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Before the
SURFACE TRANSPORTATION BOARD

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Office of Chief Counsel
January 16, 2026
Part of
Public Record

STB Docket No. FD 36833

**LAMPWRIGHTS LLC
– CONSTRUCTION AND OPERATION OF A LINE OF RAILROAD –
IN ELK AND JEFFERSON COUNTIES, PA**

**REPLY TO FIRST APOSTLES' DOCTRINE CHURCH MOTION TO EXTEND TIME
FOR REPLY**

(includes color images)

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Dated: January 16, 2026

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**REPLY TO FIRST APOSTLES’ DOCTRINE CHURCH MOTION TO EXTEND TIME
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Lampwrights LLC (“Lampwrights”) respectfully requests that the Board reject the First Apostles’s Doctrine Church (“FADC”) Motion to Extend Time for Reply because FADC, its Bishop Jack Wisor, and other members of the FADC community have been active participants in this proceeding dating back to September 1, 2025, having so far submitted five (5) environmental comments and thirteen (13) filings in the docket. Now fourteen – including the motion for an extension.

Under 49 C.F.R. § 1104.7(b), the Board has discretion to extend the time period for replies upon request and with good cause. But the Board has rejected a request for an extension of time where a party has participated in earlier phases of a proceeding and when opportunity exists to participate in the future.¹

On December 22, 2025, the Board issued its decision requesting comments on the Lampwrights Petition by January 22, 2026. Parties of record to this proceeding include three different email addresses for individuals affiliated with FADC. Yet, FADC apparently only thought to engage counsel at this late hour. And now it seeks additional time to respond to

¹ *The Indiana & Ohio RY Co. – Construction and Operation – Butler, Warren, and Hamilton Counties, OH*, ICC Finance Docket No. 31320, 1990 WL 288245 (decided June 6, 1990).

“Lampwrights’ assertions” even after FADC has submitted thirteen comments in the docket. Unbelievably, on the day this motion was filed on behalf of FADC, Bishop Jack Wisor served Lampwrights’ at 2:59 pm with additional opposition arguments² (without indicating that counsel had been retained) followed only an hour and fifty-one minutes later by this motion to extend time for a reply. Good cause does not exist for an extension because FADC has had ample notice of the Board’s procedural schedule as proven by its active participation in this proceeding.

In the FADC motion, FADC states that “a complete factual record and responses to Lampwrights’ assertions are essential for the Board to make a fully informed decision.” In this instance, FADC has been an active participant in this proceeding and has in fact already provided arguments to the Board in opposition to the Lampwrights’ petition. Of the thirteen comments submitted by FADC to date, Bishop Jack Wisor has submitted three substantive filings arguing against the Lampwrights petition on November 20, 2025 and January 12, 2026,³ and most recently on January 15, 2026. FADC has already filled the record to help the Board make a fully informed decision. The FADC motion cites no Board precedent to permit FADC to submit comments and arguments on the record and then ask for an extension (an hour and fifty-one minutes later) to submit – yet – additional comments and arguments.

Further, FADC has submitted five environmental comments. Importantly, the Board’s Office of Environmental Analysis has yet to complete its environmental review of the Proposed Line. Once complete, the Board will solicit public comment. If the concern – as stated by the FADC motion – is to understand the “potential impacts of the proposed line,” then FADC will

² Enclosed as Exhibit A.

³ The November 20 and January 12 comments were both filed on FADC letterhead.

have an opportunity to review the environmental analysis and will be able to provide comment during the public comment period.

FADC's counsel – apparently hired only recently – should be excused for rushing to seek an extension to allow it to familiarize itself with the record. However, FADC's failure to hire counsel at an earlier date is not good cause and does not justify permitting an extension to allow FADC to file a fifteenth time in this docket, especially when Bishop Jack Wisor/FADC filed comments on January 12 and January 15 in accordance with the Board's decision requesting comments.

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CONCLUSION

Lampwrights respectfully requests that the Board reject the Motion because FADC has had, and taken full advantage of, the opportunity to participate and will continue to have an opportunity to participate in this proceeding. Further, FADC had ample opportunity to engage counsel to assist it in this proceeding. Its decision to delay engaging counsel is not good cause and should not be an excuse to delay the Board's procedural schedule to allow FADC to submit additional comments.

Respectfully submitted,



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Lampwrights LLC*

Dated: January 16, 2026

CERTIFICATE OF SERVICE

I certify that on this 16th day of January, 2026, I caused a copy of the foregoing document to be served electronically on all parties of record in STB Docket No. FD 36833.



Justin J. Marks

Dated: January 16, 2026

EXHIBIT A

Marks, Justin J.

From: usps express <Jwisor@Windstream.net>
Sent: Thursday, January 15, 2026 2:59 PM
To: jarettfaulk@gmail.com; Marks, Justin J.; hortontownship@brockwaytv.com; charlesmarchiori@yahoo.com; dick156@earthlink.net; bearbuz@gmail.com; a.noble.cause.219@gmail.com; analyzer@gmail.com; lwayne@brockwaytv.com; firstapostlesdoctrinechurch@gmail.com
Subject: STB Filing Docket FD 36833
Attachments: Trash Train Attachments Part 1.pdf; Trash Train Timeline 11326.pdf

EXTERNAL EMAIL: The sender (Jwisor@Windstream.net) is external to Clark Hill. Exercise caution with links, attachments, or replies if this message is unexpected.

“TRASH TRAIN”

(Confidential)

Cc: All Parties of Record

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INTRODUCTORY COMMENTS

This is a confidential document that may not be shared with anyone, duplicated or reproduced in any manner, in whole or in part, without the written permission of Bishop Jack Wisor. All rights reserved. (2025)

I am offering this document as a citizen, an interested party landowner, along with others in this community, whose due process and private property rights are protected by the 5th Amendment and the 14th Amendment to the U.S. Constitution.

If the Office of Environmental Analysis of the Surface Transportation Board and the Presidentially-appointed Surface Transportation Board approve Lampwrights LLC's petition for exemption to construct and operate the rail line in Jefferson and Elk Counties, Pennsylvania, as Lampwrights is proposing, that decision to approve would give Lampwrights the ability to seek and pursue eminent domain proceedings.

Then, as a group of citizens, the process taken must be held strictly to the due process of law, good faith procedures, unethical conduct and protecting the citizens from such arbitrary and misleading procedures and false information, leading to an eminent domain ending.

The timeline contained herein documents violations of due process, bad faith procedures and unethical conduct, resulting in the citizens not being protected or properly informed.

As citizens bringing forth evidence of our constitutionally assured due process rights having been systemically violated, we turn to:

Pennsylvania Property Rights Protection Act of 2006, which addresses the basic principle and safeguard, that the government is not to take someone's private property and give another private entity, a business, the power and authority to seize the landowner's property for private gain. This document will show how this very safeguard that is in place is being violated.

And we further turn to:

42 U.S.C. 1983, Civil Action for Deprivation of Rights, insofar as officials of the Commonwealth of Pennsylvania are concerned – "Every person who, under color of any statute, ordinance, regulation, custom or usage of any State.....subjects or causes to be subjected, any citizen of the United States.....to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws...." **This is referenced in the document wherever alleged deprivation of rights by a state official has occurred.**

And we further turn to:

Title 18, U.S.C. Section 242, Deprivation of Rights Under Color of Law, insofar as officials of the United States Federal Government are concerned ".....to willfully deprive or cause to be deprived from any person those rights, privileges, or immunities secured or protected by the Constitution and laws of the U.S." **This is referenced in the document wherever alleged deprivation of rights by a federal official has occurred.**

Prematurely advocating for such an effort as Lampwrights' petition for exemption (as illustrated by the letters of support from two Pennsylvania State Representatives), without an Environmental Impact Statement having been prepared, as should have been done, and without considering all of the community impacts, not the least of which is the irreparable harm that would be caused to two churches and their congregations and the largest faith-based homeless outreach ministry in Pennsylvania, raises serious concerns of unethical practices under their Constitutional Oaths of Office and utterly defies all of the evidence mentioned in this document and violates our protections under the 5th and 14th Amendments to the U.S. Constitution.

“If, to please the people, we offer what we ourselves disapprove, how can we afterwards defend our work? Let us raise a **standard** to which the wise and honest can repair. The event is in the hand of God.” (Stated delegates to the Constitutional Convention)

George Washington

Submitted by:

Bishop Jack Wisor

ACRONYMS USED IN THIS DOCUMENT:

Lampwrights –	Lampwrights LLC, a Delaware LLC with Noble Environmental, Inc. as its parent corporation
Keystone-	Keystone Acquisition Services Corporation, retained by Lampwrights to acquire all property needed for the proposed rail line.
Greentree Rail-	Greentree Rail LLC, a Delaware LLC with Noble Environmental, Inc. as its parent corporation
OEA-	Office of Environmental Analysis of the Surface Transportation Board
STB-	Surface Transportation Board
PA DEP-	Pennsylvania Department of Environmental Protection
EA-	Environmental Assessment
EIS-	Environmental Impact Statement
(NS)-	Actions and timeline related to the Northern Section of the project.
(NE)-	Actions and timelines related to the Northeast Section of the project
(MS)-	Actions and timeline related to the Middle Section of the project
(SS)-	Actions and timeline related to the Southern Section of the project
Petition for Exemption	Where appearing in this document, this refers to the petition that Lampwrights filed with the STB on September 29, 2025. This petition asked the STB to approve Lampwrights’ request to be exempted from the requirements of <u>49 U.S.C. 10901- Authorizing Construction and Operation of Railroads</u>, and to grant Lampwrights the authority to construct and operate the rail line from the termination of the current BPRR rail line at the Owens-Illinois Plant at Crenshaw through the Southern, Middle, Northern and Northeastern Sections of the project, as identified in this document, terminating at the Greentree Landfill. The petition is based on Lampwrights’ claiming exemption from the requirements for construction of a new rail line, detailed in <u>49 U.S.C. 10901</u>, by utilizing <u>49 U.S.C. 10502 – Authority to Exempt Rail Carrier Activity</u>. <i>If the STB were to grant the petition for exemption, it would recognize Lampwrights as a “common carrier railroad”, which would then enable Lampwrights to pursue eminent domain proceedings for the taking of private citizen property.</i>

Waiver of EIS

Where appearing in this document, this refers to the request made by Lampwrights to the OEA to have the OEA approve a waiver of the normally-required EIS (Environmental Impact Statement)(see **49 CFR 1105.6- Classification of Actions**)by for the environmental review of its proposal, and instead, approve a less-stringent EA (Environmental Assessment)

This waiver was first introduced by Lampwrights in its letter of January 30, 2025 to the OEA, indicating that it would wait until after the OEA conducted a site visit, as outlined in Guidelines provided by the STB.

After the site visit by OEA on June 17, 2025, Lamprights formally requested the waiver of the EIS in its letter to the OEA of June 27, 2025. The OEA approved Lampwrights' request for the Waiver of the EIS in its letter to Lampwrights of July 8, 2024.

This environmental waiver granted by the OEA has resulted in Lampwrights being subjected only to an EA – which is a fast-track mechanism to move consideration of its petition for exemption with the STB on a much quicker. schedule.

It is my contention, along with others from this community, that the following parties have participated in a “monopolistic scheme”, beginning on **January 30, 2025**, to systematically plan to acquire the land along the former railroad right of way owned by myself and others, by eminent domain, if needed. The area in question is the **“middle section”** of the proposed project from just before Shawmut Road to the Route 219 “S curve” crossing. **(See enclosed map of the proposed project- Attachment #24)**

The parties involved in the monopolistic scheme are:

- Lampwrights LLC
- Noble Environmental, Inc.
- Keystone Acquisition Services Corporation
- Office of Environmental Analysis
- Pennsylvania State Representatives Brian Smith and Mike Armanini

This “middle section” is not a railroad, nor is it a right of way for a railroad. It is owned by the citizens and is “their land”. **(See Elk County Court of Common Pleas Ruling of March 2, 1990, No.7 89-163) (Attachment #1)**.

This document will provide evidence that each of the parties named above in the monopolistic scheme have actively participated in a **serious violation of our constitutional rights of due process and our constitutional private property rights.**

The actions of the “monopolistic scheme” parties were **pre-meditated, designed to set the stage for an eminent domain taking of my property and a number of other properties of community members, if the STB were to grant Lampwrights petition for exemption** – thereby bestowing the powers of eminent domain upon Lampwrights.

Beginning on January 30, 2025 and continuing to the date of this document, **neither I nor any other landowners in this community whose properties are intended to be obtained by Lampwrights if the STB grants its petition have received notice from Lampwrights, Keystone (its acquisition agent), OEA or any other party, that our properties will be subject to eminent domain proceedings if Lampwrights is granted its petition for exemption. (Reference Title 18, U.S.C. Section 242)**

As a principal “party of interest” (a landowner whose property is needed for Lampwrights to construct its proposed rail line), along with other community members who own such property, our procedural due process rights have been continually violated, in that we have never received any information, notification or communication from any of the monopolistic scheme parties about Lampwrights’ intent to file a petition for exemption – which if granted, will give them the power to pursue eminent domain against my property, and the properties of other landowners in the community.

I, along with others, will explain how the timeline and statement of facts contained in this document will illustrate the plan implemented by Lampwrights, and actively supported by all of the parties involved in the monopolistic scheme.

The plan perpetrated by the “monopolistic theme” (supported by detail in the timeline):

1. Begin the environmental review process required by the STB Environmental Regulations (begins January 30, 2025)
2. Announce plan to OEA to request a waiver of the EIS – the normally required Environmental Impact Statement and to request an abbreviated Environmental Assessment instead **(Reference Title 18, U.S.C. Section 242)**
3. Announce plan to OEA to submit a petition for exemption to the STB to construct and operate a rail line **(Reference Title 18, U.S.C. Section 242)**
4. Lampwrights/Noble Environmental establish four “sections” of the project, applying different approaches to each:
 - a. **Southern Section – (SS)**
 - i. DEP application for permit (May 15, 2025) to operate solid waste transfer station in Brockway **(see separate discussion of transfer facility plan)**
 - ii. Utilize existing track from transfer station to Owens-Illinois Plant (termination of line)
 - iii. Petition for exemption to construct line from the existing termination of line
 - iv. Plan to acquire properties along former railroad right of way up to point near Shawmut road, where the former right of way no longer exists (abuts the “citizens’ land”)
 - v. This section was excluded from the OEA site visit, because of Lampwrights’ plan to use the existing rail grade (this area still contains former rights-of-way)
 - b. **Middle Section – (MS)**
 - i. Consists of land privately owned by “the citizens” from a point near Shawmut Road to the area of the US Route 219 crossing, **See Elk County Court of Common Pleas Ruling of March 2, 1990, No.7 89-163)(Attachment #1)**
 - ii. Contains a former railway grade, seriously degraded in areas and subject to flooding and significant environmental impacts
 - iii. Petition for exemption to construct rail line through this section
 - iv. Plan to acquire properties through eminent domain unless owners voluntarily sell their properties
 - v. Lampwrights stated in its letter of September 19, 2025 that it had retained Keystone to acquire all necessary properties
 - vi. This section was excluded from the OEA site visit because of Lampwrights’ plan to use the existing rail grade (even though this section does not contain any existing rights-of-way)

c. Northern Section- (NS)

- i. Consists of land that had previously been owned by the Spencer Land Company, extending from the boundary with the “citizens’ land” all the way to the area of the intersection of Route 153 and US Route 219 and beyond, to Coal Hollow Road
- ii. The October 7, 2025 purchase of the Spencer Land Company tract for \$400,000 is part of the plan to acquire all property needed to implement the proposal
- iii. This section was the subject of the OEA site visit of June 17,
- iv. ***It is particularly puzzling that an EIS waiver was granted considering that the proposed construction would involve considerable widening of the right of way compared to the former railroad right of way. An EIS should have been required, not the waiver granted for the EA to be conducted.***

d. Northeast Section (NES)

- i. Consists of lands north and northeast of PA Route 153 and north of US Route 219, then north along Route 153 branching off to the left and then to the Greentree Landfill
- ii. Proposal is to develop industry tracks in this area north and northeast of PA Route 153 to the landfill
- iii. This section was the subject of the OEA site visit of June 17, 2025 – since this land was never developed for rail use and would require the highest degree of disturbance and construction
- iv. ***It is particularly puzzling that development of land never accommodating a railroad or rail grade would only require an EA instead of an EIS.***
- v. A sizable parcel of privately owned land that is north/northeast of PA Route 153 would need to be obtained in order to accomplish the proposal. Lampwrights would be prepared to take this by eminent domain if the landowner would choose not to sell.

