



Surface Transportation Board
Washington, D.C. 20423-0001

FD 36398
FD 36399

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Office of Proceedings
November 17, 2021
Part of
Public Record

November 17, 2021

The Honorable Thomas R. Suozzi
407 Cannon House Office Bldg.
Washington, DC 20515

Dear Representative Suozzi,

Thank you for your recent letter regarding Brookhaven Rail LLC – Construction and Operation Exemption – Suffolk County, New York, Docket No. FD 36398. I appreciate hearing your views regarding the community impact of the proposed project.

As you may know, on September 17, 2021, the Board's Office of Environmental Analysis (OEA) issued a letter concluding that the third-party contractor for the environmental review in this proceeding did not have a conflict of interest. On October 6, 2021, the Citizens Campaign for the Environment (CCE) filed an appeal with the Board of OEA's determination. On October 20, 2021, OEA suspended the environmental review in this matter until the Board issues a decision resolving CCE's administrative appeal.

Because this case is pending, I cannot comment further. However, please be assured that the Board will fully consider all filings and submissions in this proceeding.

A copy of your letter and this response has been placed in the public docket. If you or your staff have any further questions about this case, please contact Ms. Janie Sheng, Acting Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238.

Sincerely,

Martin J. Oberman
Chairman