

Wickersham, could I ask you a question, please? On page 21 where it says "environmental cleanup for conditions arising" up there on line 14, is that in law now that anytime that somebody lets land go that if the new owner finds out that there is a problem with the cleanup, don't they have to go back and...

PRESIDENT ROBAK: Senator Wickersham.

SENATOR WICKERSHAM: Senator Jones, I'm not an expert in that area, but in general I think what you're asking about is who has the liability if there is a need for cleanup and you're essentially right I think in what you're suggesting is that everybody that ever owned the property has some responsibility. What happens oftentimes, however, is that the earlier owners are gone. They may have been a corporate entity that no longer exists, for example, they may be insolvent, there may be a number of different problems involved. The intent of that particular section is that if we acquire a piece of property, first of all that we would have made a careful environmental assessment. And secondly, that we have some assurances above and beyond just whatever the state of the law might be that we're going to be reimbursed for those cleanup costs. We might get a bond, for example, for any cleanup costs before we ever acquired the property.

SENATOR JONES: I guess what makes me bring that up because I think there is some cleanup problems on the Cowboy Trail now showing up, and I didn't know who was going to be responsible for them.

SENATOR WICKERSHAM: Well, that's...this doesn't apply to that but that is the issue, Senator Jones. And you're right, there were diesel fuel spills at Long Pine I believe because there was a refueling station there. There could also have been at any location along any railroad right-of-way debris left over from a derailment, for example, that was simply buried and then later you find it. Those things happen. And so I think if we're...really if we're acquiring these rights-of-way that we both should make a careful assessment of any risks that we're going to be assuming either inadvertently because other people don't have the money or no longer exist to clean it up or just because we didn't know about it in the first place. So this is to encourage us to be cognizant of those things and to gain as much protection as we can against those costs.