

SERVICE DATE – JANUARY 12, 2023

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36575

TOWNLIN RAIL TERMINAL, LLC—
CONSTRUCTION AND OPERATION EXEMPTION—IN SUFFOLK COUNTY, N.Y.

Decided: January 12, 2023

By petition filed November 17, 2022, Townline Rail Terminal, LLC (Townline), an affiliate of CarlsonCorp, Inc. (CarlsonCorp), seeks an exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10901 to construct and operate a new rail line in Smithtown, Suffolk County, N.Y. (the Line). (Pet. 2.) According to Townline, the Line would extend approximately 5,000 feet on a portion of CarlsonCorp's industrial property and would run parallel to the Long Island Railroad (LIRR) Port Jefferson Line. (Id.) Townline states that the New York & Atlantic Railway (NYAR) operates on the Port Jefferson Line and has entered into an agreement with CarlsonCorp, on behalf of LIRR, to install a new switch that would connect the Line to the Port Jefferson Line. (Id. at 2-3.) Townline also states that it would interchange with NYAR and anticipates that it would operate one train per day for five days per week. (Id. at 5.)

According to Townline, the purpose of the proposed construction is to provide rail service to a transloading facility that will be subject to state and local regulations and that CarlsonCorp will independently construct to handle the transportation of construction and demolition debris and incinerator ash from Long Island. (Id. at 3-4.) Townline explains that rail service is needed because the Brookhaven Landfill, the last remaining public landfill on Long Island to accept construction and demolition debris, is scheduled to close in 2024. (Id. at 3.) Townline states that the Line would provide freight transportation to CarlsonCorp's transloading facility and could serve other local shippers, including Covanta Energy, Kings Park Ready Mix Corp, Kings Park Materials, and Pelkowski Precast. (Id. at 4.)

The petition for exemption raises issues that require consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. § 10502(b). The issues presented by the petition will be addressed in a subsequent decision.

It is ordered:

1. Under 49 U.S.C. § 10502(b), a proceeding is instituted.

2. This decision is effective on its service date.

By the Board, Mai T. Dinh, Director, Office of Proceedings.