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October 10th, 2008
Volume 1 Number 25

Free! *

LANCASTER POST

nothing but the truth...

$28 Million Train Wreck?

F&M and LGH's Controversial Plan



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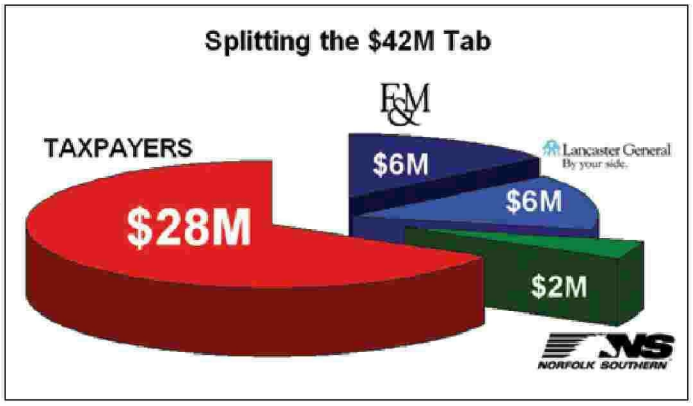
by Ron Harper, Jr., *Lancaster Post*

Railroaded: Is trainyard relocation shutting out the public?



Earlier this week, Kathleen G. Horvath, Chief of the Special Projects Section of the Environmental Cleanup Program with the Pennsylvania Department of Environmental Protection, sent a letter to the Lancaster County Solid Waste Management Authority (LCSWMA).



The letter approved the beginning of the removal of municipal trash and industrial waste on a 11.8 acre site owned by the Authority.

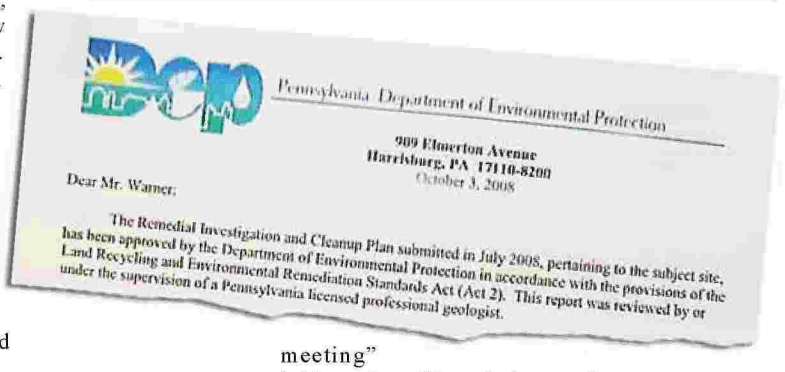
This removal will generate an estimated 140 - 160 truck trips per day for the next six to nine months. The trucks will make the trip to dump the waste at the Frey Landfill in Highville, Manor Township.

This is the start of the Norfolk Southern switching yard relocation, which will move the yard from an industrial area by Dillerville Road, to an overgrown forested area near Marietta and School Lane Hills homes. The cost of the project is expected to cost an estimated $42 million, with non-profits Franklin & Marshall College (F&M) and Lancaster General Hospital (LGH) putting up $6 million each, and corporate owner, Norfolk Southern, putting up $2 million, while the taxpayers must cough up the other $28 million dollars to complete the project.

Project supporters say that Norfolk Southern benefits by being able to expand its train switching capacity with claims of reducing trucks on the road. Meanwhile, F&M and LGH get to split up the current rail switching yard property, as well as the nearly 50 acre remnant of Armstrong's former property. The noisy train operation will also no longer interrupt performances at F&M, the rumored catalyst for the entire project.



The relocation project began in July of 2006, when F&M, through its law firm, Barley Snyder, hired A.R.M. Group to do "remediation and reuse plans" on 1/3 of an estimated 30 acres of landfill containing 1950's and 1960's trash, as well as rolls and rolls of asbestos-laden vinyl from "Armstrong Cork" and other industrial waste, including drums and drums of "liquid waste."



Pennsylvania Department of Environmental Protection

909 Elmerton Avenue
Harrisburg, PA 17110-8200

October 3, 2008

Dear Mr. Warner:

The Remedial Investigation and Cleanup Plan submitted in July 2008, pertaining to the subject site, has been approved by the Department of Environmental Protection in accordance with the provisions of the Land Recycling and Environmental Remediation Standards Act (Act 2). This report was reviewed by or under the supervision of a Pennsylvania licensed professional geologist.