5. Lampwrights retains Keystone Acquisition Services Corporation to acquire all property needed for the proposed rail line. Keystone systematically misled, misinformed and deceived me and other property owners whose land would be needed, beginning with the first contact on March 31, 2025 and continuing through September 2025. **(Reference Title 18, U.S.C. Section 242)**
6. Letter of April 25, 2025 from the OEA to elected officials, tribal nations and relevant agencies informing them of the proposal from Lampwrights – but providing no information or notification about the intent by Lampwrights to request a waiver of the EIS or to file a petition for exemption from the STB which would bestow eminent domain powers upon Lampwrights **(Reference Title 18, U.S.C. Section 242)**
7. Site visit by OEA on June 17, 2025 – referenced in the three sections of the plan, above. Site visit was restricted to the Northern and Northeastern Sections of the plan. No site evaluations were conducted that we were notified about, of the Southern or Middle Sections, because it was being assumed that Lampwrights would have the power of eminent domain if granted the petition by the STB. **(Reference Title 18, U.S.C. Section 242)**
8. Statement by Lampwrights in its letter of August 5, 2025 to the OEA that “a wholly owned subsidiary of Noble Environmental would own the land” for the landfill tracks. **(Reference Title 18, U.S.C. Section 242)**

- a. The purchase of October 7, 2025 of the 70-acre parcel by Lampwrights was in furtherance of this part of the plan
9. Lampwrights, with its letter to the OEA of August 5, 2025, provides a copy of the Greentree Rail LLC application to the PA DEP for the transfer/transload station. This provides clear evidence of Lampwrights' intention to link the two projects and influence the OEA by providing environmental information that was developed and submitted for a different project (see DEP letter of December 5, 2025, pausing the review of the transfer station application because of false and unverifiable information provided in the application). **(Reference Title 18, U.S.C. Section 242)**
 10. Lampwrights submits its petition for exemption to the STB. Included with the petition for exemption, the verified statement of Alexander Sulkowski, President of Noble Environmental, Inc. states: **(Reference Title 18, U.S.C. Section 242)**
 - a. "The Company (Noble/Lampwrights) is actively working with a land assembly and acquisition company (Keystone Acquisition Services Corporation) to secure control of the remaining parcels. ***This can only be interpreted as meaning that plans will move forward immediately to acquire properties in the "middle section", (including my own) by virtue of eminent domain actions, once the STB grants approval of the petition for exemption.***
 - b. This substantiates the position told to me by Crystal Ernecoff of Keystone on August 18, 2025
 - "Under Pennsylvania law, railroads may exercise the power of eminent domain. Lampwrights would not be a railroad until receiving Surface Transportation Board authority to construct the Proposed Line".

From January 30, 2025 until the present day, all of the parties involved in the "monopolistic scheme" have, with pre-meditation, intentionally eliminated me, other property owners or the community at large, from any information, communication or notification regarding Lampwrights' intent to obtain approval from the STB, by virtue of their petition for exemption, which they and others knew would result in Lampwrights pursuing eminent domain takings of my property and the property of others that they would need to construct the railroad, if approval is granted by the STB. (Reference Title 18, U.S.C. Section 242)

THIS SUMMARY OF THE "PLAN", THE "MONOPOLISTIC SCHEME" IS THOROUGHLY PRESENTED, WITH DETAIL, IN THE FOLLOWING TIMELINE

TIMELINE OF ACTIONS RESULTING IN VIOLATION OF DUE PROCESS AND PRIVATE

PROPERTY RIGHTS

PRIOR TO JANUARY 30, 2025

- September 24, 2024** Chuck Marchiori was made aware by a third party of the proposed plan for the trash train and construction of a new rail line between the Owens-Illinois plant in Crenshaw and the Greentree Landfill. This third party individual already had maps showing the proposed line.
- I received a phone call from Chuck Marchiori some time after this event, making me aware for the first time of what he had heard.
- September 2024** Chuck Marchiori receives a threatening letter from Nico, representing Keystone Acquisition Services Corporation, telling him to stop asking questions
- November 20, 2024** While searching for information about the proposed rail line, Chuck Marchiori attempted to contact Jennifer Tanner with the Property Division of the Buffalo & Pittsburgh RR and left several messages for her, with no response. Receiving no response, he researched the BPRR website and discovered that the area for the proposed transfer site in Brockway (see Greentree Rail LLC application to the PA DEP) was categorized as “Industrial Development” – not Transload Station like other BPRR sites in Falls Creek, PA. This site of the proposed transfer station in Brockway is still listed as “Industrial Development” as of 1/1/26. This is another example of misleading information being provided to the community.
- November 26, 2024** Letter sent by Crystal Ernecoff (Keystone) to Jarrett and Katina Faulk informing them of Keystone representing Greentree Landfill (not Lampwrights) and exploring potential property acquisitions. Keystone requested an “informal conversation” (like my letter of March 30, 2025). However, unlike my letter of March 30, 2025, Keystone offered the Faulks an opportunity up-front to have an appraiser visit their property in order to give the Faulks enough information to make an informed decision (about selling their property). Three other property owners received letters like the one received by the Faulks. **(Attachment #23)**
- Several points to make:
1. Keystone held themselves out as representing the Greentree Landfill, not Lampwrights
 2. In my letter of March 30, 2025, no mention was made of offering a certified appraisal so I could make any informed decision about selling my property
 3. This letter is documentation that Keystone, on Lampwrights’ behalf, was soliciting for property owners to sell before Lampwrights submitted its first letter to the OEA on January 30, 2025
 4. ***Before any official actions were taken, the assumption is already being made that Lampwrights will be given approval by the STB to construct the rail line – otherwise, why would Keystone already be soliciting landowners to sell their property?***

5. The question needs asked and answered – why was Keystone’s approach with the Faulks so different than its approach with me? This is not only suspicious – it is consistent with Keystone’s continual pattern of misleading information and bad faith communications. More evidence of this will follow.

TIMELINE OF ACTIONS RESULTING IN VIOLATION OF DUE PROCESS AND PRIVATE

PROPERTY RIGHTS

January 30, 2025 (MS) **(Reference Title 18, U.S.C. Section 242)**

Justin Marks, Counsel for Lampwrights LLC submits letter to Office of Environmental Analysis, stating Lampwrights' intention to submit a petition for exemption to the STB to construct and operate a rail line from the end of the current line at the Owens-Illinois Plant in Crenshaw (South Section) to the Superior Greentree Landfill in Kersey (Northeast Section) **(See Attachment #2)**

In the same letter, Justin Marks also announces Lampwrights' intention to request a waiver of the (EIS) Environmental Impact Statement normally required for construction of a new rail line, and instead, to have its project evaluated under an abbreviated Environmental Assessment.

Communication of this intent to file for a petition of exemption to construct the rail line was never (and still has not been) shared with me, any other impacted property owners or the community. Since the ultimate intention of Lampwrights is to acquire all needed properties by eminent domain, this is when the violation of our private property and due process rights began – and continues to this day, given the complete lack of any notification or communication with me, or others in this community, as principal parties of interest.

January 30,2025
To
Present Day

(MS) **(Reference Title 18, U.S.C. Section 242)**

There is no communication with me or any other effected community landowners and there is no public notification or communications of any sort informing me, other landowners and the community about the proposed petition for exemption or what the eminent domain ramifications of its approval could have, especially on those of us who own property that would be needed by Lampwrights to construct the railroad.

As principal parties of interest, this is clear evidence that our due process and private property rights, guaranteed by the 5th and 14th Amendments to the U.S. Constitution, have been continually violated since January 30 and continue to this present day.

March 17, 2025 (ALL SECTIONS)

Chuck Marchiori contacts Harrison Warren at the Pennsylvania Department of Transportation regarding the proposed rail line. Mr. Warren states that PennDot has no information about the proposed project.

March 31, 2025 (MS)

A letter was sent to me by Crystal Ernecoff, Real Estate Specialist for Keystone Acquisition Services Corporation, asking to speak with me about "potential acquisitions or easements of land in your area". The letter further stated that she would like to speak

with me, and to have an “informal conversation”, involving “no commitment from you”. The bad faith communications in the following months would demonstrate how totally misleading Keystone’s intentions were from this first contact on March 31. (See **Attachment #3**)

April 15, 2025

(MS)

With 2 other property owners as witnesses, I met with Ms. Ernecoff and another colleague of hers, Leigh Irvin, Project Manager, at my residence.

- There was very little information provided about the proposed project, other than a potential rail line being proposed to follow the former right of way that no longer existed.
- Subsequent to this meeting, I spoke with Chuck Marchiori, and he informed me that only a few landowners had received the letter from Keystone and that no other information had been provided about Lampwrights’ intentions.
- ***There was never any information provided that Lampwrights was intending to file a petition for exemption with the STB, or that it had already requested a fast-track EA rather than an EIS.***
- ***There was no mention or discussion about what the potential could be for an eminent domain “taking” of my property if the STB would grant Lampwrights’ petition for exemption.***
- During the meeting, I asked if Keystone was an eminent domain company. Ms. Ernecoff responded “no, we are not an eminent domain company”. Leigh Irvin also stated that “Keystone is not an eminent domain company.”
- I informed Ms. Ernecoff at the meeting that I would be unable to make a decision about any acquisition issues until I knew about whether the community was supporting this or not. At that point, I had not received any formal information from Keystone or any other party about the petition for exemption or how that could effect my property rights.
- ***At this point, I was still completely in the dark about the proposed petition for exemption that if approved, would give Lampwrights the authority to pursue an eminent domain taking of my property.***
- After the meeting, Ms. Ernecoff asked if she could take a look at the property that would have been part of the prior, non-existing railway roadbed within the non-existing right of way, because the prior roadbed and right of way are “the citizen’s land” (See **Elk County Court of Common Pleas Ruling of March 2, 1990, No.7 89-163**)(Attachment #1)
 - I allowed her to do so and accompanied her as she took a look at the property in question. I showed her the center pin of what used to be a

right of way prior to the Court of Common Pleas ruling. She and Leight Irvin ignored what I had to say ~~to her~~, and instead, they focused their attention on land that was North of the prior right of way.

- When I became aware of Lampwrights' plan to create a 100-foot wide right of way (**See Crystal Ernecoff email of August 18, 2025**) (**Attachment #11**), I understood why she was "checking out" land North of the former railroad right of way. She did not inform me or give me any explanation about Lampwrights' plan to dramatically increase the width of the right-of-way.
- *Since the prior right of way, which does not exist since the 1990 ruling by the court establishing it as "the citizens' land" varied between 30 and 60 feet in width, there is no way that Lampwrights can state that they will only be creating disturbance and performing construction within the prior railway grade and right of way. At a minimum, they are proposing a widening of the former right of way by 20 feet to 35 feet on both sides of their proposed centerline for the rail line. Again, as an "interested party landowner", I was not provided any information regarding this – information that would have a dramatic impact on my private property rights.*
 - *Doubling or tripling the width of the intended right of way would certainly have triggered an Environmental Impact Statement based on 1105.6 of the STB's regulations for environmental evaluations.*
- *The maps that Lampwrights has provided to the OEA and the Surface Transportation Board show that portions of their proposed rail line DO NOT lie within the former rail grade.*
- Ever since January 30, 2025, neither Lampwrights or Keystone has ever informed me that they intended to dramatically increase the width of the proposed right of way that would severely impact the amount and location of my property that they would need to acquire in order for the rail line to be constructed.
- All of these facts raises a very critical question – *why was Lampwrights granted approval to have their project subject to an Environmental Analysis rather than an Environmental Impact Statement, since they are proposing to double or triple the width of the right of way that existed before 1990, and the proposed line does not appear to be designed to travel on the prior rail grade, as their proposal states. This is just further evidence of bad faith and deceptive communications.*
- *I maintain that Lampwrights proposing the 100-foot wide right of way will dramatically increase the amount of property subject to their petition for*

exemption, and consequently, the environmental impact will be far more significant than what they are claiming. It is unfathomable how such a scheme could have been granted an EA rather than the EIS that should have been required.

April 25, 2025 (MS) (Reference Title 18, U.S.C. Section 242)

The OEA sends a letter (See Attachment #4) to local, state and federal officials and relevant agencies, informing them of Lampwrights' proposal, **BUT LACKING ANY INFORMATION ABOUT LAMPWRIGHTS INTENT TO FILE A PETITION OF EXEMPTION TO THE STB – WHICH IF GRANTED, WOULD LIKELY RESULT IN EMINENT DOMAIN ACTIONS AGAINST MY PROPERTY AND THE PROPERTIES OF OTHER LANDOWNERS, ORCHESTRATED BY THE “MONOPOLISTIC SCHEME”.**

April 30, 2025 (SS)

Letter is sent by Greentree Rail LLC to property owners in Brockway, PA informing them of the proposed application for operation of a transload/transfer station. I did not receive one.

May 1, 2025 (ALL SECTIONS)

Chuck Marchiori communicates with Rodney Bender, Rail Safety Division, PA PUC regarding the proposed rail line and implications for a sewer line buried in the former railbed for 1.5 miles. Mr. Bender was not aware of the proposed project and indicated that his division would become involved if the proposed rail line is approved and would cross any public roads. (It would – County Line Road, Shawmut Road, US Route 219, PA Route 153 Note – **this is further evidence of no public notice or information since the PUC was not even aware of 4 planned roadway crossings.**

May 14, 2025 (SS)

Application filed with the Pennsylvania Department of Environmental Protection by Greentree Rail LLC (sibling LLC of Lampwrights)

Application is for a permit to operate a solid waste transfer/transload station on the outskirts of Brockway.

One of the principal justifications for the transfer/transload facility is to reduce the overall amount of truck traffic with the Greentree Landfill as its destination.

Lampwrights notifies the OEA of this application and the intent of the transfer station – a major part of its “monopolistic scheme”- in its letter of August 5, 2025 (See Attachment #5)

- **The OEA and the STB are delegated authorities, separate from the PA Department of Environmental Protection. I address elsewhere in this document how this provision of information to the OEA was inappropriate and a further erosion of my dues process rights as I was not notified of this action either, linking a state application with a federal exemption request.**

In the verified statement of Alexander Sulkowski, President of Noble Environmental, accompanying Lampwrights petition to the STB on September 29, 2025, he acknowledges that the transfer/transload station is designed to provide a bridge solution for rail transport of solid waste to the Greentree Landfill until the construction of the rail line proposed to the STB can be completed.

June 8, 2025

(MS)

During a phone call with Ms. Ernecoff, she stated that the Township was in support of the railroad project.

- Subsequent to this phone call with Ms. Ernecoff, I contacted Chuck Marchiori, who advised me that NEITHER Horton Township nor Snyder Township were in support of the railroad project.
- See Letter of Opposition filed by Horton Township with the STB on December 9, 2025 (**Attachment #22**)

June 17, 2025

(NS) (NES) (Reference Title 18, U.S.C. Section 242)

A site visit was conducted by the OEA and its third-party consultant, VHB. The site visit was restricted to the northern and northeastern sections of the proposed project area, near US Route 219 and PA State Route 153, in the vicinity of where the proposed “industry tracks would be constructed”. *However, the great majority of the land area, defined as the “middle section”, my property included, that would be impacted by the petition was not part of the site visit.*

June 18, 2025

(MS)

Following my conversation with Chuck Marchiori, I called Ms. Ernecoff to tell her that she had seriously misled me by telling me that the Township was in support of the project. Her response to me was “I mis-spoke”.

