

02/24/2009

Dear Danielle,

Please consider this our official comment document. We did E-file this document on February 23, 2009 at 11:20 p.m. as a precautionary measure. We were concerned we would not be able to get to a post office on February 24, 2009.

We did make a few minor changes that are important to us in this final copy and that is why we want this to be our official comment document. Please replace the previously filed electronic version with this one.

I apologize for any inconvenience or confusion this may cause.

If you have questions, please give me a call.

Sincerely,



JoAnn Gillette

People Protecting Communities

Work: (814) 865-2386

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Acknowledgement of environmental comment

Monday, February 23, 2009 11:20 PM

From: "SevernS@stb.dot.gov" <SevernS@stb.dot.gov>

To: joann.gillette@yahoo.com

STB acknowledges that you have submitted an environmental comment regarding
docket number FD-35116--



Surface Transportation Board

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Environmental Comments

In order to process your comments, please fill out the following information.

Docket #:

FD - 35116 -

Attention of:

Vicki Rutson

Your Name: *

Joann Gillette

Group Name (if applicable):

People Protecting Commur

Affiliation:

Citizens Group

Address: *

PO Box 38

City: *

Clarence

State: *

PA

Zip Code: *

16829

Phone Number: *

814-398-6537

Email Address: *

joann.gillette@yahoo.com

Comments:

Attached please find official public comment from
People Protecting Communities per Environmental
Filing STB Finance Docket No. 35116

Our comments will also be send via the mail.

* Required fields

Attachments:

/Users/TechieR/Desktop/STB Finale/EIS-ALL

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PEOPLE PROTECTING COMMUNITIES

PO Box 38 • Clarence, PA 16829

www.stoplandfill.com

February 23, 2009

Danielle Gosselin
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Attention: Environmental Filing STB Finance Docket No. 35116

Dear Ms. Gosselin:

We appreciate the opportunity to participate in the Environmental Impact Statement (EIS) scoping process for STB Finance Docket No. 35116. People Protecting Communities (PPC) has been involved with the proposed development of the landfill, the railroad and the other activities supporting the landfill, and all its variations since March 2004. Most recently, in June 2008 we filed a Petition to Hold Proceedings in Abeyance with regards to certain actions requested by R. J. Corman Railroad Company/Pennsylvania Lines Inc. (RJRP) pending the completion of an environmental review to be performed pursuant to the National Environmental Policy Act (NEPA).

The Draft Scope of Study for the EIS proposes to treat the construction and operation of the proposed rail line (construction and operation of an abandoned 10.8 mile rail line between Wallacetown Junction and Winburne and the reactivation of track on the connecting 9.3 miles of currently rail banked line between Winburne and Gorton) as a single action rather than as an integral and connected portion of the larger landfill project. The proposed action for the Draft Scope of Study for the EIS should be a connected action that includes not only the proposed rail line but also the landfill it will serve and other facilities incidental to the landfill, viz. industrial park, and recent quarry, as required by 40 C.F.R. § 1508.25 (a).

Please note the comments contained within this document will not be PPC's only submission with regards to the review of Finance Docket No. 35116 et al. PPC reserves the right to submit further public comment, testimony, criticisms, responses, make requests, initiate actions, and otherwise participate in this review process.

Sincerely,

JoAnn Gillette, Coordinator
Review Committee
People Protecting Communities
PO Box 38
Clarence, PA 16829
joann.gillette@yahoo.com
(814) 387-6537

I. The Proposed Action for the Draft Scope of Study for the EIS Is Inadequate

The scope of the environmental impact statement should encompass the entire project of which the proposed reactivation of the proposed Beech Creek rail line (construction and operation of an abandoned 10.8 mile rail line between Wallacetown Junction and Winburne and the reactivation of track on the connecting 9.3 miles of currently rail banked line between Winburne and Gorton) is a part — namely the proposed landfill, industrial park, quarry and rail line — rather than the rail line alone. Limiting the scope of the EIS to the rail line action and treating the landfill and industrial park as cumulative impacts of that action, rather than treating the landfill and industrial park as part of the action being reviewed is inconsistent with 40 C.F.R. § 1508.25.

The Council on Environmental Quality's (CEQ) regulation governing the scope of the action to be addressed in environmental review defines the "action" to be reviewed to include:

(1) Connected actions, which means that they are closely related and therefore should be discussed in the same impact statement. Actions are connected if they:

(ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.

(iii) Are interdependent parts of a larger action and depend on the larger action for their justification.

In the present case the proposed rail line both (1) is an interdependent part of the larger action including the proposed landfill and depends upon the landfill for its justification and (2) cannot and will not proceed unless the landfill is permitted, built and brought into operation. Accordingly, the scope of the EIS should encompass (1) the rail line, (2) the landfill, (3) the industrial park, and (4) the quarry.

To isolate the rail line from the larger landfill project is inconsistent with the prior consistent statements of the project developers and economic reality. In fact, the only driver behind the request for construction and operation of the former Beech Creek line to Gorton, Pennsylvania (PA) is the developments being proposed by Resource Recovery, LLC (RRLC)—primarily a landfill and future industrial park. The rail line has been treated as an incidental part of the larger landfill project since the concept presentation by RRLC to Snow Shoe Township April 2004 (Exhibit 1) and the Host Municipality Agreement between RRLC and Rush Township May 2004 (Exhibit 2). The proposed rail line, landfill, and industrial park are all interdependent and "links of a single chain."

Moreover, the rail line is not commercially feasible without the landfill. There presently is no customer that would be served by the construction and operation of this line of a size that could support the line commercially. The only official permitted industrial activity in the area to be served by the line is a small, non-coal surface mine limited to a total annual production of 10,000 tons of stone, less than two truckloads per week day. (Exhibit 3) This is not enough to require rail service for transport. Moreover, a quarry of the type proposed will produce materials used in building and road construction locally; it is not economic to transport this type of material over the distances that would require or support rail service. Given the quarry's permitted production,

the petitioner would run 1 unit train (100 cars–100 tons per car), which would have a breakeven hauling cost of approximately \$160/ton to use the 20 mile track, which exceeds, by about an order of magnitude, the market price for the sand and gravel that the quarry will produce. (Exhibit 4)

The quarry is primarily intended to provide material for construction and operation of the landfill and may never have customers that would require use of the rail line. In fact, in its original petition (May 20th—original petition, FD No. 35116, doc #222416) the petitioner stated, “It is anticipated that RJCP will haul unit trains [note plural trains] of sand, stone, and perhaps coal¹ outbound from the quarry within the Gorton development to Keating, and will haul unit trains of municipal solid waste and/or construction and demolition debris inbound from the Keating interchange to the landfill portion of the development.” The petitioner thus expected to receive income from hauling materials in and out of the landfill.

