



August 4, 2010

Mr. Troy Brady, Environmental Protection Specialist
Surface Transportation Board
Section of Environmental Analysis
Suite 1100
395 E Street, S.W.
Washington, DC 2-423-0001

**RE: US Rail Corporation – Construction and Operation Exemption
Brookhaven Rail Terminal
Docket No. 35141**

Dear Mr. Brady:

MTA Long Island Rail Road ("LIRR") has reviewed the Surface Transportation Board's July 21, 2010 Notice of Availability of the Environmental Assessment and Request for Comments regarding the above-referenced petition for exemption. By letter dated November 28, 2008, the LIRR expressed its support for the efforts of private investment to divert heavy vehicular traffic from highways to rail. The LIRR also noted that the proposed facilities would be located along the LIRR Main Line, and that New York & Atlantic Railway would be required to fund the labor and materials necessary for a turnout to allow access to the facilities. The LIRR also explained the limitations on service along its right of way.

A copy of the November 28, 2008 letter is annexed hereto and should be deemed incorporated into the LIRR's comments.

If you have any questions, please feel free to contact me.

Very truly yours,

Catherine A. Rinaldi
Vice President-General Counsel & Secretary

CAR/lmm
Enclosure

cc: Helena E. Williams

Jamaica Station
Jamaica, NY 11435-4380
718 558-8252 Tel
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Helena E. Williams
President



Long Island Rail Road

November 28, 2008

Mr. William Plumpton
Gannett Fleming, Inc.
PO Box 67100
Harrisburg, PA 17106-7100
Attention: Finance Docket No. 35141 – Environmental Comments

Dear Mr. Plumpton:

Thank you for affording the Long Island Rail Road (LIRR) the opportunity to provide input on the scoping process regarding U.S. Rail Corporation's proposal to construct and operate a new rail facility in the Town of Brookhaven, Suffolk County, New York. The LIRR supports the efforts of private investment to divert heavy vehicular traffic from highways to rail.

The proposed facility is located along the LIRR Main Line, which is the primary artery for LIRR passenger trains operating between eastern Long Island and New York City. This line is also the primary route for the majority of freight customers on Long Island, who are served by the New York & Atlantic Railway ("NY&AR") operating on LIRR tracks.

Currently, there is no turnout on the Main Line to allow rail access to the proposed facility. Therefore, an agreement will be required to fund, at NY&AR's expense, the labor and materials for a main track turnout. Construction must be undertaken by the LIRR workforce as per the Freight Privatization agreement.

The LIRR has weight restrictions on a number of bridges. Therefore, the maximum gross weight normally allowed on the LIRR is 263,000 pounds (263K). This limit would apply to traffic either terminating or originating at the proposed facility. While efforts are underway to upgrade bridges and other infrastructure to handle 286K traffic, it is uncertain when the higher load limits will be allowed.

The portion of the Main Line adjacent to the proposed facility is currently served by a daily local freight, which equates to 10 freight movements per week (5 in each direction). The service to the new facility would add an additional 4 freight movements per week (2 in each direction).

The proposed trains operating to and from the new facility are expected to be between 40 and 50 cars in length. There is limited siding capacity on the single-track portion of the LIRR Main Line. Therefore, it may be necessary to operate the

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train during the overnight period, when the move can be made continuously without conflict with scheduled passenger trains. As a result of the possibility of nighttime railroad operations, it would be prudent to not only study the noise impact of the area surrounding the yard but also to those areas adjacent to the right-of-way subject to the extra movements.

Please keep us apprised of the scoping process and schedule. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, reading "Helena E. Williams". The signature is written in dark ink and is positioned above the printed name and title.

Helena E. Williams
President