- This is evidence of Keystone intentionally misleading me through bad faith communication in order to attempt to influence my decision about selling my land needed for the railroad, since I said in our initial meeting that I would need to see whether the community was going to support this project or not. Misleading me about the community support was a direct attempt to influence my decision-making, especially since there were no public announcements or communications with property owners about Lampwrights intentions.

Prior to this time, I had spoken by phone with “Nico” who was associated with Keystone. He was going to make arrangements with me to stop by sometime to “walk the property”. After this phone call, I never heard from Nico. None of my questions were ever answered.

June 18, 2025

(MS)

During this phone conversation with Ms. Ernecoff, I asked her if Nico was “still there”, as I never heard from him. I never heard from Nico, and he never walked the property as he had intended to do.

During this phone call with Ms. Ernecoff, she asked if I would like her to call every few weeks to give me a chance to ask any questions I might have. I told her “yes”. *Shortly after this, I realized the full extent of the bad faith and misleading communications being perpetrated by Keystone, given a complete lack of truthful information about Lampwrights’ plans or the potential for eminent domain proceedings. As a result, I consulted with counsel.*

July 8, 2025

(NS) (Reference Title 18, U.S.C. Section 242)

In its letter of this date (See Attachment #6) the OEA granted Lampwrights’ request for a waiver of the normally required EIS for the construction of a new rail line, and instead, to have its proposal evaluated using an abbreviated (EA) Environmental Assessment. This was in response to Lampwrights’ letter to the OEA of June 27, 2025, in which it formally request a waiver of the EIS.

In reality, the Environmental Assessment was granted for the northern end of the project, based on the discussion below (see August 5, 2025).

August 5, 2025

(MS) (Reference Title 18, U.S.C. Section 242)

The OEA never asked Lampwrights to submit its plan to acquire all of the property needed for the entire project. The OEA only asked for information on ownership of the proposed “landfill track” (Northeast Section) at PA Route 153, which Lampwrights indicated in its letter to the OEA of August 5, 2025: “A wholly owned subsidiary of Noble Environmental, Inc. will own the landfill track and underlying property”.

The question was never raised about Lampwrights’ plan to acquire the remaining parcels needed along the former railway right of way, “the citizens’ properties”, because its plan and the OEA’s understanding was that property owners would sell their land or Lampwrights would pursue eminent domain “takings” of the “middle section”.

- By limiting its site visit to the northern end of the project and assuming Lampwrights would take whatever actions were needed to secure the properties along the former right of way, my due process and private property rights continued to be violated, through the collusion between Lampwrights and the OEA, and supported by the “monopolistic scheme”, as evidenced by the fact that neither of them have ever communicated publicly or to potentially impacted land owners that the petition for exemption was going to be filed.

August 5, 2025

(MS)(SS) (Reference Title 18, U.S.C. Section 242)

In the same letter as above (See Attachment #5), Lampwrights states:

“Lampwrights is providing an application filed by Greentree Rail, LLC (another entity in the Noble Environmental corporate family) to the PADEP for Greentree Rail to operate a non-common carrier transloading facility – the Brockway Transload Facility. The Brockway Transload Facility is a separate project from the Proposed Line, and it does not fall under Surface Transportation Board jurisdiction. **The Brockway Transload Facility is being**

developed to facilitate waste-by-rail until construction of the Proposed Line is completed. Lampwrights is providing this application as it contains information that OEA may find useful as it analyzes the environmental impacts of the Proposed Line."

This is evidence that Lampwrights is attempting to link two separate regulatory entities with two separate delegated authorities **to influence the decision-making of the OEA and Surface Transportation Board.**

Additionally, this is Lampwrights' **tactic to make the OEA aware of the PA DEP application by a sibling LLC – and that the transfer station and petition for exemption from the STB are intimately linked together in Noble Environmental's "master plan", i.e., "monopolistic scheme".**

At this point, myself and all of the other property owners of the "middle section" are still in the dark about Lampwright's planned filing of a petition for exemption from the STB.

August 6, 2025

(MS)

Chuck Marchiori reports that people are walking along his property, without any notice or permission.

August 7, 2025

(MS)

I sent an email to Ms. Ernecoff with a question that counsel had recommended that I ask:

The question was "Do you have the power of eminent domain"?

August 12, 2025

(MS)

Phone conversation with Ms. Ernecoff regarding the question that I had emailed her on August 7th.

August 13, 2025

(MS)

As recorded in my email with counsel, I noted that I had spoken with Ms. Ernecoff on 8/12/25 in regard to the question that he had suggested I send to her, and which I sent on August 7, 2025. **(See Attachment #7)**

She said she would send an email to me but had not done so yet. She said that they (Keystone) were not an eminent domain company and they do not have that ability. And that Lampwrights is a private company. I asked if they would use another government source to use eminent domain. She said no, they could not do that.

There has still not been any communication with me as an interested party landowner about Lampwrights' petition for exemption or eminent domain proceedings contemplated on their part.

August 18, 2025

(MS)

Ms. Ernecoff responded by email to my email of August 7, 2025 and answered the question that was posed to her. **(See Attachment #8)**

Do you have the power of eminent domain?

Answer – “Under Pennsylvania law, railroads may exercise the power of eminent domain. Lampwrights would not be a railroad until receiving Surface Transportation Board authority to construct the Proposed Line”.

During this conversation, I informed Ms. Ernecoff that as a minister, I was receiving questions from other members of the community about the possibility of losing their properties, the impact that this potential rail line could have on their families and the great stress they were experiencing over their concerns for an unknown future and not being informed about anything that was happening in regards to the proposed rail line.

Her response to my comment was: “Like I say to people all the time, just be happy with what you have right now.”

This is when I fully realized the bad faith communication tactics that Keystone had been orchestrating since their first contact with me on March 31, 2025, and that this “informal conversation” she spoke about in her March 31st letter was headed somewhere very different – leading to eminent domain proceedings. They had not provided any information or notifications to me or the community about Lampwrights’ planned petition for exemption with the STB or the eminent domain ramifications for my property and others, if the STB were to grant the exemption.

Sept. 11, 2025

(MS)

Crystal Ernecoff (Keystone) contacts me, asking me if I would grant permission to have my property surveyed and evaluated for environmental conditions, including test holes. She says that she is going to send me a “permission letter” **(Attachment #9)**.

This request for permission showed that the stage was being set for property acquisition and eminent domain proceedings, knowing that Lampwrights would be filing its formal petition with the STB on September 29th.

Sept. 17, 2025

(MS)

“Access and Survey Permission”(See **Attachment #10**) form received from Ms. Ernecoff, asking for my permission for them to access my property for environmental and land surveying and for potential test holes.

Receipt of this permission form is when I fully realized the extent of the misleading information and manipulations that Keystone had engaged in up until point. I began to prepare my cease and desist letter (see September 23, 2025 – Attachment #12)

Sept. 19, 2025

(MS) (Reference Title 18, U.S.C. Section 242)

Lampwrights submits letter to OEA in which it states that it has retained Keystone Acquisition Service to acquire necessary property. (See Attachment #11)

- ***Lampwrights' eminent domain intentions are now made clear and their plan is firmly in place before submitting their formal petition for exemption. The bad faith and misleading communications from Keystone Acquisition Services Corporation, acting on Lampwrights' behalf, has become very clear by this point. This further violated my private property and due process rights, along with the rights of many others in this community – and still to this point, no community notification or notification to potentially effected landowners of the impending eminent domain actions if the petition is approved by the STB.***
- In this same letter, Lampwrights makes the following statement to the OEA about alternative routes not being considered (despite the extensive presence of wetlands), whereas Lampwrights did design an alternative rail yard due to the presence of wetlands and potential harm to waterways:

***“No other rail alignments have been considered because Lampwrights is utilizing an abandoned rail bed. One additional railyard site was considered because of its proximity to the landfill site. But Lampwrights decided against it because the proposed railyard adversely impacted waterways and wetlands and its location resulted in increased haul distances for landfill activities.”
(See September 25th discussion with Todd Hill)***

Sept. 19, 2025

(MS)

Tom Parolari and I had a phone conversation with Elizabeth Webster of the Office of Environmental Assessment during which we asked a number of questions about the process that was supposed to take place for Lampwrights to get approval to construct a new rail line, and specifically about the requirements in Subpart A- Section 1105.6.

Ms. Webster hesitated over our question about Section 1105.6 and how the OEA granted Lampwrights a waiver from the normally required Environmental Impact Statement and allowed an Environmental Analysis instead. She never answered the question, but said she would look into it. She never got back to either of us. She also did not mention anything about Lampwrights' intention to file a petition for exemption under 49 U.S.C. 10901 regarding requirements to construct a new rail line.

This is further evidence of our due process rights being violated, as interested parties (landowners) having never received any communication or notification about the actions being taken and the intended petition for exemption.

Sept. 23, 2025

(MS)

Ms. Ernecoff called and left a message for me, asking if I had received the letter with the enclosed “Access and Survey Permission” form. I did not return the call. Instead, I

sent a letter to her that day, denying the request for permission to enter upon my property. (See Attachment #12)

- See Letter (Attachment #21) from Jarrett and Katina Faulk, dated September 24, 2025, sent to Crystal Ernecoff, similarly denying Keystone access to their property for surveying or any other purpose and stating that they also had no intention of selling their property.

Sept. 25, 2025

(NS)(NES) and (MS)

Along with Tom Parolari, I met with Todd Hill (Environmental Services Manager for VHB, the 3rd party consultant retained by the OEA and Lampwrights to assist the OEA in its environmental review of the project) while he was in his truck in the parking lot by PA Route 153 (Northeast Section).

I asked him about Lampwrights proposing an alternative site for a railyard area because the site selected was not suitable because of wetlands issues and the impact on waterways – but did not pursue any alternatives for the main line of the track “the middle section” along the former right of way, “the citizens’ properties”. He said he would look into it. (See Lampwrights’ letter to the OEA of September 19, 2025 – Attachment #11)

Mr. Parolari has confirmed that Todd Hill did say “that there were wetlands all over up there.”

Lampwrights was not concerned with an alternative to the main line of the track, “the middle section”, because the OEA had granted an EA rather than an EIS and they were planning to take the land, “the middle section”, by eminent domain if property owners wouldn’t sell

Sept. 27, 2025

(MS)

In the verified statement of Alexander Sulkowski, of Noble Environmental, Inc. (parent company of Lampwrights LLC), that forms part of the formal petition for exemption, he states:

- “The Company (Noble/Lampwrights) is actively working with a land assembly and acquisition company (Keystone Acquisition Services Corporation) to secure control of the remaining parcels. *This can only be interpreted as meaning that plans will move forward immediately to acquire properties in the “middle section”, (including my own) by virtue of eminent domain actions, once the STB grants approval of the petition for exemption.*

- *See email response from Crystal Ernecoff (Keystone) of August 18th, (Attachment #8) which substantiates the position being taken by Noble Environmental in Lampwrights’ petition to the STB:*

““Under Pennsylvania law, railroads may exercise the power of eminent domain. Lampwrights would not be a railroad until

receiving Surface Transportation Board authority to construct the Proposed Line”.

September 29, 2025 (SS) (MS) (NS) (NES) (Reference Title 18, U.S.C. Section 242)

The following statement is provided in Lampwrights’ petition to the Surface Transportation Board, as contained in the verified statement (**See Attachment #14**) of Alexander Sulkowski, President of Noble Environmental, Inc.. (parent company of Lampwrights LLC). Key points supporting the “monopolistic scheme” are highlighted:

“The Proposed Line will provide customers with another rail-served landfill near the northeast United States. Further, **the Proposed Line will allow current customers to transition from motor carriage to rail carriage with direct access to the Greentree Landfill.** Noble supports waste-by-rail and **is separately developing a bridge solution so that Noble may utilize rail transportation to the Greentree Landfill. Noble has acquired an unused sidetrack in Brockway, PA near the location of the Proposed Line to be developed as a non-carrier MSW transfer station/transload facility.** The Brockway Transload Facility does not require Board authority, but is, under the jurisdiction of the Commonwealth of Pennsylvania. Trains carrying sealed waste containers will enter the site via BPRR. The containers will be unloaded and placed onto waste hauling vehicles and transported 7.4 miles to Greentree Landfill. Noble will utilize the Brockway Transload Facility until completion of the Proposed Line.”

October 2025 Chuck Marchiori reports finding pink and blue marker flags along his property. No permission was given to anyone to access his property, and he has no knowledge of what the marker flags are for. This is a continuing pattern of property owners being given no information, no notifications or any official notice of actions taking place or actions being planned. This continues to demonstrate the due process and private property rights of landowners being violated.

October 7, 2025 (NS)

Lampwrights LLC purchases 70-acre parcel of land in Horton and Fox Townships from Spencer Land Company for \$400,000.

This documents a sizable financial investment that has been made in acquiring a key property at the northern end of the proposed project that will be needed in order to develop the landfill track portion of the project.

An investment in this amount would not have been made if Lampwrights did not feel assured that its petition for exemption to construct the rail line was going to be authorized by the Surface Transportation Board and that our “the citizens’ land” was already theirs.

October 20, 2025 (MS)

Follow-up phone call to Todd Hill regarding the wetlands issue. He said once again that he would look into it.

November 13, 2025 (MS) (Reference 42 U.S.C. 1983)

Letters of support from Pennsylvania State Representatives Brian Smith and Mike Armanini (**See Attachments #15 and 16**) first appear in the public record on the STB

site, following the government's re-opening. *These letters, written four months earlier, clearly document that they were in collusion with Lampwrights since at least the end of May, 2025, to support the petition for exemption, with no concern for the likely eminent domain impacts on land-owner constituents.*

Neither representative has had any communication with me or any of their other constituents that own property in their districts, or the community at large, that would be irreparably harmed if eminent domain proceedings were to occur, if the STB would grant the petition for exemption. *Both representatives have equally violated our due process and private property rights by supporting a petition whose intent is to take eminent domain actions against my property and the property of others.*

The Pennsylvania House of Representatives denied my Right to Know Request for any records involving Representatives Smith and Armanini and Lampwrights, Noble Environmental and Greentree Landfill. This again is further evidence of no public notice or information being provided.

December 5, 2025 (SS)

Letter from Pennsylvania DEP to Greentree Rail LLC (see Attachment #17)

This letter documents that Greentree Rail LLC (sibling of Lampwrights LLC), provided false and/or unverifiable information in its application to the PA Department of Environmental Protection to operate the proposed transload/transfer station in Brockway, PA.

Providing false or misleading information has been a consistent theme orchestrated by Noble Environmental, Lampwrights LLC and Greentree Rail LLC. *In prior filings with the STB and the OEA, I have provided numerous instances of false, inaccurate and otherwise misleading information provided by Lampwrights to both the OEA and the STB.*

Take note that at this time, based on the facts that DEP is presenting in its letter, Greentree Rail LLC will not be able to proceed successfully with its application to operate the transload/transfer station. DEP review of the project is "paused" until they receive a response from Greentree Rail, according to information provided on the PA DEP website. The PA DEP has given Greentree Rail LLC until January 5, 2026 to respond with its selection of three possible actions presented by the PA DEP.

December 15, 2025 (MS)

Left another message for Todd Hill to discuss the wetlands issue and Lampwrights' rejection of pursuing any alternative routes for the rail line.

December 23, 2025 (ALL)) (Reference 42 U.S.C. 1983)

At a Snyder Township Public Meeting, State Representative Brian Smith publicly apologized for prematurely submitting a letter in support of Lampwrights' petition for exemption to the STB (see November 13, 2025), *without knowing or understanding what impact the proposed rail line would have on landowners or the community.*

This public statement substantiates my earlier comment at November 13, 2025:

“These letters (Smith and Armanini), written four months earlier, clearly document that they were in collusion with Lampwrights since at least the end of May, 2025, to support the petition for exemption, with no concern for the likely eminent domain impacts on landowner constituents.