Thus, both the need and economic viability of the proposed rail line will be entirely dependent upon the permitting, construction and operation of the proposed RLLC landfill (a larger action). The rail line and proposed landfill are connected actions under 40 CFR §1508.25(a)1: therefore the proposed action for the Draft Scope of Study for the EIS should be a connected action to include the proposed rail line, landfill, industrial park, and recent quarry. This Draft Scope of Study for the EIS must evaluate the cumulative impacts of the proposed rail line, landfill, quarry, and industrial park on environmental resources, aesthetics, and environmentally sensitive areas (e.g., residences; seasonal properties; schools; nursing homes; parks; recreation areas; sensitive wildlife habitat; waters of the Commonwealth; wetlands, both jurisdictional and nonjurisdictional; cultural and historic resources; etc.) that will be affected by this action.

II. The Alternatives as Proposed by the STB Draft Scope of Study for the EIS Are Inadequate

Because the proposed scoping document unduly limits the action considered to the rail line rather than the entire project of which the rail line is a part, the alternatives selected for analysis do not represent the full range of alternatives that should be considered. Analysis of alternatives “is the heart of the environmental impact statement.” 40 C.F.R. §1502.14. Accordingly, CEQ regulations require that agencies “[r]igorously explore and objectively evaluate all reasonable alternatives.” 40 C.F.R. §1502.14(a). The proposed set of alternatives presented by the STB in the Draft Scope of Study for the EIS does not meet this standard.

Most notably, because the STB has improperly limited the scope of the action being considered, the agency does not consider the alternative actually being proposed: construction of the landfill, industrial park, quarry, and rail line. This analysis is critical and should be conducted as the primary alternative.

A second alternative that should be considered is location of the landfill closer to the solid waste to be disposed in the landfill. In order to properly scope alternatives, the source of garbage for the proposed primary shipper (i.e., the landfill) must be clearly identified. To date, and confirmed through conversations with STB representatives at the February 10, 2009 Scoping Meeting in Philipsburg, PA, the petitioners expect these sources to be primarily from New York and New Jersey. The scoping process as presented by the STB, to date, is prejudiced by the site-

¹ There is no permitted coal mining operation that could be served by the train.

limited alternatives proposed in Draft Scope of Study for the EIS. The STB-proposed scope seems to be focused only on the RJCP proposed rail construction/reactivation request; this is insufficient in light of the direct impacts of connected actions 40 C.F.R. §1508.25(a)(1); see also 40 C.F.R. §1502.2(f, g), 40 C.F.R. §1502.14.

The other four alternatives proposed by STB should be retained and developed. With respect to those alternatives, PPC notes:

ALTERNATIVE (1)

Construction and operation of the proposed rail line along the former Beech Creek line

Construction and operation of the proposed rail line along the former Beech Creek line should be retained, developed and analyzed as an alternative. However, the STB should recognize that this alternative will likely not be financially feasible, as noted above. (Exhibits 3, 4) The rail line will facilitate the permitting of the proposed landfill by providing alternative access to that facility, but the rail line will never operate if the landfill is not built.

ALTERNATIVE (2)

No-build alternative Option 1 involving the construction of a new interchange on Interstate 80

This alternative should also be retained and developed. Again, however, the construction of a new I-80 interchange is likely not feasible. The proposed interchange does not meet the Federal Highway Administration Policy, Additional Interchanges to the Interstate System, specifically Items 1 and 5. (Exhibit 5)

ALTERNATIVE (3)

No-build alternative Option 2 involving improving the existing local road system (i.e., road paving, bridge replacement, etc.)

This alternative should also be retained and analyzed. In analyzing this alternative, the STB should note that necessary improvements would necessitate property condemnations and right-of-way acquisitions, and would be inconsistent with the stated goals of local and regional transportation plans. (Exhibit 6)

ALTERNATIVE (4)

The no-action alternative

This alternative should be analyzed, and PPC believes that it is the preferred alternative. The no-action alternative would allow the area to continue to develop for wilderness-style recreational uses including but not limited to low-impact seasonal property subdivisions and passive recreation destinations. The aesthetics and economics of the peaceful, wilderness-style recreation and environment that currently exists would be irreparably harmed by industrial presence, noise and traffic (rail and road); loss of viewsheds; odors, litter, and invasive species from the landfill; and loss of prime wildlife habitat and migration corridors. To develop the nearby I-99 Innovation Corridor, you need to attract and hold high-tech workers and employers that highly value outdoor recreation and their environment. Developing a landfill facility of regional significance at the Gateway to the PA Wilds puts the future growth and economy of the I-99 Innovation Corridor at risk.

III. Environmental Impact Analysis

1. Transportation and Safety

- Identify the source of garbage that will be transported by this rail line and the “route” that will be used to transport the garbage from its source to Gorton, PA.
- Identify alternative disposal sites closer to the source of garbage.
- Identify the composition of garbage, i.e., municipal solid waste, construction/demolition waste, and other materials for the proposed industrial park (i.e., soybeans, ethanol, biodiesel).
- Identify the location of the 16 public and private at-grade crossings required for this rail line per the Pennsylvania Department of Transportation:
 - a. Calculate the probability of vehicle-to-train collisions at crossings.
 - b. Estimate the probability of accidents during operation.
 - c. Identify alternate emergency detours at each crossing.
 - d. Identify crossing delays that could interfere with emergency services response (e.g., ambulance, fire, police)
- Identify the number of properties that could be subject to condemnation in order to reconstruct the line.
- Identify proximity of structures to the rail line, and calculate the probability of accidents involving structures, vehicles, people and pets.
- Identify population bases where rail speed limits will be reduced for public safety.
- Identify all cargo and its potential health impacts if the contents come loose in a populated area.
- Identify and evaluate impact to state and township roads that will be used during construction and operation of the proposed rail line, landfill, quarry, and industrial park, including damage from haul trucks and heavy equipment to municipal water and sewer lines, particularly in Snow Shoe Township which currently provides the *only* access to the proposed landfill, quarry, and industrial park site. The first four miles of this Snow Shoe Township gravel/dirt road permits ATV use so that ATV enthusiasts can access the popular multi-use Snow Shoe Rail Trail. It is an axiom of traffic engineering that mixing construction vehicles and passenger traffic will create serious problems, particularly on a gravel/dirt road that is primarily used for passive recreation and ATV traffic.
- Outline emergency measures, identify responders and assess:
 - a. Train derailment
 - b. Train derailment with discharge into adjacent bodies of water, groundwater, and municipal water supplies.
 - c. Wildfire starts in this isolated, heavily forested area due to breaks, carbon emissions, and rail maintenance.
 - d. Spontaneous combustion of garbage during transit.

- Is this rail line consistent with local and regional transportation planning goals within the entire project area to include both Clearfield and Centre Counties?
- Assess how and where garbage transported by the RJCP lines will be offloaded, and what structures and equipment will be required to do so.

