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Ron D. Bunnell
3208 Kirkwood Drive
Rapid City, SD 57702
Phone (605)355-9730
Fax (605)355-6998
Home Phone (605) 355-0356
Email ron@backdoorframeshop.com

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Office of the Secretary
Case Control Unit
STB Finance Docket #33407
Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423-0001

Attention: Victoria Rutson
Environmental Protection Manager
Environmental Filing



Dear Ms. Rutson:

The enclosed comments are submitted in regard to the proposed expansion of the Dakota Minnesota and Eastern Railway from the coal fields of Wyoming to power plants in Minnesota and other points east.

I have had considerable first hand experience in the coal mining industry and as a citizen in the area where coal trains are ever present. There is a lot more to hauling coal than loading up and going down the road blowing your horn at everyone to get out of the way.

I believe that the situation that we are at with railroads in the United States is a direct result of a time that has long since gone by. Time is long overdue that we consider where we are going with rail transportation and what it is going to take to get there. A safe, livable environment is a huge part of that.

This paper approaches the problems as I have viewed them over the years and offers up a much needed solution. The solution offered here comes with a cost, but as suggested, there is a major cost if we just go on with business as usual when considering this expansion.

Thank you for the considering these important issues. Please contact me if I can help in any way.

Sincerely,

A handwritten signature in cursive script that reads "Ron Bunnell".

Ron D. Bunnell

Subject: Coal Unit Train Traffic and DM&E Railway Expansion

First of all, let me tell you that I am all in favor of rail transport of coal out of Wyoming. Since it may appear that I am against railroads, I would like to preface my remarks about noise pollution from coal unit trains with the following remarks and observations:

1) I worked at one of the largest coal mines in Campbell County for many years. We loaded hundreds if not thousands of unit trains. Most of these trains were headed east or south into Minnesota, Nebraska, Missouri, Oklahoma and Texas. At the mine, I rarely if ever heard a train whistle. The gentle rumble of the four to six engines blended in to the ambient noise and were barely noticed. The trains are generally pretty quiet.

At Wright, Wyoming where my family and I lived for a number of years, we virtually never heard a train whistle and were never bothered in any way by train noise. Now, you have to understand that Wright, Wyoming was a brand new town created in the late seventies specifically for workers and their families in the coal mining industry. It was started by the Atlantic Richfield Company (ARCO) as a town which would be near the large mines in southern Campbell County. It was a place where the miners and their families could live, go to school, recreate, raise families and enjoy life as best they could in the midst of the windy sparsely populated Wyoming plains.

You might think that if anyone was being affected by trains and train noise that it would be these folks living in this town. Nothing could be further from the truth. It was quiet out on the Thunder Basin Grasslands in northeast Wyoming. It was very peaceful even though there were dozens and dozens of trains coming and going all day and all night long.

2) Wyoming's tax situation for its citizens is enviable. Wyoming residents have low property taxes in large part due to mineral severance taxes that are levied on coal and other minerals that are leaving the state. When we live there, our property taxes in Campbell County were less than one fourth of what we are now taxed on similar property in South Dakota.

My point here is simply that I am very much in favor of getting the coal out of the ground and shipping it out of Wyoming to generate electricity where it is needed.

In addition to our Rapid City residence we own a home in Newcastle, Wyoming. I know that my taxes in Wyoming would be considerably higher if it were not for the state mineral severance taxes and the coal trains to carry the coal out of the state.

3) For many years, my family and I lived in Gillette, Wyoming. Our house was about four blocks from the rail road tracks which ran west out of town. A number of coal and freight trains made their way over this route every single day.

For my family and me, we rarely noticed the trains. The closest rail crossing was over a mile away with a fairly significant hill between the crossing and our house. We could sometimes hear the train whistle, but they were not the klaxon like blasts of the newer engines and most of the engineers went easy on the duration of the blasts on the horn.

Gillette is known as the "Energy City" or "Energy Capital" because of the massive amounts of coal that is extracted in the county where Gillette is the county seat. Gillette has some of the finest schools in the country and many amenities of a much larger community.

The interesting part that many people are not aware of is that the City of Gillette has almost no rail traffic through it or within about five miles of the downtown area.. The only train traffic is on the east/west route passing through town - a route that handles only west bound coal and transiting freights. Of all the coal that leaves Campbell County, there is very little that heads west. Nearly all of the coal heads east or south.

Gillette is a bustling yet quiet Wyoming town. One of the main reasons for the quiet is that in this town of nearly 30,000 people there is:

- a) Only one rail crossing within the core city where trains would blow their horns as they transit through town. Most rail and auto traffic intersections are now either over or under passes.

b) Very few trains actually come through Gillette. Most all of the unit trains stage and connect far out of town to the east and even then do not have crossings where they have to sound their horns.