January 5, 2026

(SS)

Deadline given to Greentree Rail LLC by PA DEP to select one of three possible choices regarding its proposed transfer station in Brockway, as presented in the PA DEP letter of December 5, 2025.

- **See Attachment #25**, Greentree Rail LLC response to PA DEP, dated **January 3, 2026**, that it had chosen Option #2 presented by PA DEP in dealing with its deficient application. It has chosen to revise its application, and now has 60 days to do so, or DEP will take action on its unrevised application.

January 6, 2026

Multiple property owners received a solicitation letter from the Faherty Law Firm offering their eminent domain services in light of the Lampwrights LCC petition for exemption that has been filed with the Surface Transportation Board. The letter, a copy of which is available on request, is accompanied by a detailed map showing how each property will be effected by eminent domain, if the Lampwrights petition is granted. This is the most recent evidence of what I and others in this community have been stating, that our due process and private property rights have been continuously violated, and that Lampwrights LLC and others involved in the monopolistic scheme have known about the intended pursuit eminent domain all along.

January 22, 2026

(ALL)

Deadline announced by the STB for responses to/comments on the petition for exemption filed by Lampwrights (**See Attachment #18**)

INFORMATION SPECIFIC TO PROPOSED TRANSFER/TRANSLOAD STATION IN BROCKWAY, PA (SS)

April 30,2025

(SS)

Letter is sent by Greentree Rail LLC to property owners in Brockway, PA informing them of the proposed application for operation of a transload/transfer station.

May 14, 2025

(SS)

Application filed with the Pennsylvania Department of Environmental Protection by Greentree Rail LLC (sibling LLC of Lampwrights) (Attachment #19)

Application is for a permit to operate a solid waste transfer/transload station on the outskirts of Brockway.

One of the principal justifications for the transfer/transload facility is to reduce the overall amount of truck traffic with the Greentree Landfill as its destination.

This is Greentree Rail's description:

"Traffic-Related Impacts: As noted throughout this application, all waste transloaded through this facility will be hauled to Greentree Landfill and is incorporated as a portion of Greentree's existing permitted daily average/maximum tonnage. Therefore, there will not be an increase in trucking to Greentree, and in fact, this project will represent a significant reduction of overall hauling due to use of rail to transport the waste in to the region, i.e., trucks for this portion of the waste will only be on approximately 7 miles of Greentree's current approach route rather than traveling in to the area from farther distances. Leachate dripping from trucks, a potential impact of waste hauling, will be eliminated for this portion of the tonnage since the waste will be in sealed containers. Other traffic-related impacts are addressed in Greentree's harms analysis will also subsequently be reduced for this portion of the trucking. For these reasons, traffic impacts related to these activities are anticipated to be very minor to negligible and will actually be considered an overall reduction of traffic-related impact to Greentree Landfill."

August 5, 2025

(SS)

In its letter to the OEA (See Attachment #), Lampwrights states:

"Lampwrights is providing an application filed by Greentree Rail, LLC (another entity in the Noble Environmental corporate family) to the PADEP for

Greentree Rail to operate a non-common carrier transloading facility – the Brockway Transload Facility. The Brockway Transload Facility is a separate project from the Proposed Line and it does not fall under Surface Transportation Board jurisdiction. ***The Brockway Transload Facility is being developed to facilitate waste-by-rail until construction of the Proposed Line is completed.*** Lampwrights is providing this application as it contains information that OEA may find useful as it analyzes the environmental impacts of the Proposed Line.”

This is evidence that Lampwrights is attempting to link two separate regulatory entities with two separate delegated authorities **to influence the decision-making of the OEA and Surface Transportation Board.**

Additionally, this is Lampwrights’ **tactic to make the OEA aware of the PA DEP application by a sibling LLC – and that the transfer station and petition for exemption from the STB are intimately linked together in Noble Environmental’s “master plan”, i.e., “monopolistic scheme”.**

August 8, 2025 (SS)

The Snyder Township Board of Supervisors sent a letter to Shawn Peters at PA DEP, voicing its opposition to the application for the transfer station submitted by Greentree Rail. (See Attachment #20)

September 29, 2025 (SS) (MS) (NS) (NES)

The following statement is provided in Lampwrights’ petition to the Surface Transportation Board, as contained in the verified statement (See Attachment #16) of Alexander Sulkowski, President of Noble Environmental, Inc.. (parent company of Lampwrights LLC). Key points supporting the “monopolistic scheme” are highlighted:

“The Proposed Line will provide customers with another rail-served landfill near the northeast United States. Further, **the Proposed Line will allow current customers to transition from motor carriage to rail carriage with direct access to the Greentree Landfill.** Noble supports waste-by-rail and **is separately developing a bridge solution so that Noble may utilize rail transportation to the Greentree Landfill. Noble has acquired an unused sidetrack in Brockway, PA near the location of the Proposed Line to be developed as a non-carrier MSW transfer station/transload facility.** The Brockway Transload Facility does not require Board authority, but is, under the jurisdiction of the Commonwealth of Pennsylvania. Trains carrying sealed waste containers will enter the site via BPRR. The containers will be unloaded and placed onto waste hauling vehicles and transported 7.4 miles to Greentree Landfill. Noble will utilize the Brockway Transload Facility until completion of the Proposed Line.”

December 5, 2025 (SS)

Letter from Pennsylvania DEP to Greentree Rail LLC (see Attachment #19)

This letter documents that Greentree Rail LLC (sibling of Lampwrights LLC), provided false and/or unverifiable information in its application to the PA Department of

Environmental Protection to operate the proposed transload/transfer station in Brockway, PA.

Providing false or misleading information has been a consistent theme orchestrated by Noble Environmental, Lampwrights LLC and Greentree Rail LLC. **In prior filings with the STB and the OEA, I have provided numerous instances of false, inaccurate and otherwise misleading information provided by Lampwrights to both the OEA and the STB.**

Take note that at this time, based on the facts that DEP is presenting in its letter, Greentree Rail LLC will not be able to proceed successfully with its application. This is reflected on the DEP website, where it has reported that the Greentree Rail LLC is “on pause”, pending a response from the applicant.

December 30, 2025 (SS)

I sent an email to Tom Decker and Shawn Peters at PA DEP in which I requested them to notify me, as an interested party landowner, when they receive the response required of Greentree Rail in response to the December 5th deficiency letter – and to include in their notification to me which option was chosen by Greentree Rail that PA DEP had presented to them in the December 5th letter.

January 5, 2026 (SS)

Deadline given to Greentree Rail LLC by PA DEP to select one of three possible choices regarding its proposed transfer station in Brockway, as presented in the PA DEP letter of December 5, 2025.

- **See Attachment #25**, Greentree Rail LLC response to PA DEP, dated **January 3, 2026**, that it had chosen Option #2 presented by PA DEP in dealing with its deficient application. It has chosen to revise its application, and now has 60 days to do so, or DEP will take action on its unrevised application.

NOBLE ENVIRONMENTAL, INC.
GREENTREE LANDFILL
CLEAN WATER REGULATION VIOLATIONS

Documented Violations by Greentree Landfill of effluent discharges exceeding the amounts allowed under their permit

Documentation provided as a result of my State Right to Know Law request to the Pennsylvania Department of Environmental Protection

This demonstrates that Noble Environmental – Greentree Landfill have a recent history of being in violation of and fined for Clean Water Act regulations. This is highly concerning given that Greentree Landfill is actively seeking to increase its daily tonnage of waste accepted when it has been unable to comply with Clean Water Act regulations for allowable discharge levels into effected waterways, Little Toby Creek and all others included in their NPDES Permit.

August 2023

Monthly limit for arsenic exceeded Fined \$1000

September 2023

Monthly limit for arsenic and manganese exceeded Fined \$1000

January 2024

Monthly limit for TSS and Manganese exceeded Fined \$1500

February 2024

Monthly limit for Manganese exceeded Fined \$500

March 2024

Monthly limit for Ph and Manganese exceeded Fined \$1000

1st Quarter 2024

Exceeded limits for Tin, Mercury Fined \$2000

2nd quarter 2024

Exceedances during the quarter for TSS, ammonia and metals

November 2024

Exceeded limits for TSS (2 different samplings) Fined \$1500

4th quarter 2024

Monthly effluent limits for antimony exceeded

Monthly effluent limits for TSS exceeded for October and November

February 2025

Exceeded limits for antimony Fined \$500

September 2025

Monthly limits for TSS and arsenic exceeded Fined \$2000

This raises concerns to the community for health and environmental reasons, that of which, if property is taken, then the community is forced to live with the growing contamination, which is knowingly present by all agencies involved.

CONCLUSION AND REQUESTED ACTION

I, along with a number of other members of this community, feel that this document has thoroughly illustrated the violation of our due process rights and private property rights, guaranteed by the 5th and 14th Amendments to the United States Constitution.

Furthermore, it is our contention that the various parties identified as being involved in the “monopolistic scheme” have all participated in various ways in these violations of protected rights, and that this document thoroughly identifies how and when their participation in the violation of due process and private property rights has occurred.

REQUESTED ACTION

Therefore, based on all of the documentation provided about our rights of due process and private property being consistently violated beginning on January 30, 2025 to the present day, we respectfully request that the Surface Transportation Board deny the petition filed by Lampwrights LLC on September 29, 2025 to construct and operate a rail line in Jefferson and Elk Counties, Pennsylvania.

Should the Surface Transportation Board decide to “grant” Lampwrights LLC’s petition we are prepared to pursue any and all possible remedies based on the thoroughly documented violations of our constitutionally protected due process and private property rights, including but not limited to:

Filing a Petition for Reconsideration 49 CFR § 1115.3

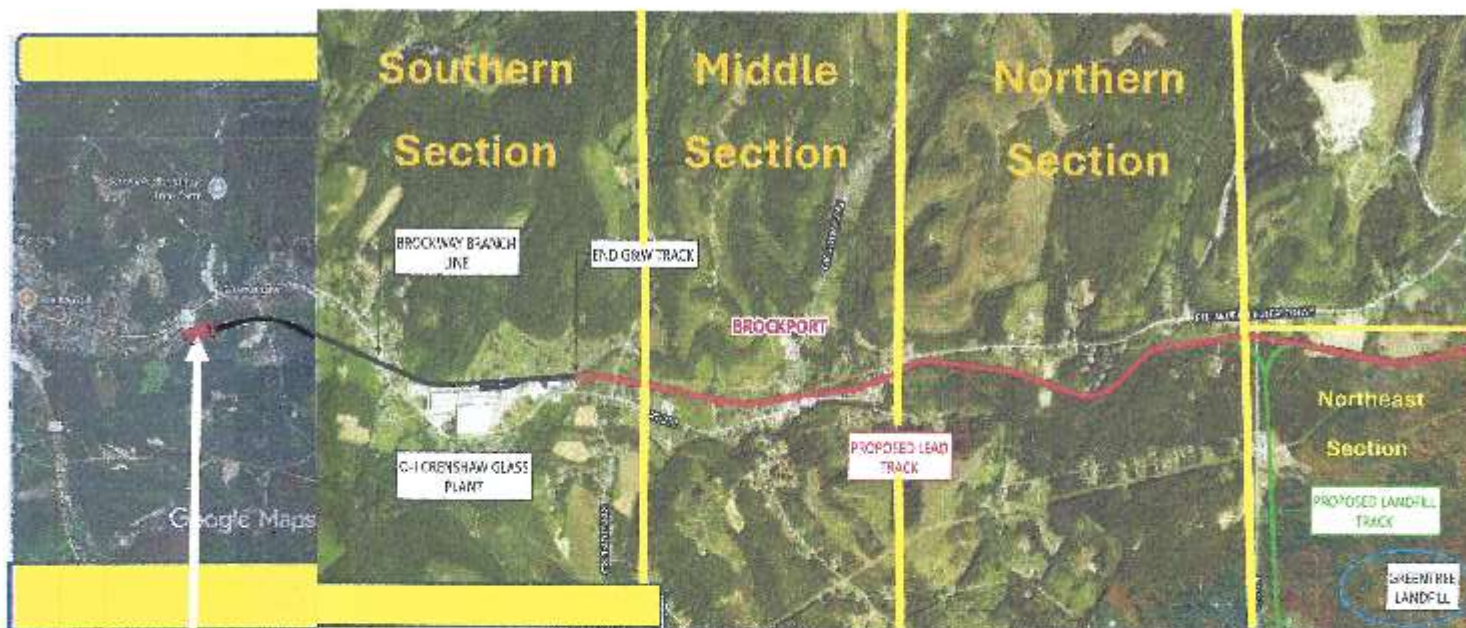
Filing Petition for Judicial Review, authorized under the Administrative Procedures Act, after STB internal appeal process has been exhausted

Remedies afforded by Title 5, Chapter XVI, Subchapter B, Part 2635 – Standards of Ethical Conduct for Employees of the Executive Branch

Remedies afforded by the United States Department of Justice, Civil Rights Division – investigation of violations of 42 U.S.C. §§ 2000cc – Religious Land Use and Institutionalized Persons Act

“Woe to those who decree unjust statutes and to those who continually record unjust decisions, to deprive the needy of justice, and to rob the poor of My people of their rights.”

Isaiah 10: 1-2



Proposed Transfer Station

Southern Section –

From the Site of Proposed Transfer Station, Northerly, to approximately 4871 US Route 219 (Dollar General)

Middle Section –

From approximately 4871 US Route 219 (Dollar General), Northerly, to US Route 219 "S Curve" in Brockport. This is the land privately owned by the citizens

Northern Section

From US Route 219 "S Curve" in Brockport to the area of the intersection of US 219 and PA 153 and beyond to Coat Hollow Road

Northeast Section

Lands north and northeast of PA Route 153 and north of US Route 219, then Northerly along Route 153, branching off to the left and then to the Greentree Landfill

“TRASH TRAIN”

(Confidential)

-ATTACHMENTS-

Cc: All Parties of Record

ATTACHMENT

#1

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH

JUDICIAL DISTRICT

ROBERT M. CHERUBINI, PEGGY A.	*	COUNTY BRANCH - ELK
CHERUBINI, ROY B. WISOR, DOROTHY J.	*	
WISOR, GRETta S. WAITE, GARY CRISTINI,	*	
ANN K. CRISTINI, BROCKPORT ARMY AND	*	
NAVY CLUB, BROCKPORT AREA WATER	*	
ASSOCIATION, THE TOWNSHIP OF HORTON,	*	
FAIRVIEW COAL COMPANY, INC., LEROY I.	*	
GRANT, LETITIA A. GRANT, FREDRICO	*	
RICCADONNA, ANGELINA RICCADONNA, LOUIS	*	
SOTTOVIA, ALBERTINA SOTTOVIA, LOUIS P.	*	
GALLUZZI, ROBERT L. GALLUZZI, WILLIAM	*	
E. HIMES, CATHERINE J. HIMES, ROBERT	*	
BARNAUSKAS, RUDOLPH FACCHINE, HELEN	*	
FACCHINE, ANGELINE FACCHINE, THEODORE	*	
R. CARR, NELLIE A. CARR, HAZEL E.	*	
CASKEY COURSON, JOHN HALKO, IRENE	*	
HALKO, LIONEL MOLINE, ALBERTA MOLINE,	*	
LOUIS P. VALYKEO, BETTY E. VALYKEO,	*	
RICHARD BUFFINGTON, GEORGE TAMBURLIN,	*	
LEO TAMBURLIN, LINDO CRISTINI, and	*	
PRISCILLA J. CRISTINI,	*	
Plaintiffs	*	
VS.	*	CIVIL ACTION - LAW
GEORGE BROSKY (Father), GEORGE BROSKY,	*	
(Son), CYNTHIA L. BROSKY ZWACKI and	*	
WILLIAM T. BROSKY,	*	
Defendants	*	NO. 89-163

ORDER OF COURT

NOW, March 2, 1990, after argument on Motions for Summary Judgment filed by both plaintiffs and defendants, involving interpretation of language contained in two deeds, deed from Joseph S. Hyde to the New York, Lake Erie and Western Coal and Railroad Company dated December 14, 1987, and recorded in Elk County Deed Book 32, Page 529, and deed of William H. Hyde and Lizzie Hyde, his wife, and K.P. Hall, et ux., to the New York, Lake Erie and Western Coal and Railroad Company, dated July 20, 1890, and recorded in Elk County Deed Book 46 at Page 191, and after consideration of briefs, law memoranda of the parties, and the Court's own research, it is determined that each deed conveyed a right-of-way and not a fee.

