

EI-16386

February 10, 2009

Public Comment for the
Surface Transportation Board's Section of Environmental Analysis

RE: Finance Docket No. 35116

The following comments are being provided
by
citizens living in the townships of Rush and Snow Shoe
in Centre County, PA
where RRLLC has proposed
numerous development ideas
and applied for quarry, landfill and gas well permits
and is now
requesting rail service from R.J. Corman Railroad Company
over abandoned rail line
and
current rail/trail

Jennifer L. Hurban

These comments are submitted in response to the draft Scope of Study presented at the scoping meeting held on February 10, 2009 at the Philipsburg/Osceola Area Senior High School. We appreciate the opportunity to be part of the NEPA process and to weigh in on what we hope will be a broadening of the scope of the EIS beyond what has been outlined in the draft scope presented. We look forward to the incorporation of our input as decisions are made by the SEA in the development of a final Scope of Study for the EIS.

Let us begin by stating that the proposed rail reactivation request is completely tied to the proposed RRLC landfill, quarry and gas well drilling at the project site. So, we urge the SEA to treat all of the above as well as additional projects RRLC is proposing as one complete project and cover all aspects in the scope of the EIS. Since the many proposed projects are undeniably linked and will create cumulative impacts, we believe treating each portion independently would circumvent the intent of the NEPA process and the EIS purpose.

Next we wish to express our concern that the scope of the EIS can not be adequately determined without the origin of the garbage for the proposed RRLC landfill being identified. If the garbage is primarily coming from New York and New Jersey, then that creates the need to evaluate alternatives in that direction. If the garbage is primarily coming from Michigan and Ohio, then there is a need to evaluate alternatives in that direction. If the garbage is coming from Canada, then obviously, there is a need to evaluate alternatives that would better serve that point of origin

Currently, Pennsylvania's garbage is already committed to existing landfills and the local garbage from Centre and Clearfield counties is already under contract to go to other landfills for quite some time. This makes it appear that the proposed project is not intended to serve any local solid waste disposal need and as local citizens, we don't feel inclined to have our area sacrificed to house solid waste from multiple states.

Now we will proceed to address our concerns according to the categories established in the draft scope of the upcoming EIS:

1. Transportation and Safety

One of the primary safety concerns is the proximity of structures to the rail bed. Some sections of the current rail bed are very close to residential homes and businesses. This proximity creates a huge potential for property damage and/or personal injury or even death with occurrence of a train mishap. Imagine the results of a derailment or spill next to or onto someone's home or business establishment. Since many of the homes are served by private wells, garbage leachate from a spill would pose a threat to the safety of their drinking water as well.

Let us not forget that these train cars will be loaded with garbage that is unsanitary, unsightly and unpleasant to smell. Living as close to the tracks as many people do along the proposed rail corridor will be undesirable to say the least. A buyout of these homes and businesses is in order since these properties will be uninhabitable due to noxious odors, vermin, litter and leaked garbage effluent from the train cars. The scope of the EIS should definitely include this aspect for all of the homes and businesses within a certain distance of the tracks.

In addition, we would encourage putting a safety buffer in place to minimize impacts during potential derailments or other rail mishaps. The North-Central woods have experienced several environmentally damaging derailments over the last several years, most notably a Norfolk Southern train derailment resulting in a discharge of lye into an Exceptional Value stream in Sinnemahoning. This derailment and discharge caused a massive fish kill and was severely detrimental to a highly desirable fishing and wildlife area. The area in question has many similarities. Precautions and potentially re-routing the rail bed may be in order for public safety.

Road Crossings pose another challenge to travelers on twisting local roads where line-of-sight and proper signaling will be critical. The rural collector roads are typically rated 45-55 mph along this proposed rail course. Also critical will be insuring a low roughness index so drivers can maintain speed without losing control of their vehicles over new rail crossings. Since deaths are not uncommon at rural road crossings, we urge the SEA to take this into serious consideration as the EIS scope and analysis is finalized.

