

NORTH DAKOTA PUBLIC SERVICE COMMISSION

Monday, March 1, 2010

1:30 PM

Brynhild Haugland Room---State Capitol Building---Bismarck, ND

Subject: Silencing of Train Air Horn Noise at Fraine Barracks Crossing

Presenter: Bruce Schwartz
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Testimony:

I come before the Commission today to speak in support of eliminating the train air horn noise at the Fraine Barracks crossing in Bismarck, ND.

Further, I urge the North Dakota Public Service Commission to affirm that said crossing is indeed a private crossing and that it falls under the requirements of State law, namely, North Dakota Century Code 49-11-21, which went into effect January 1, 2010.

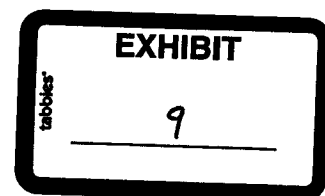
My family has lived adjacent to the Fraine Barracks crossing in the Highland Acres section of Bismarck since 1975. This puts me in a position to review the train traffic situation in that area since then.

In 1975, I was told by the previous owner of our house that there were perhaps four or five trains that passed each day. After a day or two we discovered that the number was more like 16 to 18 trains per day.

Over the years, the number of trains increased and today there are about 26 trains each day. Also, it is my understanding that Burlington Northern Santa Fe is in the process of adding up to six additional trains per day.

The trains were mostly just an annoyance that we could live with---until four or five years ago when suddenly there was a huge increase in the noise level.

The reason for the increased noise level from the air horns was the result of new federal regulations which required that air horns be sounded at 115 decibels instead of the previous 80 decibels. 90 decibels is the level at which auditory damage begins to occur in human beings. Also, there are three air horns on each engine tripling the noise level of these horns which are sounded beginning a quarter mile from the crossing.



The train air horn noise in populated areas has gotten out of hand. It is now actually inhuman and it affects 4,000 to 5,000 people in the Highland Acres section of Bismarck.

Again, I urge the North Dakota Public Service Commission to see to it that the Fraine Barracks crossing in Bismarck continues to be designated as a private crossing and that, by law, the crossing be silent.