

# FRANKLIN & MARSHALL

October 30, 2008

Alan G. Rosenbloom  
608 Northlawn Drive  
Lancaster, PA 17603

Dear Mr. Rosenbloom:

I am writing in response to your recent letter sent to government officials and Franklin & Marshall College Trustees regarding the Norfolk Southern Dillerville Yard Consolidation Project. Unfortunately, it appears that you have been led to believe certain things about the project through misinformation distributed by TRRAAC and their attorney, William Cluck. I want to take this opportunity to correct this misinformation in order that you can make an informed opinion about the project.

First, the reference in your letter to an Environmental Protection Agency report about dumping occurring after 1980 on the site to be used as the new rail facility is inaccurate. This disinformation was spread by TRRAAC at its October 7, 2008 meeting. Immediately following this meeting I wrote to Mr. Dan Gillis of TRRAAC providing proof of the inaccurate statements and calling for a retraction. While not a public retraction, Mr. Cluck in a letter to me dated October 20, 2008 admitted that the report he used to make the public statements does in fact address another piece of property known as the Brick Yard, which is owned by the College, but is not the site of the new rail facility. You may find my letter to Mr. Gillis and Mr. Cluck's letter on our project website at [www.fandm.edu/railyard.xml](http://www.fandm.edu/railyard.xml).

Second, the claim that we did not address the presence of asbestos in our Department of Environmental Protection (DEP) Act 2 Remediation Plan is also inaccurate and a claim often made by TRRAAC despite public information to the contrary. For example, our Plan, approved by DEP on October 3, 2008, describes the presence, extent and nature of asbestos content within site waste materials. Moreover, the Plan specifies a range of environmental controls to be employed to effectively mitigate any risks associated with the encounter and handling of asbestos-containing materials. Among them, and as described in the Plan, are: site-specific health and safety procedures, portable mister and soaker systems, work zone and site perimeter air quality monitoring; stringent work zone and perimeter air quality control standards for dust and asbestos fibers; special waste handling, bagging and containerization methods; and explicit procedures to keep the size of open excavations to a minimum.

In our efforts to be very thorough and transparent, we included this detailed information on our website for the past several months under the Act 2 Plan tab. Even though not required by DEP's Act 2 Land Recycling Program, our environmental characterization included the laboratory testing of 12 samples taken of each different type of floor tile material suspected to possibly contain asbestos. Only two samples came back with confirmation of asbestos content and in both cases it was organically bound and found by the laboratory to be non-friable. These specific results were presented and made available to the public at the tabletop display that we had set-up (dedicated to our site remediation plans) at the Public Meeting held at the College on the evening of June 19, 2008.

Also, TRRAAC's reference to a regulatory requirement of hundreds of asbestos test samples before removing the dump material is simply not true. The Act 2 Land Recycling Program prescribes no minimum number of soil or waste samples for site and waste characterization purposes; the applicable regulations state that "...an appropriate number of sample locations should be investigated." In fact, the Act 2 Program does not address asbestos content in soil or waste materials. Our site investigation work plan approved in advance by DEP, contained 42 test borings, 14 test pits and 10 groundwater monitoring wells; these were consistent with the Act 2 Program requirements and were sufficient to secure approval from DEP of our site characterization report. However, we also contacted DEP staff and inquired about the basis for TRRAAC's claims for hundreds of samples. The DEP staff confirmed that this claim was unfounded. I refer you to our letters to TRRAAC's environmental consultant, Gary Brown, listed on our website for additional information regarding our Act 2 plan and approval.

Third, your reference to "team meetings" with DEP and federal officials being inappropriate is a theme that TRRAAC used at its October 7, 2008 meeting. It seeks to imply that working closely with governmental officials to meet their regulatory requirements is inappropriate. This is a disingenuous attempt by TRRAAC to cast doubt on our actions when in fact we are striving to meet the applicable laws and regulations and in some instances going above and beyond these requirements. For example, in working with PennDot and Federal Highway Administration they suggested that we hold a focus group comprised of local governmental officials and residents to fully brief them on the project and use the session as a "dry run" for our public meeting that was held on June 19, 2008. We held the focus group meeting on February 13, 2008 and as a consequence decided to schedule the public meeting after our environmental studies were concluded so we could release the results at the public meeting on June 19, 2008. We also adjusted the standard format PennDot uses for public meetings as a consequence of the focus group to include a question and answer session that is not typically done to ensure additional public participation. The minutes of the focus group and the public meeting have also been on our website for several months. We explained to Mr. Gillis in a letter dated September 29, 2008 that we don't make program regulations but rather seek to meet them as thoroughly as possible through a close and appropriate collaboration with regulatory agencies. This collaboration in no way has impacted our commitment

to be transparent with our neighbors, and in fact has provided additional avenues for public communication.

Fourth, the reference that we have not provided sufficient information to prove the public benefit of the project including a specific reference to a lack of information about truck diversions and air pollution reduction is unfounded. Several months ago we posted information on the website detailing how we estimated 55,000 annual truck trips will be diverted from regional highways as a consequence of the project. This type of information is routinely used in governmental transportation programs to predict reduction in air pollution.

