



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

February 7, 2022

Justin J. Marks
Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004

Re: Docket No. FD 36575, Townline Rail Terminal, LLC – Construction and
Operation Exemption – In Suffolk County, NY; Waiver Request of Six-Month
Prefiling Notice Requirement

Dear Mr. Marks:

Pursuant to 49 C.F.R. § 1105.10(c)(2), the Surface Transportation Board's Office of Environmental Analysis (OEA) is granting your January 14, 2022 request for a waiver of the six-month prefiling notice generally required for rail construction projects under 49 C.F.R. § 1105.10(a)(1).

On December 9, 2021, OEA met with representatives from the Townline Rail Terminal, LLC (Townline), outside legal counsel, and a representative from the town of Smithtown, New York. At the meeting, Townline explained that it intends to seek authority from the Board to construct and operate approximately 5,000 feet of new common carrier rail line in Smithtown, N.Y. (the Proposed Line). Townline was established in 2021 to be a common carrier railroad. Townline is affiliated with CarlsonCorp, Inc. (Carlson) which operates a New York State Department of Environmental Conservation (NYDEC) permitted waste transfer facility on a portion of an 82-acre site in Smithtown. Carlson recycles and processes uncontaminated concrete, asphalt pavement, rock, brick, and soil, woody yard waste, un-adulterated wood, yard waste, and horse manure. Townline intends to construct the Proposed Line at the northern end of the 82-acre tract, adjacent to and parallel with the Long Island Railroad's Port Jefferson rail line (Port Jefferson Line). New York & Atlantic Railway operates freight service on the Port Jefferson Line and has entered into an agreement with Carlson to install a new switch connecting the Proposed Line to the interstate rail network.

Townline would initially move incinerator ash, a by-product from Covanta Energy's (Covanta) waste-to-energy facility, and construction and demolition debris (C&D debris) for

Carlson. Townline also plans to offer rail service to adjacent properties, potentially including Kings Park Ready Mix, Kings Park Materials (asphalt plant) and Pelkowski Precast Concrete. Townline anticipates an increased need for the Proposed Line because the last remaining landfill on Long Island, which currently accepts incinerator ash from Covanta and C&D debris, is scheduled to close in 2024. Townline believes that the Proposed Line would offer an alternative to truck transport off Long Island by providing efficient, direct rail transportation via the Port Jefferson Line to the interstate network.

At the December 9, 2021 meeting, OEA provided a general overview of the Board's environmental review process, OEA's role in the process, and the use of third-party consultants. Based on this initial meeting and your letter, OEA believes it has adequate information to grant this request and that Townline is sufficiently aware of OEA's environmental process.

If you have any questions, please feel free to contact me at 202-245-0300 or Andrea Poole of my staff at 202-245-0305.

Sincerely,

A handwritten signature in dark ink, appearing to read "Danielle Gosselin". The signature is fluid and cursive, with the first name "Danielle" written in a larger, more prominent script than the last name "Gosselin".

Danielle Gosselin
Acting Director
Office of Environmental Analysis
Surface Transportation Board