2. Land Use

- Identify and assess existing land uses and the culture they support that will be negatively and irreversibly impacted by the proposed rail line, landfill, quarry, and industrial park, including but not limited to the following:
 - a. Fishing and hunting 100+ years
 - b. Black Moshannon Creek (HQ-CWF, wild trout population; paddling)
 - c. Leased cabins 50+ years
 - d. RedMo Down River Race 40+ years
 - e. Snow Shoe Wild Life Preserve seasonal subdivision 20+ years
 - f. Snow Shoe Rail Trail 12+ years
 - g. Allegheny Front Trail 12 + years
 - h. Moshannon Forest I and II seasonal subdivisions 10+ years
 - i. 3-D Archery Range 5+ years
 - j. Designated Important Bird Areas
 - k. Designated Landscape Conversation Areas
 - l. Moshannon State Forest, Black Moshannon State Park, and other public lands
 - m. Elk Scenic Drive
 - n. Gateway to the PA Wilds designated tourist development area
- Assess the proposed industrial development's consistency with the Centre County Comprehensive Plan and forest/open space zoning in neighboring Snow Shoe Township.
- The area targeted for industrial development to be served by the Beech Creek line is isolated, forest/open space wilderness. Assess the impact losing this open space to industrial development will have on waterways and wildlife habitat. Assess the impact to businesses and contractors that serve the existing outdoor recreation-based economy as aesthetics are degraded and seasonal properties or their potential development are devalued by the proposal.
- Industrial development in this primitive, isolated region will promote sprawl in an area that has no plan in place for this type of growth. The historic use has primarily been forest/open space and outdoor recreation and is considered by many to be the Gateway to the PA Wilds, a state tourism initiative that focuses on the wilderness-based outdoor recreation experiences, and cultural and historic exploration opportunities within northcentral PA. Consider the impact and disruption a large industrialized tract will have on the PA Wilds Tourism initiative.
- The proposed rail line, landfill, quarry, industrial park site lacks public sewer, water, electricity, and a navigable public road for industrial uses. Calculate the acreage consumed — include right-of-way, utilities, on-site access and support facilities — including any clearing or widening to construct/reactivate the rail line. Calculate edge

habitat created based on acreage consumed and compare interior forest acreage before (unfragmented) and after (fragmented).

- Provide a *complete project scope at full build-out* for the proposed rail line, landfill, quarry, and industrial park. Other claims by RRLLC since 2004 include an ethanol plant, bio-diesel plant, wastewater treatment plant, landfill expansion, and an I-80 interchange. A full environmental study of the entire 5,800-acre parcel and a “single and complete project” have been requested since pre-application meetings:

With plans for a future industrial park, rail spur, landfill expansion, and a possible highway interchange, all resources existing on the entire 6,000-acre tract should be identified to allow a complete evaluation of site plan configurations that could minimize environmental impacts..... Consistent with the Department and Corps of Engineers regulations, the various development phases of this project should be presented as a single and complete project for agency review. (file review, USFWS letter, November 5, 2005)

3. Energy Resources

- Identify the source of the waste that will be transported by rail to the proposed RRLLC landfill and identify all alternative destinations — by both road and rail — closer to the source of waste. Analyze the fuel savings over the long-term life of the landfill (about 28 years) on long-haul transport by truck or rail by disposing of waste closer to the source (NY/NJ).
- Identify the materials the trains will be backhauling and their destination.
- Identify and quantify the additional energy required to haul 55 full carloads upgrade and under load to the proposed site (engines under load and going uphill use more fuel). Compare these figures to energy use to transport to alternative destinations closer to the source of the waste by both road and rail.
- Produce a cost comparison between the proposed rail reactivation for hauling of the proposed goods which are currently 10,000 tons per year of sand and gravel as opposed to road transport of this same quantity of material. Evaluate with respect to energy consumption for both options as well as actual total cash outlay for each.

4. Air Quality

- Centre County is classified as a maintenance area under the Clean Air Act. Identify the total effect on this designation due to the increase in truck and rail traffic both during construction and operation of the proposed rail line, landfill, quarry, and industrial park. Include the air quality impacts of emissions from the proposed landfill, quarry, and industrial park.
- Quantify ground-level ozone production from NO_x emissions from engines under full load and strain running uphill to the site and VOCs outgassing from the landfill. Provide a “worst case” scenario of ground level ozone production based on these figures.
- Calculate both PM <10 and PM <2.5 microns that will be produced under load by the proposed 55-car trains upgradient to the proposed destination.

- Calculate emissions from idling time while switching or delivering loads.
- Calculate the effects of air emissions on downwind communities. Include concentrations produced by inversion effects in neighboring valleys.
- Describe the air quality monitoring plan during construction.
- Quantify a complete scope of air emissions from hauling 55 carloads upgrade and under load to the proposed project site.
- Compare the above calculations to calculations for alternative destinations closer to the source of waste.
- Analyze the air emissions savings, including CO₂, over the long-term life of the landfill (estimated as 28 years) on long-haul transport by truck or rail by disposing of waste closer to the source.
- Quantify intensity of foul odors and their root sources that will be emitted from the proposed garbage train at 30, 50 70 and 90 degree air temperatures from both the rail line and landfill.
- Quantify the affect of hovering odors, hauled in by rail and collected at the landfill, from inversion effects on the Moshannon Creek gorge (listed as a Pennsylvania water trail).
- Expand the scope of the EIS to include dust from landfill construction operations and the foreseeable increase in truck traffic based on presented alternatives. Dust from leachate exposed garbage is both a nuisance and a health hazard to communities.
- The dominant greenhouse gases emitted over the projected life of the landfill (28 years) most likely will be methane and CO₂ from the landfill, CO₂ generated by waste transport, and emissions from heating and biofuel production in the industrial park. Most of these sources will be too diffuse to control effectively onsite. Important control options that need to be assessed are distance from trash and biofuel feedstock sources, what industries will be chosen or allowed, and the export distance for generated wastes not permitted in the landfill. Greenhouse gas production here should be compared to optional waste disposal methods (e.g., incineration, recycling) and optional facilities much closer to waste sources, feedstock sources, and customers.
- It is particularly important to prevent further degradation of air quality in this area, which is designated as part of the Pennsylvania Wilds. For state law purposes, this area should be given the same protection as federal wilderness and National Park areas. At a minimum, a study should be prepared demonstrating baseline air quality in order to obtain 100% offsets for any increases of air pollution.

5. Noise

- Identify sensitive receptors (e.g., residences, recreational properties, businesses, historic structures, schools, parks) in the project area to include the proposed rail line, landfill, quarry, and industrial park and quantify the noise increase for these receptors during construction and operation. Quantify noise impacts in decibels at one-half, one, two, and three air miles distance.

- Identify and quantify noise impacts on sensitive wildlife including the range of impact surrounding the project area to include the proposed rail line, landfill, quarry, and industrial park that could result in reduced ability to mate, reproduce, forage, and nest (for both the rail line and the proposed landfill, quarry, and industrial park). Calculate decibels at one-half, one, two, and three miles distance.
- Quantify vibration effects from passing trains on all sensitive receptors, including wildlife.
- Calculate how long and how loud crossing signals will run while a fully loaded 55-car train crawls upgrade to the proposed landfill, quarry, and industrial park site.
- Calculate the construction and operational noise impacts on recreation per the recreation opportunity spectrum (ROS). Quantify the baseline (existing conditions) and calculate the noise impacts on existing primitive, semi-primitive nonmotorized, semi-primitive motorized, and roaded natural settings along the proposed rail line and for the proposed landfill, quarry, and industrial park. Use comparison maps and transparencies for clarity of presentation.
- Consider the noise contribution from the proposed rail line, landfill, quarry, and industrial park that will mask or overwhelm the serene, peaceful experience that currently exists throughout most of this area. Noise from trains, heavy construction and heavy landfill equipment is inconsistent with the wilderness experience that is currently enjoyed and promised by the Pennsylvania Wilds.