A second concern related to road crossings is created by the time required for a fully loaded 55-car, two engine train (2,870 foot minimum) on an uphill grade to actually cross the road. This could take 5 minutes or longer at crossings on rural collectors where alternative routes are not available. Crossings could cause an unacceptable delay for emergency services vehicles since it already takes at least 30 minutes or more to reach most hospitals in our region.

Thirdly, federal requirements mandate that the trains must sound their horns at crossings and this will detract from the aesthetics of rural life and depress property values within varying distances of each crossing depending on topography.

Last, but not least, we are concerned about the threat of forest fires as a result of the proposed garbage trains traversing rail lines in rural, forested areas where responding to such a fire would take an inordinate amount of time and the loss would be devastating. Sparks between wheel and rail are a natural occurrence which could easily cause brush fires during dry spells.

2. Land Use

The site for the proposed RRLLC landfill, quarry, gas well drilling and "industrial park" is not currently served by public water, public sewer, electricity or a navigable public road. Approximately fifty to sixty years ago this land was deep-mined and roughly thirty to forty years ago, this land was surface mined. A re-growth succession to mature forest now covers the site and meshes well with surrounding forested lands.

Land use in the area has been for outdoor recreation including hunting, fishing, four-wheeling, snowmobiling, hiking, biking, and wildlife-related recreation. The unique location and land use has led to the area being designated as the gateway to the Pennsylvania Wilds.

Development in the area has revolved around serving outdoor recreation enthusiasts by creating multiple subdivisions for seasonal homes and camps with preservation of hundreds of acres of wooded land adjoining these subdivisions. The preserved land serves property owners for hunting and other outdoor uses and also serves as wildlife habitat. In all, the immediate area includes over 100 seasonal properties and campsites, some of which are actually located on the subject property. The clash of industrial use and the long established recreational land use in this area is very clearly evident. Reactivation of the rail road would have a negative impact on this successful recreational development and use.

The long-established land use patterns should be respected and complimented rather than disturbed and destroyed for a short term gain of one developer at a long term cost to every citizen and visitor in the area. Snowshoe Township has zoned the area forest open space and this is also the current land use within Rush Township and has been for decades. There simply are not enough mitigative measures possible to minimize the negative impact of plopping a landfill/industrial project in the middle of recreational forest. There surely are more suitable sites for such a use, preferably closer to the garbage origin.

The Centre County Planning Office and Centre County Commissioners have determined and upheld that the proposed landfill/industrial park/I-80 interchange is inconsistent with land use and transportation planning. They continue to uphold this ruling. The Centre County Planning Office states that "the proposed use appears to be inconsistent with several elements of the County Comprehensive Plan and that the proposal also includes the reactivation of a rail line that would cut off an existing rail/trail project designed to provide connectivity to this region for outdoor enthusiasts". Since the sole purpose of activating the railroad would be to serve the landfill and associated uses, by extension, the reactivation of the railroad would also be inconsistent with the County Comprehensive Plan.

3. Energy Resources

An analysis of the use of energy resources can not be adequately conducted unless the applicant identifies where the garbage is coming from that will be using the proposed rail line. If the garbage is coming mostly from New York and New Jersey, as has been stated by RRLLC on several occasions, then one would think that loading it on train cars and transporting it across more than one state to a final destination would not be a good use of energy resources. One would think that transporting garbage from New York and New Jersey to a location closer to those states or located within those state boundaries would be a much better use of energy resources. And one would hope that the scope of the EIS would include an evaluation of other sites closer to the garbage origin location. I question how such a long garbage train ride can provide the best alternative, especially with respect to use of energy resources.

If we quit looking at the ridiculously wasteful consumption of energy to transport garbage such a distance and look myopically at the use of energy resources per the proposed local rail line reactivation, the picture is still one of energy resource waste. Because of gradient, for trains to arrive at the proposed landfill site when coming from New York or New Jersey or other points East of the site, they must pass the site and do a 54 mile excess loop into the Borough of Clearfield and then back toward the site, ultimately over 10.8 miles of currently abandoned rail line between Wallacetown and Winburne, in Clearfield County, and then 9.3 miles of what is currently rail/trail in Centre County. So, for each garbage train round trip, the train would be traversing at least 108 extra miles in order to get to and from the proposed site.

