

EI-18364

September 24, 2010

Surface Transportation Board
395 E Street, SW
Washington, DC 20423
Attention: Danielle Gosselin
Section of Environmental Analysis
Environmental Filing FD 35116

RE: Environmental Filing FD 35116

Dear Ms. Gosselin:

There are some very fundamental problems with the Environmental Impact Statement (EIS) for the R.J. Corman/Pennsylvania Lines Inc. proposed rail line construction, operation, and reactivation in Clearfield and Centre Counties, Pennsylvania.

1. Compare the assessments of the 12 environmental impacts as a group with the assessment of demand or need for the railroad, both key pieces of this EIS. The assessments of the environmental impacts tend toward objective, quantitative, and fact-based analyses, not without flaws. Nevertheless, the assessment of the environmental impact, however flawed, is far stronger than the assessment of demand or need for this railroad.
2. Instead the railroad need and demand assessment is subjective, unsubstantiated, and undocumented except for a few noncommittal testimonial letters, and one minor exploratory quarry permit. There are no existing contracts, and otherwise no permits, particularly for the most critical activities needed to justify this railroad. Much of the author's supporting argument depends on establishment of Resource Recovery, LLC's (RRLC) landfill and affiliated facilities which they presume to be a done deal. It isn't! Consider this fact; RRLC formally submitted their landfill application and plan to the PA Department of Environmental Protection on May 5, 2006, with construction to be completed by 2008, and operations to be started by 2009. They not only never accomplished these published goal commitments, but are starting over, which means they have gone backwards. Because RRLC's projections have been proved not to be credible, why would the EIS authors base the railroad demands and need assessment primarily on RRLC's projections? If built, there is a great risk this becomes the railroad to "no where."
3. Because the environmental assessment has value, and the railroad demand and need assessment does not, it changes this EIS in fundamental ways. One, it coverts this assessment to a sales pitch for the petitioners, albeit an indefensible one. Two, the logically deduced best option is the No-Action Alternative because this causes the least adverse environmental impact as shown on Summary Tables 2-2 and 4-1. Thus, it argues for disapproval of the petition.

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