6. Biological Resources

- Natural and biological resources have been a key feature of this area for well over a century, as evidenced by the surrounding seasonal properties and recreation attractions. Visitors frequent local independent small businesses. Quantify the loss of these features and their affect on visitation to the region. Further quantify this loss on local independent businesses and contractors who provide services for these visitors and seasonal property owners.
- The proposed rail line, landfill, quarry and industrial park site and surrounding areas provide potential habitat to the following threatened, endangered, protected, or candidate species under either federal or state law: Bald Eagle, Indiana Bat, Northeastern Bulrush, Small-whorled Pogonia, Allegheny Woodrat, Timber Rattlesnake, Branching Bur-reed, Allegheny Plum, Pinkweed, Mountain Starwort, Creeping Snowberry, and Mountain Fly Honeysuckle. Quantify the impacts on these species and their potential habitat. The absence of evidence is not the same as evidence of absence of a species — especially due to the regional impact of the proposed rail line, quarry, landfill and industrial park.
- Effective January 1, 2007, 31 species of amphibians and reptiles native to Pennsylvania appear on the Pennsylvania Fish and Boat Commission's (PAFBC) protection list due to declining numbers. Wetlands, within the entire proposed project area to include the proposed rail line, landfill, quarry, and industrial park, must be surveyed for each.

- Quantify wildlife mortality from incidental impacts due to rail service, foreseeable additional road traffic from the proposed landfill, quarry, and industrial park, and from construction.
- Quantify the loss of mature contiguous interior forest for (a) its rare presence east of the Mississippi, (b) its carbon sequestering value (pivotal with global warming), (c) its value to wildlife that depends on it for foraging, breeding, and habitat. Loss of contiguous interior forest and increasing edge habitat has been shown to open up interior forest species to predation. Determine affects on mating habits, reproduction and survival rates of native wildlife and interior forest species.
- Quantify total impacts of forest fragmentation on neighboring habitat. Loss of habitat leads to displacement of species capable of successfully migrating. Other species, less able to migrate such as amphibians and reptiles, will perish or suffer due to the inability to migrate. Include displacement impacts on surrounding areas.
- Quantify the impacts (noise, air quality, odor, litter, loss of habitat, wildlife displacement and mortality) on the State Forest, Important Bird Areas (IBAs), and State Game lands of the proposed rail service, landfill, quarry, and industrial park.
- Quantify the loss of wildlife diversity, plant diversity, stream quality, air quality, viewsheds, sense of remoteness and aesthetics, both economically and psychologically, based on the proposed rail service, landfill, quarry, and industrial park and the foreseeable additional road traffic to service these projects.
- Quantify the effects on local wildlife of introducing "stowaway" vermin into this wild area through garbage transfer.
- Quantify quality of life losses to residents within a 5, 10, and 20-mile air radius.

7. Water Resources

- Surface and groundwater in hill land–mountain terrains are highly interdependent and interactive, transferring from one to the other often in mass over short time periods. This has major source area, flow rate, water yield, and water quality implications.
- The train-hauled contents will primarily be municipal wastes, but also include corn, soybeans and liquids produced by biofuels manufacture in their industrial park. These liquids include ethanol, biodiesel 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 risk of spills and their impacts need to be assessed in these contexts.
- Identify and quantify municipal water supplies within the project area to include both the rail line and proposed industrial development and quantify potential impacts to both during construction and operation.
- Identify and assess the impacts of the landfill, quarry, and industrial park activities on the quality and quantity of the flow waters both locally and downstream in these hill land–mountain terrain systems.

- The proposed RRRLC landfill itself will destroy almost 11 acres of wetlands and wetlands located in the area of the proposed industrial park may be considered Exceptional Value Wetlands. Identify and categorize all wetlands that will be affected by the proposed rail line, landfill, quarry, and industrial park.
- Identify how construction and operational damage from heavy equipment to water and sewer lines will be remediated.
- Assess emergency preparedness including emergency responders with estimated response times in the event of a spill.
- Quantify the probabilities of discharges into local streams and groundwater, including but not limited to leachate, silt from erosion, acid mine drainage from earthmoving/mining, and miscellaneous rail cargo in the event of an accident.
- Quantify the impacts of abovementioned discharges into streams and groundwater in the short-, medium- and long-term, including loss of wildlife, biotica, macroinvertebrates and botanicals that support sport fish.
- Calculate psychological impacts (i.e., perceived health risks) and resulting economic losses from avoidance of waters due to the proposed treated leachate discharge into the Moshannon Creek from the proposed landfill. Note: Canoeing/kayaking, wading, and swimming are water contact sports.
- Include probability of untreated leakage, litter, and other substances from the proposed rail service entering the Moshannon Creek watershed (this is a designated water trail).

8. Socioeconomics

- Clearly identify the source of the garbage and other goods to be transported by rail to and from the proposed landfill, quarry, and industrial park site in order for an accurate assessment of socioeconomic impacts along the haul route to be adequately and properly evaluated per NEPA regulations.
- A single and complete project must be presented by the developers or else a "worst-case scenario" must be applied to foreseeable socioeconomic impacts. 40 C.F.R. §1502.22(b)(2)
- Quantify the economic loss to outdoor recreation based businesses due to the impacts of industrialization of this wild area as a result of the proposed rail line, landfill, quarry, and industrial park. Examine the psychological impacts of these losses on independent contractors and small proprietors, citizens and visitors in the region.
- Calculate the cumulative impact of the devaluation of wilderness-based seasonal recreation properties and residences along the proposed rail, alternative haul routes, and proposed landfill, quarry, and industrial park corridor. Include the tax-base contributions based on their current values and compare the devaluation and its impacts on local school districts.
- Compare and contrast the tax-base contributions of wilderness-based seasonal properties and residences along the proposed rail, alternative haul routes, and proposed landfill/industrial park corridor based on their current values versus all of these being

taken out of this corridor and the replacement revenue coming from only the tax base that rail reactivation will create. Since people will not want to own and utilize recreational properties along a garbage train/landfill corridor, an accurate analysis would reflect the removal of these revenues completely. Provide a full array of current taxes versus future taxes paid to all school districts, municipalities, counties and states impacted.