Looking at another aspect of energy resource consumption, I am curious to know what the garbage trains will be back-hauling? Surely, the concept of going back empty to re-load with more garbage is not energy efficient but yet I don't know of a commodity that could be loaded in a filthy garbage train car and back-hauled to New York and New Jersey for consumption.

4. Air Quality

Diesel engines, whether truck or train, emit increased diesel exhaust when under load, accelerating, decelerating and while idling, which will be the case in this confined corridor of travel. Recent studies have documented that particulate matter is a major contributor to lung cancer, increased asthma attacks, and other respiratory problems.

Diesel engines produce twice the NO_x (contributing to ozone smog) and three times the fine particle soot (inhalable) when compared to passenger cars. Add this to the VOCs produced by a landfill, and the combination is a recipe to increase the ground level ozone readings in Centre County and surrounding areas. This could be particularly detrimental in the downwind valleys due to the natural inversions.

Centre County is a non-attainment/maintenance area for air quality (i.e., ground level ozone) and the increase in truck and rail traffic both during construction and, if approved, during landfill operation will further cause reductions to the air quality.

As a result, perhaps the scope of the EIS should be expanded to consider alternative sites where air quality is not already an issue and where natural inversions are less prevalent.

5. Noise / Odor / Dust / Vectors / Litter / Leachate

As stated previously, portions of the current rail bed are very close to residential homes and businesses. The noise of railroad construction and daily use will be too close to existing structures and homes. In addition to noise, there will also be excessive vibrations from the passing trains, which could cause structural damage. On top of that, the excessive number of railroad crossings would cause even more noise in rural residential areas with approaching train warning signals.

Noise from the proposed landfill and associated industries will travel to nearby residential areas. These areas are currently quiet and free of noisy businesses and industries. Such industrial noise will also ruin the wilderness and recreational experience for those who visit the area.

Odor needs added to the scope of the EIS since the proposed rail expansion is primarily for the hauling of garbage. Following a tractor-trailer with a covered load on a highway is horrible and one immediately shuts any auto windows and turns off any outside air intake in an effort to lessen the very objectionable smell. A train passing through a community and along your property doesn't provide any avenue for avoiding the stench. You can't pass it, you can't shut off the outside air intake, you are stuck with breathing in the vile odor which will both linger and travel.

Between the noise and odor issues, the quality of life anywhere near the proposed rail route and project area will be deplorable. Surely the scope of the EIS should include any and all available avenues for mitigating not only the noise from garbage trains and landfill operation but also the odors from both.

What about dust and vectors? Please expand the scope of the EIS to cover both of these noxious aspects that are a health hazard of the proposed project and rail transport of garbage. And don't forget to address the garbage leachate that will leak out of the train cars all along the route and the litter that will fly off of the garbage train cars all along the route.

A big part of the rail reactivation to serve the proposed landfill will be the garbage transfer facility that will be required in order to unload full garbage train cars and reload garbage onto equipment to route the garbage to the face of the landfill. In our opinion, the transfer area poses one of the most problematic portions of the project and one of the most challenging for control of all of the above factors – noise, odor, dust, vectors, litter and leachate. Surely the scope of the EIS will need to include this troublesome aspect of the rail activation for landfill facility.

6. Biological Resources

Biological and Natural Resources have been a key feature of this rural region for well over a century. Whether consumptive (timbering, hunting) or nonconsumptive (wildlife watching, hiking) the biological diversity and maturity of this region is a draw to visitors who frequent our local small business establishments. Loss of wildlife diversity, plant diversity, stream quality, and other aesthetics of this wild area will ripple throughout the local economy, and could drive many independent small businesses and contractors who cater to visitors and seasonal property owners out of business.