Consequently, these plaintiffs' Motion for Summary Judgment is granted as to Counts 1 and 2 of their complaint, and as to Counts 3 and 4 of the complaint, defendants' claim to the subject premises being denied, said counts are sustained and plaintiffs are awarded judgments in ejectment on both counts.

Defendants are ordered ejected from subject properties.

Defendants' Motion for Summary Judgment as to both subject parcels is denied.

Costs upon defendants.

BY THE COURT:


Gordon J. Dagher President Judge

ATTACHMENT

#2



EI -33674

Justin J. Marks
T (202) 772-0916
F +12027720919
Email: jmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

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.

January 30, 2025
Page 3

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.

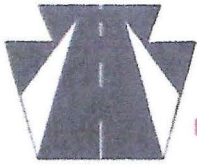
Sincerely,



Justin J. Marks
Counsel to Lampwrights LLC

ATTACHMENT

#3



Keystone Acquisition Services Corporation

3200 McKnight East Drive, Suite 3210
Pittsburgh, PA 15237
Phone: 412-364-8612 / 888-364-8612
Fax: 412-364-8613
www.keystoneacquisitions.com

March 31, 2025

Jack L. Wisor
5375 Route 219
Brockport, PA 15823-1533

Dear Mr. Wisor:

My name is Crystal Ernecoff and I represent Keystone Acquisition Services Corporation (Keystone). Keystone is working on behalf of the Greentree Landfill to explore potential acquisitions or easements of land in your area.

As a property owner, we would like to speak with you to discuss the project. We are requesting an informal conversation, involving no commitment from you.

Our goal is to provide you with enough information so you can make an informed decision regarding the potential benefits of this opportunity.

Please contact me at your earliest convenience. I will be available to assist you and answer any questions you may have and can be reached by telephone at (814) 810-3014 or by email at crystal@keystoneacquisitions.com.

We appreciate your consideration in this matter.

Kindly,

Crystal Ernecoff

Crystal Ernecoff
Real Estate Specialist
Keystone Acquisition Services Corporation

KEYSTONE ACQUISITION SERVICES CORPORATION

A PENNSYLVANIA CERTIFIED DBE / WBE



Crystal Ernecoff

Real Estate Specialist / Relocation Advisor

Email: crystal@keystoneacquisitions.com

Mobile: 814-810-3014

www.keystoneacquisitions.com

KEYSTONE ACQUISITION SERVICES CORPORATION

PO Box 104
State College, PA 16804-0104

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A PENNSYLVANIA CERTIFIED DBE / WBE



Leigh Irvin

Project Manager

Email: leigh@keystoneacquisitions.com

Mobile: 814-931-4555

www.keystoneacquisitions.com

ATTACHMENT

#4



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 25, 2025

Supervisor PJ Piccirillo
Horton Township
5275 Route 219
P.O. Box 216
Brockport, PA 15823

By email at hortontownship@brockwaytv.com

**RE: Docket No. FD 36833, Lampwrights LLC – Construction and Operation
Exemption – Line of Railroad in Elk and Jefferson Counties, Pennsylvania;
Preliminary Consultation**

Dear Supervisor Piccirillo:

Lampwrights LLC (Lampwrights) is planning to seek authority from the Surface Transportation Board (Board) to construct and operate a new rail line in Elk and Jefferson Counties, Pennsylvania (Project). The Project would involve construction of a new rail line from the O-I Crenshaw Glass Plant to the Superior Greentree Landfill. As part of its licensing process, the Board will conduct an environmental review of the Project under the National Environmental Policy Act (NEPA) (42 U.S.C. 4321-4370m-11), and Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108 (NHPA). Pursuant to NEPA, NHPA, and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental and historic impacts of the Project.

OEA is writing to notify you about the Project and to request information on any environmental resources that may be affected by construction and operation of the new rail line. Your comments will assist us in preparing the appropriate NEPA document for the Project.

Project Description

Lampwrights proposes to construct and operate approximately 3.87 miles (20,427 feet) of new rail line that would begin at the end of an active Buffalo & Pittsburgh Railroad, Inc. (BPRR) line located at the O-I Crenshaw Glass Plant and terminate at the Superior Greentree Landfill, which is owned by Noble Environmental, LLC. The proposed rail line would be constructed on a former railroad right-of-way, known as the Toby Branch. As part of the former Erie-Lackawanna Railroad, the Toby Branch previously served a coal mine. Lampwrights also intends to construct private industry track to receive waste at the Superior Greentree Landfill. The Project is located in Northwest Pennsylvania approximately 2 miles east of the Borough of

Brockway and approximately 8 miles north of the City of DuBois, as shown on the map in **Attachment 1**.

Lampwrights has stated that the purpose of the Project would be to provide waste-by-rail to the Superior Greentree Landfill and to replace truck traffic with rail service. Over the last 20 to 25 years, the Superior Greentree Landfill has received much of its daily permitted volume from out-of-state waste originating from New York, Connecticut, and Massachusetts. Out-of-state shipments to the Superior Greentree Landfill must be shipped via trucks because the landfill lacks a direct rail connection.

Lampwrights preliminarily estimates that it would ship one in-bound train and one empty out-bound train per week. The planned trains would consist of hermetically sealed intermodal containers using 89-foot flat cars. The Superior Greentree Landfill would use a crane to move the sealed containers from the rail cars to trucks. The containers would then travel via truck within the landfill property to the final unloading facility. The total length of the trains would be approximately 6,675 feet and would be comprised of 75 cars. Lampwrights anticipates that BPRR would operate the proposed rail line.

Request for Comments

OEA is requesting any comments that you may have **by May 25, 2025**, so that OEA may begin the process of identifying the appropriate scope of the environmental review for the Project. To submit a response, select "File an Environmental Comment" on the Board's website at www.stb.gov (below the "Need Assistance?" button). Please make sure to refer to Docket No. FD 36833 in all correspondence, including e-filings, addressed to the Board. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

You may also send written comments to Elizabeth Webster, OEA's Project Manager for the environmental review, by mail to:

Elizabeth Webster
Surface Transportation Board (Docket No. FD 36833)
395 E Street SW
Washington, DC 20423

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Elizabeth Webster of my staff at 202-360-0742 or by email at elizabeth.webster@stb.gov.

Sincerely,



Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures: Proposed Rail Line Location Map



DOCKET NO. FD 36833
ELK AND JEFFERSON COUNTIES, PA

ATTACHMENT

#5



Justin J. Marks
T (202) 772-0916
F +12027720919
Email: jmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

August 5, 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; Partial Response to Information
Request Number 1

Dear Ms. Gosselin and Ms. Webster:

Lampwrights LLC is submitting this letter to partially respond to OEA's Information Request No. 1. OEA's Information Request No. 1 is organized in four sections. This letter will respond to portions of Section 2, Rail Operations and Section 3, Waste-by-Truck Operations. Thank you for your patience as Lampwrights works with its consultants and future rail operator to collect the information request for Sections 1 and 4, and the balance of information requested for Section 2.

2. Rail Operations

- Confirm that the estimated one in-bound train and one empty out-bound train per week would stay consistent for five years after the date of the anticipated year of the issuance of a final decision from the Board.
 - Confirmed
- For the project, provide estimates of the average number of locomotives per train and their length.
 - One locomotive per train. Trains will be at a maximum of 7,000 feet.
- Provide average train speed at each roadway/rail at-grade crossing.
 - Response to be forthcoming in a future response to Information Request No. 1.

- Describe how the interchange of freight rail cars between the Buffalo & Pittsburgh Railroad, Inc. line and the roadbed track would occur around the O-I Crenshaw Glass Plant.
 - Response to be forthcoming in a future response to Information Request No. 1.
 - Describe the anticipated rail operations on the landfill track, including whether it would be used for loading, storage, or switching; who or what entity would be operating the trains and directing operations; and whether all rail operations and commodities carried would be related to the landfill.
 - The landfill track will store empty and loaded cars. A gantry crane or container style forklift will offload the intermodal containers from the flat cars and place said containers on off-road articulated rock trucks. Rock trucks will transport the intermodal containers to the working face (on landfill property) for ultimate disposal at the active working face. Empty containers will be returned to the landfill track and placed back on the flat cars. All rail operations and commodities will be landfill related.
 - Confirm that Lampwrights (or Noble Environmental, LLC, its parent company) owns or intends to own the landfill track and underlying property.
 - A wholly owned subsidiary of Noble Environmental, Inc will own the landfill track and underlying property.
 - Identify the owner of the locomotives and hermetically sealed intermodal containers that would be used to transport waste, as well as any other equipment that would be used on the landfill track.
 - Buffalo and Pittsburgh Railroad will own the associated locomotives. Intermodal containers may be owned by a subsidiary of Noble Environmental and various third parties shipping waste to Greentree Landfill.
 - Describe who or what entity would maintain the landfill track.
 - A wholly owned subsidiary of Noble Environmental will maintain the landfill track.
3. Waste-by-Truck Operations: Describe the waste-by-truck traffic to and from the Greentree Landfill.
- Confirm that there are no anticipated changes in authorized maximum daily volume of waste based on projections five years after the date of the anticipated year of the issuance of a final decision from the Board.
 - There are currently no anticipated changes, however this is subject to change based on landfill operations. Changes to the maximum daily volume accepted at Greentree Landfill are regulated by Pennsylvania Department of Environmental Protection (PADEP). A separate regulatory approval process for an increase in maximum daily volume would be performed.

- What percentage of the daily landfill truck traffic is local waste and what percentage is long-haul waste? Discuss whether the breakdown of local and long-haul truck traffic is anticipated to change within the next five years.
 - Approximately 50% of landfill volumes are associated with long-haul waste. Given the trend in northeast solid waste movements, Lampwrights believes long-haul waste will continue to materially rise as disposal capacity continues to decrease in the northeast United States.
- What is the average capacity of a local waste truck? What is the average capacity of a long-haul truck?
 - Local Waste Trucks: 10-18 Tons depending on configuration.
 - Long Haul Trucks: 20-25 Tons depending on configuration.
- Confirm that the project would primarily be used to serve long-haul waste and that local waste would continue to be delivered by truck.
 - Confirmed

In addition to the responses provided above, Lampwrights is providing an application filed by Greentree Rail, LLC (another entity in the Noble Environmental corporate family) to the PADEP for Greentree Rail to operate a non-common carrier transloading facility – the Brockway Transload Facility. The Brockway Transload Facility is a separate project from the Proposed Line and it does not fall under Surface Transportation Board jurisdiction.

The Brockway Transload Facility is being developed to facilitate waste-by-rail until construction of the Proposed Line is completed. Lampwrights is providing this application as it contains information that OEA may find useful as it analyzes the environmental impacts of the Proposed Line. Sections of the PADEP application containing personally identifiable information have been redacted.

If you have any questions about this partial response, please let me know.

Sincerely,



Justin J. Marks
Counsel to Lampwrights LLC

Enclosure:

<https://www.imanageshare.com/pd/24sMZ42au5t>

ATTACHMENT

#6



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

July 8, 2025

Justin Marks
Clark Hill
1001 Pennsylvania Avenue, NW
Suite 1300 South
Washington, DC 20004

By email at jmarks@clarkhill.com

RE: Docket No. FD 36833, Lampwrights LLC – Construction and Operation
Exemption – Line of Railroad in Elk and Jefferson Counties, Pennsylvania

Dear Mr. Marks:

Thank you for your June 27, 2025 letter regarding Lampwrights, LLC's (Lampwrights) proposal to construct and operate approximately 20,427 feet of new rail line in Elk and Jefferson Counties, Pennsylvania. Lampwrights is seeking approval from the Surface Transportation Board (Board) to construct and operate the new rail line to facilitate waste-by-rail and serve the Greentree Landfill. According to your letter, a waiver of the requirements of 49 C.F.R. § 1105.6(a), which generally provides for the preparation of an Environmental Impact Statement (EIS) for rail line construction proposals, should be granted because the proposed project is limited in scope and an Environmental Assessment (EA) is the appropriate level of environmental review for the project.

Pursuant to 49 C.F.R. § 1105.6(d), the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is granting your request. Based on the information available to date, OEA believes the potential environmental impacts would not be significant, and any impacts could most likely be addressed through appropriate mitigation measures. Therefore, OEA has determined that the preparation of an EA is appropriate in this case for the following reasons:

1. OEA conducted preliminary agency and tribal consultation and requested formal comments by May 25, 2025, during which minimal concerns regarding the project were raised from relevant agencies and tribes.
2. OEA visited the project site on June 17, 2025 to understand the existing conditions in the project area. Most of the proposed line would be within former railway roadbed, reducing the potential for construction-related disturbance to environmental or cultural resources.

3. The project is designed to replace existing long-haul truck traffic to and from the Greentree Landfill with waste-by-rail operations, reducing traffic on local roads and associated impacts on air quality and road safety.
4. OEA understands that only two trains per week (one inbound and one outbound) are expected to move on the proposed line. Due to the small volume of expected rail traffic, the potential for impacts related to air quality, roadway/rail at-grade crossing safety and delay, and noise during rail operations is expected to be low. Further, the use of hermetically sealed intermodal containers would reduce the potential for impacts related to safety and spills.

OEA will prepare a Draft EA and make the document available for public review and comment. OEA will then prepare a Final EA that responds to the substantive comments received on the Draft EA and includes any appropriate modifications to its existing analysis or additional analysis. The Final EA will also set forth OEA's final recommended mitigation measures to the Board. The Board will then consider the entire environmental record, including the Draft EA, all comments received on the Draft EA, and the Final EA, when making its final decision in this proceeding. However, should the EA process disclose unanticipated impacts that are significant and unable to be mitigated, OEA would require the preparation of an EIS at that time.

If we can be of further assistance, please feel free to contact Elizabeth Webster of my staff at 202-360-0742 or by email at Elizabeth.Webster@stb.gov.

Sincerely,



Danielle Gosselin
Director
Office of Environmental Analysis



Justin J. Marks
T (202) 772-0916
F +12027720919
Email: jmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.,
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Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

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.

June 27, 2025
Page 2

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

ATTACHMENT

#7

----- Original message -----

From: jwisor <jwisor@windstream.net>

Date: 8/13/25 10:54 AM (GMT-05:00)

Subject: RE: RE:

Good morning Mr ..., I spoke with Crystal yesterday in regard to the questions. She said she would email her answers, not received yet. She said that they are not an eminent domain co. And do not have that ability, lampwright is a private co. The other questions she said are still in planning stages. I asked if they would use another government source to use eminent domain, she said no they could not do that. Thank you for your help, God bless, Bishop Wisor.

Sent from my Verizon Samsung Galaxy smartphone

ATTACHMENT

#8

From: Crystal Ernecoff <crystal@keystoneacquisitions.com>
Sent: Monday, August 18, 2025 12:01 PM
To: usps express <Jwisor@Windstream.net>
Subject: Re: trash train

Good afternoon, Jack.

Please see the responses (shown in blue) to your questions, below.

1. Do you have the power of eminent domain?

a. Under the Pennsylvania law, railroads may exercise the power of eminent domain. Lampwrights would not be a railroad until receiving Surface Transportation Board authority to construct the Proposed Line.

