

March 23, 2009

Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20423-0001

Re: STB Ex Parte No. 684

To whom this may concern:

Please accept these reply comments in response to the January 14, 2009 Notice of Proposed Rulemaking issued by the Surface Transportation Board. The Notice contained proposed rules to implement the provisions of the Clean Railroads Act of 2008 and indicated that reply comments could be submitted by March 23, 2009.

I would like to start by stating that I have read the comments written by the National Solid Wastes Management Association (NSWMA) and agree that the Surface Transportation Board (STB) must clarify the criteria for determining which laws affect the sitings of solid waste rail transfer facilities. I believe that the sitings of these facilities should fall under the jurisdiction of the state's DEP and county solid waste management plans. I also agree with NSWMA that the STB must administer the land-use exemption permit in a manner that provides the same level of environmental regulation to solid waste rail transfer facilities as is applied to similarly situated solid waste facilities that are not located on rail lines.

I live behind the Hainesport Industrial Railroad, LLC (HIRR) located in Hainesport, New Jersey and I am directly affected by these proposed rules. My main concern is that this facility has not been following all of the state and local environmental guidelines and I am worried about the health and safety of my family and neighbors. I believe that there was never any environmental study done on the impact this facility would have on our neighborhood and our health and safety. Our quality of life and property values have gone down dramatically since this operation began in August 2006. There is a tremendous amount of noise pollution and constant dust, containing who knows what, which comes from this facility 6 days a week. This makes being outside for my family and neighbors unbearable at times. I believe that these facilities, no matter whose backyard they are in, should follow state environmental guidelines and be involved in local county solid waste management planning. I feel that the public's health and safety should be left up to the state's DEP and local community officials and not federal officials who are unfamiliar with our community.

Thank you for the opportunity to comment on this extremely important issue.

Sincerely,

Fred Glasgow
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