



Boone County Government

1212 LOGAN AVENUE, SUITE 102
 BELVIDERE, ILLINOIS 61008
 PHONE: (815)-547-4770 FAX: (815)-547-3579

Refer to GLB Rail proposed into Boone County.
 5-22-2016

Docket # FD 35952

Please consider conducting an investigation of the following Acts which will have a direct impact on Boone County's water rights.

It appears that the GLB Rail Proposal has not included, thus far, a comprehensive review of these Acts of Federal Statutes to Water Acts and the considerable impact they will have on Boone County. I trust that your office will include this in your EIS and conclude that it is imprudent to place a rail in these areas of Boone County.

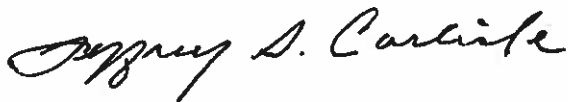
The following references to oppose the GLB Rail Proposal in Boone County consist of:

1. Clean Water ACT (Act) Purpose: To restore and maintain the chemical, physical, and biological integrity of the Nation's waters." 33U.S.C. 1251.
 - a. To attain these goals the act prohibits "the discharge of any pollutant" unless they are in "compliance with ... 1342 of this title. "33U.S.C ... 1311(a).
 - b. The Clean Water Act requires a 1342 National pollutant discharge Elimination system (NPDES) permit if there is a "discharge of any pollutant." 33 U.S.C. 1342 (a) (1) 33 U.S.C 1311 (a).
 - c. The Act defines the "discharge of any pollutant" as "any addition of any pollutant to navigable waters from any point source. " 1362(12)".
 - d. There are four main issues in the analysis:
 - (1) Whether the Rail line constitutes an addition,
 - (2) Whether the water is a pollutant,
 - (3) whether the Rail line is a point source,
 - (4) whether the Kishwaukee is a navigable water
2. The Safe Drinking Water Act Purpose: Protects ground water not water going into a navigable stream.
 Sole aquifer for this county is subjected to possible contamination as stated in Title 42 Chapter 6A subchapter XII Part C. 42 U.S.C.A. 300h-6.
 - a. The purpose of this section is to establish procedures for development, implementation, and assessment of demonstration programs designed to protect critical aquifer protection areas located within areas designated as sole or principal sources aquifers under section 300h-3e of this title.

GLB Rail proposal cannot and will not be able to establish any developmental positive assessment to protect Boone County's Sole Aquifer.

3. According to the Resource Recovery Act (RCRA) the reason GLB Rail (Mr. Patton) plans the rail proposal around populated areas with railed "Toxic Materials" communities is because cities have the right to refuse these railed "Toxic Materials". That does not appear to be the case for counties. The GLB Rail proposal has not attempted to communicate or devolve the list of contaminates which the rail will carry; therefore, this is not clear and explicit to those in the public that it could have a potential direct impact upon.
4. Public Health and Welfare Title 42 chapter 6A. Public Health Service, Subchapter XII purpose: . Safety of public Water Systems denotes, Federal Government and with State and local governments, shall review current and future methods to prevent, detect and respond to the intentional introduction of chemical, biological or radiological contaminates into community water systems and source water for community water systems, including methods 1-6 listed within this Subchapter XII.
The GLB proposed rail appears to be in direct conflict with this statute and an intentional introduction of contaminates into Boone County.
 - Relative requirements for which the STB should be cognizant would lead to an unfavorable position regarding the placement of this rail line in Boone County.
 - o State water pollution control agency has responsibility for enforcing State laws relating to the abatement of pollution
 - o Inter-county or municipality agency meaning two or more cities, towns, counties have been established to forge an agreement which assigns local powers or duties pertaining to the control of pollution in their respective county's .
 - o The term "pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. This term is within the section 1322.

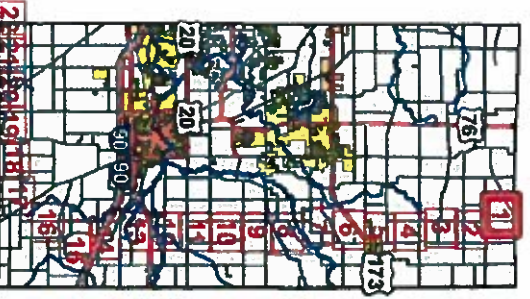
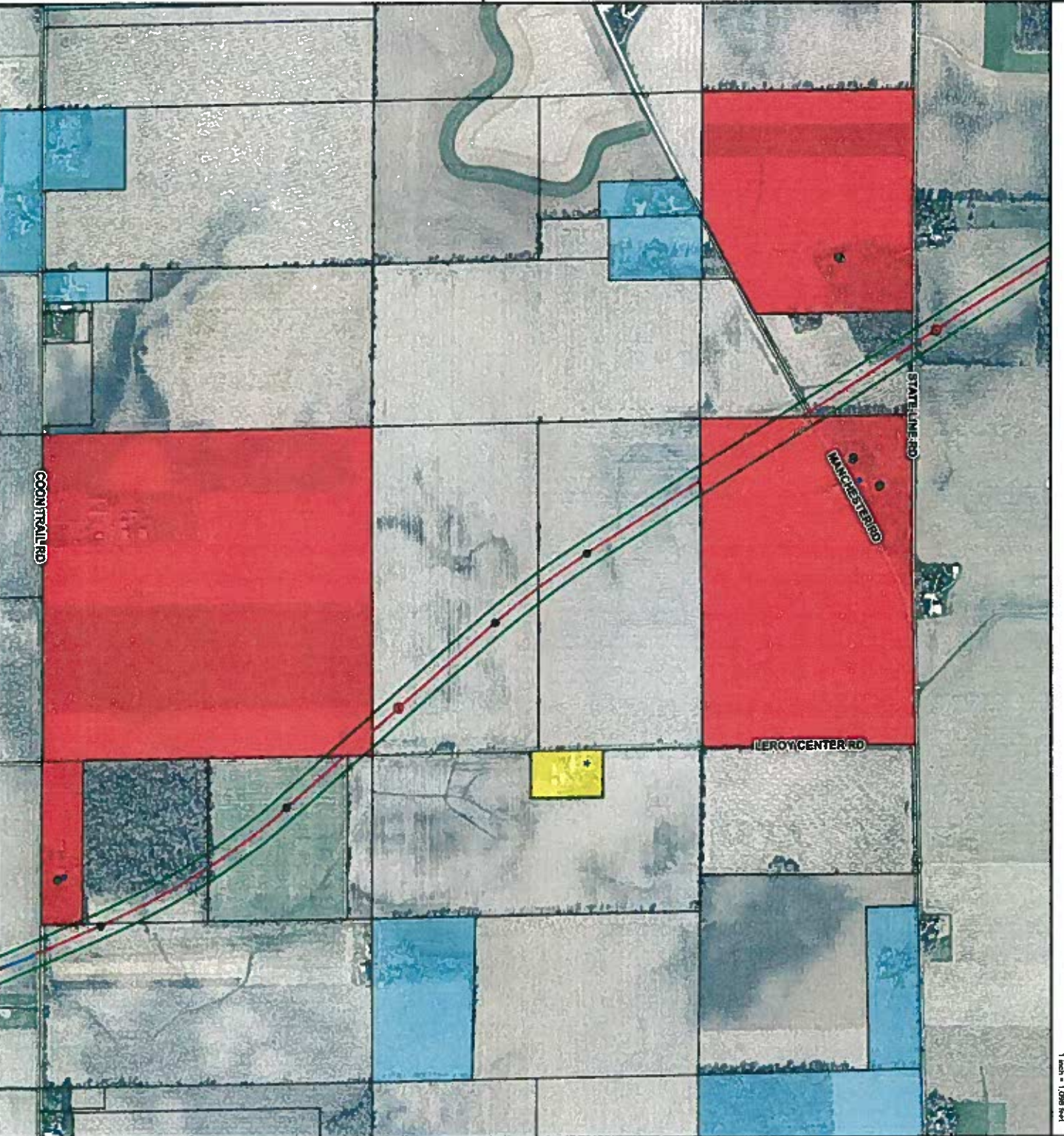
It is my understanding that the applicant, GLB Rail, is required to provide mitigation of all applicable Federal, State and Local statutes prior to any decision being made by the STB on behalf Boone County.



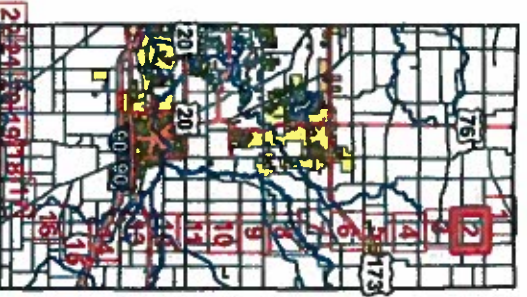
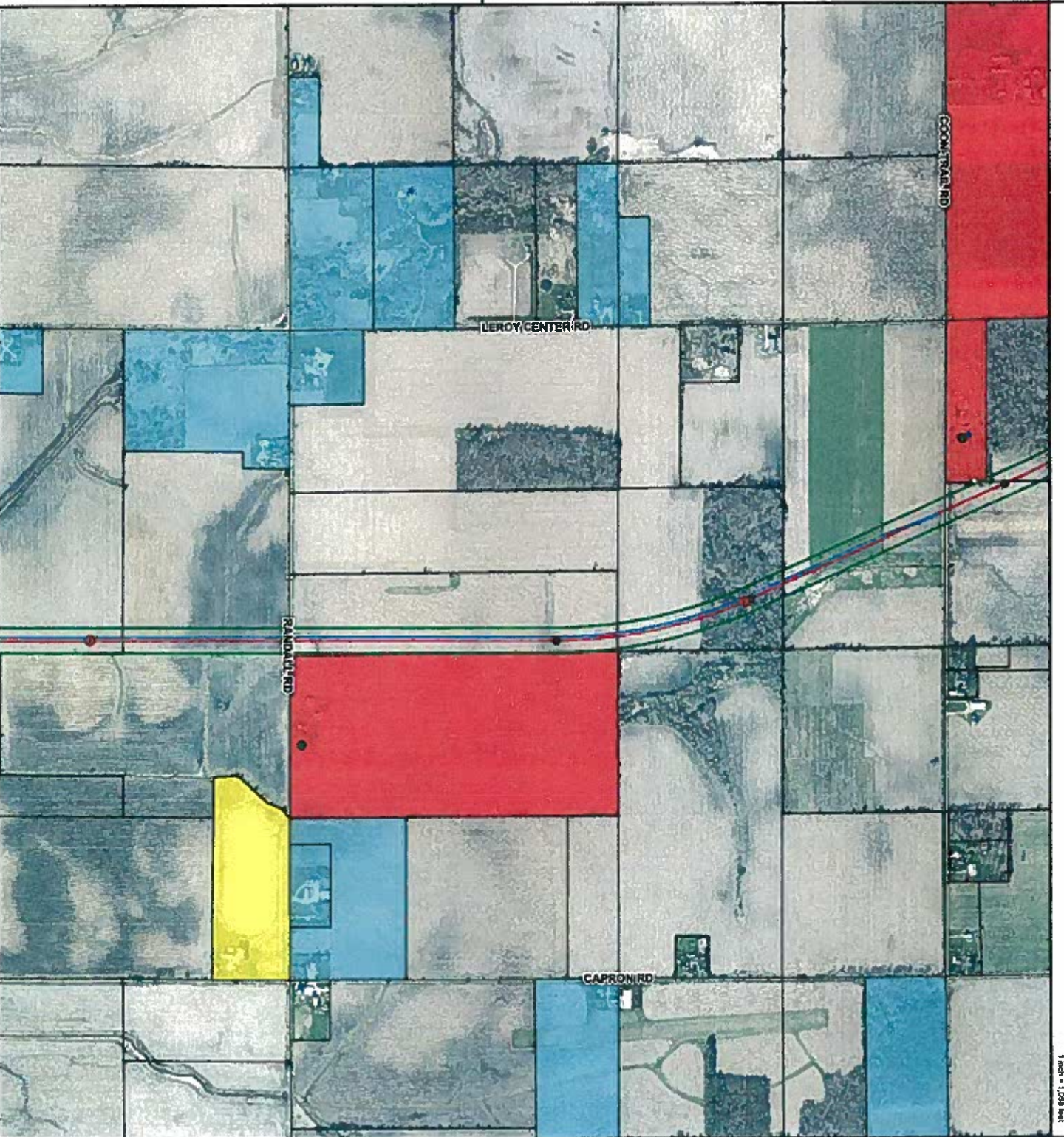
Jeffrey S Carlisle
Boone County Board District Two Representative
Health and Human Services Chairman
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317-258-2151