So, the conclusion from the above circumstances is that Campbell County in Wyoming has the benefits of the coal mining industry but essentially sees no down stream adverse affects from that industry. For that matter, reclamation controls and efforts at the mines to protect the overall environment are highly controlled.

We in South Dakota might be led to believe or possibly we assume that mining - is mining - is mining. We might assume that it is like Wharf Mining, Brohm Mining or even Homestake Mining Company and that there is a huge amount of clean-up left in their wake. Furthermore, we might assume that there is a huge downside for Campbell County and the State of Wyoming.

In truth, coal mining in Wyoming is a win/win for everyone involved: the State with the mineral severance taxes that are received; the County with taxes for all types of infrastructure, schools, hospitals, etc.; the people in the communities for the hundreds of high paying direct jobs that are needed to run the mines and the thousands of indirect jobs to support the mines; and the mining companies themselves for the profitable businesses that they have established over the years. Even the landscapes that have been mined through have been improved. This in turn has improved wildlife habitat. In other words, there are no downsides - it's a good deal for all who reside there.

Unfortunately, all of the positives described above are derived from the mining side of the equation. Once the 100 to 120+ coal car unit trains are loaded, the trains embark on a journey to their final destinations. Therein lies the problem and the lack of safety and noise pollution controls.

Many of the trains are southbound with closest town of any size at Lusk, Wyoming over 100 miles away. In Lusk a highway overpass was constructed ostensibly for safety reasons. This overpass routed north & south traffic on U.S. Highway 85 over the railroad track.

A tremendous side affect of this overpass and the major subject of this paper has been greatly over looked. This side affect is *noise pollution* that is regularly and routinely blasted out by trains at crossings in or near small rural towns across

America. Particularly, in the case of coal unit trains, the blasting horns go on day and night, seven days a week.

The old lonesome sound of the steam locomotives in the 50's and decades before have given way to huge diesel/electric engines and air horns to *warn* everyone that a train was approaching a crossing. With the introduction of the modern mega-engines, the railroads and safety engineers came up with horns that nobody could miss. They are different than previous generations of locomotives.

There is no question that safety is of paramount importance when it comes to any railroad crossing. Unlike common automobile and truck traffic where there is a give and take an intersection, the railroad locomotive and its mile long train always have the right of way. It really doesn't matter if the vehicle trying to cross the tracks is someone needing to get to the hospital emergency room, a fire truck or anything else - the rail road owns the intersection and the right of way.

To clearly establish their presence and to assure that their right of way is not impeded, the engineer sounds the two long blasts, the short and one more long. I am told that this sequence (2 longs, one short and one long) is code for the letter "Q". The letter "Q" was selected to refer to the Queen who had ultimate approval of these crossings and the right of the train to claim the intersection for its passage. This has not changed for nearly two centuries.

What has changed is the enormous size of the trains; the obvious safety issue involved when/if one of these behemoths runs into a car, a tanker truck or a school bus; and the noise pollution levels created by the trains.

My contention is that the noise pollution levels - specifically the blasting horns from railroad trains - has created such a nuisance that it has left towns like Newcastle, Wyoming as a stagnant community with little or no hope of constructive economic development.

My contention is that when/if these trains are routed through areas where there has been a history of peace and quiet, these communities will experience economic deterioration. Why? Because people will simply choose not to purchase homes and live there and businesses will move away along with the people.

Some people who own their homes and have life long roots may not move away. Many of these same people will not move because they can not afford to sell a house that is no longer marketable.

My contention is that the noise pollution crisis that comes along with coal unit trains is there specifically because of the intersections of vehicular traffic in and around towns.

My contention is that people have a right to peace and quiet. They should be able to sleep at night -or day - for that matter if they work during the night time or just need to rest. They should not be subjected to noise that penetrates into their homes and into their lives.

Noise that is created by humans, whether it be prolonged honking of car horns, a shot gun blast, barking dogs, fireworks being shot off, etc. is a product of the person responsible for it and either creating or allowing it to be created. That person chooses to create the noise or not to. He may choose to lay off the horn, muzzle the dog, not fire the gun, etc. That person has a responsibility for those actions - in this case nuisance noise.

The person(s) who reside in areas where the noise is produced have little choice. In the case of coal unit trains, once the routes through towns have been established, they are essentially there to stay. By far the biggest issue at railroad crossings is safety and keeping people alive. The devastating noise pollution levels created by the locomotive horns blasting away to alert those who may be crossing the tracks is a major price that is paid by everyone.