- Despite the massive amount of infrastructure construction and other expensive improvements required to service the proposed landfill including the rail line, the long-term job creation potential is very low — about 15 jobs as shown by a currently operating landfill in a nearby county. Compare this number with the businesses and employees lost when the area becomes less attractive for outdoor recreation.
- Calculate and quantify long-term health impacts on workers and residents and the costs they will incur to treat both short-term and long-term impacts of exposure to the waste being hauled along the proposed rail line and disposed of at the proposed landfill. Include the costs that will be covered by publicly funded health care coverage such as Medicare, etc. in addition to the costs that would be paid for by the individuals. Based on socioeconomic data for all of the areas involved, illustrate how the average resident living in this corridor will be able to incorporate these costs into their budgets without a decrease in their standard of living.
- Quantify the economic, social and cultural losses to the Snow Shoe Rail Trail organization, members, activities, sponsored functions and their now devalued investments and trail upgrades that were funded by federal and state government agencies and private sector grants.
- Quantify outdoor recreation tourism impacts using spending patterns per activity, user days per year, real estate investments (i.e., seasonal properties) and contributions to the local tax base, hard equipment purchases (i.e., ATVs, bikes), soft equipment purchases (i.e., hiking shoes), rentals, food and services. Primary activities in this primitive to semi-primitive recreation opportunity region include the Snow Shoe Rail Trail, hunting, fishing, archery shoots, camping, hiking, biking, horseback riding, snowmobiling, paddling, outdoor recreation related events, wildlife-related recreation, birding, nature photography, and others.
- Quantify devaluation of residential property values for all homes along the rail right-of-way based on current appraised values versus values following rail reactivation based on empirical evidence from similar reactivations and their negative impact on property values. Provide the total market value economic loss not only to properties in the 20-mile rail reactivation area but also in the total and complete haul area from material/garbage origin to the proposed landfill, quarry, industrial park site.
- Quantify the long-term losses to the outdoor recreation economy. This is a sustainable growth industry in the region, and so far, has not been affected by the recession.
- Calculate the loss of income to the Centre County Solid Waste Authority (CCSWA). The proposed RRLLC landfill, if approved, will interfere with Centre County's approved solid waste management plan. The Centre County Solid Waste Authority, the delegated authority to manage the plan for the County, stated in a July 2006, letter to PADEP that, "This Authority believes the proposed [RRLLC] landfill will significantly and adversely affect the economic position of our Authority and will jeopardize existing recycling

programs, and potentially cause increased costs for implementing our waste management program in other parts of Centre County.” The current system in which 90% of the municipal waste collected in Centre County goes to the CCSWA Transfer Station is crucial to the economy and efficiency of their operation. Competition from an additional site will dilute the importance of this centralized facility and inevitably be economically harmful to the Authority.

9. Recreation

- Litter, a common impact of trash hauling and landfills, is also a serious negative affect on primitive, semiprimitive, and rural natural outdoor experiences; it also degrades quality of life for communities. The sense of remoteness, solitude, and naturalness — all highly valued in rural destinations and based on a lack of human evidence, such as signage and litter — will be seriously devalued by litter from the proposed trash hauling and landfill. Quantify the economic and noneconomic (e.g., psychological) impacts for both visitors and residents of litter along all haul routes and generated from the proposed landfill.
- Assess impact of industrial noise, traffic, and light trespass on primitive to semiprimitive wilderness aesthetics and opportunities to enjoy this rural area for its sense of remoteness, naturalness, and solitude. Include the loss of water quality, air quality, viewsheds, primitive to semiprimitive settings, forest, wildlife habitat and diversity.
- Nature-, woodland- and water-based recreation is highly dependent on location and its sense of remoteness, solitude, wildness factors, and wildlife and the visitor’s quality of experience. The proposed rail line, landfill, quarry, industrial park site currently falls under the recreation opportunity spectrum classification of primitive to natural roaded due to its ability to provide a sense of remoteness, naturalness, and solitude. Recreation resources that will be lost or degraded by the proposed rail reactivation, landfill and industrial park include:
 - a. Snow Shoe Rail-Trail (general loss of linear park, loss of connectivity, loss of aesthetics, loss of visitor spending);
 - b. Moshannon Creek (water trail, year-round paddling destination. 42+ year old RedMo Downriver Race adjacent to site);
 - c. Black Moshannon Creek (paddling, wild trout population, angling);
 - d. Moshannon State Forest (hiking, biking, hunting, etc.);
 - e. Allegheny Front Trail (loss of viewsheds, peaceful nature retreat);
 - f. Seasonal and vacation properties (devaluation of the nonmonetary recreational value);
 - g. Loss of forest and wildlife habitat (carrying capacity, threatened and endangered species)
 - h. The area is located at the eastern gateway to the PA Wilds. Destinations, such as the Elk Scenic Drive, and promotional efforts and local income under every category — WildsDarkSkies, WildsLife, WildsWater, WildsWoods, WildsWays 1 and 2 — will be undermined and affected

negatively by the proposed rail line, landfill, quarry and industrial park.
You never get a second chance to make a first impression.

10. Environmental Justice

Environmental justice is best served where the population and community have the economic incentives and opportunities to improve themselves, compete, and grow.

The communities in this proposed rail line, landfill, quarry, and industrial park area are primarily lower income, less educated, blue-collar workers whose ancestors worked in mines, woods, factories or on farms. Due to the lack of good jobs and growth industries many who choose to stay face a low social-economic opportunity ceiling that is difficult to penetrate. Many of their bright young people move out of the area to make their livelihoods elsewhere. A growing number of those that stay commute to Penn State or the I-99 corridor companies to better their career opportunities. Unfortunately, the proposed rail line, landfill, quarry, and industrial park offer potentially toxic and relatively low-paying and undependable work opportunities that are just another variation of the work opportunities typical in this area over the past century. This type of opportunity does nothing to offer these communities and populations better economic opportunity but instead offers just more of the same, and thus, promotes the status quo.

This undermines a future where this area serves as the recreational anchor, bedroom community and business satellite location to the now rapidly developing business and high-tech industrial center of the I-99 corridor anchored at the other end by Penn State University.

- Over the long term, assess the economic benefits versus lost-opportunity costs by comparing realistic income projections from the proposed landfill to lost recruitments locally (Snow Shoe and Rush Township) and regionally (I-99 corridor) of high-tech growth industries.
- Over the long term, assess the landfill's benefit versus cost in terms of environmental justice recognizing the disparity in who benefits. Using RRLLC's own projection to the Pennsylvania Department of Environmental Protection (PADEP), they will take away 56% of the gross income (benefit) and none of the trash (harms), whereas the workers, residents, local and school governments and businesses get only 11% of this income but 100% of the trash (harms).
- Consider the psychological and economic effect the proposed rail line, landfill, quarry, and industrial park will have on the local population. Many people in the area, especially seniors on fixed incomes, are on the threshold of what they can tolerate, financially and emotionally. Devaluation of their personal property and environment (especially those living along the track) by this proposed rail line, landfill, quarry, and industrial park could have devastating effects.
- People in this area have limited resources to adapt. The area is aging, on fixed incomes or low-income, isolated, and seemingly continuously targeted by exploitative industries. Over that last 40 years, locally undesirable land uses have been proposed by many outside developers for this area, such as Project Ketch, Project Rail-Haul, Pine Glen Energy Park, and Attwoods, all of which were strongly opposed by the general citizenry who value their environment and nature-based culture.