Committee of Health and Human Services
S. Branson VC
S. Giesecke
C. Ward
R. Larson

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-  Water Well
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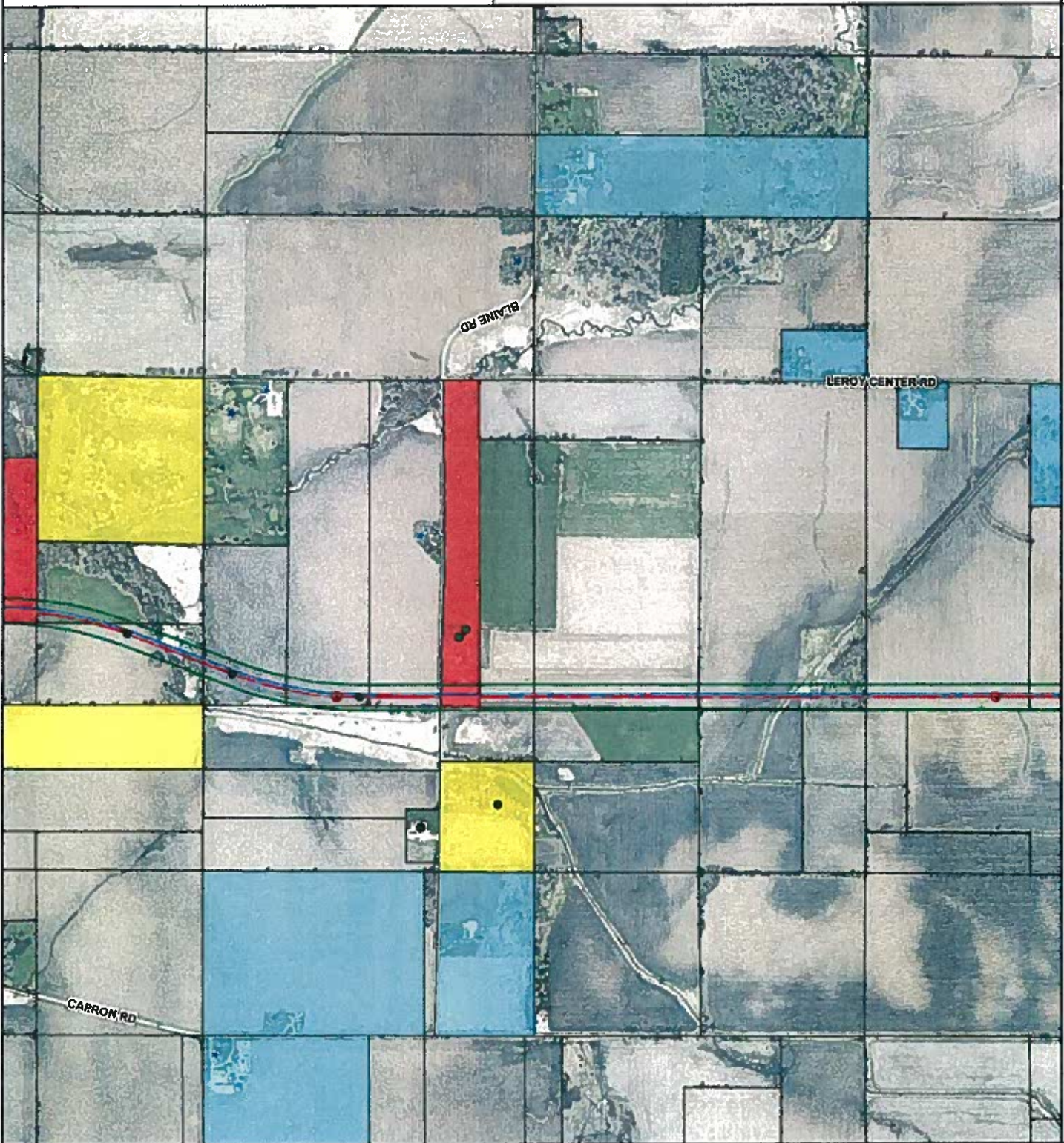
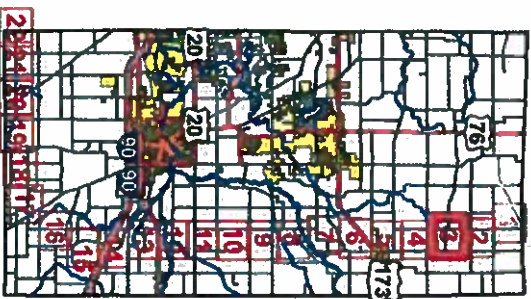


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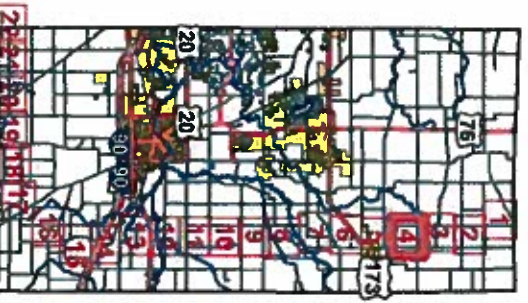
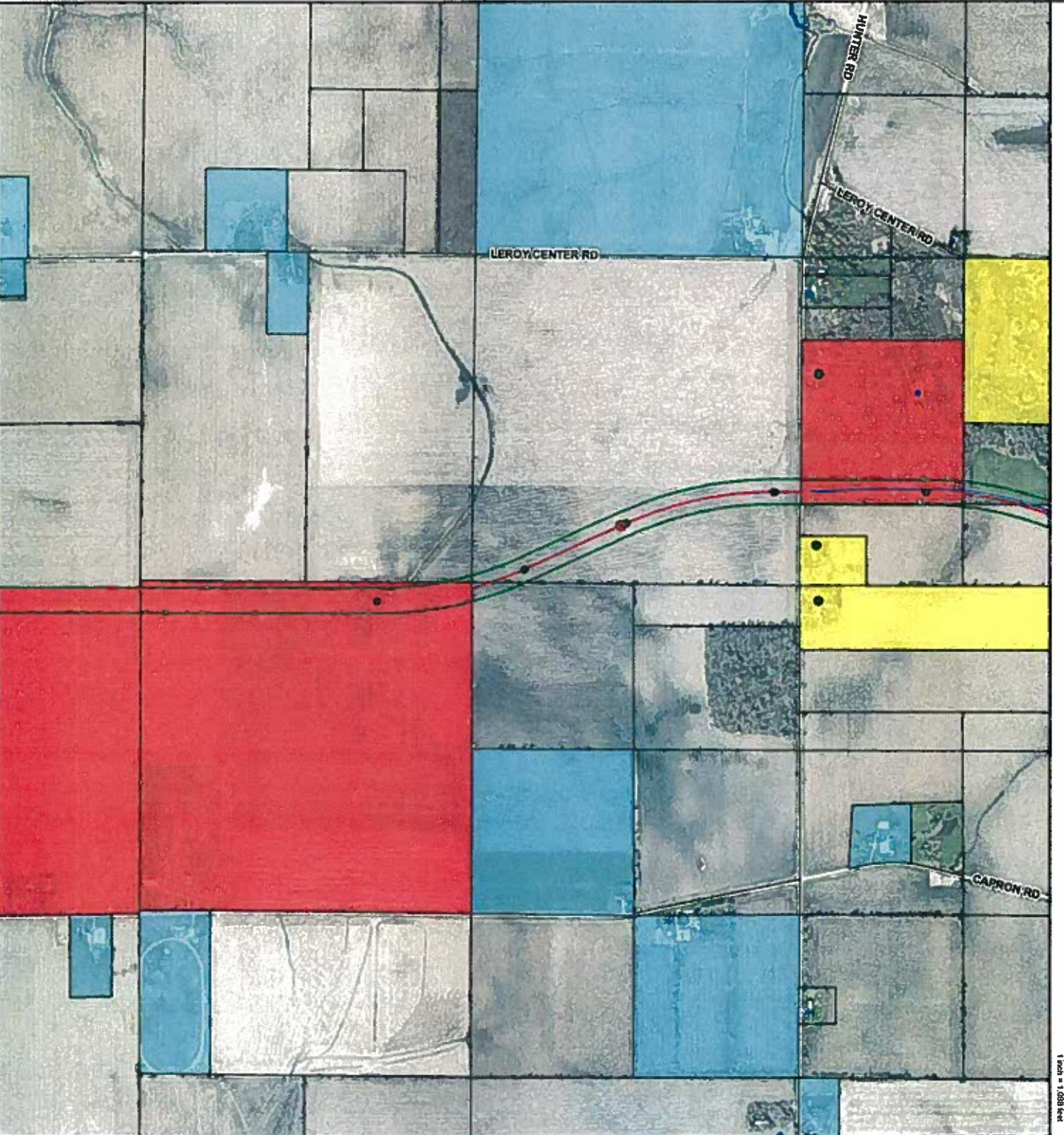


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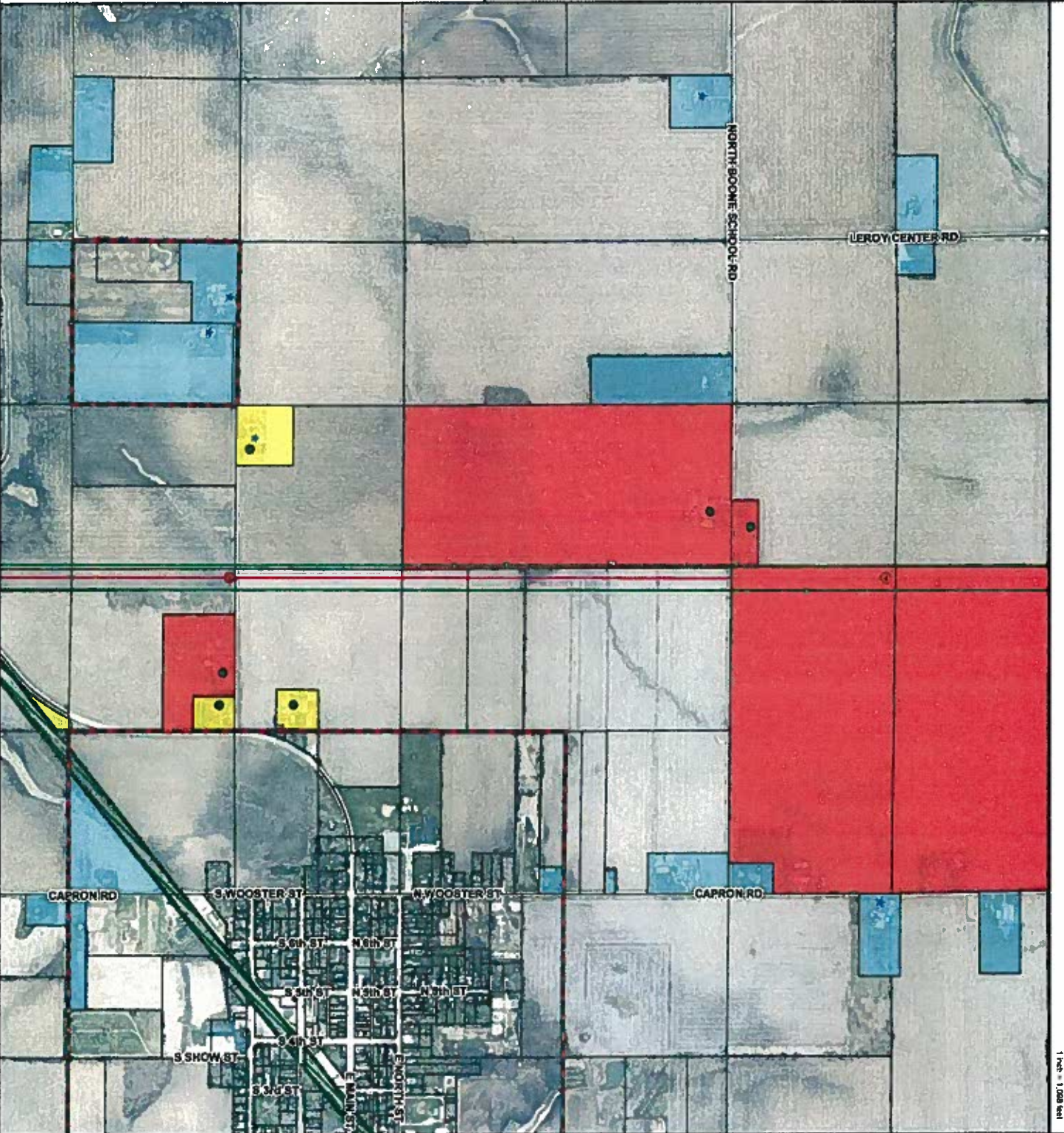
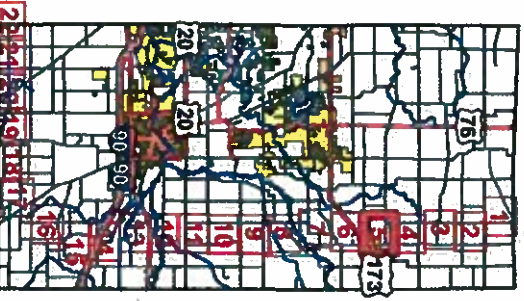


