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June 27, 2025

Ms. Danielle Gosselin, Director
Ms. Elizabeth Webster
Office of Environmental Analysis
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; Request for an Environmental
Assessment

Dear Ms. Gosselin and Ms. Webster:

Lampwrights LLC is submitting this letter to formally request that the Office of Environmental Analysis ("OEA") conduct its National Environmental Policy Act review of the Lampwrights LLC construction and operation petition for exemption under an Environmental Assessment ("EA") in lieu of an Environmental Impact Statement ("EIS").

Under 49 C.F.R. §1105.6(a), an EIS "will normally be prepared for rail construction proposals." However, section 1105.6(d) provides that an applicant can request that the Board instead evaluate a project through an EA, rather than an EIS. 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. As stated in Lampwright's January 30 letter, Lampwrights indicated that it would wait to make this request until after the OEA site visit.

On June 17, 2025, OEA and the third-party environmental contractor, VHB, conducted the site visit. During this visit, OEA had an opportunity to review the Proposed Line and consider whether the Lampwrights Proposed Line is likely to have a significant environmental impact. Lampwrights believes that OEA should now be able to determine if an EA or an EIS is the appropriate level of analysis.

An EA is the appropriate level of analysis required for this project for the following reasons: First, under an EA (like an EIS), OEA's environmental analysis will study the environmental impacts of the Proposed Line. Second, under an EA (like an EIS), OEA will be able to recommend mitigation measures to the Board. Third, an EA (like an EIS) will provide an opportunity for public comment.

Finally, an EA for the Lampwright's Proposed Line would be consistent with STB precedent for railroad construction projects. See *Townline Rail Terminal, LLC – Construction and Operation Exemption – In Suffolk County, N.Y.*, STB Finance Docket No. 36575 (served Aug. 15, 2024) (5,000 feet of rail line); *Northwest Tennessee Regional Port Authority – Construction and Operation Exemption – In Lake County, Tenn.*, STB Finance Docket 35802 (served Apr. 21, 2016) (5.5 miles of rail line); *Port of Moses Lake – Construction Exemption – Moses Lake, Washington*, STB Finance Docket 34936 (served Aug. 27, 2009) (11.5 miles of rail line); and *Pemiscot County Port Authority – Construction of a Line of Railroad - In Pemiscot County, MO*, STB Finance Docket 34117 (STB served July 2, 2002) (5 miles of rail line).

In conclusion, Lampwrights respectfully requests that OEA review the Lampwrights LLC petition as an EA.

Sincerely,



Justin J. Marks
Counsel to Lampwrights LLC