

EI-16323



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

DEC 18 2008

Mr. William Plumpton
Gannett Fleming, Inc.
P.O. Box 67100
Harrisburg, PA 17106-7100

Attention: finance Docket No. 35242- Environmental Comments

Dear Mr. Plumpton:

The Environmental Protection Agency (EPA) has reviewed the Scoping Document for the U.S. Rail Corporation's proposed Brookhaven Rail Terminal, in Brookhaven, New York. The project would include the construction and operation of 200 feet of rail line connecting the Long Island Rail Road to a 28-acre rail yard. The track in the yard would branch out into a series of tracks which would total approximately 11,000 feet.

The EPA would like to offer the following issues for consideration in the environmental analysis:

1. A full discussion of the purpose and need of the proposed project.
2. An evaluation of the alternatives to the proposed project, including reasonable alternatives not within the jurisdiction of the lead agency.
3. Descriptions of the terrestrial and aquatic environments to be impacted by each alternative during construction and operation. These descriptions should include appropriate air quality data, water quality data, the identification and delineation of all wetlands, the identification of flood plains and cultural resources, the identification and delineation of any area of contamination that may be disturbed by the rail construction, and the identification of other significant environmental resources adjacent to the project. As the project will be located over the Nassau/Suffolk Sole Source Aquifer, special consideration should be given to possible contamination to groundwater.
4. A comprehensive evaluation of cumulative, indirect, and secondary impacts.
5. In 1993, Council of Environmental Quality guidance, "Pollution Prevention and the National Environmental Policy Act", encouraged federal agencies to include the concepts of pollution prevention in environmental assessments/environmental impact statements. We would suggest that all pollution prevention practices for rail and yard construction and operations be discussed within the environmental document.

6. Suffolk County has been designated as moderate nonattainment for the 8 hour ozone standard and non-attainment for PM 2.5, therefore a general conformity determination must be prepared for this project. EPA also recommends that emission reduction strategies for construction equipment be evaluated. EPA's Clean Construction website at <http://www.epa.gov/cleandiesel/construction/strategies.htm> has information on several emissions reduction strategies and technologies.
7. The environmental document should include an analysis of mobile source air toxics and greenhouse gases. A comparison of emissions from truck versus rail should be made.
8. An environmental justice analysis should be prepared to determine whether any racial, ethnic, or socioeconomic group is bearing a disproportionate share of the negative environmental consequences resulting from the construction or operation of the rail yard. The EPA's Interim Environmental Justice Policy is available at <http://www.epa.gov/region02/community/ej/poltoc.htm> for informational purposes.

Thank you for the opportunity to comment. If you have any questions concerning this letter, please contact Lingard Knutson at (212) 637-3747.

Sincerely yours,



Grace Musumeci, Chief
Environmental Review Section
Strategic Planning and Multi-Media Programs Branch

cc: Troy Brady, STB