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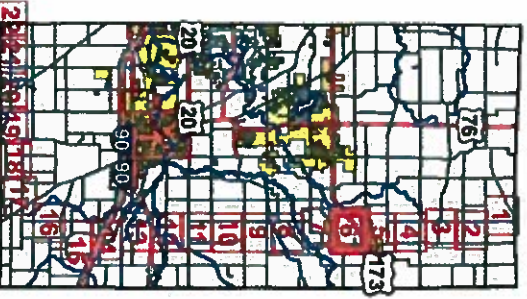
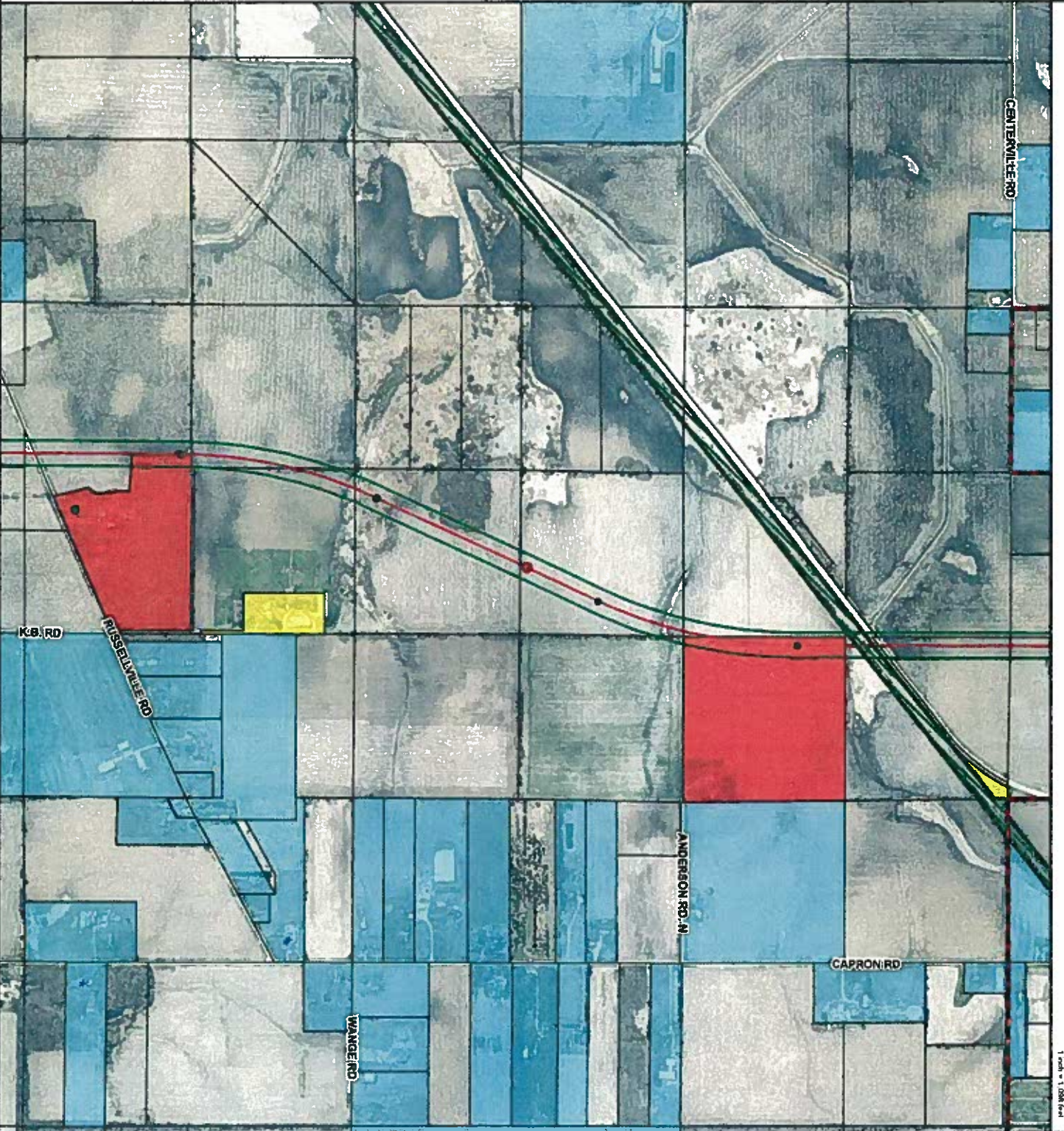
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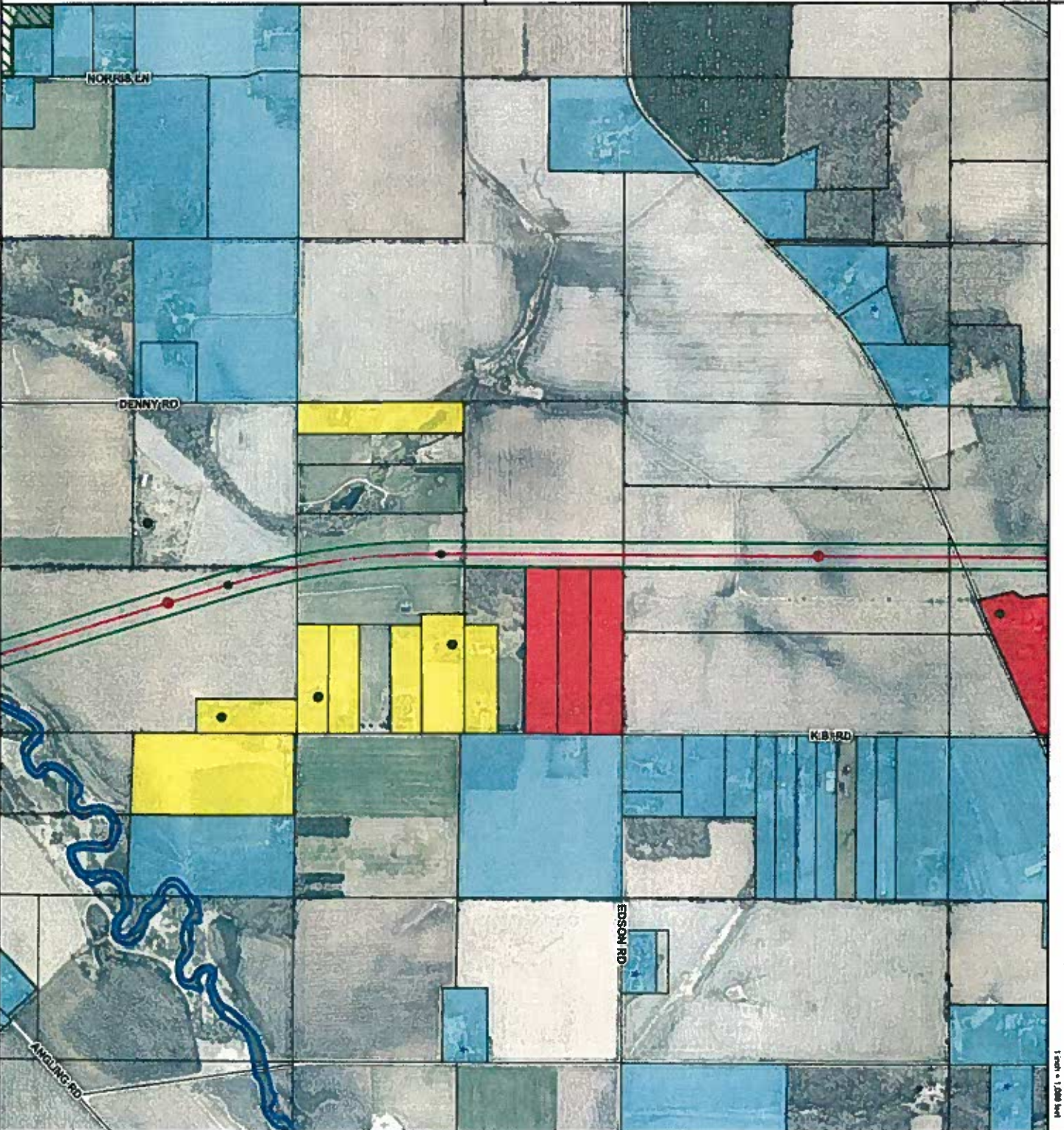
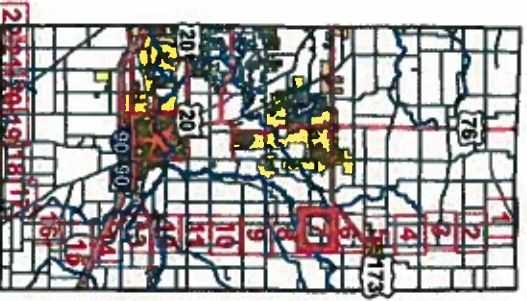


