From: Sue Egger
To: Marx, Joshua A NWK;
cc: segger@kc.rr.com; kirkendall1@gmail.comn;
Subject: GARDNER intermodal
Date: Saturday, August 08, 2009 2:14:49 PM

As you probably know the City of Gardner has decided not to pursue any contracts with BNSF, in fact the City has last Tuesday passed an ordinance de-annexing the property scheduled for the intermodal and BNSF is currently working with the City of Edgerton.

With that in mind I have numerous questions as follows regarding the site next to Gardner.

1. From a legal point I don't think Edgerton can annex the property into their City because of the distance between the two Cities

2. In the report a distance of 30 miles was used to evaluate various sites. This distance is arbitrary. For instance the Ottawa site should be studied as I believe overriding environmental issues exist (Hillsdale Lake a water supply for surrounding cities and the close proximity of Gardner High School and Hospital). These facilities are directly northeast approximately ¼ mile away as well as the local airport.

3. Recently (before the intermodal a person sold I believe 160 acres . to the County for

Park purposes. The report does not take into account the noise, lights and other activities in the future park

4 In the report the study mentioned the Wellsville south site was not considered because sufficient track length was not available. It would seem to me the railroad could construct additional track to meet the 8000 criteria mentioned in the report.

5 Most important the report should contain an impact assessment and a health risk assessment to protect the population.

6. Mention as been made about the contacts with other agencies. These comments and the Corps responses should be included in the report, perhaps in

the appendix .

7 With the City of Gardner not being a part of providing the connecting utility (water, sewer, road improvements, secutity, electric, fire, etc the report should cover where these services will come from ?

8 I am very concerned about the air toxics and the manner in which the evaluation was performed. very vague and unrealistic.

9. The DPM IS critical. No evaluation was made. It is my understanding no federal regulation

exists for DPM, but California does (right or wrong) the data from California should be considered. The particles can reach the high school and have a long term effect on the children, as well as the nearby hospital. The normal winds blow directly in that direction.

10 The entire facility including the warehouses should fenced and diked to prevent any spillage from going downstream to Hillsdale Lake

From Clem Egger- resident of Gardner

Tel # 913 856 6614

Please acknowledge this e-mail