



July 16, 2007

Mr. Vernon A. Williams
Office of the Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

**RE: STB Finance Docket No. 34986 – Verified Notice of Exemption
Ashland Railroad, Inc. – Notice of Lease and Operation of Rail Line
Freehold, Monmouth County, New Jersey**

**STB Finance Docket No. 34987 – Verified Notice of Exemption
G. David Crane – Continuance in Control – Ashland Railway, Inc.**

Dear Mr. Williams:

We are writing today to respectfully request that the Surface Transportation Board conduct an additional comprehensive review and assure the opportunity for full public participation prior to any further consideration by the Board in conjunction with this case. Specifically we are requesting:

- 1.) A full environmental review to be undertaken by the Surface Transportation Board's Section of Environmental Analysis which would conform to the necessary requirements mandated in state law.
- 2.) A public hearing in Monmouth County to offer the residents—who would be affected as a result of the granting of this exception—the opportunity to appeal directly before the Board to express their reservations of the pending application.

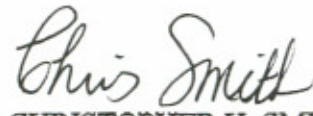
After an exhaustive review of documents submitted in this case, we have come to the conclusion that further review must be performed by the Surface Transportation Board to properly ensure the health and safety of the environment and especially nearby residents. Specifically, we believe that development of this site for rail operations could result in significant wetlands disturbance. Further, any industrial use that is permitted could possibly produce hazardous leachate, thus creating a deleterious affect to the water supply in the region. Neither Ashland nor Crane—the applicants for the rail line exemption—have addressed the

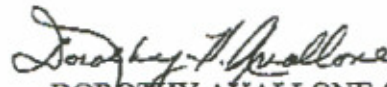
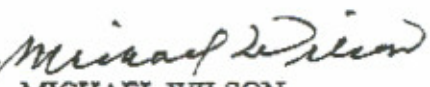
potential impacts of construction or the operation of a transloading facility on the wetlands and streams present on the property. As the Monmouth County Solid Waste Advisory Council stated in their June 26th submission, "the substantial wetlands and waterways on the western portion of the proposed lease feed the Manasquan River and Reservoir, a major source of potable water for Monmouth County's growing population." The County also correctly states that several federal and state environmental permits to control and monitor surface and groundwater discharges as well as air emission impacts from the facility's operations and associated traffic would traditionally be required. We believe that the health impacts that could result from a potential unregulated waste transfer facility warrant the additional effort which would be needed to undertake a full environmental review in this case.

Additionally, the large public involvement that has already been present in this case including unanimous resolutions by the Monmouth County Board of Chosen Freeholders, Freehold Township Committee, and Freehold Boro Committee expressing reservations to the project as well as thousands of citizen letters sent to various state and federal officials—warrants the opportunity for public grievances to be heard directly before the Board.

Once again, in a bipartisan statement, we implore the Board to use all means necessary and available to exercise full and aggressive due diligence in reviewing the merits of this case. Thank you for your time and attention in this matter.

Sincerely,


CHRISTOPHER H. SMITH
Member of Congress

 
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