

COUNTY OF SUFFOLK

KARA HAHN

DEPUTY PRESIDING OFFICER
LEGISLATOR, FIFTH DISTRICT

COMMITTEE CHAIR

ENVIRONMENT, PARKS
& AGRICULTURE
ECONOMIC DEVELOPMENT,
PLANNING & HOUSING

**MEMBER**

BUDGET & FINANCE
EDUCATION & LABOR
FIRE, RESCUE AND
EMERGENCY MEDICAL
SERVICES & PREPAREDNESS
HEALTH
PUBLIC SAFETY
WAYS & MEANS

COUNTY LEGISLATURE**303463**

December 29, 2021

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

ENTERED
Office of Proceedings
December 29, 2021
Part of
Public Record

Re: Docket Nos. FD 36398 and FD 36399, Brookhaven Rail LLC – Application for Land Use Exemption Permit – In Suffolk County, New York

Dear Ms. Brown:

I write to express my deep concerns over a requested exemption from the Surface Transportation Board (STB) for the development of a proposed large-scale waste transfer station in the Town of Brookhaven, New York. This potential project, to be developed by Brookhaven Rail LLC, seeks to utilize an existing rail spur to connect to a proposed rail transfer station, at which municipal waste from Brookhaven and neighboring communities would be transferred via rail out of Suffolk County for further processing elsewhere. Unlike traditional, economic, and regulatory issues placed in front of the STB, this project has the potential for significant environmental impacts on a community already stressed by a number of industrial facilities.

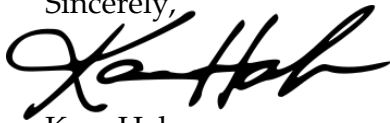
As an elected member of the Suffolk County Legislature and Chairwoman of its Environment, Parks and Agriculture Committee, I have serious reservations about this proposal's scope and adequate mitigation. However, with this letter my intention is not to debate the plan itself, but rather to urge the STB to prevent itself from being used to circumvent relevant state and local reviews of this project through the issuance of a Land Use Exemption Permit.

If developed as proposed, the Brookhaven Rail LLC transfer station would be one of the largest facilities of its kind in the region. Despite that, the proposer is attempting to

develop this site without ever seeking input from the local community or getting the requisite approvals from the local municipalities with jurisdiction over land-use, zoning and permitting processes.

Taking away a community's ability to determine its destiny through the Land Use Exemption Permit process only works to dilute the voices of its members. As such, I join with other elected representatives who have asked the STB to reject the Land Use Exemption Permit request from Brookhaven Rail LLC and allow the existing regulatory process, a system intended to protect the needs and interests of local communities, to transpire without unnecessary Federal intervention. In abiding by the existing and usual local review process we will ensure the solutions we all seek are founded in partnership and understanding of the public, environmental and economic needs of our local communities.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kara Hahn', with a stylized, cursive script.

Kara Hahn
Suffolk County Legislator
Fifth District

Cc: Parties of Record

Peter A. Pfohl, Citizens Campaign for the Environment
Robert D. Rosenberg, Citizens Campaign for the Environment
Honorable Steven Englebright
Juan D. Reyes, III, New York State NAACP
Thomas W. Wilcox, Brookhaven Rail LLC
Robert A. Wimbish, Sills Road Realty LLC, Brookhaven Terminal Operations LLC,
and Brookhaven Rail Freight Services LLC
Robert M. Calica, Town of Brookhaven
Lorraine A. Ambrosio