Unfortunately, the pedestrian in Newcastle, Wyoming who walked in front of a train there several years ago had a hearing impediment and apparently did not hear the horn. No amount of noise by the on-coming unit train would have spared his life.

Since automobiles first appeared a little over a century ago, they have been refined to the point that virtually anyone can drive them. This includes persons with major disabilities such inability to walk, persons with missing limbs and a wide variety of sensory limitations such as hearing. Tremendous numbers of our elderly people in their 80's and 90's now drive daily even though their sensory functions like hearing has diminished. The modern automobile with it's power steering and brakes and all types of special adaptive equipment has truly created an equality to be mobile that simply was not there during the earlier years of the railroad. *Times have changed and the criteria for new rail systems need to change as well.*

Back to Newcastle, Wyoming for a moment. Imagine this - it is 2:30 AM and there is virtually not a soul on the streets. A train load of coal has left the coal fields and is approaching town from the west. A mile outside of town there is a crossing and the blasting of the train horn begins. Because of the three crossings in town, the horn blasting continues all of the way through town. With crossings only a few blocks apart, the blasting often never ends all the way through this three mile stretch of railroad.

In this small Wyoming town, trains can pass each other as they enter and leave the state. Many times they pass each other - coming and going - right in the middle of town! Now imagine it at 2:30 AM with virtually no one on the streets as one or more trains go blasting through town, through the middle of the night for over five minutes. There is no rest for the weary. Normally in less than half of an hour another train will be passing through.

Conclusion:

In any small community (with small defined as 10,000 people or less) where the current railroad runs through town (because that is what towns did in past eras - built around stops in the railroads to serve passengers and freight in these communities) - in any of these communities, the introduction of heavy rail traffic (such as that proposed by the DM&E Railroad) will devastate the community. On the one hand, this has been proven to be true in the Wyoming community of Gillette where the town has flourished. On the other hand, the town of Newcastle in Wyoming has struggled mightily for years without truly recognizing that quality of life is an issue that businesses and citizens deal with.

I should point out that in the early 1970's when the coal mining industry in Wyoming was just a glimmer in the oil company's eyes, the towns of Gillette and Newcastle were both about the same size and offering very similar services.

In these small towns, nearly all of the houses and businesses lie within a few blocks of the railroad tracks. They usually co-exist there quite easily with the current rail traffic, but when coal unit train traffic is introduced, the entire picture changes. This change is primarily due to the *required noise* of blasting train horns as they approach crossings in those towns. Secondly, there is a change because of the disruption of traffic and the safety problems at train crossings.

Recommendations:

It should be clear that noise created by trains approaching intersections and the overall hazardous conditions present at train crossings can be totally eliminated. It is a matter of careful planning and a recognition of the real issues. *Times have changed and the criteria for new rail systems must change as well.*

When new or expanded railroads are built in any area where there are intersections with car and truck traffic, the intersection must be designed as an over-pass or under-pass such that there is no risk of trains crashing into cars, trucks or pedestrians.

With highway systems, this has been repeated tens of thousands of times all over America. To test this, drive onto an interstate highway somewhere on the west coast and drive thousands of miles to the east coast without ever coming to an intersection. Prior to 1960, this was totally impossible. *Times have changed and the criteria for new rail systems must change as well.*

Transportation is a big chunk of the cost when coal is purchased. Fully 3/4's of the cost of coal arriving at many power plants somewhere east of Wyoming is for freight charges. Often less than 25% of the cost of the coal is actually for the coal product itself.

Citizens should reasonably be able to expect that freight trains transport the product safely. We should reasonably expect that not a single life should be endangered by this shipment. We should not rely on a blasting horn to protect an 85 year old driving their car across their town. We should not write off another teenager being killed because they did not listen for the train whistle.

There is certainly a cost to safely ship a product to market. Unlike other mixed freight trains, coal unit trains ship from Point A to Point B. Unit trains do not stop along the way unless it is for their own needs, such as fuel, crew changes, etc. Coal unit trains serve no one between Points A and B and therefore there should be no intersections to impede their traffic or vehicular traffic.

Safe over and under passes can be planned and built. When these costs are spread incrementally over the predicted life of the project, they can be built into the cost of doing business. In many cases, these will be shared costs with state and local

governments but in no case should the safety and environment be eroded by short sighted "get the coal on down the track" mentality. It is part of the cost of doing business in that state or community and needs to be worked out up front.

Train tracks passing through communities is a result of an era that has gone by. We can deal with it through a common sense approach in this ever changing world. Just as Eisenhower and Kennedy realized what the highway system needed to be in the United States, times have changed and the criteria for new rail systems must change as well.

Respectfully submitted,

Ron Bunnell