

Subject: FRAC SAND SENTINEL #191 3/29/2018 PROGRESSIVE RAIL'S PETITION IS TO CLOSE 95TH AVE IN THE TOWN OF EAGLE POINT

Progressive Rail, Inc. has petitioned the OCR to close a town road (95TH Avenue north of County Road S). The plan is to allow them to construct 10 rail spurs so they can store 140 cars loaded with frac sand in a RAIL YARD for eventual transport though Chippewa Falls or to the north.. What impact will this plan have on the City of Chippewa Falls, the Town of Eagle Point, and Chippewa County and surrounding counties?



*.....keeping watch on
the industry*

Issue: #191 IMPORTANT ALERT
Date: March 29, 2018

**The WI State
Office of the
Commissioner of
Railroads has set
a hearing date
for April 5 in
Chippewa
County at 10:30**



**a.m. at the Chippewa County Court House.
Progressive Rail, Inc. leases the Chippewa Falls
(Norma) to Cameron track from Union Pacific so
this could lead to greater expansion of frac sand
facilities to the north, bringing more unit trains to
the county and town and through the city as the
140 rail car unit train moves tons of frac sand out**

of the state to hydraulic fracturing sites in the United States and other countries.

You can read about the plan from the Leader-Telegram [HERE](#)

95TH Avenue (or Darrow Road) is well used by many Chippewa County residents including those who avoid unit cars blocking the crossing of Chippewa Co. S near the EOG Resources processing plant and rail load out facility. It also appears that Emergency Vehicle Personnel use 95th Avenue as an alternate route when there are other blockages on several crossings including County Highway S. Unit cars (of 140 individual cars) assembled at the rail yard would be about 1 and 1/2 miles long. Some authorities feel that this rail yard would have far reaching and negative impacts to the County.

While companies agree that the frac sand industry is cyclical, they also feel that the market (despite the mining of Brady Brown sand in Texas) has rebounded and there is plenty of money to be made by them as they transport it out of state from 22 counties located in WI.

There are no local or state taxes applied because the silica sand is not sold locally or statewide; therefore there are no benefits to local or state

projects. And as many know, there are plenty of environmental impacts that come with this heavy industry which affect the entire state.

Think about the impact of a rail yard and its function in your neighborhood and beyond. The land is currently zoned "agricultural"; think of the loss when it is zoned "heavy industry".

Set aside April 5 on your calendar to attend the morning and evening meetings (10:30 a.m. and 6:00 p.m.) at the Chippewa County Court House. Submit your comments!

Please read the official statement below from David Albino, Administrative Law Judge to learn more about the procedures to be followed. Also click on the links to read more of the detail regarding this heavy industrial advancement in the County.

**OFFICE OF THE COMMISSIONER OF
RAILROADS
STATE OF WISCONSIN**

Petition of Progressive Rail Inc. for the Closure of the Public Crossing of 95th Avenue with tracks operated by Progressive Rail Inc. in the Town of

**Eagle Point, Chippewa County. On the
Commissioner's Own Motion for Consideration of
the Closure of the Public Grade Crossing of the
Progressive Rail Inc. tracks with 105th Avenue in
the Town of Eagle Point, Chippewa County
9145-RX-114**

NOTICE OF HEARING

**Hearing Date: Thursday, April 5, 2018 Technical
Session: 10:30 a.m. Public Session: 6:00 p.m.
Hearing Location: Chippewa County Courthouse
Room 302 (3rd Floor) 711 North Bridge Street
Chippewa Falls, WI 54729**

**NOTICE IS GIVEN that the Office of the
Commissioner of Railroads (Office) will hold a
public hearing in this proceeding on Thursday,
April 5, 2018, at 10:30a.m., at the Chippewa
County Courthouse, Room 302, 711 North Bridge
Street, Chippewa Falls, Wisconsin. The hearing
will commence with a technical session where
the Office shall receive testimony from the
parties. A public session will be held in the
evening, where the Office shall receive
comments from the available public. The
presiding Administrative Law Judge may allot
additional time to receive evidence and**

comments, if necessary.