No dollar amount can be reasonably placed on the value of a mature, contiguous, interior forest for (a) its rare presence on the east of the Mississippi, (b) its carbon sequestering value (even more vital when one considers global warming), and (c) its value to wildlife that depends on it for foraging, breeding, and habitat. Bird species of global concern migrate to this area for breeding purposes. Loss of contiguous forest will open these species up to predation, and noise will affect mating habits and reproduction rates.

Forest fragmentation and increased edge habitat (which will be caused by the landfill itself) are known harms to interior forest species, specifically but not limited to forest interior, neo-tropical migratory bird populations. The increase in edge habitat and reduced forest block size will enhance access for common nest predators and habitat generalists such as crows, grackles, blue jays, house sparrows, raccoons, striped skunks, and opossums, which prey upon the eggs and young of forest interior breeding birds. They will displace the more diverse assemblage of habitat species that currently exist in the larger forest tracts. This parcel also borders two Important Bird Areas (IBA) noted for avian species of concern and vital interior forest breeding habitat, and a State Forest and State Park to the South. The proposed landfill and wetland mitigation alternatives will impact this rare, and quickly disappearing, habitat. If a land type and quality could be rated as endangered, this is it – contiguous ridgetop forest in the eastern United States!

7. Water Resources

This EIS analysis is much too narrow in scope. The water resource section put forth in the draft scope focuses only on surface water resources rather than including both surface water and ground water resources and threats posed to both by the proposed project. The impact on the sub-surface-groundwater resources needs to be included. Surface and ground waters on hill land – mountain terrains are highly interdependent and interactive, transferring from one to the other often en masse and over short time periods. This has major source area, flow rate, water yield and water quality implications.

The proposed EIS scope seems to look at the potential impact of rail line construction and operation with an operational focus on the train only, excluding the train hauled contents. The train-hauled contents will be primarily municipal wastes, but also could include corn, soybeans, and liquids produced by biofuel manufacturers in the industrial park (one of the many proposals for the site yet to be pursued seriously by the developer). These liquids include ethanol, bio-diesel fuel, other chemicals and a biologic slurry (stillers grain). This rail line follows water courses (critical runoff and discharge zones) and ridge tops and sides (critical recharge zones for groundwater and springs). The risks of spills and their impact need to be assessed in these contexts. Mitigative measures need to be evaluated in terms of this system and many will be inadequate in crucial areas, therefore requiring a much heavier emphasis on prevention instead. Topography will make spill cleanup nearly impossible in some areas.

8. Socioeconomics

Until the applicant identifies the point of origin for the garbage that will be transported over hundreds of miles of rail before arriving at what is the proposed/non-permitted landfill destination, one can not correctly speak to the overall socioeconomic impact of the trek of the garbage trains.

And until the applicant and/or RRLLC identify the full scope of the RRLLC project at the rail destination, one would have a difficult time attempting to assess the socioeconomic impacts. Numerous agencies have requested a full project definition from RRLLC and I do not believe any of these requests have been satisfactorily answered yet.

Are you to be evaluating the socioeconomic impacts of reactivating rail line to serve just a landfill, a quarry, a gas well drilling and possible brine processing facility, an energy and industrial park or what?

Once the point of origin of the garbage is identified so that the rail path of the garbage trains can be examined, dealing with the socioeconomic impact of garbage transport over hundreds of miles of rail line through cities, boroughs, and small communities will be a daunting task.

A look at the existing socioeconomic conditions of populations impacted by the reactivation of rail line from Wallacetown to Gorton reveals that these populations have taken it on the chin decade after decade. This area is in the bituminous coal fields of Pennsylvania where most people have struggled to make ends meet generation after generation. They have lived through booms and busts in timber and coal and have been left with mine-scarred land and acid mine drainage polluted streams and water supplies.

Unemployment rates are consistently high and often in the double-digits. As one resident says, "We're always in a recession so what difference does it make if the rest of the country is in one or not"?