Please let me know if you have any new questions to discuss.

Thank you!

Crystal Ernecoff

Real Estate Specialist/Relocation Advisor

Keystone Acquisition Services Corporation

PO Box 104

State College, PA 16804-0104

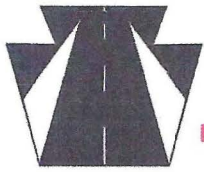
Cell: [814-810-3014](tel:814-810-3014)

crystal@keystoneacquisitions.com

www.keystoneacquisitions.com

ATTACHMENT

#9



Keystone Acquisition Services Corporation

3200 McKnight East Drive, Suite 3210
Pittsburgh, PA 15237
Phone: 412-364-8612 / 888-364-8612
Fax: 412-364-8613
www.keystoneacquisitions.com

September 12, 2025

Jack L. Wisor
5375 Route 219
Brockport, PA 15823-1533

Dear Mr. Wisor:

Per our phone conversation on September 11, 2025, enclosed you will find the Access and Survey permission form we discussed. Please review at your earliest availability.

Please return the signed form using the postage paid return envelope I've included for your convenience.

If you have any questions, I can be reached at (814) 810-3014 or by email at crystal@keystoneacquisitions.com.

Thank you for your cooperation.

Kindly,

Crystal Ernecoff
Real Estate Specialist
Keystone Acquisition Services Corporation

ACCESS AND SURVEY PERMISSION

I/We (whether one or more, hereinafter called the "Grantor") hereby grant permission to Lampwrights LLC (hereinafter called the "Grantee"), its agents, employees and surveyors, to enter upon my/our land located at 5375 Route 219, Brockport, PA 15823-1533 and further identified as Elk County Parcel ID No. 05-19-312-4672; 05-19-017-6816; 05-19-312-4292; 05-19-312-4672; and 05-19-312-4566 (the "Property") for the purpose of conducting physical and environmental surveys (the "Surveys").

The Surveys shall be limited to stream and wetlands delineation, protected and endangered species survey and a property survey completed in accordance with the American Land Title Association (ALTA) standards and requirements. Surveys may additionally entail field observation and measurements and the digging of small holes with handheld tools for the examination of the in-place soil, which, if necessary, shall be put back in place at the conclusion of the field work, otherwise, the Surveys shall be non-invasive in nature.

The rights and permission granted hereby shall be valid for a period of Ninety (90) days from the date hereof and shall automatically expire and become null and void upon the expiration of such Ninety (90) day period. Grantee shall notify Grantor by telephone at (814) 590-3898 no less than twenty-four (24) hours prior to the commencement of surveying activities upon the Property. Grantee shall also notify Grantor by telephone upon completion of its surveying activities. A voice message at the above telephone number shall be deemed sufficient prior notice.

Grantee agrees to indemnify, protect, save harmless and defend Grantor from and against any loss, claim or expense, including without limitation claims for bodily injury or death to persons or damage to property occurring as a result of Grantee's use of the Property, or as a result of any loss, expense, bodily injury, death or damage which would not have occurred but for Grantee's use of and/or entry upon the Property, except to the extent any such loss, expense, bodily injury, death or damage is caused by or results from Grantor's gross negligence, willful misconduct or intentional acts.

As a condition to granting the access and survey rights hereunder, Grantor shall (and shall cause its agents, employees and surveyors to) conduct themselves in a professional manner at all times while upon the Property.

Grantor(s) Name(s) and Signature(s):

Print Name

Print Name

Signature

Signature

Date: _____

Date: _____

Grantee:
Lampwrights LLC

By: _____

Name & Title

ATTACHMENT

#11



Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

September 19, 2025

Ms. Danielle Gosselin, Director
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; Final Response to Information Request
Number 1

Dear Ms. Gosselin:

Lampwrights LLC is submitting this letter to complete its response to OEA's Information Request No. 1, Section 1 (Rail Construction) and Section 4 (Alignments Considered). Enclosed with this letter are maps in PDF and KMZ format.

1. Rail Construction

- Identify and map the project-related construction footprint, including all permanent and temporary areas of disturbance. Maps are preferred in GIS format, if available. The map(s) should identify:
 - All temporary access areas from the roadway network to the construction footprint, including equipment staging and laydown areas.
 - Please see the enclosed maps that will illustrate the location of ten temporary access points, six material laydown areas, six equipment staging areas, an outline of temporary disturbance areas, and the planned permanent disturbance areas.
 - The conceptual location of any new ancillary buildings or facilities potentially constructed as part of the proposed rail line, including footprint and use.
 - Please see the enclosed maps that will illustrate the location of two buildings that have been proposed at the landfill yard location.

- Confirm whether the alignment of the proposed roadbed track deviates from the existing roadbed at any point and describe the deviation.
 - It is Lampwrights intent that the Proposed Line will occur within the footprint of the existing roadbed. However, temporary disturbance areas may extend beyond the current footprint in certain areas. Therefore, the attached map shows where those temporary disturbance on either side of the roadbed may occur.
 - The wye and landfill yard trackage serve as industrial trackage and deviate from the existing roadbed onto parcels to be developed.
- Describe the various anticipated construction methods for the proposed rail line. Include description and diagrams/graphics if applicable.
 - For the rail line, rough and final grading will occur first using bulldozers, backhoes, excavators, roller compactors and other supporting construction equipment. After grading, drainage conveyances and a skeletonized track will be placed with the construction equipment already on-site. The track will be flooded with ballast, tamped and raised to finished elevations using ballast regulators and tamper. All rail construction will be done to meet AREMA specifications and Buffalo and Pittsburgh Railroad standards.
 - Rail bridges will be constructed in accordance with AREMA standards consisting of prestressed concrete spans, supported on concrete caps, welded to driven steel H-pile. Typical span lengths are between 20 and 34 feet. However, one existing 80-foot bridge will be replaced with a bridge of the same length and will require a support structure that may be located within a water resource. Abutments are generally set behind the existing abutments to maintain hydraulic capacity. Construction impact can be minimized by using the existing Right of Way wherever possible. Some layout areas may be necessary to stage materials near the bridges. Using small, tracked cranes on the embankment section will be an efficient method of construction.
- Provide an estimate of the timing and duration of the construction period for completion of the proposed rail line.
 - The rail line construction activities are anticipated to last 18-24 months and will coincide with the bridge construction activities.
- Describe the construction methods for repairing, rehabilitating, or replacing bridges or bridge abutments along the roadbed track. Would any of the existing bridge abutments from the existing roadbed be used for the project? If so, which? Provide conceptual plans, locations, and methods for rehabilitating or reconstructing any bridge abutments.
 - Any existing bridge components will be replaced with new structures, and to the fullest extent possible, these new structures will be constructed within the same footprint as the existing structures they replace to minimize any disturbance to previously undisturbed surfaces.

- Describe any property acquisition required for the proposed rail line and landfill track and include any maps or tables regarding the locations of structures potentially displaced.
 - Lampwrights has retained Keystone Acquisition Services to acquire the necessary property.
 - Attached is a map showing structures that would be displaced by the Lead Track and the Landfill Track. On the Lead Track, a single structure (a garage) would be displaced (see page 2, top map, structure to the east of road crossing). On the industrial track, the structure that would be displaced is part of a single business (see green shaded rectangle at page 5 of PDF map).
- Provide the total acreage of tree removal for all components of the project, including along the existing roadbed and temporary staging areas and access roads for construction.
 - Please see the maps for locations of tree removal planned to support the temporary and permanent areas of disturbance estimated to be 104 acres.

4. Alternatives Considered

- Provide details on any other rail alignments considered and dismissed. Include a description of any other alignments considered with location maps and the reason for dismissing the alignment.
 - No other rail alignments have been considered because Lampwrights is utilizing an abandoned rail bed. One additional railyard site was considered because of its proximity to the landfill site. But Lampwrights decided against it because the proposed railyard adversely impacted waterways and wetlands and its location resulted in increased haul distances for landfill activities.

If you have any questions about this letter, please let me know.

Sincerely,

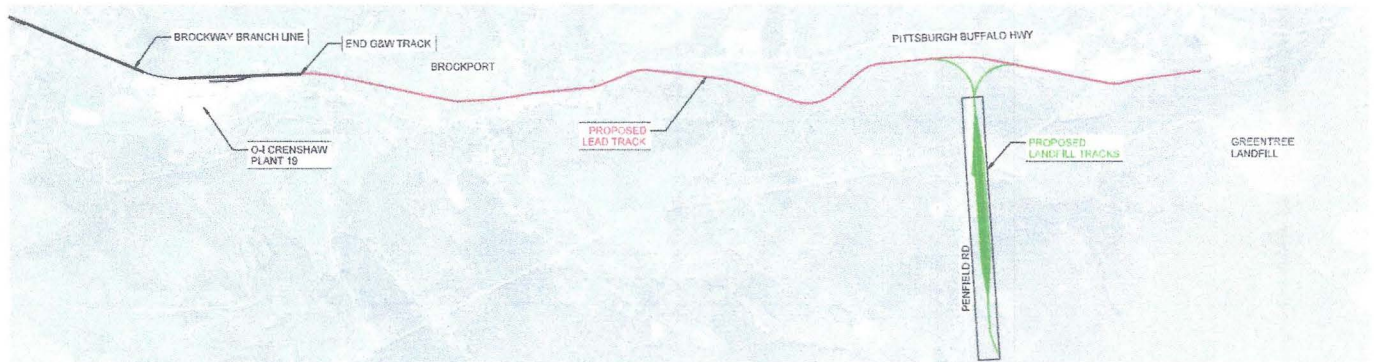


Justin J. Marks
Counsel to Lampwrights LLC

Enclosure



NOBLE ENVIRONMENTAL GREENTREE LANDFILL



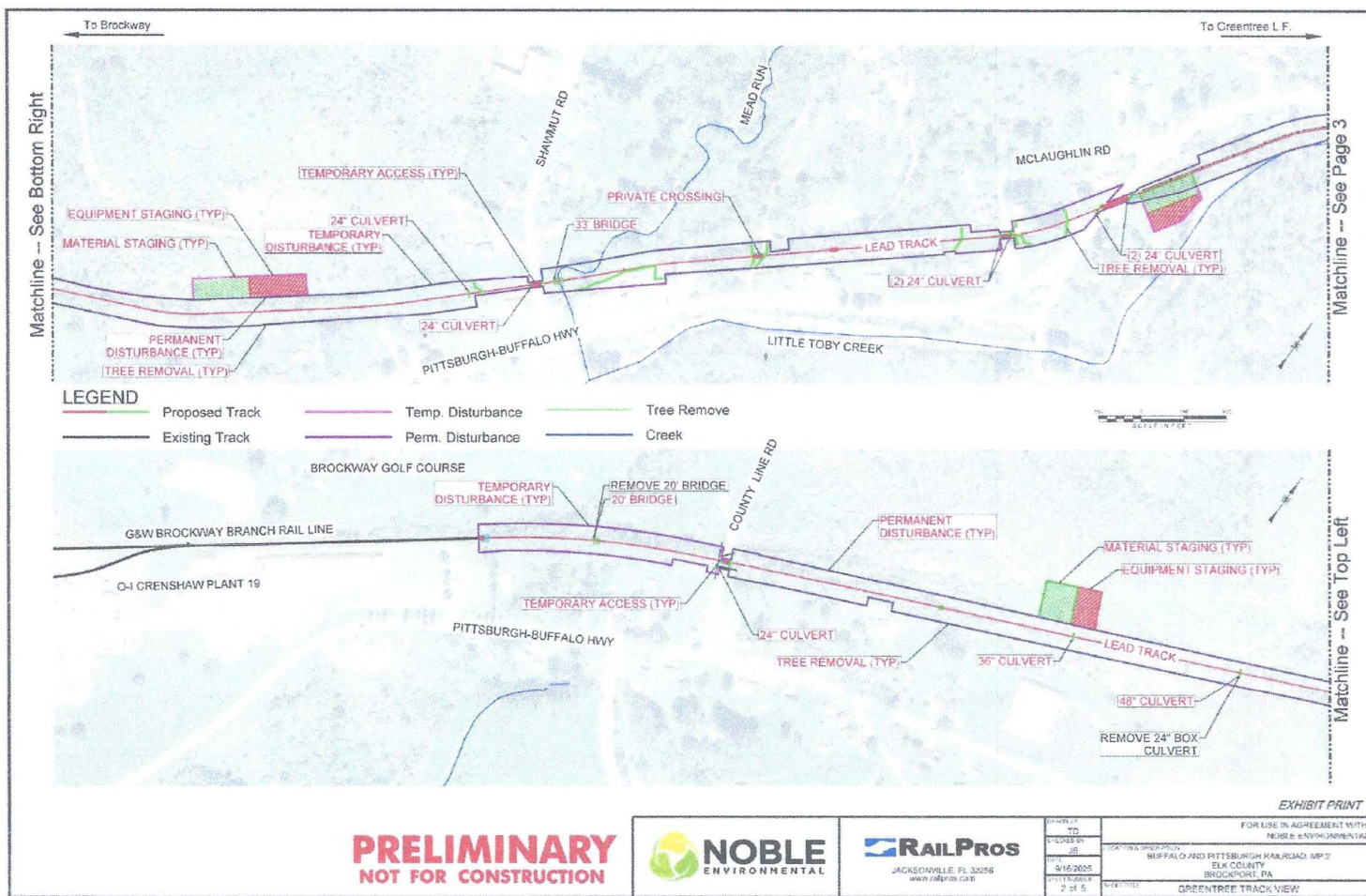
LEGEND
Proposed Track
Existing Track

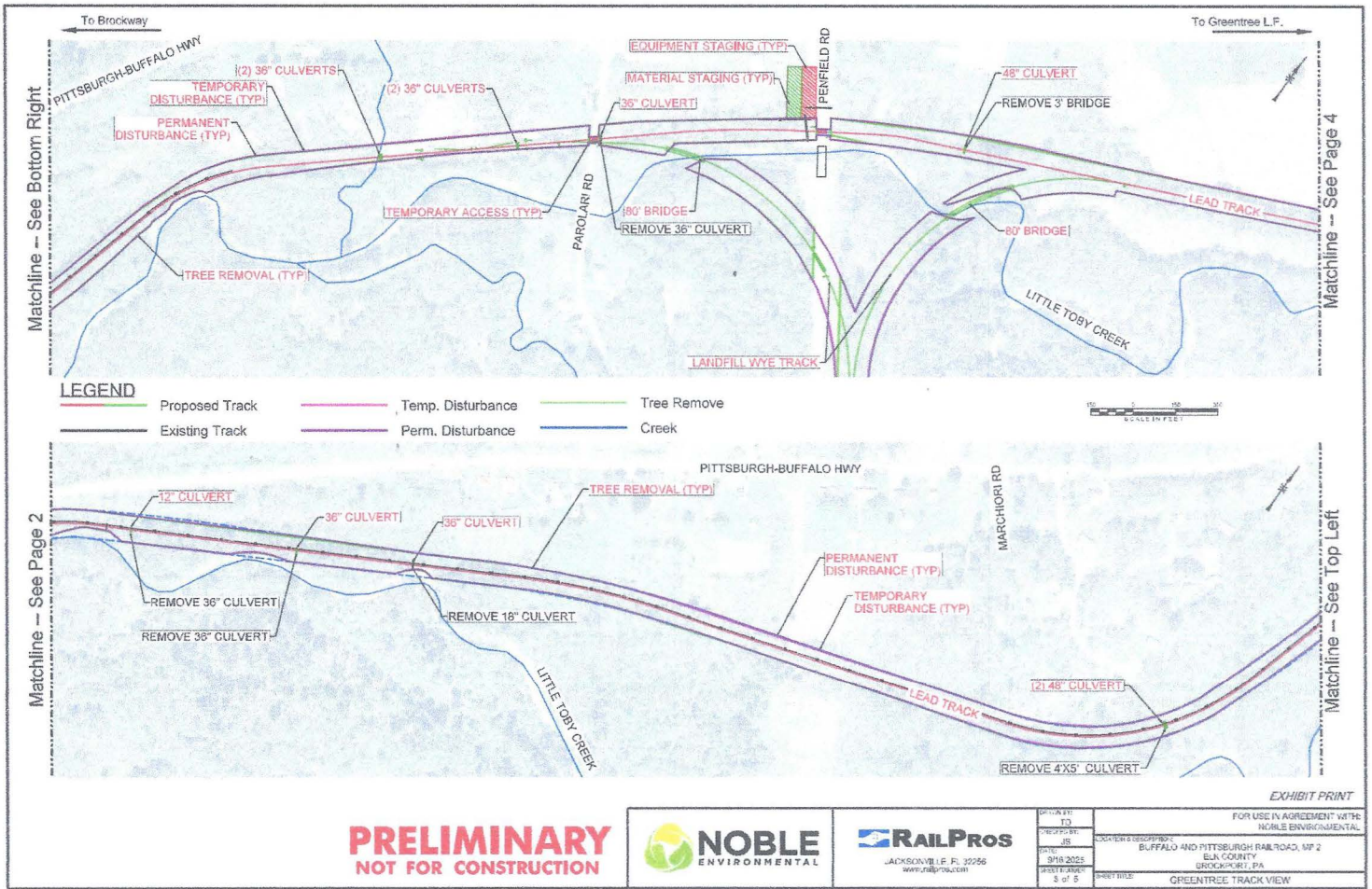
SHEET INDEX
01 Cover Sheet
02 - 04 Lead Track
05 Landfill Tracks

