #: 5
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Panning S from photo #4. Looking at S side of derailment. Coal can be seen on banks of Rocky Creek.



PHOTO #: 6
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Panning SW from photo #5. Looking at S side of derailment.



PHOTO #: 7
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Close up of area identified in photo #5. Coal can be seen in snow and water.



PHOTO #: 8
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Close up of N bank of S side of derailment. Water is at highwater mark, if it raises any further there is a risk of some coal being swept downstream.



PHOTO #: 9
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Looking at Rocky Creek next to underpass of Trail Creek Rd. Guard rail to be repaired, metal to be sorted and recycled.



PHOTO #: 10
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: On N side of derailment. Coal and debris are present. Photo taken at 45.647014, -110.873900



PHOTO #: 11
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Panning NE from photo #10 looking at debris and coal present.



PHOTO #: 12
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Continuing to pan NE from photo #11.



PHOTO #: 13
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Panning E from photo # 12 at debris field.



PHOTO #: 14
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Looking at metal railings and parts that are being sorted for recycling.



PHOTO #: 15
CVID: 21142
SUBJECT: MRL Train Derailment
LOCATION: Rocky Creek, W of Livingston
COUNTY: Gallatin
DATE: 09APR19
WEATHER: Cold, Rain and Sleet. 36 F
CAMERA: Digital
EXPLANATION: Wooden ties that have been collected for disposal.

