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April 25, 2011

Danielle Gosselin
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

RE: Environmental Filing FD 35116 – Supplemental Draft Environmental
Impact Statement (SDEIS)

Dear Ms. Gosselin,

The Centre County Planning and Community Development Office appreciates the opportunity to provide comments to the Surface Transportation Board (STB) regarding the Supplemental Draft Environmental Impact Statement - STB Finance Docket 35116. The Planning Office is responsible for the review and coordination of local land use planning activities with the municipalities in Centre County. The following comments are intended to provide information and clarification of recent activities in regards to the SDEIS as they relate to Centre County.

Please provide clarification as to how the STB defines development activity. The SDEIS consistently states that the proposed rail line would serve a new waste-to-ethanol facility, quarry, wastewater treatment facility, and industrial park. There is no development activity on the Resource Recovery, LLC (RR LLC) property (Rush Township portion) at this time. Nor are there any approved permits for the activities stated in the SDEIS. The only activities under development at this time are proposed natural gas wells and a proposed quarry which are located on the Snow Shoe Township portion of the RR LLC property. This quarry is under permit review by the PA Department of Environmental (PA DEP) as a small non-coal permit which will limit its size and market reach. In addition, Snow Shoe Township granted a conditional use permit to the applicant, HRI, Inc. for the quarry.

The applicant stated at the Township meeting that the quarry material would be used for on-site activity only which contradicts the SDEIS which states that rail service would be used to distribute the quarry material off-site.

There is no waste-to-ethanol landfill permit application on file at the PA DEP Williamsport Office. At the present time, the only landfill permit on file for RR LLC has been suspended since February 7, 2007 and does not include a waste-to-ethanol component.

In regards to the proposed wastewater treatment facility currently under permit review, the PA DEP will suspend all Marcellus wastewater treatment and discharges in streams and rivers as of May 19, 2011. This most likely will make the proposed wastewater treatment facility on the RR LLC property a mute point since the proposed discharge point is the adjacent Moshannon Creek. The SDEIS states that the proposed rail service would haul wastewater to this proposed facility for treatment.

Based on this information, the Planning Office once again recommends that the STB's EIS include and provide an accurate evaluation for the rail line and the stated land development activities (i.e., the proposed landfill, industrial park, waste treatment facility, and quarry). Without the inclusion of these proposed activities in the EIS as a connected action, there would be no need for the rail line reactivation. The SDEIS contains inconsistencies as to information presented in the document and with recent activity related to the development of the proposed landfill property.

SDEIS Environmental Impacts - Centre County Comprehensive Plan

In 2005, Centre County determined that the proposed landfill and associated land uses was inconsistent with the County Comprehensive Plan, Snow Shoe Township's Comprehensive Plan, and Snow Shoe Township's Zoning Ordinance. This determination was in response to a request by the Federal Highway Administration as part of their review of the Point of Access Study (POA) for a proposed access interchange from Interstate 80 to the proposed landfill.

Because of that determination, Centre County disagrees with the SDEIS analysis of the Centre County Comprehensive Plan as shown in Chapter 4 – Environmental Impacts, pages 4-2 and 4-3. The document does not mention that the proposed land uses were found to be inconsistent. This is important because the associated increase in truck traffic is inconsistent because of the land use inconsistency. Regardless of the rail re-activation, all of the impacts are on Snow Shoe Township, Snow Shoe Borough, and Cooper Township (Clearfield County) due to the fact that the RR LLC property in Rush Township is not accessible to the larger portion of Rush Township where its residents live.

Clarification is required in Chapter 2 Section 2.3.2 page 2-11. The Planning Commission did not deny a preliminary subdivision plan submitted by RR LLC. The plan was not accepted for review due to identified plan deficiencies. Subsequently through court action, the plan was deemed approved. See Appendix C.

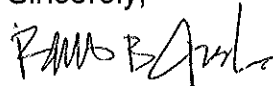
This SDEIS as submitted is flawed on the premise that the stated land uses are currently under development. This cannot be farther from the truth. A permit request has not even been submitted for a waste-to-ethanol facility, the wastewater treatment facility may never be permitted due to the recent PA DEP action restricting Marcellus wastewater discharges to rivers and streams, and the limited quarry size may never produce enough product to make rail service feasible. Essentially, the STB is reviewing a rail reactivation request that most likely will never require or produce enough activity to justify the reactivation – all this at the expense of the local community in regards to quality of life and existing amenities.

It should also be noted that the STB should be consistent with the determinations of the other Federal agencies that reviewed the proposed landfill project and are required to follow NEPA procedures, in particular the Federal Highway Administration' POA review and its final determination.

As stated in the previous comments, the Planning Office recommends that the document be corrected to reflect current and accurate information. The investment of time, tax dollars, and volunteer efforts to improve the recreational amenities, historic elements, and natural resources in this area demands no less.

The Planning Office again would like to thank the Board for requesting our comments on this DRAFT EIS. Should you have any questions or require additional information, please let me know.

Sincerely,



Robert B. Jacobs, AICP
Planning Director

pc: Centre County Board of Commissioners
Susan B. Hannegan, Assistant Director
Mike Bloom, Transportation Planner

rbj