Many workers have been displaced from decent paying jobs running heavy equipment for mining companies to support staff for Penn State University. Despite the massive difference between running a drill rig and scooping out scalloped potatoes onto a cafeteria tray for a PSU student, this is the exact job description difference that hundreds of people in this area have endured in order to get out of the unemployment line.

Despite this work ethic, the population base is mostly poor. So poor that some of them are willing to take any job whether it is toxic over the long term or not. As a result, the two industries that are targeted most for this area are prisons and landfills. However, a look at a currently operating landfill located a county away shows that not that many jobs are created by such an operation...perhaps 15.

Despite the inflated job claims made by RRLLC in the suspended landfill permit application on file with D.E.P., the reality is that currently operating landfills throughout

the commonwealth are not huge job creators. When you couple this with the toxicity of the jobs created, one has to wonder if this is a consideration covered under socioeconomic impacts? Are the costs of severe long-term health problems and resulting medical bills a part of this analysis?

One severe socioeconomic impact will be on property values all along the rail corridor. Many of the dwellings in this rail corridor were originally "company housing" and built by either mining companies or brick refractory companies anywhere from 60 to 100 years ago. Since these companies were frugal in their approach to employee housing, these homes are modest and on small lots, many of which adjoin the rail right-of-way.

Because of these factors, these homes are already worth well below the average sale price of housing throughout other areas of both Centre and Clearfield counties. When you start running reeking, rattling garbage trains by them a few times daily, not many people will want to live in any of these homes. Consequently, the foreclosure rate in this corridor will go up and it is already higher than average. I really feel a developer buyout of every home along this rail corridor should be part of the scope of the EIS since the proposed project and garbage train traffic will so adversely impact these homes as to make them totally valueless. Owners should be bought out and afforded an opportunity to relocate at the developer's expense.

All in all, the population in this rail corridor has been dumped on repeatedly, usually by the same parties that employed them. The area will probably never recover from the billions of gallons of acid mine drainage from past deep mining and then from more recent surface mining. Now the proposed project threatens to ultimately dump even worse pollution into the surface and ground waters of this area. If this type of project is allowed to go forward, at some point, there will be no road out of the long term socioeconomic devastation that will be the ultimate result of the proposed activity.

One stellar example of how to improve the area's economy while maintaining and improving the environment was put in place over ten years ago by a local citizen who had the savvy and smarts to develop hundreds of forested acres into recreational parcels so that people from everywhere could share in the love of nature cherished by the locals. The decision to subdivide large parcels of wooded ground into affordable 5-10 acre plots and market them to outdoor enthusiasts has been wildly successful and truly beneficial to the local townships, Centre County, and the Commonwealth. We urge you to expand the scope of the EIS to evaluate the curtailment and loss of this type of development.

9. Recreation

The Moshannon Creek falls within one-mile of the proposed project site. Recreational use of the Moshannon Creek is recognized on PennDOT maps as a water trail (PennDOT Geographical Information, n.d.), the boat put-ins along the Moshannon Creek are inventoried by the Pennsylvania Fish and Boat Commission, and over one thousand canoeists and kayakers float and boat on the "RedMo" annually. It is host to the 42-year tradition know as the RedMo Down River Race which attracts people from all over the United States and beyond. A section of the proposed rail reactivation route is upstream from where the race starts.

One of the most attractive features of floating/boating on the RedMo is the remoteness and wildness of the creek. Subjecting this section of the RedMo to the sight, sounds, and odors of a nearby landfill and supporting rail service will seriously detract from its most attractive feature – undeveloped wildness.

There are seven leased hunting camps located on the property, many of which have been established for over 20 years – some are former mining homes from the early 1900s. Adjacent lands are commonly used for hunting, fishing and other outdoor recreation. The potential loss of these cabins and degraded hunting grounds and wildlife habitat is a harm that deserves consideration.

The Allegheny Front Trail, located less than one mile from the proposed RRLF site, in the Black Moshannon State Forest, is a popular hiking trail area that will suffer aesthetic impacts to its I-80 vista and other northern segments of the trail.