The statement that 140 trucks a day will be used to remove the trash from the dump and the resulting noise, vibration and air quality from the increased train activity will harm the neighborhood is not entirely accurate. During the removal process, trucks will complete up to 70 round trips per day hauling material from the dump to the county landfill. This part of our Plan conservatively estimated the maximum number of round trips by trucks, days of operation and hours of operation with the hope that we could improve upon these estimates. In a letter to Dan Gillis dated October 9, 2008, I noted that the number of round trips per day could actually be 56 and the hours reduced from those in our approved Plan. In addition, I have been in touch with the Old School Lane Hills Neighborhood Association to assure them our intention is to find the balance between hours and days of operation in order to keep any disruption to the closest neighbors as low as possible while trying to complete the work as quickly as possible.

Regarding the noise, vibration and air quality from the train activity after the project is finished, I refer you to our website which includes engineering studies we conducted on each of these areas. The results of these studies were released at the June 19, 2008 public meeting and show that in each area we are below the federal guidelines for mitigation. However, we have pledged to install an earthen bank planted with evergreens along our property line with the rail line to reduce any noise from the rail activity. I also want to point out that these environmental studies were not required for any approval we are seeking but were undertaken to address residents' questions. In fact, we had the studies conducted with extremely conservative parameters and the results still came back as below federal guidelines requiring mitigation steps. Finally, Norfolk Southern has said on many occasions that the number of daily trains will not increase as a consequence of this project.

Fifth, you note that hazardous materials will be shipped through the rail yard and that Norfolk Southern declined to release details about those shipments. During the question and answer period at the June 19, 2008 meeting, Rudy Husband of Norfolk Southern responded to a question about hazardous materials shipped through the existing yard by stating, "...by law Norfolk Southern must operationally carry hazardous materials that their customers order but that the project will not introduce new types of hazardous materials that are not already carried currently." Also, in the informational mailer sent to the neighborhood in the spring of this year, it was noted that the project will not increase the one type of hazardous materials generally viewed with the greatest

of concern. Mr. Husband did decline to provide additional details regarding hazardous materials shipped to their customers because of homeland security concerns. I refer you to the minutes of the public meeting and the mailer that are contained on our website.

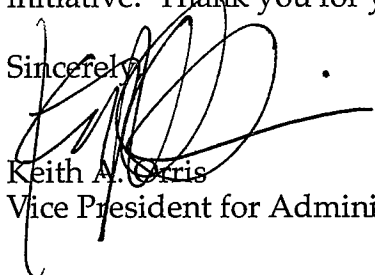
Finally, I want to cite several of the many benefits this project creates for Lancaster and the region. We are removing a former municipal dump and its corresponding contaminants, reducing air pollution in the region by diverting 55,000 annual truck trips to rail and decreasing the amount of funds spent on highway maintenance. We are reconnecting the city street grid providing traffic mitigation and enhancement of the Lancaster urban setting. We are also providing for the long-term growth of the College and Lancaster General, the two leading institutions of the City of Lancaster and the region.

It is unfortunate that TRRAAC has chosen a campaign of disinformation as a means to work against the project instead of undertaking a meaningful discussion and representation of the project. For example, we engaged TRRAAC prior to the public meeting in order to share our engineer's review of their alternate sites and why they do not work nor create advantages over our existing design. Our engineer's review is included on our web site. We have also answered each letter sent by TRRAAC or by neighbors and posted this information on our website, both the original letter and our response. TRRAAC chooses instead to post only their claim of having viable alternates and letters sent to us without posting our response to their alternates and our response to their letters, creating a misimpression that we do not respond.

I hope this information is helpful for you to better understand the project and to comprehend TRRAAC's distorted representations. Please visit our website at [www.fandm.edu/railyard.xml](http://www.fandm.edu/railyard.xml) to review project information that is regularly updated.

Please feel free to share this information with others that you have sent a letter to in order to correct any misimpressions that could have been created. Also, please contact me with any questions that you might still have regarding the initiative. Thank you for your interest in the project.

Sincerely,



Keith A. Orris

Vice President for Administrative Services and External Affairs

cc: Don Welsh, EPA Region 3 Administrator  
Kathleen Anderson, Chief, EPA Region 3 Site Assessment & Non-NPL  
Federal Facilities Branch  
John Hanger, PADEP  
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James Warner, Executive Director,  
Lancaster County Solid Waste Management Authority  
Tom Beeman, Lancaster General  
Jan Bergen, Lancaster General  
Rick Crawford, Norfolk Southern  
Rudy Husband, Norfolk Southern  
Joel Bolstein, Esquire  
Manheim Township Board of Commissioners  
Lancaster Township Board of Supervisors  
East Hempfield Board of Supervisors  
The Honorable J. Richard Gray, Mayor, City of Lancaster  
The Honorable Louise B. Williams, President, Lancaster City Council  
The Honorable Arlen Specter, Senator, U.S. Senate  
The Honorable Robert P. Casey, Jr., Senator, U.S. Senate  
The Honorable Joe Pitts, Congressman, U.S. House of Representatives  
The Honorable Edward G. Rendell, Governor, State of Pennsylvania  
The Honorable Gibson E. Armstrong, Senator, Pennsylvania State Senate  
The Honorable Michael W. Brubaker, Senator, Pennsylvania State Senate  
The Honorable P. Michael Sturla, Representative, PA House of  
Representatives  
The Honorable John C. Bear, Representative, PA House of Representatives  
The Honorable Katie True, Representative, PA House of Representatives  
Bob Desmarais, Old School Lane Hills Neighborhood Association  
William J. Cluck, Esquire  
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