11. Geology and Soils

- Identify and assess fragile soils, and the borrow/fill areas used in rail line construction. 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, that are exceptionally drought prone or infertile. These areas, if subject to any construction activity, need to be identified for special reclamation or are to be avoided.
- Locate and assess fracture traces that underlay draws, swales, gullies and streams. Fracture trace maps need to be developed and analyzed in terms of the connectivity between critical recharge areas and streams, wetlands, ponds, lakes, and wells. Spills or outflows from landfills and industrial parks onto 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 destination, at unacceptably high concentrations. These critical recharge areas in the rail line, landfill, quarry and industrial park spill zone need to be specifically protected or avoided.
- Identify and assess the hydrologic and water quality impact of sink holes in the vicinity of this proposed rail line, landfill, quarry, and industrial park.
- Identify and assess erosion source and deposition areas during construction and operations.
- Identify and assess undermined or mine disturbed areas within the entire area.

12. Cultural/Historic Resources

- Evaluate the impact on or loss of the following cultural/historic resources. Each are local attractions and have the potential to showcase local industrial history with proper care and interpretive signage:
 - a. Viaduct Bridge (iron construction 1884, converted to steel structure circa 1915)
 - b. Peale Tunnel (1883-1884)
 - c. Most structures in the project area date back to the late 1800s-early 1900s, including Camp 407 at the intersection of Gorton and Peale Road. It is our understanding that it was the Mine Superintendent's home and office.
 - d. Most of the structures, including foundations, remaining on the parcel and used as camps, were built by the Clearfield Bituminous Coal Company and the original Beech Creek Railroad built by the Vanderbilts in the late 1880s.
 - e. Highlights of industrial archeological sites include Peale #1 Clay Mine, Pump Station, Clay Tipple and coke oven remains in Gorton.
- Outdoor recreation is part of this region's rich history, culture, and economy. Mountaintop families of the early 1900s opened their homes to visiting hunters and fisherman. Locals acted as guides. That extra income helped families put gifts under the Christmas tree for their children. Times change—and so has the Mountaintop—but outdoor recreation still enriches lives, supports livelihoods, and many locals take pride in showing hospitality to visitors. The proposed rail line, landfill, quarry and industrial park will undermine this perpetual,

healthy, sustainable outdoor recreation economy and rob this typically lower-income community of one of its most highly valued assets — undeveloped primitive to semiprimitive forests/open space that attracts visitors.

13. Cumulative and Indirect Impacts

- The I-99 corridor anchored by Penn State is rapidly developing into a high-tech industry/business zone. The future growth and prosperity will depend on attracting the best talent and companies. Quality of life and recreation is very much a major consideration on where they locate. How many businesses will choose elsewhere because a major landfill is nearby, being the centerpiece nestled in the largest recreational area, defined by the PA Wilds, Black Moshannon State Park and Forest, Sprout State Forest, two very large state-owned Game Lands, and some of the largest private forest tracts and best trout fishing in central Pa. This has adverse regional as well as local economic effects.
- Evaluate construction and operational harms specifically posed by the proposed landfill, quarry, and industrial park.
 - a. Noise
 - b. Odors and air pollution
 - c. Dust
 - d. Vermin and vectors
 - e. Litter
 - f. Fire potential
 - g. Coal mine preconditions
 - h. Leachate, chemical, and sediment releases into water sources
 - i. Other issues as appropriate

14. Additional Impact Categories Needed But Omitted

- Train-hauled contents—trash and input/outputs from the proposed landfill and industrial park need to be addressed. These contents will have a direct environmental impact, especially on nearby and downwind homes, seasonal properties, institutions, businesses, historical buildings. These include odor, leakage, litter, and vermin primarily from transported municipal solid waste.
- Compare recycling programs in place for the out-of-state waste sources to PA's recycling program in terms of how much and what is not recycled. Assess the resulting environmental and economic impacts of these differences during transport through PA and on placement in the landfill. To date, and confirmed through conversations with STB representatives at the February 10, 2009 Scoping Meeting in Philipsburg, PA, the petitioners expect their waste sources to be primarily from New York and New Jersey.

HOST MUNICIPALITY AGREEMENT AND SUPPLEMENTARY INFORMATION FOR DEVELOPMENT OF CLOG SITE

**Rush and Snowshoe Townships
Centre County, Pennsylvania**



**Prepared for:
Snow Shoe Township
Centre County, Pennsylvania**

**Submitted by:
Resource Recovery, LLC
3925 Columbia Avenue
Mountville, Pennsylvania 17554-0476**

**April 2004
ARM Project 04117**



ARM Group Inc.

Earth Resource Engineers and Consultants
1120 W. Governor Road, P.O. Box 707 Hershey, PA 17033-0707
Voice: (717) 533-8800 Fax: (717) 533-8805
E-mail: info@armgroup.net

EXHIBIT A

CONCEPTUAL MASTER PLAN DRAWING (SHEET 13)



4. Industrial Park Area will provide for:
 - a. Rail yard to service landfill and various industries;
 - b. An access road that connects to an improved access road from Moshannon for employee and service access to the site (eastern boundary of site) and for future industrial park access, and for utility routing; and
 - c. Multiple potential industries for renewable energy (waste-to-energy, biomass), such as:
 - i. Landfill Gas Processing for Boilers, Fuel Cells, Microturbines, or the like;
 - ii. Waste-to-Energy Facility;
 - iii. Biorefinery (Direct-Fired, Co-fired, Gasification, Anaerobic Digestion, Pyrolysis, Small Modular); and/or
 - d. Other industries determined to be economically viable and beneficial to the community and region.
5. Dedicated I-80 Interchange Corridor will include:
 - a. On/off ramps from eastbound and westbound I-80 (southern boundary of site);
 - b. Additional truck stacking/staging space, if needed; and
 - c. Bypass road to access industrial park without going through landfill support area.
6. Ancillary Facilities include:
 - a. Waste water treatment plant(s) (WWTP);
 - b. Storm water controls and sedimentation basins;
 - c. Perimeter access roads to landfill areas and ancillary facilities;
 - d. Material screening/crushing plant to process on-site rock/soils;
 - e. Construction laydown areas; and
 - f. Rail yard dedicated to landfill service.

TABLE 1
Site Data for Master Plan

Site Characteristic	Rush Landfill	Central Landfill	Snow Shoe Landfill	Total
Landfill Footprint in Rush Twp. (acres)	765+/-	282+/-	0	1,047+/-
Landfill Footprint in Snow Shoe Twp. (acres)	0	264+/-	989+/-	1,253+/-
Landfill Height (feet above peak existing grade)	280+/-	250+/-	250+/-	N/A
Landfill Area over Former Strip Mine (acres)	454+/-	546+/-	592+/-	1,592+/-
Landfill Capacity (million tons)	124	70	123	317



- a) A detailed analysis of the potential impact of the proposed facility on the environment, public health and public safety, including traffic, aesthetics, air quality, water quality, stream flow, fish and wildlife, plants, aquatic habitat, threatened or endangered species, water uses, land use and municipal waste plans.
- b) Identification and description of known and potential environmental harms of the project and a written mitigation plan that explains how Resource will mitigate each known and potential harm.
- c) Identification of the benefits of the project to the public and demonstration that the benefits clearly outweigh the known and potential environmental harms of the project.

Resource will operate the Landfill in accordance with all terms and conditions cited in the Permit.