Odor, dust, 24/7 industrial noise, and fly-off litter from garbage train cars will detract from the quality of these public recreation attractions.

Plopping a landfill in the middle of prime recreational wildlands and reactivating rail service to serve it is not a prudent use of our environmental resources. These two land uses are diametrically opposed. "Isolated" may have been considered an advantage in siting this landfill but it is also a highly valued and sought after outdoor recreation asset. It allows individuals to find opportunities for solitude, challenge/self-reliance, risk-taking, testing outdoor skills, experiencing/observing undisturbed nature, self-direction, and distances to overcome. Isolated, but conveniently located to small rural communities that can provide goods and services are what attract visitors to this area.

Word-of-mouth has been the primary form of attracting visitors to this region. The "power of ten" rule in marketing observes that people who have an unsatisfactory experience are more likely to share it than a person who has an expected or an exceptional experience. In essence, if you change the dynamics of the region by industrializing a well-used popular wilderness area, the outdoor recreation economy of this area will be negatively impacted and that needs to be included in the scope of the EIS.

Recreational opportunities and experiences are very personal—if the needs of the visitor and the benefits they seek are not met, this visitor will not return. It all boils down to the experience the visitor seeks and the quality of that experience. The entire tourism industry is based on experiences—those offered by an area, site or business; and those sought by visitors/customers.

The area surrounding the proposed landfill is a popular destination for Primitive to Semi-Primitive outdoor recreation activities.

Areas classified as Semi-Primitive Non-Motorized must be within one half-mile of lightly used primitive roads (e.g., may be accessible by ATVs) but not closer than one-half mile from roads heavily used by all types of motor vehicles. The Snow Shoe Rail-Trail and Peale Road in Rush Township are prime examples of the Semi-Primitive Nonmotorized classification. Gorton Road would be Semi-Primitive Motorized due to the condition of the road itself (unpaved, passable by car, ATVs permitted).

One can easily determine that operation noise, traffic, odors, dust, litter from the landfill and its vehicles, and increased large truck and rail traffic would be unacceptable for those who seek the peace and serenity of remoteness, birdsong, the rustling of wind through the leaves, and the naturalness of the existing experience. This proposed project poses an unmitigable impact on the Primitive and Semi-Primitive outdoor recreation and tourism experience for which this area is recognized.

The removal of hundreds of acres of forest; destruction of wetlands; industrialization of the Moshannon Creek and natural wildlife corridors; the advent of air, water, noise, sight and light pollution; increased truck and rail traffic and everything else that comes with this proposed landfill will irreparably decrease the attractiveness of, and appreciation for, what is now one of the best recreational assets of Central Pennsylvania.

10. Environmental Justice

The EPA website defines Environmental Justice as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA has this goal for all communities and persons across this Nation. It will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work

We feel the area is being targeted for the proposed landfill development because it is a rural, lower income area with many older homes. We are not willing and shouldn't have to bear the brunt of other people's garbage being hauled in by rail and dumped in our wooded areas. There are many other landfills with available space closer to where the garbage is likely to be hauled from and located in more suitable space for industrial development.

11. Geology and Soils

The scope here should also include fragile soils, borrow/fill areas used and construction and fracture trace linkages. The most fragile soils in terms of stability and productivity are those on high, unstable slopes and those, whether naturally or due to previous construction activities are exceptionally drought prone or infertile. These areas, subject to any construction activity, need to be identified for special reclamation or avoided. Slope stabilization and re-vegetation (including fertilization, addition of water holding capacity) will likely be required. Borrow/fill areas need to be reclaimed. Fracture traces are typically fractured rock lineaments that underlay draws, swales, gullies and streams. They are typically characterized by high water transmissivities and very low adsorptivities. Where these connect critical recharge areas to streams, wet lands, ponds, lakes or wells, spills on these critical recharge areas can move very rapidly with little dilution, dispersion and adsorption, so that the spill may arrive at the well or other water source at unacceptably high concentrations. Fracture trace maps need to be developed, analyzed in terms of the connectivity between source and well etc. These critical source areas in the rail line spill zone need to be specifically protected or avoided.