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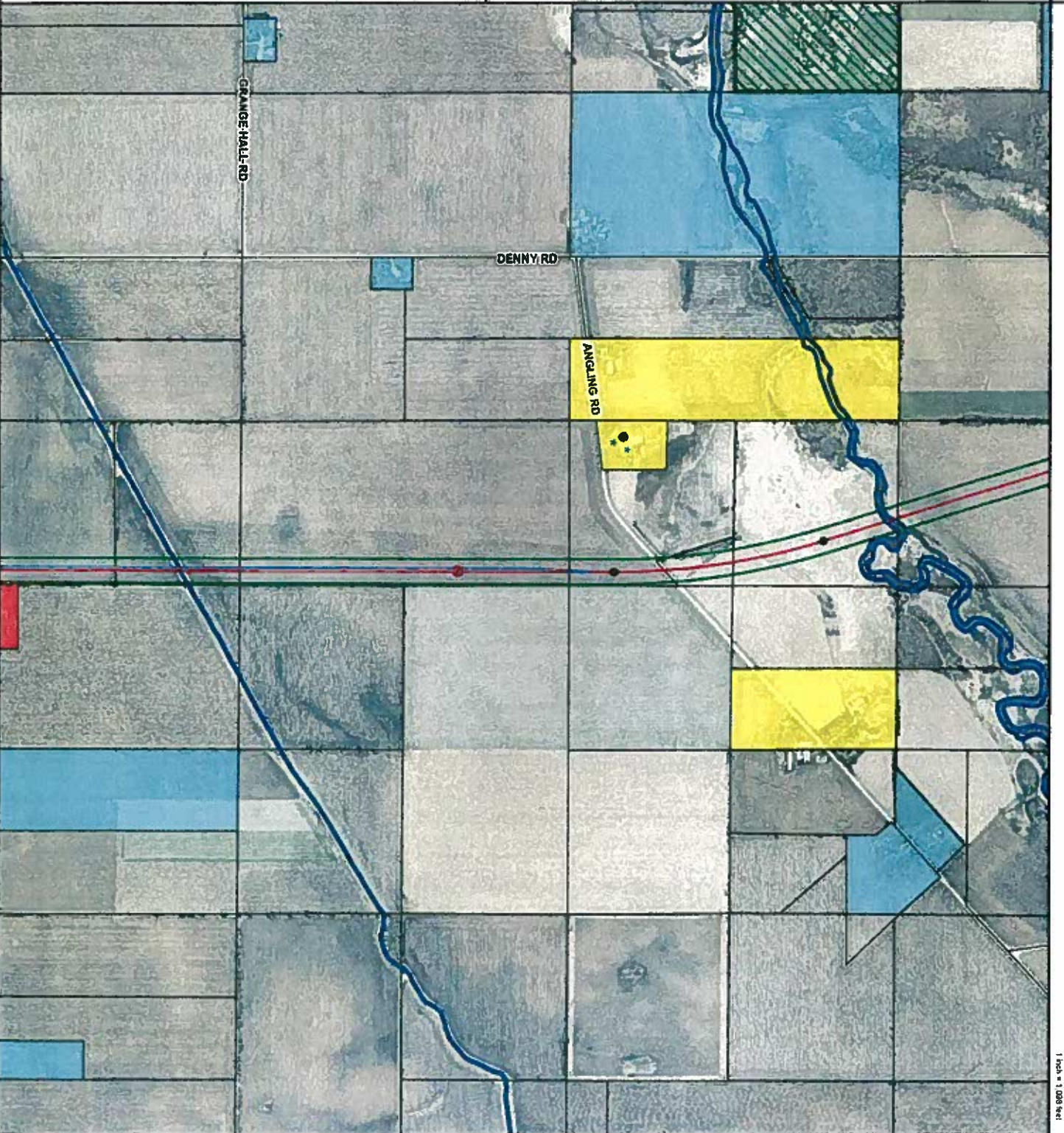
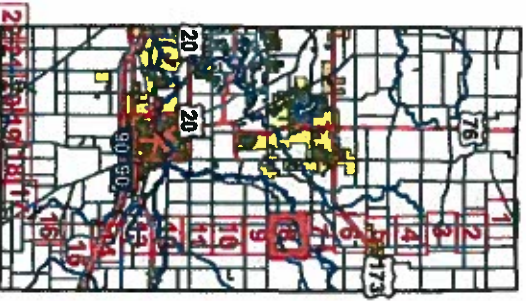
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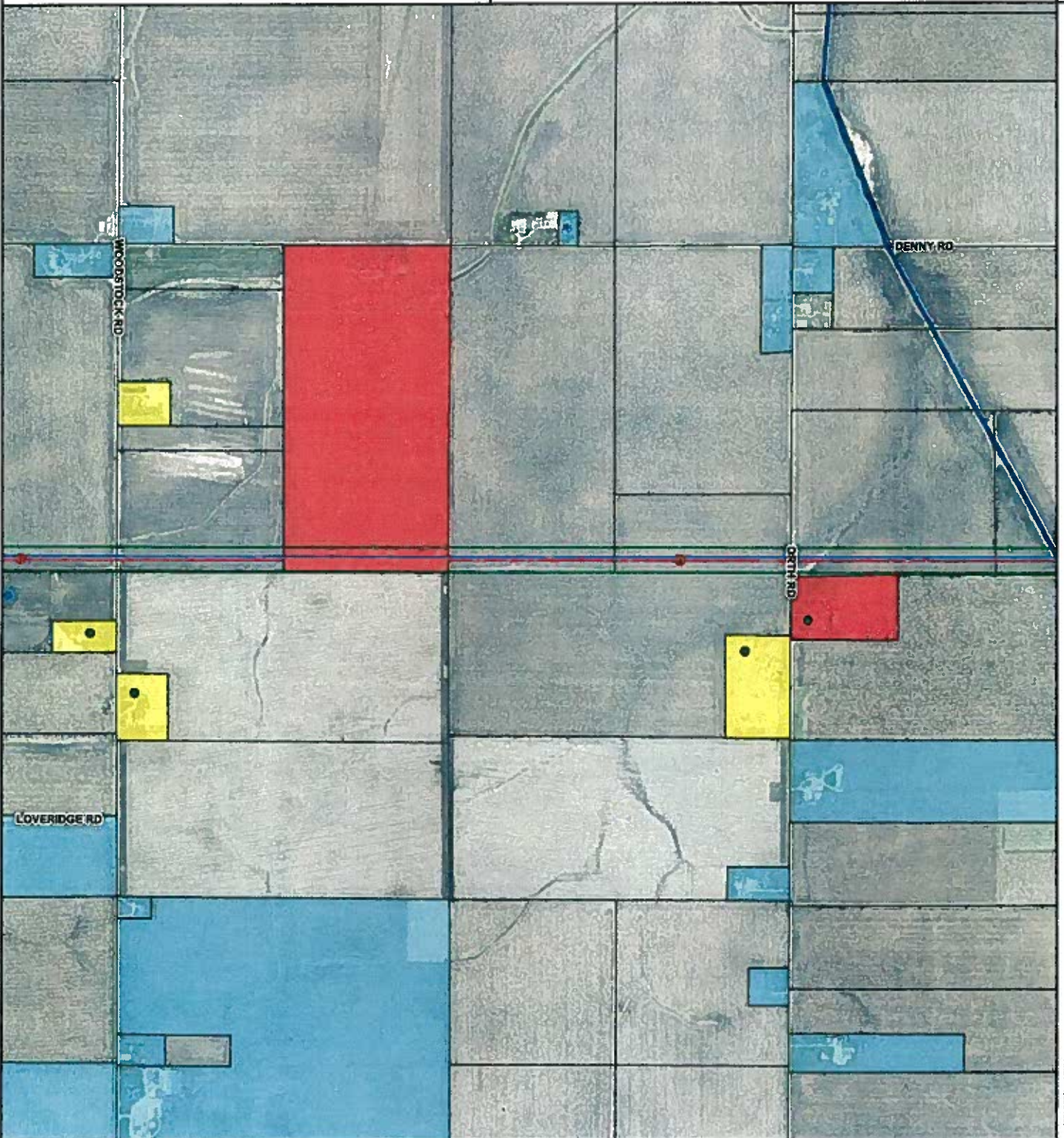
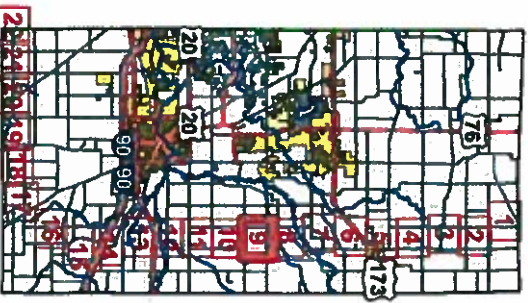