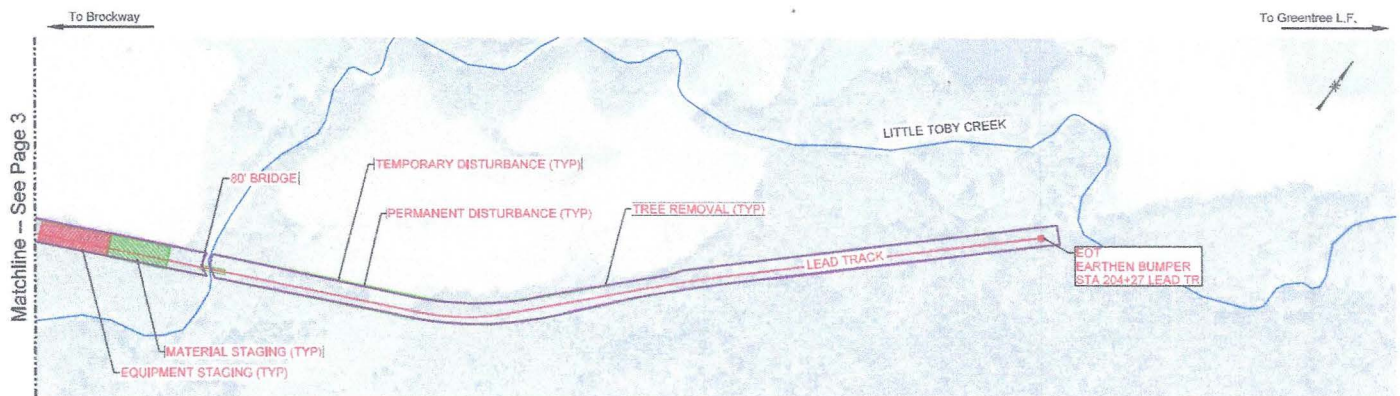
PRELIMINARY
NOT FOR CONSTRUCTION



EXHIBIT PRINT	
PROJECT NO.	FOR USE IN AGREEMENT WITH:
PROJECT NAME	NOBLE ENVIRONMENTAL
DATE	09/18/2025
SHEET NUMBER	1 of 5
PROJECT TITLE	GREENTREE PROJECT OVERVIEW







LEGEND

	Proposed Track		Temp. Disturbance		Tree Remove
	Existing Track		Perm. Disturbance		Creek

SCALE IN FEET

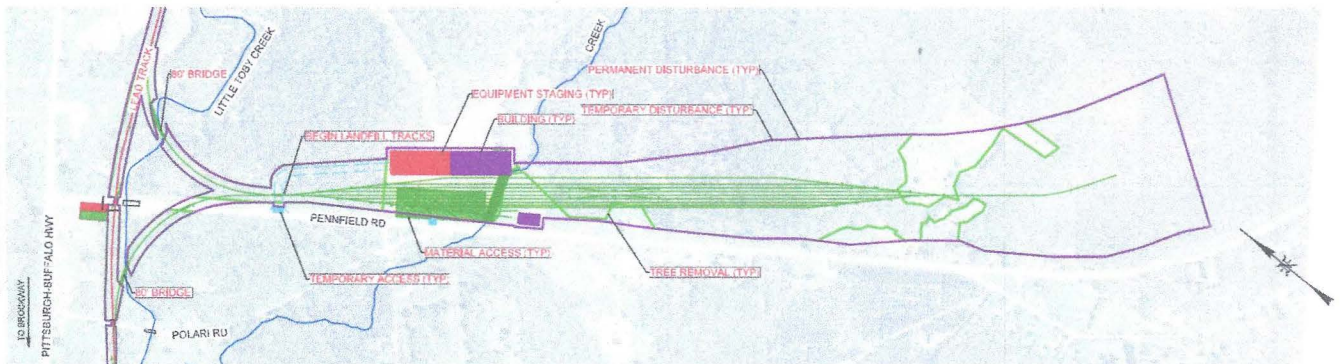
PRELIMINARY
NOT FOR CONSTRUCTION



PROJECT NO.	10	FOR USE IN AGREEMENT WITH:
DESIGNED BY	JS	NOBLE ENVIRONMENTAL
DATE	8/18/2024	
PROJECT NO.	4 of 8	
PROJECT NAME	GREEN TREE TRACK VIEW	

EXHIBIT PRINT

Greentree Landfill Tracks



	Proposed Track		Temp. Disturbance		Tree Remove
	Existing Track		Perm. Disturbance		Creek



PRELIMINARY
NOT FOR CONSTRUCTION



DRAWN BY: TD		FOR USE IN AGREEMENT WITH: NOBLE ENVIRONMENTAL	
CHECKED BY: JB		COUNCIL DESCRIPTION: BUFFALO AND PITTSBURGH RAILROAD: MP 2	
DATE: 9/18/2025		BLK COUNTY	
SHEET NUMBER: 5 OF 5		BROOKDALE, PA	
		SHEET TITLE: PENNFIELD RD LANDFILL TRACKS	

EXHIBIT PRINT

ATTACHMENT

#12

Bishop Jack Wisor

5375 Route 219; Brockport, PA 15823
Bishop (814) 590-3898
Church (814) 265-0323
jwisor@windstream.net



First Apostles' Doctrine Church

Bishop Jack Wisor Ministries

Heaven's Acres Homesteading
IRA Ministry Publications
Pittsburgh Outreach to Homeless
All Welcomed / Non-Denominational
2021

Just For Jesus



John 17

September 23, 2025

Crystal Ernecoff
Real Estate Specialist
Keystone Acquisition Services Corporation
PO Box 104
State College, PA 16804-0104

Dear Ms. Ernecoff:

I am in receipt of your letter of September 12, 2025, requesting my written permission to allow access to, surveying of, and the digging of small holes on 5 parcels of property that I own at 5375 Route 219 in Brockport, PA.

Please be advised that I am not willing to give the permission you are requesting.

Please be further advised that I have no intention to sell any of the property I own.

I respectfully request that there be no further communication regarding this matter from the corporation you represent.

I will also be commenting further on this issue at a later date.

Sincerely,

Bishop Jack Wisor

Cc: Congressman Glenn Thompson
State Senator Cris Dush
State Rep. Mike Armanini
State Rep. Brian Smith
Elk County Commissioners
Horton Township Supervisors
Danielle Gosselin
Elizabeth Webster
Karen Stevens

ATTACHMENT

#13

Bishop Jack Wisor

5375 Route 219; Brockport, PA 15823
Bishop (814) 590-3898
Church (814) 265-0323
jwisor@windstream.net



First Apostles' Doctrine Church

Bishop Jack Wisor Ministries

Heaven's Acres Homesteading
IRA Ministry Publications
Pittsburgh Outreach to Homeless
All Welcomed / Non-Denominational
2021

Just For Jesus



John 17

14530 Route 28
Brockway, PA 15824
814-265-0243
Just-for-jesus@windstream.net
501 (c) 3 charitable organization

September 27, 2025

Lampwrights LLC
c/o Noble Environmental, Inc.
6000 Town Center Boulevard, #145
Canonsburg, PA 15317

To Whom It May Concern:

ORDER TO CEASE AND DESIST

This letter shall constitute an order to immediately cease and desist from having any additional communication with me, Bishop Jack L. Wisor, by any means whatsoever, including but not limited to telephone, fax, email, surface USPS mail, courier, or any other means not identified.

This **order to cease and desist** shall also apply to accessing or coming onto my personal property.

This order shall apply to any and all other parties that have been retained or contracted by Lampwrights LLC in the matter of the rail line construction to the Greentree Landfill. This shall include but not be limited to Keystone Acquisition Services Corporation.

My primary concern and objective is based on the irreparable harm that this proposed rail construction project would have on the First Apostles' Doctrine Church and the Just for Jesus Challenge Homeless Outreach Ministry, which have numerous facilities on my personal property. Irreparable harm will likewise be done to the local community and the environment, and flooding will be inevitable. The mental, emotional and spiritual consequences will be enormous and unfathomable for all those who will become victims of this unnecessary project.

I have made it abundantly clear in prior communications that a decision by the Surface Transportation Board to approve the application from Lampwrights LLC **would definitely result in:**

- Denying a congregation their ability to practice their belief and fulfillment of Matthew 25: 31-46 to help all people
- Denying homeless people in need from having housing, food, transportation and all of the many benefits and services that they are entitled to from a church and a faith-based homeless ministry

- A severe restriction to if not elimination of access to church and homeless ministry buildings, structures and facilities, resulting in a restriction or elimination of the ability to assemble for religious purposes
- Elimination of the church's plan to building a new church adjacent to the existing parsonage

I am likewise gravely concerned over the dismissal by Lampwrights LLC and the Office of Environmental Analysis of the devastating environmental harm that will clearly be created if this project moves forward as proposed. I and many others in the community along with various officials have enumerated a number of horrific consequences that will undoubtedly occur. These include but are not limited to:

- Since the abandonment of said former railroad, all maintenance has ceased along both the north and south embankments of the railroad grade, causing water damning, wetlands developing, harboring pockets of water containing sulfur and possibly other contaminants from the prior decades of mining north of the railroad grade. This has created flooding issues due to the lack of maintenance and drainage
- Toby Creek would not be able to accept the extra volume of water that all the "proper" drainage and drainage repair would cause the extra flow of water along with any sulfur and contaminants that will be leached into the Toby Creek Clean Up Project
- To add volumes of water and new drainage will only cause a more serious and emergency situation, due to the fact that the flood water, and pressure, will back water up into the Brockport area. Raising the flood plain will damage property, wildlife and years of bringing Toby Creek up to the beautiful fishing creek it is. With this said, the only possible remedy would be to dredge or stretch the Toby Creek bed, which would introduce massive volumes of sulfur and destroying decades of progress to the Creek in this community, for absolutely minimal gains to the community, and instead, only severe loss. This will also affect the several trout streams that run into the Toby Creek. The railroad bank is acting as a dike, harboring many unseen flooding dangers and environmental issues.
- There will be massive amounts of wetlands disturbed and ruined along with major flooding issues, environmental issues, and safety issues, to the areas that the train will travel through. Due to the coal mining, removing timber on the north side of the old railroad grade, the railroad grade has, along with nature, controlled to some degree the 50–100-year rainfall, by holding back much of the runoff water flowing south to the Toby Creek

To further document the reasons for my issuing this cease and desist order:

- I was first contacted by Keystone Acquisition Services Corporation (Keystone) to arrange a personal meeting at my residence to discuss the proposal submitted by Lampwrights LLC (Lampwrights) to the STB. The meeting took place on April 15, 2025. This was the first time I became aware of the proposal by Lampwrights to construct a rail line that would severely impact my property, except for community rumors.
 - At this meeting, Keystone, when asked, stated that they were not an eminent domain company
- In my email of July 7, 2025 to Crystal Ernecoff, I asked Keystone if they were an eminent domain company. They did not answer the question directly. Their response was "Under the Pennsylvania law, railroads may exercise the power of eminent domain. Lampwrights would not be a railroad until receiving Surface Transportation Board authority to construct the Proposed Line." As a landowner, I felt violated by this statement, and possibly an abuse of authority.
- In its letter of August 5, 2025 to the OEA, Lampwrights stated "A wholly owned subsidiary of Noble Environmental, Inc **will own** the landfill track and underlying property."
- Then in its September 19th letter to the OEA, Lampwrights is now indicating that Keystone Acquisition Services has been retained to acquire the necessary property (for the entire footprint of the proposed rail line).
- I consider this to be coercion and harassment. While the OEA says that this proposal is in its infancy stages, Lampwrights is now on record as saying that Keystone has been retained to begin acquiring property in order to build the rail line. This is complete misrepresentation, communicating and dealing with the public in bad faith, and using false information to begin pressuring landowners to sell to Keystone for the railroad. Lampwrights and its agents do not have any authority to begin representing themselves as a railroad or that authority has been granted by the STB. These current statements from Lampwrights makes it appear that they have been given permission to move forward and have retained Keystone to begin purchasing the needed property.
- The Office of Environmental Analysis, in its letter of July 8, 2025 to Lampwrights, approved an Environmental Analysis for this proposed project instead of an Environmental Impact Statement, in apparent violation of its own Environmental Regulations at 49 CFR 1105.6 (a) and (b)(1).
 - Facts:
 - There is a significant portion of the proposed project that **does not lie within an existing railbed or on lands owned by any connecting railroad.**
 - Lampwrights has stated that it "will own" the land on which the rail construction is to take place, but there is no evidence to support that there is any assurance of that happening.

- Lampwrights has stated that it will require 100 foot easements while the pre-existing railbed was 30-50 feet in width, on average.
 - In its "site visit" of June 17th, the Office of Environmental Analysis did not "visit" the majority of the properties that would be impacted by the proposed rail line, based on published reports
 - Yet, while not visiting the majority of the proposed sites that would be impacted by the rail line, the OEA determined "Based on the information available to date, OEA believes the potential impacts would not be significant, and any impacts could most likely be addressed through appropriate mitigation measures".
- During my recent phone conversation with the Surface Transportation Board (STB), I inquired about what regulations were in place to assure that hazardous waste could not be transported to the Greentree Landfill. The STB was unable to answer that question.
- During the same phone conversation with the STB, I addressed many of these concerns, and there were very few answers to any questions.
 - It is highly interesting that the very next day, I received a phone call from Crystal Ernecoff from Keystone Acquisition Services Corporation, informing me that she was sending me a letter and form to grant permission for my land to be accessed, surveyed and probe holes to be dug to perform environmental assessments. (I have denied permission for that to occur).
 - Given that this request for permission immediately followed my phone conversation with the STB, I found it this to be very coercive and harassing in nature.
- Yet, Included in its letter of September 19, 2025 to the OEA, Lampwrights provides a number of maps indicating the planned footprint of the project.
 - Map #2 illustrates a substantial amount of permanent disruption to my property, including access from US Route 219 to distinct portions of the property, involving my personal residence, indoor and outdoor sanctuaries of the First Apostles' Doctrine Church, the parsonage, and shops and facilities used by and for the Just for Jesus Challenge Homeless Outreach Ministry.
 - I made the Office of Environmental Analysis aware of potential impacts to all of the above in my letter of September 12, 2025. The maps provided by Lampwrights to the OEA on September 19th confirm my worst fears and suspicions.
 - The map also indicates that the current plans of the First Apostles' Doctrine Church to build a new church on the property would be eliminated if this proposal is approved.
 - The map also appears to eliminate the existing sawmill and several outbuildings that are utilized to help generate much-needed funds for the church and homeless ministry.