The other 2/3 of the dump will remain - even though Field Inspectors with the United States Department of Environmental Protection Agency "Superfund" observed, "Franklin and Marshall dumping construction waste on site," as recently as 1989. Another report from the Pennsylvania Department of Environmental Resources also noted, "Franklin and Marshall College has been dumping waste building material in this area." The material, "Class III demolition waste," in this "non-permitted" dump, was illegal.

According to environmental laws regulating the cleanup, F&M is to have a PIP or "Public Involvement Plan." "Inasmuch as Manheim Township, the host municipality, has requested to be involved with the remediation and reuse plans for the site, a PIP is required." Shouldn't the report -- on how the property is to be cleaned up – be completed, so that the public can review the plans? Or, better, shouldn't the public's input be considered before the plan is created, and then presented to the public as a "draft," pending input from the public after review of the plan?

Instead, the 1,056 page F&M report, dated "July 2008," informs the public that they had their chance at a "public meeting" to comment at the meeting held on F&M campus on June 17, 2008. Does the public get to comment on the plans to clean up the site now that the plans have been completed?

At a Manheim Township meeting on September 22, 2008, the commissioners unanimously passed a resolution authorizing township manager, Jim Martin, to contact the DEP's, Horvath, and communicate to her that the township was not happy about the "public meeting" held on June 17, and that another meeting should be scheduled. When contacted on Thursday, October 9, Martin said that he had received a letter from Horvath that day, but that he didn't want to release it to the public until the commissioners had received it.

Just how "public" was this "public meeting"? The Lancaster Post was given notice by F&M Public safety director, Maureen Kelly, that F&M security would arrest any of our staff if we stepped foot on the their soil! The day after this supposed "public meeting," F&M again reiterated, in a letter released to the media, information that among other libelous comments that Lancaster Post was NOT permitted on F&M soil and subject to arrest!

The mammoth report killed more than one tree in its analysis, but is it accurate? Interestingly, on page 21, under the heading, "Site Location and Historic Property Uses," it fails to mention that this dump was only part of larger dump - the larger portion not coincidentally owned by F&M college since 1981! It also seems to confuse a 1987 report on F&M's property, and implies that it's referring to other side of the tracks.

The report goes on to say that:

"Since the site constitutes a solid waste management area that ceased disposal operations prior to September 7, 1980, its closure (and the long-term use of this site) is not regulated by the Pennsylvania Solid Waste Management Act, but instead, is regulated under the Pennsylvania Clean Streams Law."

Story continues on page 6.

Railroaded

continued from page 2.

The truth? The entire properties has been used for some kind of dumping from 1955 to almost 1990.

The properties were used together since March of 1926, when the Lancaster Brick Company bought the ground that is collectively known today as 'the brickyards.' The land was on both sides of the railroad tracks, and used an underpass underneath the tracks to allow the brick-making company to operate into the mid-1960's.

According to meeting minutes from the regional public trash authority, the property was also used as a trash dump for municipal waste, as well as industrial waste from Armstrong starting in 1955, and lasting until 1961. By 1959, a Lancaster Brick Company complaint was printed in the trash authority minutes, saying that "their drinking water has been useless since we (the trash authority) are performing operations in certain areas of their property"! A year later, the meeting minutes reported that Armstrong was sending "substantial volume" of liquid waste to be disposed of on the land known as the brickyards.

Fast forward to September of 1980, when the owners of the Lancaster Brick Company were dissolving the company and Lancaster Malleable Castings Company bought the 11.8 acres north of the railroad tracks, now being considered for the switching yard. Lancaster Malleable used the land to dump sand that was used on their castings. Lancaster Malleable went of business shortly after it sold the land to LCSWMA in 2002. As to the F&M side of the brickyards, there's documentation that from 1955 until almost 1990 there was dumping on the site.

Will the DEP require more public input? Will the DEP require F&M to clean up their dump? At press time, neither F&M's president, John Fry, nor the Department of Environmental Protection's, Horvath, got back to the Post.

Richard Kilpatrick, press secretary for the state Department of Transportation Penn DOT spokesperson, said that the project "is currently under review," and that he wouldn't make any other comment.