12. Design.

The Landfill and associated facilities will be designed in accordance with ~~DEP design requirements and performance standards as cited in PA Code Title 25 Chapter 273—Municipal Waste Landfills—Alternatives to DEP design requirements will be designed in accordance with PA Code Title 25 Chapter 271.221—Equivalency Review Procedure, and will meet or exceed the DEP performance standard applicable to the alternative.~~ all applicable Federal, State, and Local regulations.

13. Control of Daily Volume (Tonnage).

The permit issued by DEP to Resource will establish daily volume (tonnage) limits for the amount of waste which may be disposed of at the site. This limit will be established based on the characteristics of the site, including access. Resource anticipates that the Landfill will begin operations at an average level of approximately 2000 tons per day. This will be increased over time, but will not exceed the limit set under the DEP permit. Any proposal to increase the daily limit will be subject to a permit modification issued by the DEP.

14. Operating Hours

The Landfill will be operated, and may accept waste, 24 hours per day, Monday through Saturday, except for national holidays.

Rail delivery service will be limited to ⁸8:00 a.m. to ⁶10:00 p.m. Monday through Friday, and ⁸8:00 a.m. to 4:00 p.m. on Saturdays. No rail delivery service is anticipated on Sundays or national holidays.

**Pennsylvania Department of Environmental Protection**

**186 Enterprise Drive
Philipsburg, PA 16866
January 14, 2009**

Moshannon District Office

**(814) 342-8200
FAX (814) 342-8216**

**People Protecting Communities
P. O. Box 38
Clarence, PA 16829**

**RE: Notice of Permit Action
Glenn O. Hawbaker, Inc.
SMP#14072801, Moshannon Aggregates Operation
Rush Township, Centre County**

Ladies and Gentlemen:

On February 1, 2007, Glenn O. Hawbaker, Inc. submitted an application requesting authorization to surface mine on the lands of CLOG, Inc. located in Rush Township, Pennsylvania.

During the course of application review, you provided comments for our consideration. This letter is to inform you that a surface mining permit has been issued to Glenn O. Hawbaker, Inc. effective December 4, 2008.

Letters of concern regarding this application were received from the public and were considered in our review. Many of those concerns were the basis for modifications to their application and resulted in changes to Hawbaker's original mining plan. Please note that this permit is a small industrial mining permit, which limits Hawbaker's surface mining area to a maximum of 5 acres and limits production to 10,000 tons per year. Comments concerning the proposed landfill/interstate access interchange for Resources Recovery, LLC. were not applicable to this small noncoal mine.

A copy of the issued permit has been enclosed for your review. The permit includes several special conditions designed to safeguard the area's hydrologic balance from being affected by the mining operation. They include conditions that:

- Provide for the application of imported alkaline material to offset potential acid production. Glenn O. Hawbaker, Inc. must stockpile the alkaline material at the site prior to overburden removal and must blend the alkaline material with disturbed overburden materials. The final floor of the mine is to receive 100 tons of material prior to backfilling and reclamation.**



Glenn O. Hawbaker, Inc.
SMP#14072801. Rush Township

3 January 14, 2009

Important legal rights are at stake, however, so you should show this document to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary of the Board (717-787-3483) for more information.

If you have any questions, please contact me at the Moshannon District Office at the above numbers.

Sincerely,



David Bisko, P.G.
Chief, Permits & Technical Services
Moshannon District Mining Operations

Enclosure

cc: David Bisko
MCIS Steven C. Starner
MCI John DeHaas
SCS
Permit File

DB/cav

LIMITS OF AUTHORIZATION

1. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights.
2. Nothing herein contained shall be construed to be an intent on the part of the Department to approve any act made or to be made by the permittee which is inconsistent with the permittee's lawful powers or with existing laws of the Commonwealth regulating noncoal mining activities and the practice of professional engineering. This permit shall not be construed to sanction any act otherwise forbidden by federal or state law or regulation, or by local ordinance, not to pre-empt any duty to obtain state or local consent required by law for the noncoal mining activity.
3. The permittee's failure to comply with the laws of the Commonwealth and the applicable rules and regulations of the Department regarding noncoal mining activities, or failure to comply with the terms and conditions of this permit, may result in an enforcement action, in permit termination, suspension, revocation and reissuance, or modification. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee of any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under the Acts pursuant to which this permit is issued or any other applicable provision of law.
4. The permittee is responsible for complying with local ordinances adopted pursuant to the Municipalities Planning Code, and all zoning ordinances in existence before January 1, 1972. Nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee may be subject under Federal, State, or Local laws.

BOND DESCRIPTION

☒ Original Bond ☐ Transfer ☐ Additional Bond ☐ Replacement Bond

☒ Surety Bond No. 327009198 in Amount of \$15,533.00 dated November 1, 2008 with Liberty Mutual Insurance Company as surety.

cc: Inspector Supervisor James McDonald
Inspector John DeHaas
Mylar Section – 5th Fl. RCSOB/facesheet/appl. facesheet/topo
Conservation District/w topo
Rush/w topo
Liberty Mutual Insurance Company
Resources Technologies Corporation
Permit File

13. The affected area will be no more than maximum pit-acreage acres and the mine pit will conform to the following dimensions: maximum width of 200 feet, maximum length of 315 feet.
14. Topsoil and subsoil will be striped from the initial mining area and segregated and placed in a stabilized stockpile.
15. The permittee must apply 450 tons of imported alkaline material (baghouse waste lime or equivalent alkaline material) on this exploration site. During spoil material removal, imported alkaline material must be mixed with the spoil material at a rate of 350 tons. Imported alkaline material at 100 tons must be placed on the final pit floor prior to backfilling. A total of 450 tons of imported alkaline material is required for this site. The total amount of imported alkaline material must be stockpiled at the site prior to the start of overburden removal.
16. The permittee must monitor the water quality and quantity at monitoring point #4 (Mine Adit #1) on a monthly basis and DS-1 (unnamed tributary to Moshannon Creek) on a quarterly basis at the start of site activation. Water samples must be submitted to the Moshannon District Office on a quarterly basis. The permittee must request cessation of water monitoring when the site has been reclaimed and planted.

EXHIBIT 4

Economic Estimates of Proposed Rail Line STB FD No. 35116

COSTS

	Dollars per mile per year	Estimate for 20 miles of track per year
Maintenance	\$5,000	\$100,000
Depreciation Expense w/o new track (7% of revenues or rule of thumb comparable to maintenance expense)	\$5,000	\$100,000
Depreciation Expense with new track	\$50,000	\$500,000
Track Installation --Loan (~\$100/ft)	\$500,000	\$10,000,000.00
Interest Expense on loan at 8% cost of funds and 20 year loan --> 10% per year of principal		\$1,000,000

TOTAL COSTS (Maintenance + Depreciation New Track + Interest Expense)

\$1,600,000

REVENUES (for 10,000 tons)

Estimate dollars per 10,000 tons per 20 miles

Dollars per ton-mile (using coal as estimate)	\$0.03	Comparable coal estimate	\$6,000
Dollars per ton-mile (using truck costs)	0.27	Comparable truck estimate	\$54,000
		Low	(\$1,546,000)
		High	(\$1,594,000)

NET PROFIT (LOSS)