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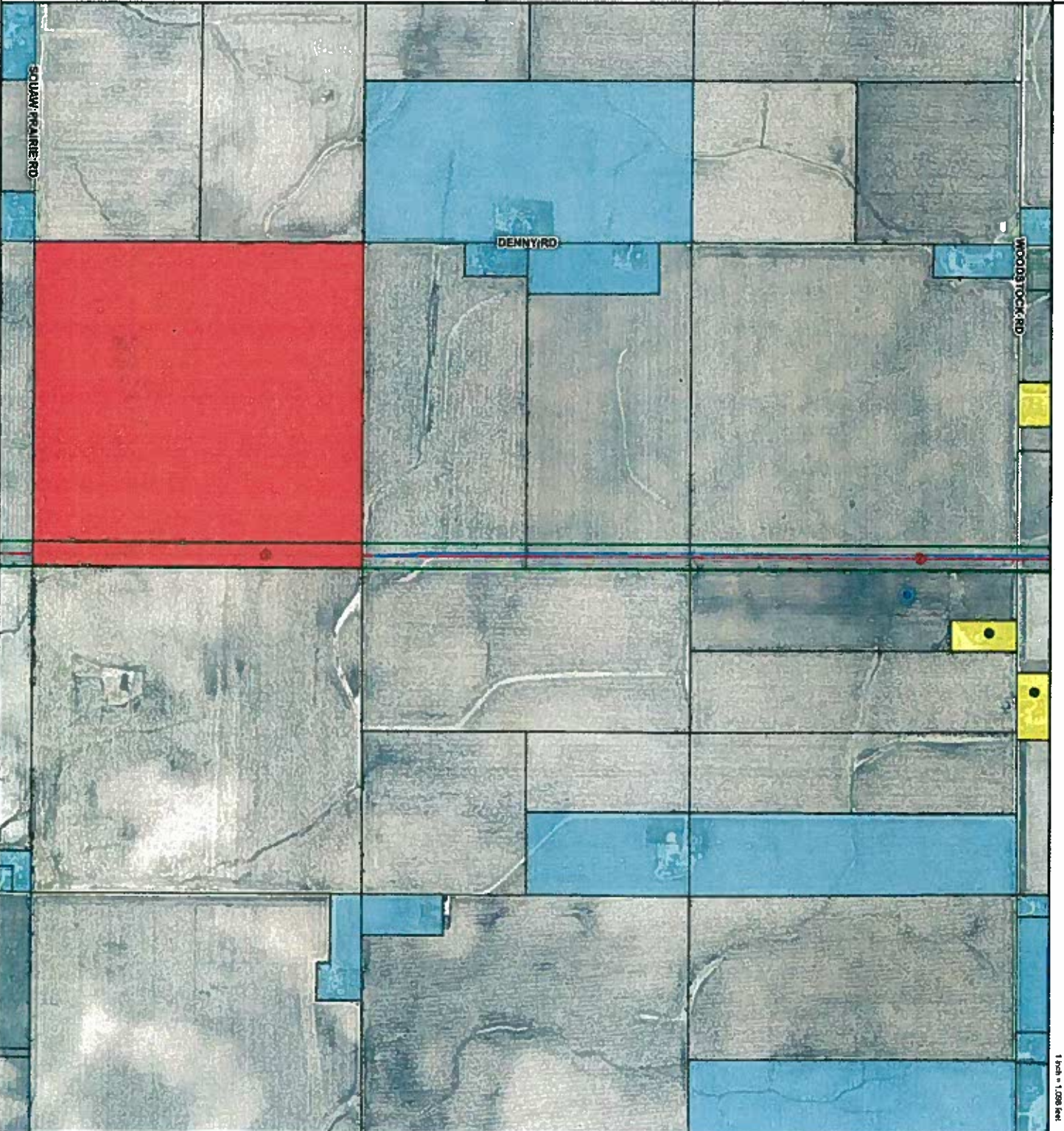
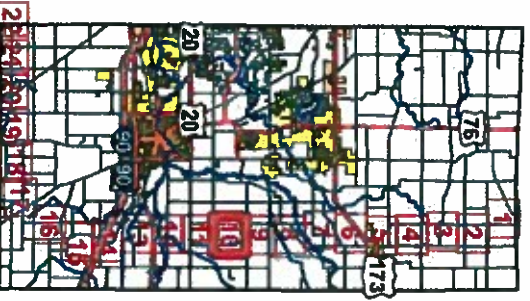
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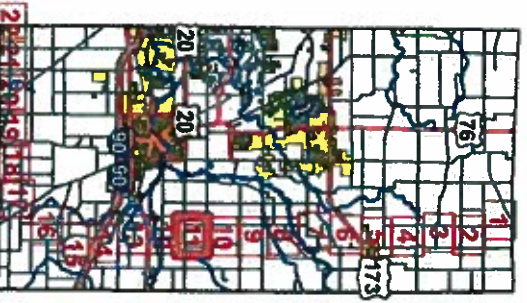
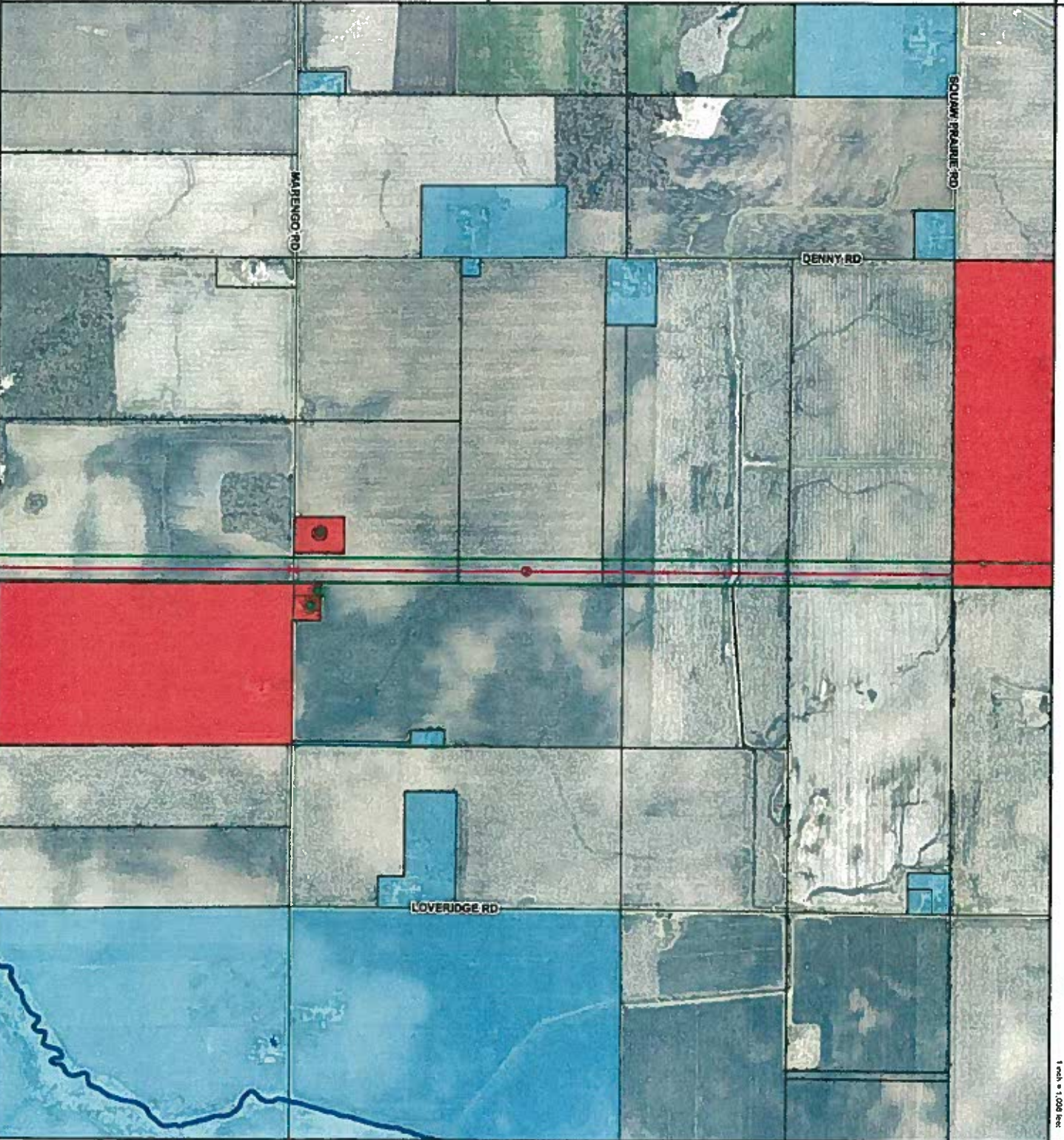
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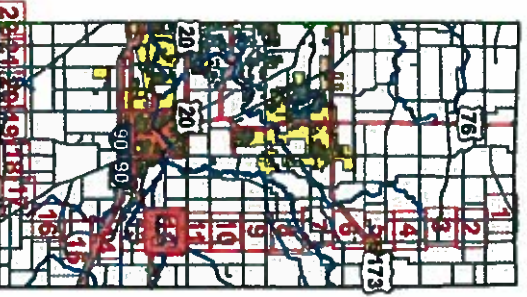
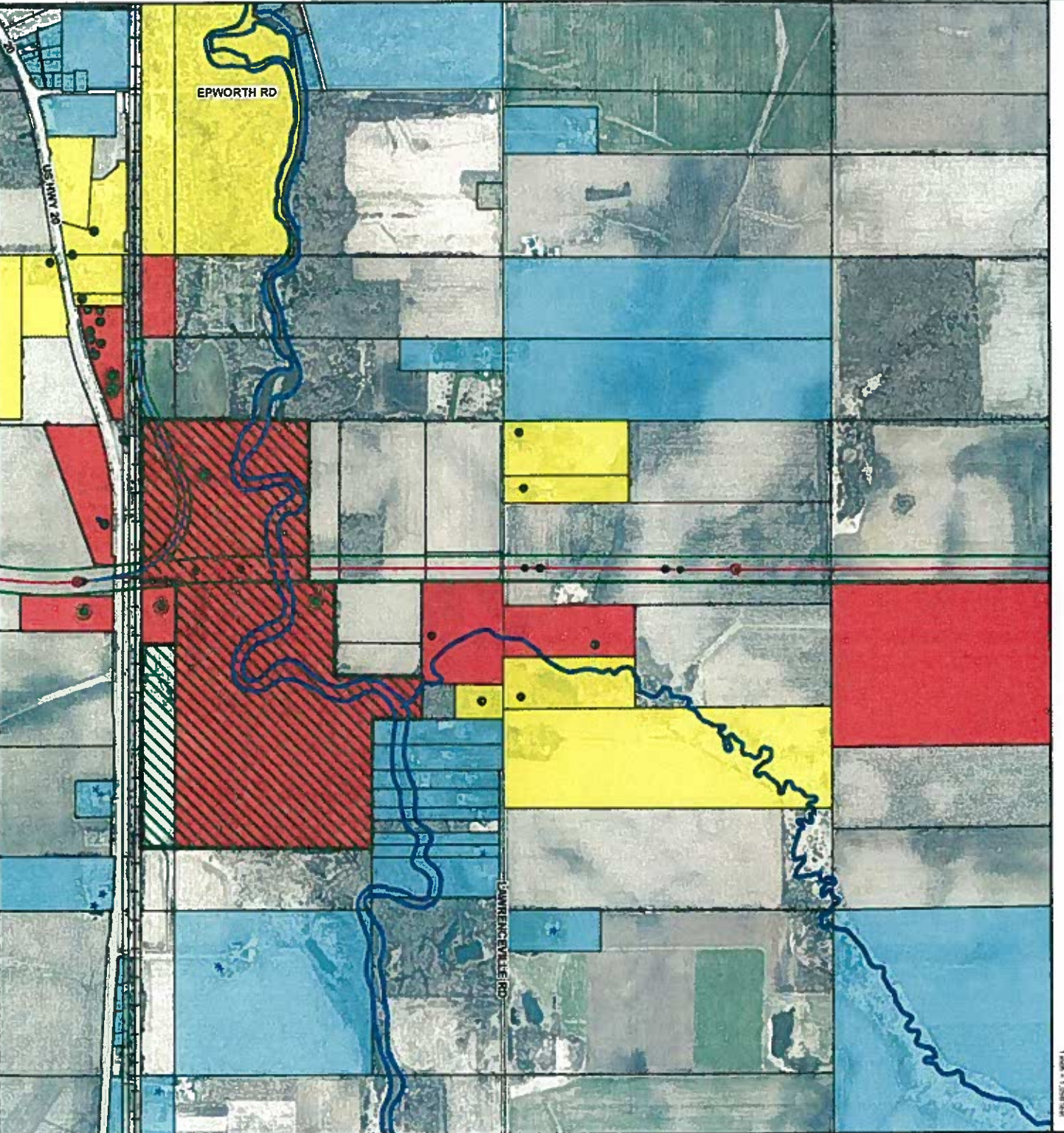
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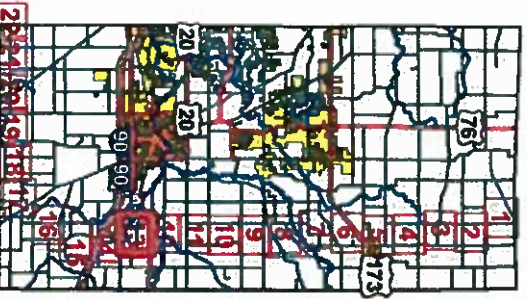
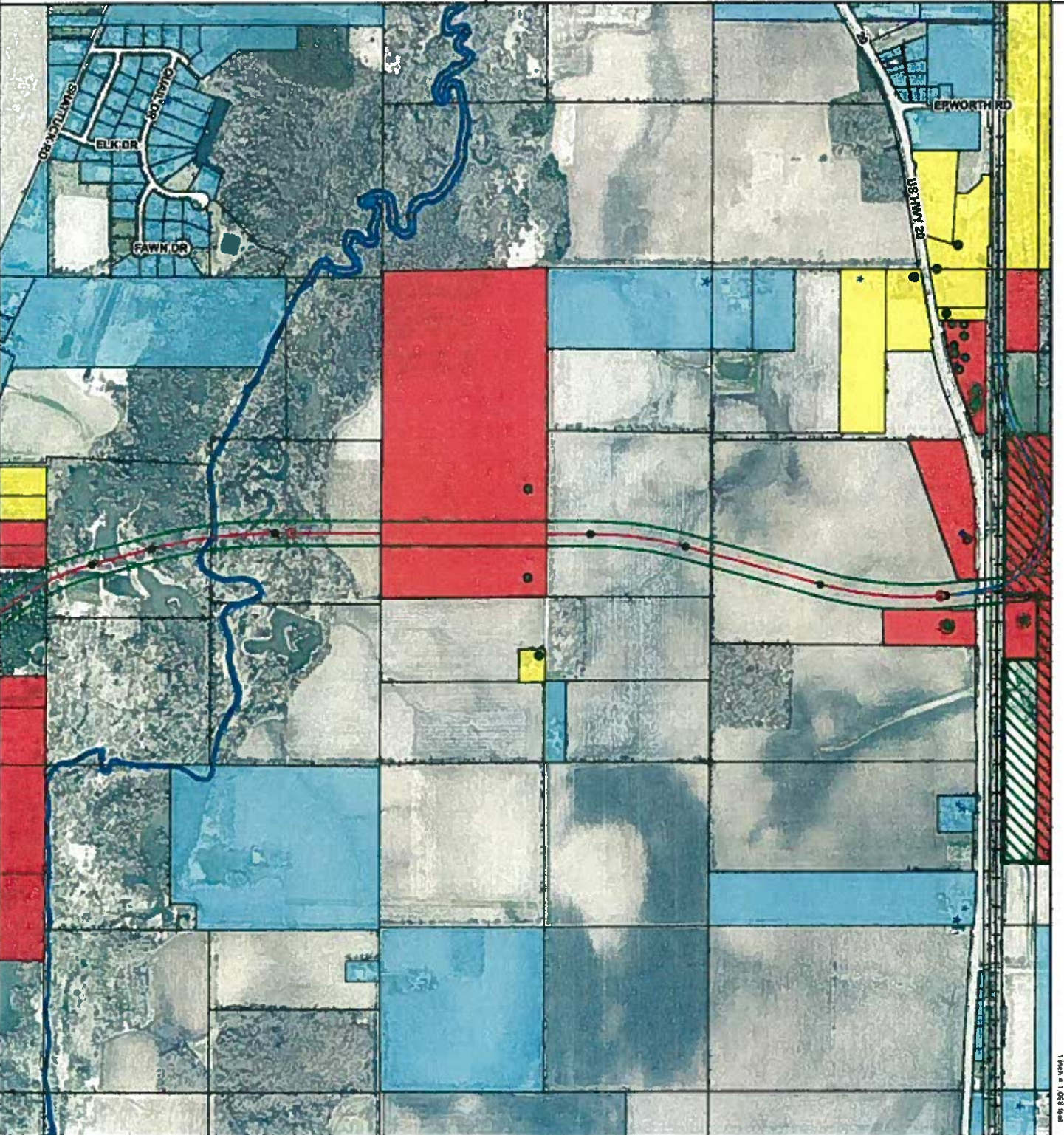