This is a Class 1 proceeding as defined in Wis. Stat. § 227.01(3)(a).

DOCUMENTS. To view documents in this docket: (1) go to the Office's website at <http://ocr.wi.gov>, (2) scroll down and push the ERF button, (3) enter "9145-RX-114" in the box labeled "Quick Single Docket Search," and (4) select "Documents."

To receive automatic notifications for all documents related to this docket please use the Office's EZ-Subscription service: (1) go to the Office's website at <http://ocr.wi.gov>, (2) scroll down and push the EZ Docket Subscription button, (3) enter "9145-RX-114" in the box labeled "Docket ID," and (4) select "Subscribe."

PUBLIC COMMENTS. A person may submit public comments in this proceeding without becoming a party and without attorney representation. A person may submit comments in only one of the following ways:

PSC REF#:339111

Public Service Commission of Wisconsin

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Docket 9145-RX-114

- **Oral Comment.** Spoken at the public session.
- **Written Comment.** Instead of speaking at the hearing, write out a comment and submit it at the public session.
- **Web Comment.** Go to the OCR's web site at <http://ocr.wi.gov/apps452/OCRapps/publicComment/filecommentDocketlist.aspx>

At the bottom of page select the "File a comment" link that appears for docket number 9145-RX-114. Web comments shall be received no later than Wednesday, April 4, 2018. • Mail Comment. All comments submitted by U.S. mail shall be received no later than Wednesday, April 4, 2018. A mail comment shall include the phrase "Docket 9145-RX-114 Comments" in the heading, and shall be addressed to:

**Docket 9145-RX-114 Comments Office of the
Commissioner of Railroads P.O. Box 7854
Madison WI 53707-7854**

The Office will not accept comments submitted via e-mail or facsimile (fax).

A person shall limit a public comment to non-

technical personal knowledge or personal opinion. A person may include references to other materials in a comment, but may not include as part of a comment, any document not written or substantially modified by that person. The Office shall only accept documents that a person offers to supplement a comment for the purpose of showing the basis of an opinion, not for proof of the matter asserted. Parties may object to the receipt of a public comment.

Any material submitted to the Office is a public record and may appear on the Office web site. Only one comment may be submitted per person during a comment period. The Office may reject a comment that does not comply with the requirements described in this notice.

AMERICANS WITH DISABILITIES ACT. The Office does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this docket or who needs to obtain this document in a different format should contact the docket coordinator listed below. The Office is located in Room 110 of the Commission's Building at 610 N. Whitney Way, Madison, Wisconsin 53707. The building is accessible to people in wheelchairs

through the Whitney Way first floor (lobby) entrance. Parking for people with disabilities is available on the south side of the building.

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CONTACT. For questions about this docket, contact the Office's docket coordinator, Heather Graves, at (608) 266 - 0276 or Heather.Graves@wisconsin.gov.

David Albino Administrative Law Judge

JG/da DL: 01623979

LET YOUR VOICES BE HEARD!

Patricia Popple 715-723-6398 sunnyday5@charter.net

Welcome to the Frac Sand Sentinel, a newsletter highlighting resource links, news media accounts, blog posts, correspondence, observations and opinions gathered regarding local actions on, and impacts of, the developing frac sand mining and processing industries.

The content of this newsletter is for informational purposes only. The editor of the Frac Sand Sentinel does not accept any responsibility or liability for the use or

misuse of the content of this newsletter or reliance by any persons on the newsletters contents.

CHECK OUT THE WEBSITE: WWW.CCC-WIS.COM and for additional information and www.lookdownpictures.com for panoramic views of frac sand mines, processing plants, and trans-load facilities.

FRAC SAND SENTINEL | 561 SUMMIT AVENUE, Chippewa Falls, WI 54729

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