Sources:
http://www.rblanchard.com/week_in_review/Presentations/aar_template.ppt#291,15,Short
<http://www.aar.org/PubCommon/Documents/AboutTheIndustry/Overview.pdf>
http://www.bts.gov/publications/national_transportation_statistics/html/table_03_17.html



U. S. DEPARTMENT
OF TRANSPORTATION

Federal Highway
Administration

Patricia A. Johnson

January 25, 2007

Centre County
Interstate 80
Point of Access Study
Proposed Privately Funded
Interchange

Exhibit 5
PPC EIS Scoping Comments (Feb 24, 2008)

228 Walnut Street, Room 400
Harrisburg, PA 17101-1070

In reply refer to:

HEV-PA.1

Mr. M. G. Patel, P.E.
Chief Engineer for Highway Administration
Pennsylvania Department of Transportation
Harrisburg, Pennsylvania

Dear Mr. Patel:

We have reviewed the Point of Access (POA) Study for a new Interchange on Interstate 80 at Milepost 140 transmitted with your December 14, 2006 letter. The review is guided by the FHWA Policy entitled "Interstate System Access" (updated June 17, 1998), under the subtitle: Additional Access to the Interstate System; which includes eight specific requirements that must be met prior to conceptual approval. This review is for a conceptual approval and is based on a determination of engineering and operational acceptability. Final approval may be granted upon evidence of compliance with the National Environmental Policy Act (NEPA) and documentation of meeting all the requirements of the Interstate System Access Policy. **This POA study fails to satisfactorily document all the requirements of the Policy as discussed below; therefore conceptual approval cannot be granted at this time.**

- Requirement #1: The POA document failed to demonstrate that the "existing interchanges and/or local roads and streets in the corridor can neither provide the necessary access nor be improved to satisfactorily accommodate the design-year traffic demands while at the same time providing the access intended by the proposal". There are numerous



**BUCKLE UP
AMERICA**

cc: Tom Pluto, Ph.D., USACE
John Peterson, U.S. Congress

cc: Scott Christie, P.E., PennDOT, BTC
Kevin Kline, P.E., District Executive, PennDOT 2-0
Jim Ritzman, P.E., PennDOT, Program Center

S:\FY2007\Jan\1-60PCAPrivateFunded.dss.doc



**BUCKLE UP
AMERICA**

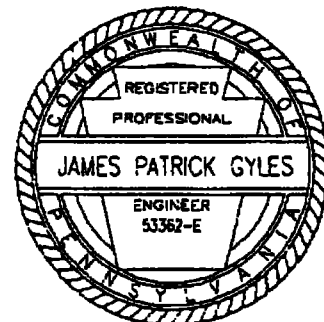
POINT OF ACCESS STUDY
for the
I-80 / GORTON ROAD INTERCHANGE

Rush Township
Centre County, PA

Prepared for:
Rush Township
150 North Richard Street
Philipsburg, PA 16866

Prepared by:
RETTEW Associates, Inc.
3020 Columbia Avenue
Lancaster, PA 17603

September 24, 2004
November 16, 2004
April 18, 2005



BACKGROUND

The study area along the I-80 Corridor starts at Exit 133 in Cooper Township, Clearfield County, PA, and runs approximately 14 miles east to Exit 147 in Snow Shoe Township, Centre County, PA. The proposed interchange on I-80 is located midway between these two existing interchanges, approximately seven miles from each, in Rush Township, Centre County.

The interchange at Exit 133 connects to State Route (S.R.) 0053 and provides access to Kylertown, ½ mile to the north, with a population of approximately 426; Grassflat, 4 ¼ miles to the north, with a population of approximately 613; and Philipsburg, 8 ½ miles to the south, with a population of approximately 3,056. The interchange at Exit 147 connects to S.R. 0144 via S.R. 4005 and provides access to Snow Shoe, which is 1 mile west of the interchange, with a population of approximately 771. The physical nature of the region is rolling terrain.

The proposed interchange connects to Gorton Road and provides access to Moshannon, 5.7 miles to the north, with a population of 538. The interchange would also provide access to a large economic development site proposed in Rush Township 0.4 miles to the north.

The principal traffic generator of the region will be the development of the northern portion of Rush Township, Centre County. The Township, in partnership with Resource Recovery LLC, has proposed the development of a state-of-the-art waste disposal facility and industrial park near the proposed interchange location north of I-80. The development is expected to bring jobs and economic growth to an area of Pennsylvania in need of an economic stimulus. The region had relied on the presence of coal for many years. The mining industry, however, has declined and now jobs are needed. In addition, the manufacturing industries of the area are in decline. The Moshannon Valley Economic Development Partnership supports the construction of a new interchange on I-80 in Rush Township because of the expected impacts on job creation and economic growth. A letter from the Economic Development Partnership to PENNDOT has been included in this report.

PURPOSE OF INTERCHANGE

The proposed interchange is necessary to provide a safe and adequate regional access point capable of accommodating the anticipated future traffic, the majority of which are trucks into the Rush Township development site, while preserving the local roadway network for its intended local traffic.

Impacts to the local roadway network, including roadway design considerations, community impacts, and safety, geometric, and operational concerns, can be minimized by allowing the new interchange. Structural capabilities of State and local roadways are not adequate for handling the heavy vehicles or the traffic volumes anticipated in the design year. Also, the 20-year traffic projections show that traffic operations at intersections within the local roadway system will fall to unacceptable levels. The improvements that would be needed to make the local roadway system adequate for the development traffic would have environmental and community impacts that can be eliminated by the new interchange access. Also, local and regional transportation plans do not account for the type of improvements that would be necessary to accommodate the truck traffic anticipated in future years.

A new interchange would provide safe and efficient access to the region while allowing all existing transportation facilities to continue to operate in their intended manner. By agreement with Rush Township and in keeping with the current area wide transportation plans, the interchange will keep trucks generated by the development in Rush Township off of rural, local roadways and the local roadway system. This will allow the rural character of the communities along the local roadway system to be maintained. A new interchange would ensure that the economic benefits of Rush Township's proposed development are fully attained by providing the safe and desirable access necessary for economic development. With the new interchange, all existing facilities within the existing roadway network would continue to operate at acceptable levels.

EXHIBIT III-14
PRELIMINARY CONSTRUCTION COST ESTIMATE
LOCAL SYSTEM UPGRADE ALTERNATIVE

Description	Estimated Cost
Clearing and Grubbing	\$135,000
Demolition	\$45,000
Earthwork	\$6,121,000
Pavement	\$13,525,000
Structure	\$600,000
Drainage Items	\$748,000
Topsoil, Seeding Items	\$686,000
Guide Rail	\$247,000
Signalization & Signal Upgrade	\$200,000
Utility Relocations	\$485,000
Erosion & Sedimentation Control	\$460,000
Maintenance and Protection of Traffic	\$1,410,000
Signing, Pavement Markings	\$201,000
Project Mobilization (6%)	\$1,490,000
Right-of-Way Takes	\$930,000
Contingencies (20%)	\$5,460,000
TOTAL ESTIMATED COST - 2004	\$32,743,000
TOTAL ESTIMATED COST - 2007	\$35,800,000