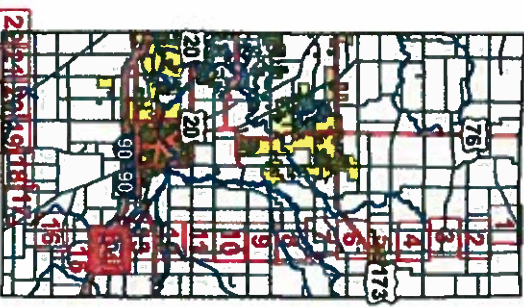
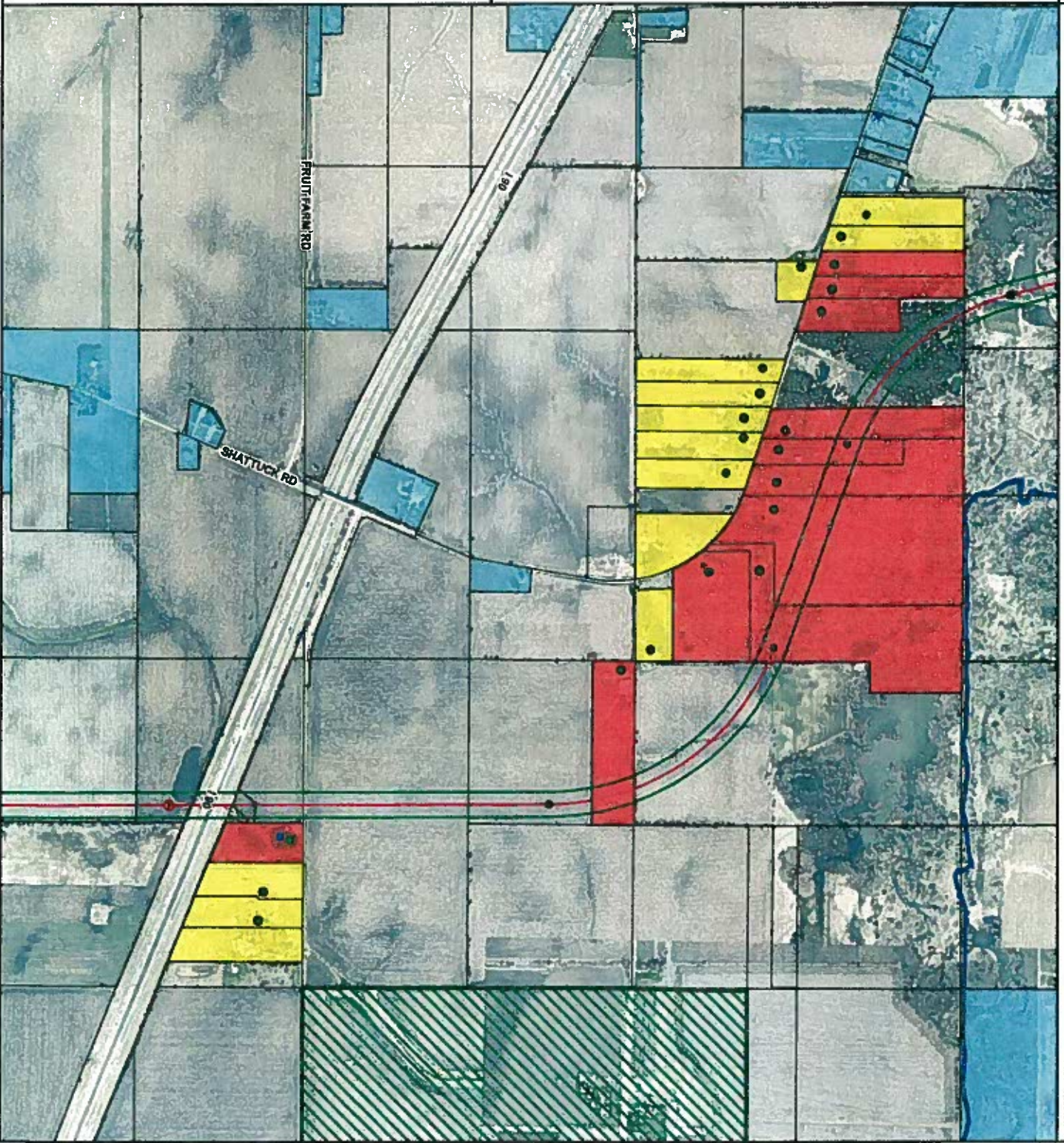
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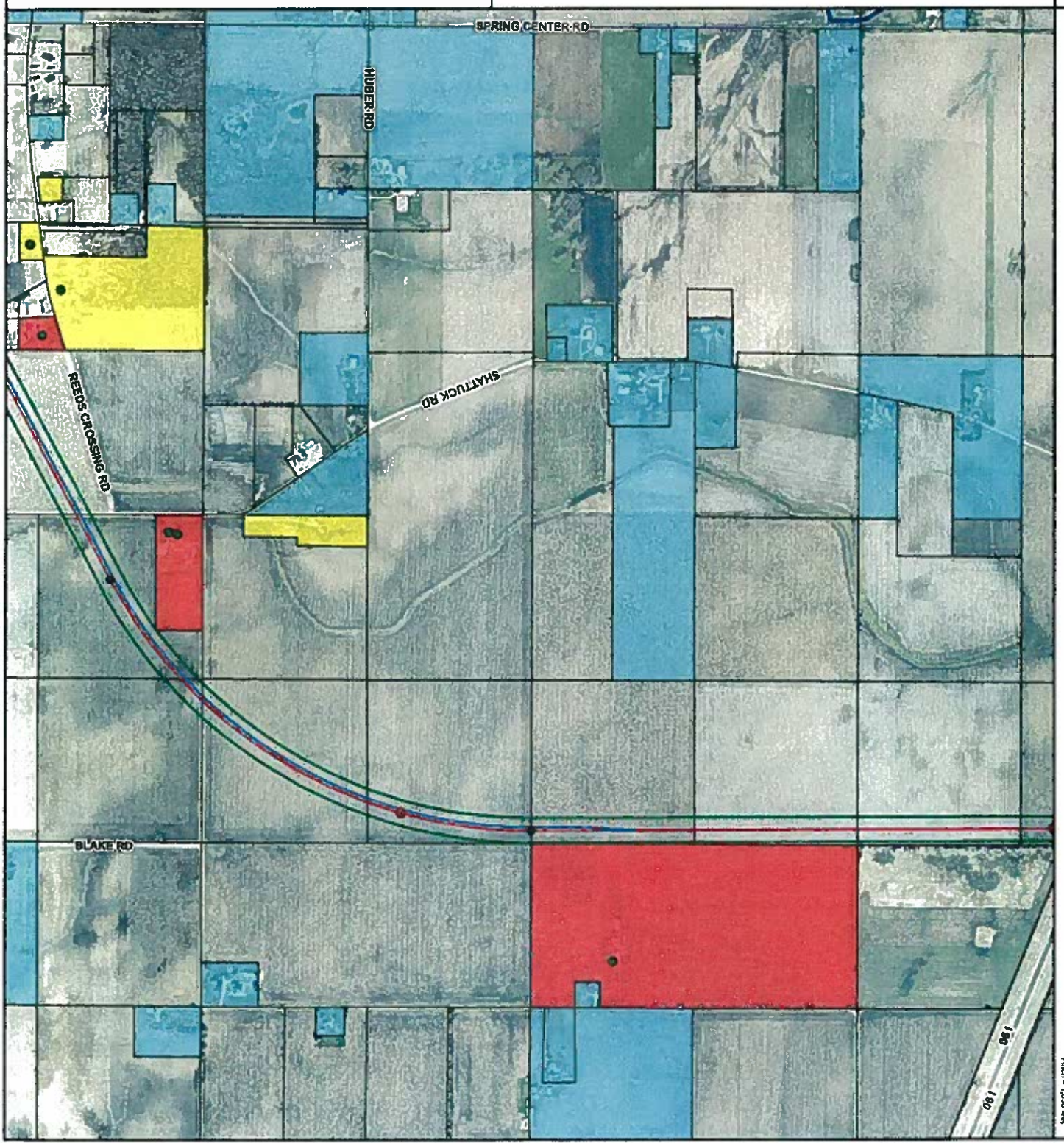
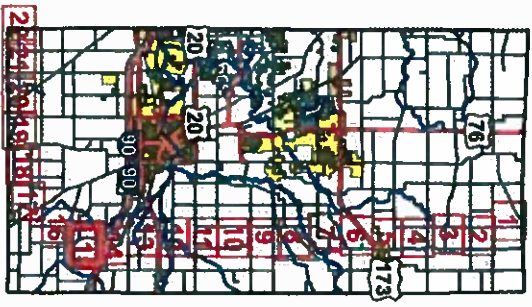
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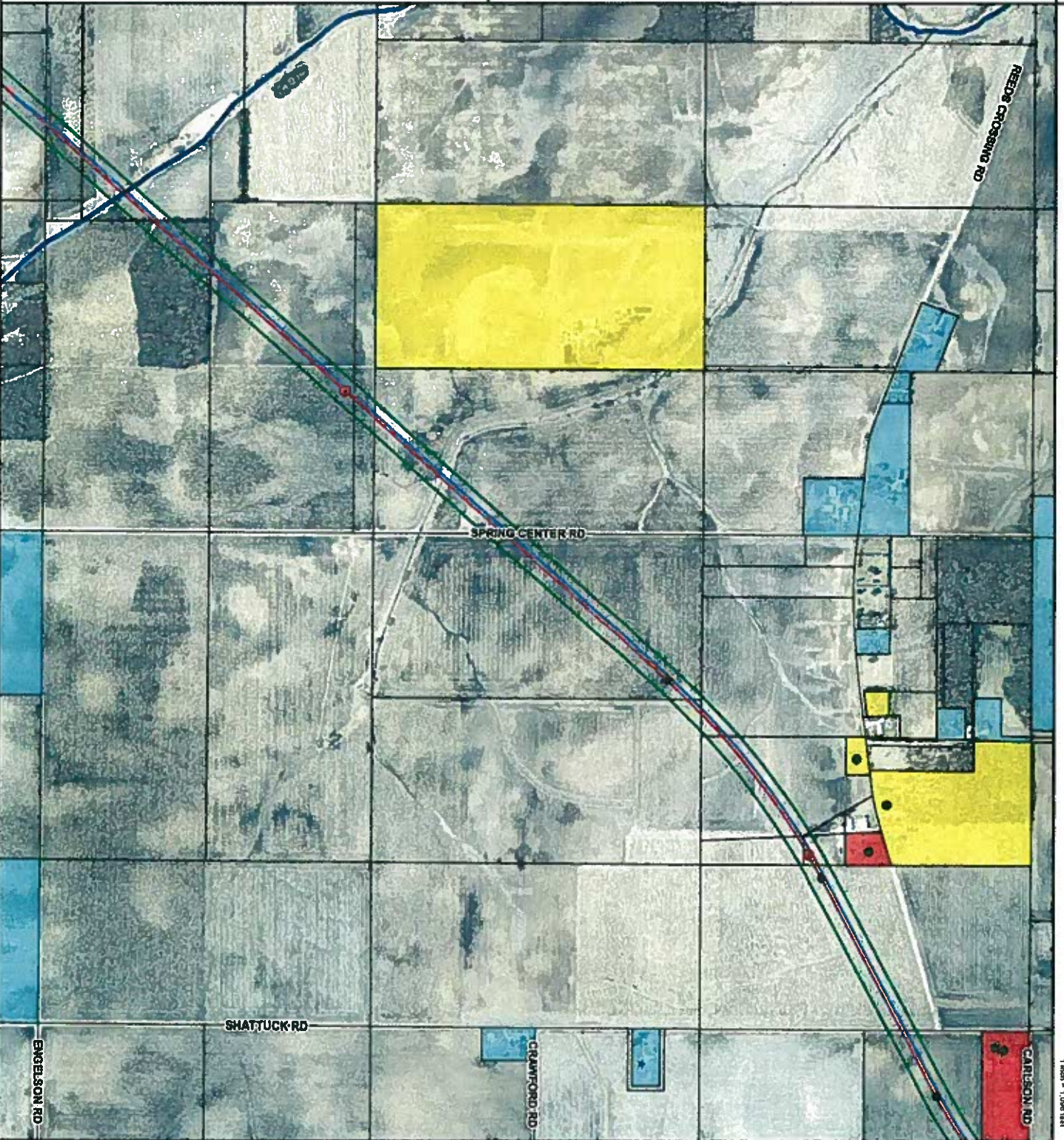
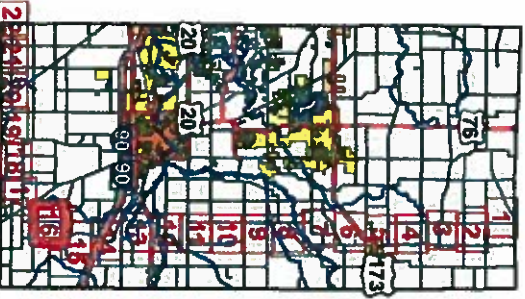
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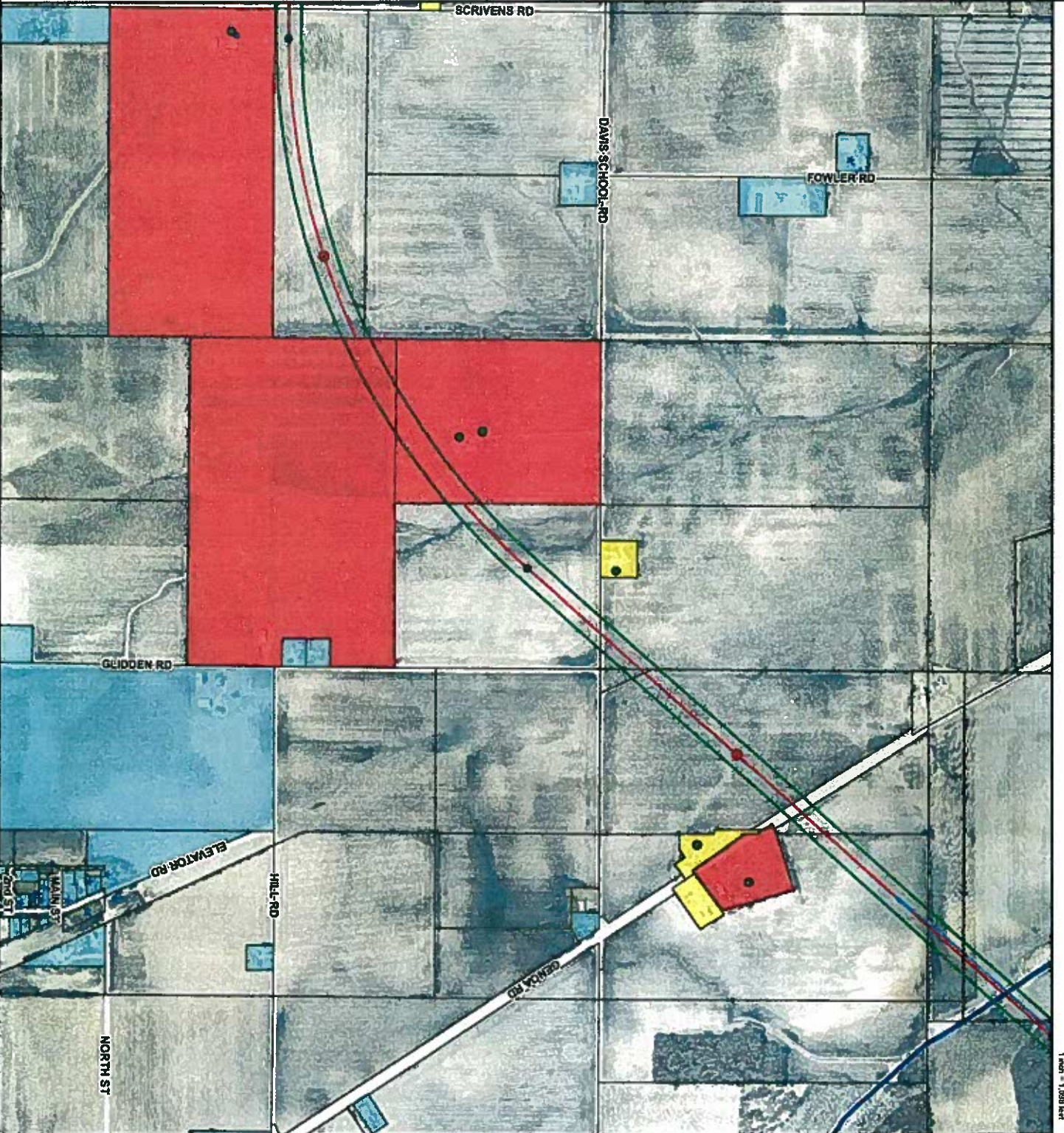
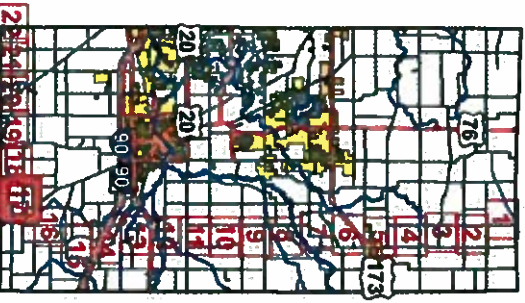


