



MICHAEL MILLER
Assemblyman 38th District

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August 9, 2010

Troy Brady
Surface Transportation Board
395 E Street, SW
Washington, DC 20423
Attn: Docket No. FD 35141

Dear Mr. Brady,

I write to express my concern over the proposed Brookhaven Rail Terminal. While the conditions set forth in your proceedings may be satisfactory to the citizens of Suffolk County, those of us living in Queens County have strong reservations.

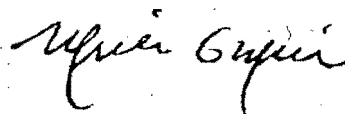
The issue of environmental degradation in Queens has not been addressed. The Surface Transportation Board's Section of Environmental Analysis has focused on the impact to Brookhaven and the Village of Yaphank. Furthermore, despite knowing how many trains per week and (presumably) the approximate environmental impact these trains would have, the environmental assessment lacks analysis for the impact that the Brookhaven Rail Terminal would have in Queens and other areas. I respectfully submit that so far as rail traffic is concerned, Queens is full. On this basis, I request a broader study that would take into account not only the immediate vicinity of the Terminal, but also the rail corridors that would be affected by the terminal.

Furthermore, my constituents and I would like concrete assurances that the Terminal would only be used for mining products. To give you some background, the city-initiated Solid Waste Management Plan increasingly relies on rail to transport solid waste. Much of the area's waste is hauled directly through my district. My constituents and I are concerned that at some point in the future, the Terminal could be used for solid waste. If the Surface Transportation Board could designate the Terminal for mining

products and exclude the possibility of using it for a solid waste transfer station, it would go a long way towards alleviating this concern.

Please take these concerns into consideration when proceeding. I also request that you keep my office updated on any future developments. If you have any questions for me, feel free to contact my office at 718-805-0950.

Thank you,

A handwritten signature in cursive script, appearing to read "Mike Miller".

New York State Assembly Member Mike Miller