August 5, 2010

VIA ELECTRONIC FILING

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: Petition of Arkansas Electric Cooperative Corporation for a Declaratory Order,
STB Finance Docket 35305

Dear Ms. Brown:

This letter responds to requests for BNSF Railway Company to provide additional information on two matters raised by Board members at the July 29, 2010 hearing in the above-referenced case.

First, in response to a request from Vice Chairman Mulvey, attached is a list of academic and industry articles and reports related to coal dust that we have been able to locate. We have identified whether the materials on our list were already included in the record in this proceeding, are readily available on the internet, or are being provided to the Board as attachments to this letter. We have seen references to a few other articles and reports, but have not included them on our list if we have been unable to locate a copy.

Second, Commissioner Nottingham asked BNSF to advise the Board whether BNSF loaded the railcars above the sill during its removal of coal dust that had accumulated near certain waterways in 2008. We confirmed that BNSF did not load the railcars above the sill. We note that one of the articles on the attached list addresses the question raised by Commissioner Nottingham as to whether loading coal below the sill would reduce coal dust emissions. This article indicates that this loading technique reduces the load capacity of each railcar by more than ten percent without a statistically significant reduction in coal dust emissions. See Edward M. Calvin, G. D. Emmitt & Jerome E. Williams, A Rail Emission Study: Fugitive Coal Dust Assessment and Mitigation, Proceedings for the Seventh Annual Environment Virginia ’96 Symposium, 44, 48, Lexington, Virginia (April 11-12, 1996).
Please contact the undersigned if you have any questions regarding this letter.

Sincerely,

Samuel M. Sipe, Jr.
Counsel for BNSF Railway Company

cc: Chairman Daniel R. Elliott III
    Vice Chairman Francis P. Mulvey
    Commissioner Charles D. Nottingham
    Parties of Record
Coal Dust Articles and Reports


Kenneth Axtell & Chatten Cowherd, Environmental Protection Agency, Project Summary: Improved Emissions Factors for Fugitive Dust from Western Surface Coal Mining Surfaces, EPA-600/S7-84-048 (July 1984) (attached).


Connell Hatch, Draft: Coal Loss Literature Review, Reference H327578-N00-CF00 Revision 0, prepared for Queensland Rail Limited (Jan. 11, 2008) (included in the workpapers of the Reply Verified Statement of Dr. Mark Viz).