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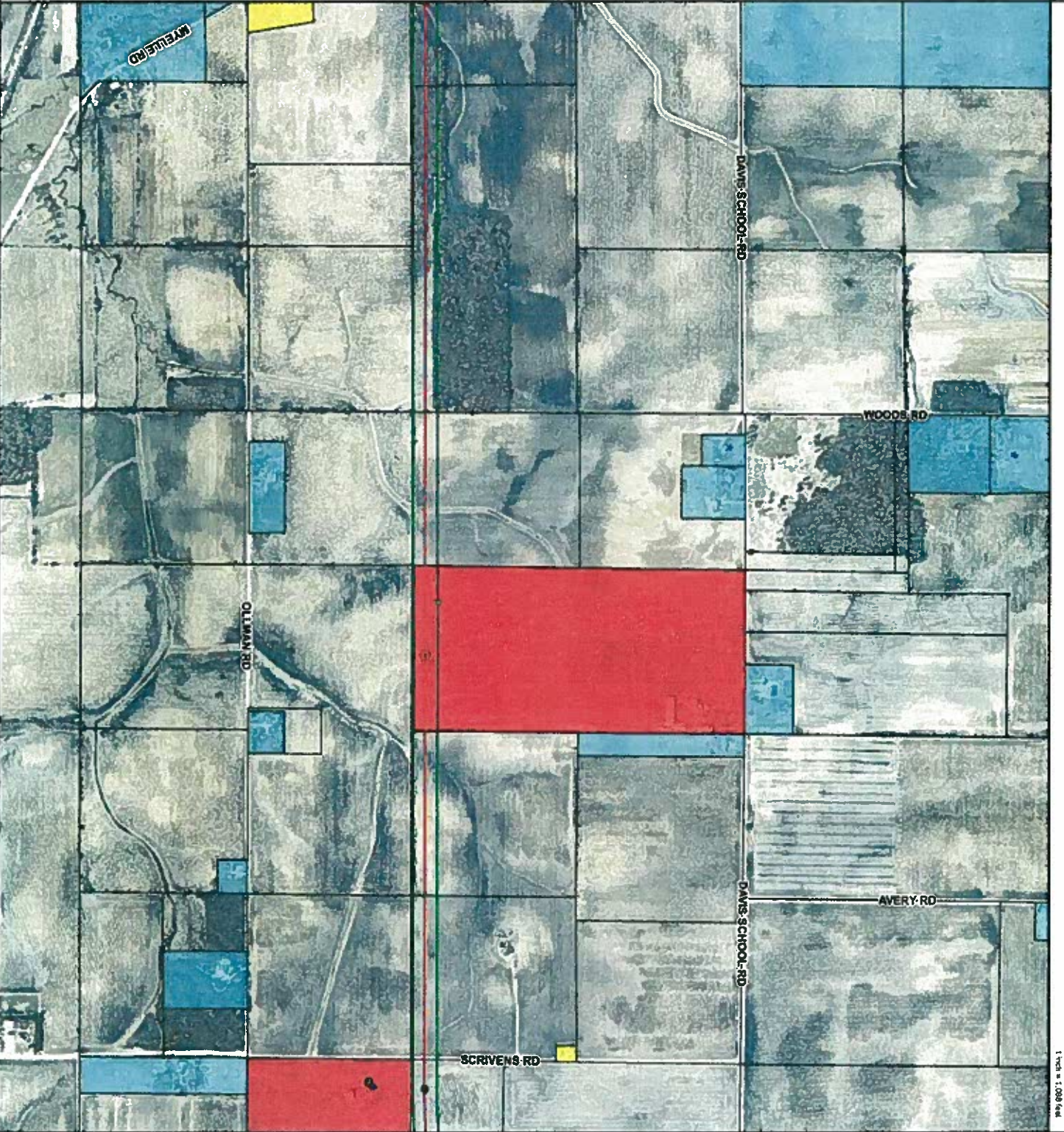
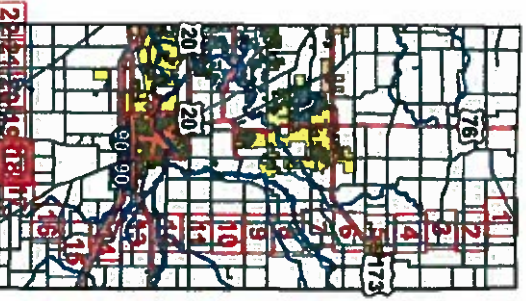


