
Horton Township Board of Supervisors

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Office of Chief Counsel
December 9, 2025
Part of
Public Record

Cynthia T Brown
Docket No. FD 36833
Chief, Section of Administrative
Office of Proceedings
Surface Transportation Board
395 E. Street SW
Washington, DC 20024

December 9, 2025

Ref: Docket No. FD 36833

Dear Sir or Madame:

We are the supervisors of Horton Township, Elk County, PA, writing to you in regard to Docket No. FD 36833. This proposed project will have a significant impact on our region. The Township Supervisors and majority of our community strongly oppose Lampwrights FD 36833 rail extension through Horton Township.

Only on April 25, 2025 did we receive correspondence from the Surface Transportation Board (see your preliminary consultation letter to our supervisors under the subject docket), advising of the proposed project and requesting comments submitted to the Office of Environmental Impact by May 25, 2025. For several months, we had heard rumors from residents of our township regarding a proposed "waste-by-rail" project expected to cross Horton Township along the right-of-way of the former Pittsburgh-Buffalo Railroad commonly referred to as the "Toby Branch." (Please see the *Lampwrights Project Location Map* attached to the consultation letter). While we intend to submit our most obvious concerns, we are still very much "in the dark" regarding this project.

Noble Environmental, LLC, owner of the Superior Greentree Landfill located in Elk County, created a limited liability company in 2024 named "Lampwrights, LLC". Lampwrights is seeking to build a waste-by-rail line crossing through Horton Township as referred to on the Lampwrights Project Location Map as the Proposed Lead Track (outlined in red). The new rail

line will start at O-I Crenshaw Glass Plant and end at the Landfill (approximately 3.87 miles).¹ This “trash train” will comprise seventy-five (75), 89-foot hermetically sealed intermodal railcars accompanied by one or more engines creating a train spanning over a mile long. We envision several problems and concerns regarding Lampwright’s proposal.

The length of the trash train raises immediate concerns for our Emergency Services Coordinator (EMC) because the Proposed Lead Track will cross State Route 219 between many of our volunteer firefighters’ homes and the location of our township’s fire station. A train over a mile long will interrupt and impair our firefighters’ ability to respond to emergencies and perform their duties throughout the township. As fire doubles every 17 seconds, any amount of time waiting at a crossing can result in the loss of property and possibly lives. Likewise, other EMS services will also be hampered in responding to emergencies. Further, an enormous amount of truck and passenger traffic traverses route 219. The crossing will only increase the risk of accidents on this roadway. Hence, our call volume will increase while our ability to respond will be severely curtailed.

Because many of our residents live along route 219, train crossings will impede busing for students.

Many residents who own property adjacent to the Proposed Lead Track claim they own portions of the existing railroad grade. These residents are very concerned about Lampwrights attempting to “take” their property for this project. We cannot advise them as to any eminent domain or condemnation options that may be available to Lampwrights but hope the STB will provide some insight into this issue.

Likewise, several residents have constructed outbuildings and other structures on the Proposed Lead Track since it was abandoned years ago. It would appear that these residents now “adversely possess” portions of the railroad grade. Will each resident need to hire legal counsel to assert such claims? Further, the grade on these residents’ properties as well as along the Toby Creek has been severely degraded by construction, flooding, erosion, and utility construction.

Much of our Township exists along the State Route 219 corridor, which includes water service, sewage service and access to multi-phase electricity. The Proposed Lead Track parallels this road and these utilities. In fact, the Brockway Area Sewage Authority installed at least one sewage line that is destined to be affected by this project. Coupled with four (4) road crossings and the potential need for four (4) bridges, this project will certainly have a significant environmental impact on our local area.

¹ The Proposed Landfill Tract (outline in green) is denoted as a straight line on the Map leading from the Proposed Lead Track to be constructed from what remains of the Toby Branch railbed to some location within the Landfill. To the best of our knowledge, there is no existing spur from the old railroad leading to any part of the Landfill and therefore, no existing railbed. This tract will cross many homes and water supplies.

The Brockway Area Sewage Authority has apprised us that the sewer line, which services our residents and businesses, cannot withstand a train traversing it. Further, there is not sufficient right-of-way to move the line, and much of the line runs through sensitive habitats.

Nearly half our community's residents reside along the Route 219 corridor, which runs parallel to the Lead Track. This will put hundreds of citizens within close proximity of a rail line transporting containers of which we have no way of knowing the contents.

Residents also voiced concerns about the actual impact on our local environment. At least three wild trout streams and one stocked stream lay in the path of this railroad project. The proposed rail line will cross Oyster Run, Mead Run, Bear Run, and Toby Creek. Mead Run and Bear Run are contiguous to wetlands, which may make those wetlands exceptional value. The Proposed Lead Track cuts directly through portions of swamp and marshlands which are home to many fish, game and other animals.

Interestingly, no one from Noble, Lampwrights or Superior provided us with any outline of the benefits our community is expected to receive from this project. What we do know is we stand to lose property value, tax-paying residents and the simple quiet enjoyment of residents' property just to name a few concerns. All of this while our Township already struggles for revenue.

Further, this project is being pursued to ship garbage from distant metropolitan areas. As per Attorney Mark's letter (Justin Marks, Esquire, of Clark Hill's Letter to the STB dated January 30, 2025, among the docket files filed with your office), the Landfill currently receives 6,000 tons of solid waste per day. Much of the daily volume is out-of-state waste from New York, Connecticut, and Massachusetts. These states have begun shipping waste to available landfills because they have restricted the use of their local landfills. Therefore, because of out-of-state restrictions, Lampwrights, Noble and Superior would use the opportunity to burden our community with traffic congestion, noise, potential rail catastrophes, reduced property values, reduced population, environmental damage, and creation of an impediment to future development.

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. We believe this project clearly should be evaluated under an EIS, if it is even permitted to proceed to that stage, as it poses a significant environmental impact.

Certainly, the longer permitting process of an EIS will ensure that the developer performs the necessary studies and provide the necessary bonding ordained by our township's Quality of Life Ordinance. To our knowledge, the developer has not consulted our ordinance to date. The ordinance contains numerous provisions that require attention to environmental, noise, and safety concerns.

Sincerely,



PJ Piccirillo
Supervisors



Tim Hutchins



Kim Faulk

CC: Party of Record