From: Tom Mc
To: Marx, Joshua A NWK;
Subject: Pulblic Comment regarding: BNSF Railway Company - Intermodal Facility (Permit No. 2006-1014)
Date: Saturday, August 08, 2009 11:28:41 AM
Attachments: Comments on the Corps Draft EA.doc

Josh,

I've attached my comments regarding the draft EA for the proposed BNSF intermodal. While I realize the nightmare it will be for the Corps (and you personally) to refuse to issue the permit, I don't see how in good conscience anything else can be done. It just isn't justifiable to build such a polluting mess anywhere near an existing population.

Thanks,

Tom McBride

> Subject: RE: Proposed Gardner BNSF Intermodal
> Date: Fri, 14 Mar 2008 08:07:44 -0500
> From: Joshua.A.Marx@usace.army.mil
> To: tiger_wilkes_blvd@hotmail.com
>
> Tom,
>
> Thanks for the update. The draft NEPA document is not complete yet. We will
> let you know when it is available for public comment.
>
> Thanks,
>
>
> Josh Marx
> Regulatory Project Manager
> Office: (816) 389-3658 Fax: (816) 389-2032
> http://www.nwk.usace.army.mil/regulatory/regulatory.htm
>
>
>
>
> -----Original Message-----
> From: Tom McBride [mailto:tiger_wilkes_blvd@hotmail.com]
> Sent: Thursday, March 13, 2008 10:35 AM
> To: Marx, Joshua A NWK
> Subject: RE: Proposed Gardner BNSF Intermodal
>
> Josh,
>
> I attended an emergency meeting of the Gardner city council last evening in
> response to a senate bill (SB-613) introduced to begin funding of the

> intermodal. Seems very strange since the COE has not issued an approval.
> Being a naive engineer, I've raised the issue to the Johnson County district
> attorney. I'm under the impression that "reckless endangerment" that results
> in death is just slightly against the law. :)
>
> Any new status on the NEPA document.
>
> Sure glad I don't have your job.
>
> Tom
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> _____
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>
> > Subject: RE: Proposed Gardner BNSF Intermodal
> > Date: Wed, 20 Feb 2008 15:20:39 -0600
> > From: Joshua.A.Marx@usace.army.mil
> > To: tiger_wilkes_blvd@hotmail.com
> >
> > Tom,
> >
> > We are still in the review process for the project and a decision has
> > not yet been made to issue or deny the permit.
> >
> > One of the components of a NEPA document is the study of alternatives.
> > The NEPA document for this project will discuss many alternative sites
> > considered and will compare the Gardner Site to a site that we
> > recently decided to study (the Wellsville North Site).
> >
> > Thanks,
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> >
> > Josh Marx
> > Regulatory Project Manager
> > Office: (816) 389-3658 Fax: (816) 389-2032
> > http://www.nwk.usace.army.mil/regulatory/regulatory.htm
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> > -----Original Message-----
> > From: Tom McBride [mailto:tiger_wilkes_blvd@hotmail.com]
> > Sent: Wednesday, February 20, 2008 1:51 PM
> > To: Marx, Joshua A NWK
> > Subject: RE: Proposed Gardner BNSF Intermodal

> >
> > Josh,
> >
> > What's the status of the application at this point? I've heard rumors
> > that the COE has asked BNSF for other potential sites. Any truth there?
> >
> > Thanks,
> >
> > Tom
> >
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> > _____
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> >
> > > Subject: RE: Proposed Gardner BNSF Intermodal
> > > Date: Wed, 20 Feb 2008 07:24:44 -0600
> > > From: Joshua.A.Marx@usace.army.mil
> > > To: tiger_wilkes_blvd@hotmail.com
> > >
> > > Thanks for your comments Tom. Your concerns have been raised by
> > > other commenters and are currently being studied. The comment period
> > > has closed for this project, but you will have another opportunity
> > > to comment on the draft NEPA document when it is complete. I will
> > > keep your information and notify you when the document is available for
> review.
> > >
> > > Thanks,
> > >
> > >
> > > Josh Marx
> > > Regulatory Project Manager
> > > Office: (816) 389-3658 Fax: (816) 389-2032
> > > http://www.nwk.usace.army.mil/regulatory/regulatory.htm
> > >
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> > >
> > > -----Original Message-----
> > > From: Tom McBride [mailto:tiger_wilkes_blvd@hotmail.com]
> > > Sent: Friday, February 15, 2008 12:49 PM
> > > To: Marx, Joshua A NWK
> > > Subject: FW: Proposed Gardner BNSF Intermodal
> > >
> > >
> > > Mr. Marx,
> > >

> > > It is no doubt a bit late to be making public comments that will
> > > have impact on the Corps decision regarding the approval or
> > > disapproval of the BNSF Intermodal in Gardner. However, I have
> > > recently spent some time researching diesel emissions thru the EPA
> > > website and came away quite concerned. As an engineer, I am
> > > certainly capable of absorbing the data presented by the EPA. Based
> > > upon the EPA information, there is no doubt that locating such a
> > > facility concentrating a large number of diesel emitters will result
> > > in an increase in death rates in the proximity of the facility. How
> > > anyone could argue otherwise is beyond me. Certainly business must
> > > move forward, but someone must represent the public good. I
> > > understand that the EPA has instituted new regulations that will
> significantly reduce diesel emissions over time.
> > > However, due to the life of diesel engines, that time period is
> > > measured in decades. Would it not be more prudent to locate such
> > > facilities well away from populous areas to allow adequate
> > > dispersion of the emissions before reaching the general public? Or the
> converse:
> > > wouldn't allowing the construction and operation of a facility that
> > > will increase death rates in the immediate surrounding area qualify
> > > as
> > "reckless endangerment"?
> > >
> > > There are certainly rural areas with minimal population that combine
> > > close proximity of BNSF tracks and access to I-35 only a few miles
> > > further south.
> > >
> > > Thanks for your time.
> > >
> > > Tom McBride
> > > 26550 West 199th Street
> > > Gardner, Kansas 66030
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