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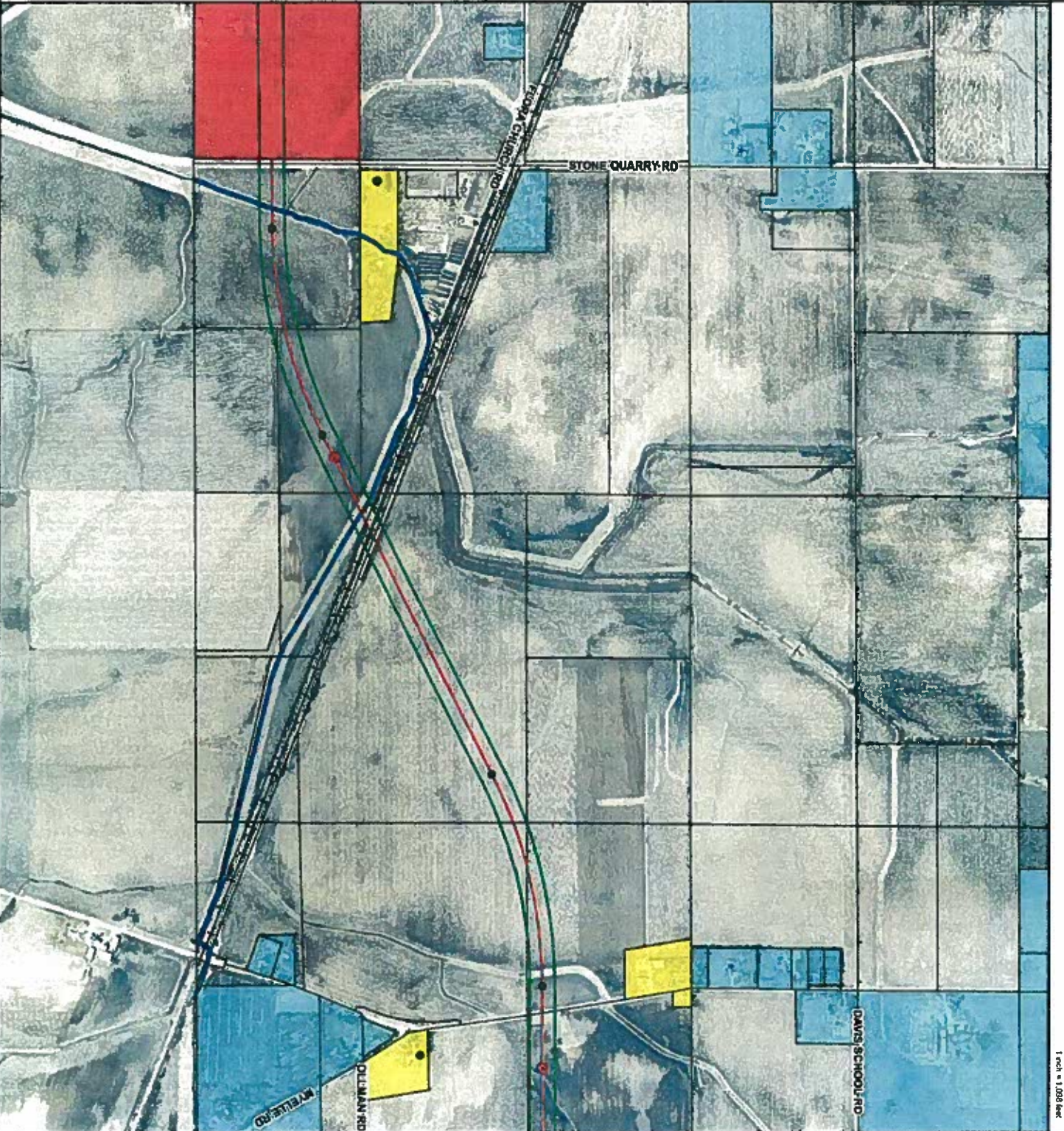
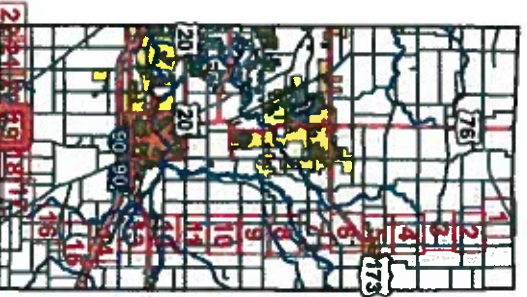
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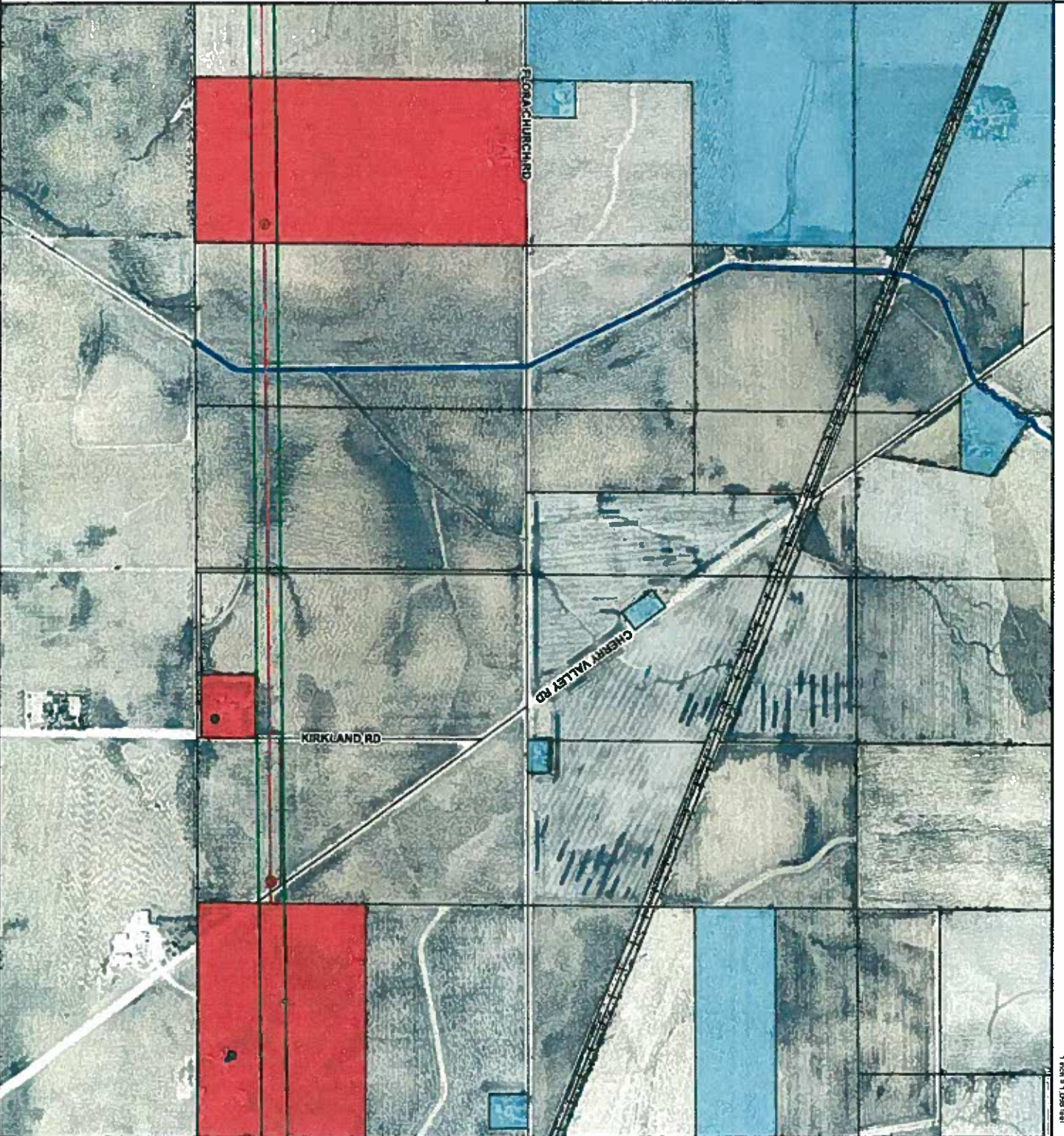
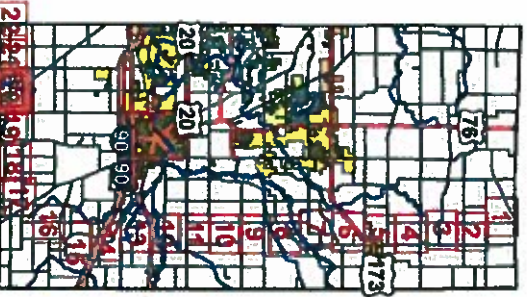


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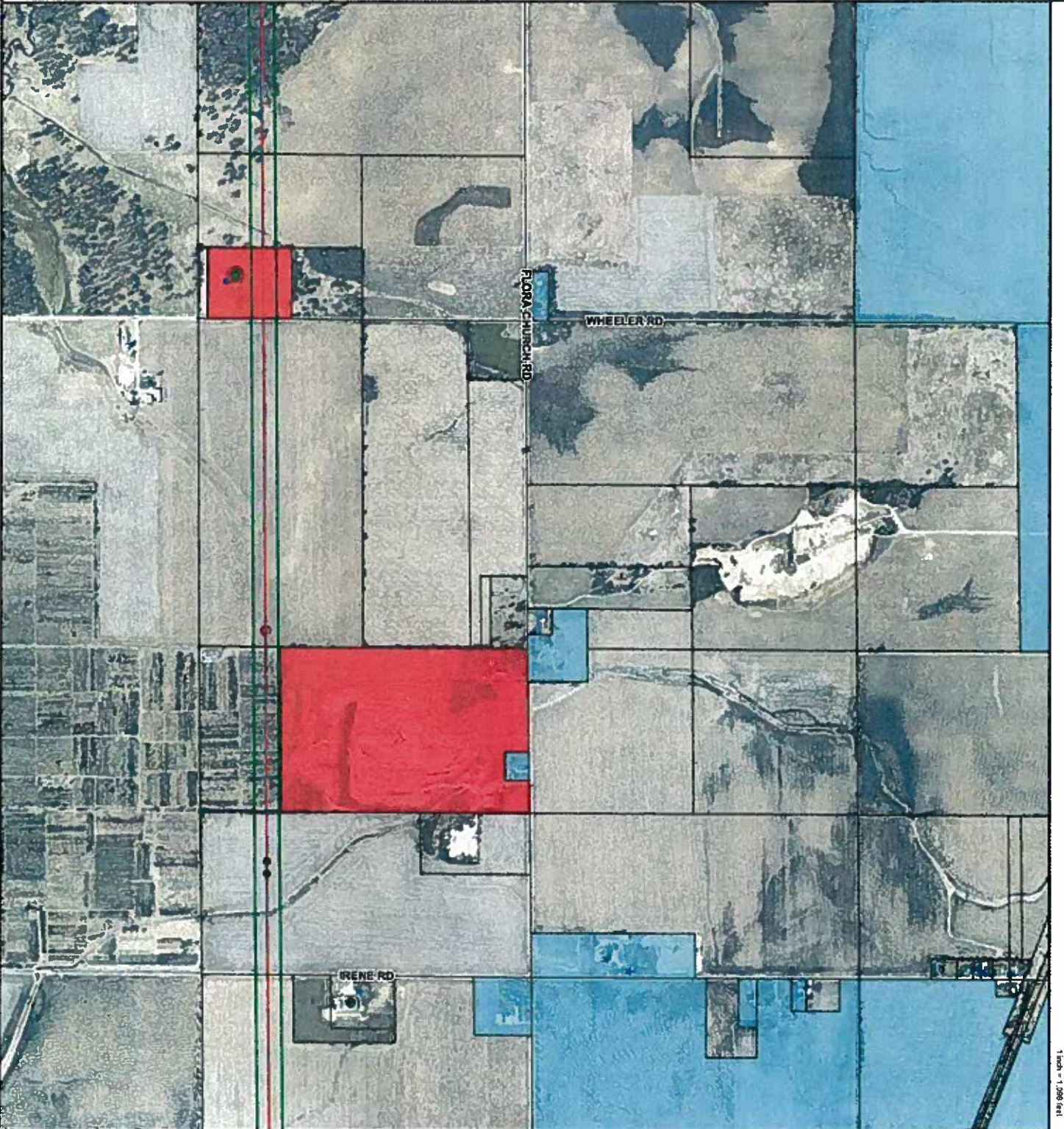
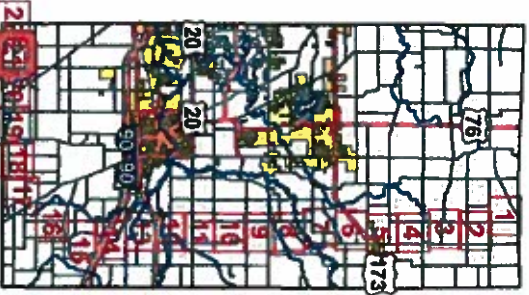


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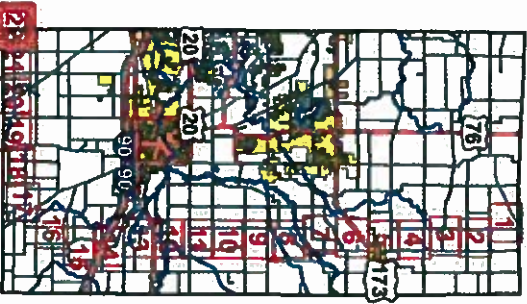


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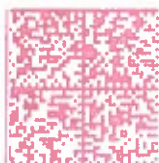


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Mr. Dave Navecky
Office of Environmental Analysis
Surface Transportation Board
Docket No. FD 35952
395 E Street SW
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