



Construction Materials Recycling Association  
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January 6, 2004

Victoria J. Rutson  
Chief  
Section of Environmental Analysis  
Surface Transportation Board  
1925 K St. NW Ste. 500  
Washington, DC 20423

Dear Ms. Rutson:

Recently I had the opportunity to review your office's post environmental assessment on the New England Transrail pre-emption application (finance docket no. 34391). While of course the rationale for this project boils down to the board's insistence that it controls all rail-related activities and anyone from U.S. Senators down has no power such as theirs, such politics are not our concern, recycling is. Related to that is this statement in the report:

"Implementation of the Proposed Action would result in a modest beneficial impact on the transportation of recyclable commodities."

As the leading national expert on the recycling of construction and demolition materials, I can categorically state that is a bald-faced lie. The intent of this project is to get around the Massachusetts DEP's efforts to promote recycling and to provide one company an unfair advantage in the marketplace. The facility will not be shipping these materials to a recycling facility, but to out-of-state landfills, some of which are poorly run and a danger to the public. It is a solid waste facility, not a railroad. Your report supports the additional mining and logging needed to make up for the loss of these natural resources to the recycling process, while adding to the ticking bomb that is a landfill. In short, this report helps a project that will do more environmental damage than an Appalachian coal mining operation. Was your agency's jurisdiction that important?

Sincerely,

William Turley  
Executive Director  
Construction Materials Recycling Association  
Association Publisher  
Construction & Demolition Recycling magazine