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January 30, 2025

Ms. Danielle Gosselin
Acting Director, Office of Environmental Assessment
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: STB Docket No. FD 36833 Lampwrights LLC– Construction and Operation
Exemption–In Elk and Jefferson Counties, PA; Waiver Request of Six-Month Prefiling
Notice Requirement

Dear Ms. Gosselin:

Pursuant to 49 CFR §1105.10(c)(2), Lampwrights LLC ("Lampwrights") respectfully requests a waiver of the six-month pre-filing notice required by the Board's regulations at 49 CFR §1105.10(a)(1). Lampwrights intends to petition the Board for an exemption under 49 U.S.C. §10901 to permit it to construct and to hold the underlying common carrier obligation over approximately 20,427 feet of new common carrier railroad line (the "Proposed Line") in Brockport and Kersey Townships, PA. Lampwrights intends to grant rights to the Buffalo & Pittsburgh Railroad, Inc. ("BPRR") to be the common carrier operator of the Proposed Line. The Proposed Line will extend from the end of the BPRR track at the O-I Crenshaw Glass Plant in Brockport and will terminate at the Superior Greentree Landfill.

BACKGROUND

Lampwrights is a Limited Liability Company established in 2024 to develop the Proposed Line by its parent company, Noble Environmental, LLC ("Noble"). Noble owns the Superior Greentree Landfill, a solid waste landfill licensed and permitted by the Pennsylvania Department of Environmental Protection. In addition to the Superior Greentree Landfill, Noble owns an additional six landfills in Pennsylvania, Ohio, and Maryland. Further, Noble operates three waste transfer facilities. It serves 144,000 residential customers processing an estimated 1.5 million tons of waste annually.

Currently, the Superior Greentree Landfill can accept a maximum daily volume of 6,000 tons per day of most solid waste types. At present, it primarily accepts Municipal Solid Waste ("MSW") and Construction and Demolition Debris ("C&D"). The Superior Greentree Landfill is not rail served and therefore all of the waste it receives arrives by truck.

PROJECT PURPOSE

Lampwrights is seeking to develop the Proposed Line to facilitate waste-by-rail to the Superior Greentree Landfill.

Over the last 20-25 years, the Superior Greentree Landfill has received much of its daily permitted volume from out-of-state waste originating in New York, Connecticut, and Massachusetts. These states have begun shipping waste to available landfills as those jurisdictions have restricted the use of local landfills. Out-of-state shipments to the Superior Greentree Landfill must be shipped via trucks because the landfill lacks a direct rail connection. Lampwrights' Proposed Line is to create a rail option utilizing hermetically sealed intermodal containers to replace truck traffic with rail service.

THE PROPOSED LINE

The Lampwrights Proposed Line will begin at the end of an active BPRR line located at the O-I Crenshaw Glass Plant and will travel approximately 20,427 feet to the Superior Greentree Landfill. The Proposed Line follows the right-of-way of a former Lake Erie Lackawanna portion of what was known as the Toby Branch that prior to being abandoned served a coal mine. The last known operator of the Toby Branch was Conrail.

The Proposed Line will follow the same path of the Toby Branch. Lampwrights intends to construct the Proposed Line on the former railroad bed. The existing railroad bed appears to be in good condition, with most of the grading features still predominantly intact.

The Proposed Line will terminate at the Superior Greentree Landfill where the landfill will construct private industry track to receive the waste. The waste will travel to the landfill in hermetically sealed intermodal containers utilizing 89-foot flat cars. The Superior Greentree Landfill will utilize a crane to move the sealed containers from the rail cars to trucks. The containers will travel via truck within the landfill property to the final unloading facility.

Lampwrights anticipates that it will ship one in-bound train and one empty out-bound train per week. It anticipates that each train will be comprised of 75 cars per train totaling 6,675 feet in total length. The construction of the Proposed Line will facilitate the movement of waste to the Superior Greentree Landfill while minimizing truck traffic on local roadways.

ENVIRONMENTAL IMPACT STATEMENT VS. ENVIRONMENTAL ASSESSMENT

Under 49 C.F.R. §1105.6(a), an environmental impact statement ("EIS") "will normally be prepared for rail construction proposals." However, section 1105.6(d) provides that an applicant can request that the Board will instead evaluate a project through an environmental assessment ("EA"), rather than an EIS, if the applicant demonstrates that a proposal is not likely to have a significant environmental impact.

Section 1105.6(d) instructs an applicant to submit a request for an EA along with the section 1105.10(a)(1) prefiling notice or a request to waive the prefiling notice. However, the Board's "Guide to the Surface Transportation Board's Environmental Review Process for Rail Line Construction and Operation Cases" provides that a request for an EA should be made after OEA has had an opportunity to conduct a site visit.

Lampwrights believes that the Proposed Line is of limited scope and therefore an EA is the appropriate level of analysis required for this project. However, Lampwrights will reserve its right to request an EA in lieu of an EIS until after OEA has had an opportunity to visit the site in deference to the Board's guidance for rail construction and operation cases.

Sincerely,

A handwritten signature in blue ink that reads "Justin J. Marks". The signature is fluid and cursive, with the first name "Justin" and last name "Marks" clearly legible.

Justin J. Marks
Counsel to Lampwrights LLC