12. Cultural/Historic Resources

There are popular, historical structures on site that will be impacted and altered if the landfill and rail reactivation are approved including the Viaduct Bridge and the Peale Tunnel. The Peale Tunnel dates back to 1883 and the Viaduct Bridge to 1884. In 1915, the Viaduct Bridge was rebuilt as a steel structure, replacing the original iron. This was done at the time most PA bridges were changed in order to handle heavier trains,

"Camp 307" at Gorton and Peale is also historically important since it served as the mine Superintendent's home in the early nineteen hundreds.

It is my understanding that most of the structures on the CLOG parcel used as camps today were built by Clearfield Bituminous Coal Co. et al.

In addition, industrial archeological sites exist along the lines (Peale #1 -- Clay Mine; Pump Station; tipple; coke ovens).

An alternative that perhaps the EIS scope should explore would be comparing the tourism draw from an historic site here in the bituminous coal fields which would showcase these in a similar way that is done at Eckley Village in the anthracite coal fields of Pennsylvania.

13. Cumulative and Indirect Impacts

The proposed landfill, interchange, industrial park, quarry, and railroad reactivation should be reviewed as one single and complete project. The cumulative impacts of all of the pieces of the pie are enormous. Indirect impacts on a large surrounding area such as noise, safety, and lack of emergency services are also serious and need to be considered.

This area also lacks the necessary infrastructure to support such a large industrial proposal.

Since the need for the reactivation of this rail line is primarily for the proposed activities of Resource Recovery, the past history of failures of RRLC to obtain the necessary permit approvals for the landfill or interchange must be considered. Their attempts to circumvent their failures have resulted in numerous changes to the scope of this project over the past 4 ½ years (2,300 acres of landfill footprint to 750 acres to 272 acres, industrial park, bio-diesel plant, waster water treatment plant, gas well exploration/development, stone quarry, local road access through Snow Shoe Township, local road access through the Moshannon State Forest) until it has become almost impossible to determine just exactly what they intend to do with this parcel. Their scope changes depending on the agency they are seeking approval from. If they need to tone down the environmental impacts, they restrict the scope to the proposed landfill. If they need to sing the economic promises of their project, they bring in the industrial park and the bio-diesel plant.

In the past, when RRLC failed to get cooperation from the necessary entities, such as Snow Shoe Township and Centre County, they either threatened a lawsuit or coerced the entity into entering into an agreement. RRLC currently has a law suit pending against Centre County for an ordinance that holds their project proposals to standards that cannot be met. In the case of Snow Shoe Township, RRLC coerced the Township into entering into a Cooperation Agreement to protect their local roads from the threat of trash trucks. RRLC has since cancelled this agreement since it did not have the results they had hoped for (the I-80 interchange) and are now attempting to provide access to the proposed landfill site through Snow Show Township. RRLC has a proven track record of "doing whatever it takes" to move their proposed landfill project forward and we are concerned that this rail reactivation request may be their latest attempt in getting past the access hurdle they continue to encounter.

Since the industrial park is dependent upon the landfill and most likely for at least the first 10 years the landfill would supply the most need for transportation, if the RRLC landfill permit application is denied, would there still be enough need to reactivate a rail line to this remote area?

In addition, the viability of the proposed project should be closely examined in light of a local trucking company that hauls trash recently laying off about 40 percent of its work force. It's also important to note that this trucking company hauls trash from New

York and New Jersey to Pennsylvania. I would think a large lay off like this indicates there has been a shift in the amount of trash New York and New Jersey is sending to be disposed of in Pennsylvania and this directly impacts the viability of the proposed project and the viability of reactivating rail service to support it.

The route of the garbage trains into communities over forty miles beyond the proposed landfill site elevates the impact from local to regional and threatens to degrade a large part of the Moshannon Valley and a portion of the North Central regional development areas. The cumulative impacts on such a large geographical area should be addressed by the scope of the EIS.