- One of these maps indicates that the proposed right of way (permanent disruption) surrounds three sides of one of the buildings on my property (the parsonage). How can this be? This is a complete violation of my property rights and renders this parsonage unusable.
- In viewing these maps provided by Lampwrights, it is unfathomable how a statement could be made by Lampwrights and the OEA that the “potential impacts would be minimal”. **The impacts, on my property and many others within the footprint of the rail line construction “are not minimal. They are significant and severe.”**
- The following is directly quoted from Justin Marks, of Lampwrights, in his response letter to the OEA of September 19, 2025. I take this as a violation and a threat to my person and my freedom as a landowner:
 - Describe any property acquisition required for the proposed rail line and landfill track and include any maps or tables regarding the locations of structures potentially displaced. ○
 - Lampwrights has retained Keystone Acquisition Services to acquire the necessary property.
 - Attached is a map showing structures that would be displaced by the Lead Track and the Landfill Track. On the Lead Track, a single structure (a garage) would be displaced (see page 2, top map, structure to the east of road crossing). On the industrial track, the structure that would be displaced is part of a single business (see green shaded rectangle at page 5 of PDF map).
 - Provide the total acreage of tree removal for all components of the project, including along the existing roadbed and temporary staging areas and access roads for construction.
 - Please see the maps for locations of tree removal planned to support the temporary and permanent areas of disturbance estimated to be 104 acres.
 - 4. Alternatives Considered
 - Provide details on any other rail alignments considered and dismissed. Include a description of any other alignments considered with location maps and the reason for dismissing the alignment.
 - “ No other rail alignments have been considered because Lampwrights is utilizing an abandoned rail bed. *One additional railyard site was considered because of its proximity to the landfill site. But Lampwrights decided against it because the proposed railyard adversely impacted waterways and wetlands* and its location resulted in increased haul distances for landfill activities.”

- **NOTE:**

There is no abandoned railroad on my property or on any of the properties within the proposed footprint of the project. "It is our land".

By order of the Elk County Court of Common Pleas of March 2, 1990, No, 89-163, the previous easements of the New York, Lake Erie and Western Coal and Railroad Company were declared to be a right-of-way, and not a fee, and accordingly it was a right-of-way, not land. The land was returned to the cumulative property owners. The land reverted to the people, owned by the property owners. There is no railroad bed. It is land owned by the people.

➤ Lampwrights is acknowledging that they rejected a site as an alternative because of the adverse impact on wetlands and waterways. And yet, my property and the majority of properties lying in the proposed path of the rail line construction are filled with wetlands (my property has been previously delineated for wetlands, which are marked and protected. I and many others in this community, along with professionals and officials, have documented the irreparable harm that this proposed rail line will have on wetlands and the waterways that lie within the proposed footprint of construction and permanent disruption.

- I am waiting on the results from a Senior Consulting Environmental Engineer to compare the irreparable harm that this proposal will inflict on the wetlands on my property compared to the harm that Lampwrights has indicated would have occurred if they chose the alternate site that they ultimately rejected.

➤ **Lampwrights has provided numerous false and deceptive statements in its filings with the Surface Transportation Board and its Office of Environmental Analysis from Day 1 (dating back to January 30, 2025). These false and deceptive statements go right to the heart of what Lampwrights is claiming to be the "purpose and need" for the rail project:**

- The majority of out-of-state municipal waste over the last 20-25 years has not come from New York, Massachusetts and Connecticut, as claimed by Lampwrights. Source – Pennsylvania Department of Environmental Protection (PA DEP)
- Lampwrights claims that almost 50% of Greentree's daily permitted capacity is attributable to municipal waste from New York, Massachusetts and Connecticut. This is completely false. Source – PA DEP
- Lampwrights claims that the sole purpose of the proposal to the STB for the rail line is to replace truck traffic with rail service. Using available data and Lampwrights own claims – this is false. An average of only 11 trucks a day would be reduced from the roads (at a maximum).

- In its letter of August 5, 2025 to the OEA, Lampwrights claims that the flow of municipal waste from Northeast states is expected to continue to materially rise. The official records from PA DEP show this to be completely unsubstantiated.

I repeat that Lampwrights has stated that it “**will own**” the land on which the rail construction is to take place. Be very clear that I have no intention of selling any part of the property that I own for the rail line that Lampwrights proposes to construct. There is no public “need” for a trash train and no public “benefit” from a trash train that would constitute the taking of a church and home for the homeless and various other ministry functions to the community, taking all this away from the people, along with all of the damaging environmental impact.

In a separate Cease and Desist Order of September 24, 2025, I have informed Keystone Acquisition Services Corporation that I will not grant permission for them or their agents to enter upon my property for any purpose whatsoever, and that I have no intention of selling any of my property to them, acting as agent for Lampwrights LLC.

In conclusion, my decision to issue this **Cease and Desist Order** is based on my intention to protect the interests of the church and the homeless outreach ministry, the community and the severe environmental concerns, and furthermore, based on a documented, continual stream of untruths, misleading statements and false representations to the STB, the OEA and the general public by Lampwrights LLC and its agents, which is a violation of my/our freedoms and well-being.

Due to the mental, emotional and spiritual negative effects upon the community, the congregation and myself, any communications as stated at the beginning of this Order, including any attempts at **eminent domain** will be considered as coercion and harassment, and prayerfully and respectfully, appropriate actions will be taken.

Bishop Jack Wisor

Cc: A Noble Cause
Justin Marks, Esq – Clark Hill
Noble Environmental, Inc.
Congressman Glenn Thompson
State Senator Cris Dush

**“TRASH TRAIN”
(Confidential)**

-ATTACHMENTS-

PART 2

ATTACHMENT

#14



310117

ENTERED
Office of Chief Counsel
September 29, 2025
Part of
Public Record

Justin J. Marks
T (202) 772-0916
F +1 202 772 0919
Email: jmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.,
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

September 29, 2025

Cynthia T. Brown
Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423-0001

Re: STB Docket No. FD 36833 Lampwrights LLC– Construction and Operation
Exemption–In Elk and Jefferson Counties, PA

Dear Ms. Brown:

Enclosed for filing in the above referenced docket is a Petition for Exemption under 49 U.S.C. §10502 from the requirements of 49 U.S.C. §10901 for Lampwrights LLC to construct and operate a line of railroad in Elk and Jefferson Counties, PA. The filing fee has been paid via pay.gov.

If you have any questions related to this filing, please let me know.

Sincerely,

Justin J. Marks
Counsel to Lampwrights LLC

Enclosure

FEE RECEIVED
September 29, 2025
SURFACE
TRANSPORTATION BOARD

FILED
September 29, 2025
SURFACE
TRANSPORTATION BOARD

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36833

LAMPWRIGHTS LLC
– CONSTRUCTION AND OPERATION OF A LINE OF RAILROAD –
IN ELK AND JEFFERSON COUNTIES, PA

PETITION FOR EXEMPTION UNDER
49 U.S.C. §10502 FROM THE REQUIREMENTS OF 49 U.S.C. §10901

(includes color images)

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Dated: September 29, 2025

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36833

LAMPWRIGHTS LLC
– CONSTRUCTION AND OPERATION OF A LINE OF RAILROAD –
IN ELK AND JEFFERSON COUNTIES, PA

PETITION FOR EXEMPTION UNDER
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Pursuant to 49 U.S.C. §10502, Lampwrights LLC (“Lampwrights”), a non-carrier subsidiary of Noble Environmental, Inc (“Noble”) hereby petitions the Board for an exemption from the prior approval requirements of 49 U.S.C. §10901 to construct approximately 20,427 feet of new common carrier rail line (the “Proposed Line”) in Elk and Jefferson Counties, PA, extending from the terminus of an active Buffalo & Pittsburgh Railroad, Inc. (“BPRR”) rail line located at the O-I Crenshaw Glass Plant to the Noble owned, Greentree Landfill. A portion of the Proposed Line would utilize a segment of right-of-way once used by the Lake Erie Lackawanna Railroad to serve local industry.

Lampwrights is also seeking authority to operate the Proposed Line. However, Lampwrights does not intend to operate the Proposed Line, it intends only to hold a residual common carrier obligation. Instead, Lampwrights would enter into an agreement for BPRR to operate the Proposed Line. Neither Lampwrights nor Noble currently own or operate any other rail lines. A map of the Proposed Line is attached hereto as Exhibit A.

This petition is supported by the Verified Statement of Alexander Sulkowski, President of Lampwrights (“Sulkowski VS”) enclosed as Exhibit B and support letters enclosed as Exhibit C.

I. BACKGROUND

A. Purpose and Need

The purpose of the Proposed Line is to transport waste to the Greentree Landfill via rail because the landfill is not directly served by any rail carrier. The landfill currently accepts anywhere from 2,500 to 3,500 tons of waste per day. This is approximately 50% of its permitted maximum daily limit. The most common waste types accepted are typical municipal solid waste ("MSW") and construction and demolition debris ("C&DD"). Greentree Landfill is not permitted to accept any hazardous waste types.¹

Of the 2,500 to 3,500 tons per day currently accepted at Greentree, 45-50% of the waste is not locally generated. It originates from outside of Pennsylvania, including Connecticut, New York, New Jersey, and Massachusetts. Out of state waste is transported to the landfill in long-haul tractors trailers primarily via State Route 219. At current levels, out-of-state volumes equate to approximately 26,000 to 45,500 tractor trailer trips per year.²

Over the last twenty-five years, Pennsylvania has seen an influx of imported waste, primarily due to the lower tipping fees in Pennsylvania compared to northeastern states. Tipping fees in states like Connecticut, New York, New Jersey, and Massachusetts are higher than Pennsylvania driven by limited landfill capacity, reliance on Waste-to-Energy ("WTE") technology and policies designed to restrict landfill use in favor of recycling and diversion initiatives.³ WTE facilities are aging and the cost to maintain and rebuild WTE facilities is unjustified. The effect of these local waste management decisions forces these jurisdictions to find cheaper disposal options, creating a market for out-of-state landfills.⁴

¹ Sulkowski VS at 1.

² *Id.* at 2.

³ *Id.* at 2-3.

⁴ *Id.* at 3.

Greentree Landfill has been the beneficiary of the commodification of waste. In 2002, Greentree Landfill accepted 1.5 million tons of waste of which 1.2 million originated from New York and New Jersey. In 2024, Greentree accepted 987,331 tons less than it did in 2002. Greentree is permitted to receive more waste than it currently receives with motor carriage as the only transportation option. The Proposed Line will provide customers with another rail served landfill near the northeast United States. Further, the Proposed Line will allow current customers to transition from motor carriage to rail carriage with direct access to the Greentree Landfill.

Noble supports waste-by-rail and is separately developing a bridge solution so that Noble may utilize rail transportation to the Greentree Landfill. Noble has acquired an unused sidetrack in Brockway, PA near the location of the Proposed Line to be developed as a non-carrier MSW transfer station/transload facility. The Brockway Transload Facility does not require Board authority, but is, under the jurisdiction of the Commonwealth of Pennsylvania. Trains carrying sealed waste containers will enter the site via BPRR. The containers will be unloaded and placed onto waste hauling vehicles and transported 7.4 miles to Greentree Landfill. Noble will utilize the Brockway Transload Facility until completion of the Proposed Line.⁵

B. Description of the Construction Project

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 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 local industry. The last known operator of the Toby Branch was Conrail. Lampwrights intends to construct the Proposed Line on the former railroad bed.⁶

⁵ *Id.* at 7.

⁶ *Id.* at 4.

The Proposed Line will terminate at Greentree Landfill where the landfill will construct private industry track to receive the waste. The waste will travel to the landfill in sealed intermodal containers utilizing 89-foot flat cars. Once at the landfill, Greentree will utilize gantry-style cranes and reach stackers to place the sealed containers from the rail cars on to articulated dump trucks. The sealed containers will travel via articulated truck within the landfill property to the active working face of the landfill.⁷

C. Description of Planned Operations

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 approximately 6,675-7,000 feet in total length.⁸ The construction of the Proposed Line will facilitate the movement of waste to Greentree Landfill while minimizing truck traffic on local roadways.

D. Environmental Review by the Board's Office of Environmental Analysis

As the Board is aware, a petition for exemption to construct and operate a rail line requires a petitioner to comply with the Board's obligations under the National Environmental Policy Act ("NEPA") and Section 106 of the National Historic Preservation Act. Lampwrights is working with the Board's Office of Environmental Analysis ("OEA") to comply with those obligations. Lampwrights, OEA, and the third-party contractor VHB have entered into a Memorandum of Understanding for VHB to work under the direction and supervision of OEA for the development of the environmental document.

OEA is consulting with the relevant federal, state, tribal, and local agencies in the development of its environmental analysis.

⁷ *Id.* at 5-6.

⁸ *Id.* at 6.

II. LAMPWRIGHTS PROPOSED LINE SATISFIES THE STANDARD FOR EXEMPTION UNDER 49 U.S.C. §10502.

Under 49 U.S.C. §10901, Board approval is required for the construction of a new common carrier railroad line. The Board is required to authorize the construction of a new rail line unless, the line is “inconsistent with the public convenience and necessity.” 49 U.S.C. §10901(c). The Board has recognized that “[t]his permissive licensing policy, introduced in the ICC Termination Act of 1995 (“ICCTA”), establishes a clear presumption in favor of rail construction proposals, and conforms to the broader Congressional policies to ‘promote effective competition among rail carriers’ and to ‘reduce barriers to entry into ... the industry.’”⁹ This presumption establishes “that rail construction projects are in the public interest unless shown otherwise.”¹⁰

The Board has determined that under 49 U.S.C. §10502, it must exempt a transaction from regulation when it finds that:

- (1) is not necessary to carry out the transportation policy of section 10101 of this title; and
- (2) either –
 - (A) the transaction or service is of limited scope; or
 - (B) the application in whole or in part of the provision is not needed to protect shippers from the abuse of market power.¹¹

The Proposed Line is intended to enable a direct waste-by-rail connection to the Greentree Landfill. The Proposed Line is consistent with the Board’s precedent for granting construction

⁹ 49 U.S.C. [§]10104(4), (7). *Midwest Generation, LLC – Exemption from 49 U.S.C. 10901 – For Construction in Will County, IL*, STB Finance Docket No. 34060, slip op. at 7-8 (served Mar. 21, 2002) (footnotes omitted) (“Midwest”).

¹⁰ *Townline Rail Terminal, LLC – Construction and Operation Exemption – In Suffolk County, N.Y.*, STB Finance Docket No. 36575, slip op. at 6 (served Nov. 15, 2023)(citing *Lone Star R.R. – Track Constr. & Operation Exemption – in Howard County., Tex.*, STB Finance Docket No. 35874, slip op. at 3 (served Mar. 3, 2016)).

¹¹ *Port of Moses Lake – Construction Exemption – Moses Lake, Washington*, STB Finance Docket No. 34936, slip op. at 4 (served Aug. 27, 2009).

exemptions under section 10502.¹² In addition, the statute only requires a party to satisfy either subpart (2)(A) or (2)(B). Here the proposed line satisfies both subparts.

A. The Board has Jurisdiction over the Proposed Line.

Lampwrights's Proposed Line is a "line of railroad" as the Board interprets that term and would require a license to construct and operate under 49 U.S.C. §10901. As the Board explains in *Midwest*, under 49 U.S.C. 10501(a)(1), the Board has jurisdiction over "transportation by rail carrier," and "rail carrier" is defined by 49 U.S.C. 10102(5) as "a person providing common carrier railroad transportation for compensation."¹³ Further, Board authority is required for a new line of railroad, where the "proposed trackage extends into territory not theretofore served by the carrier, and particularly where it extends into territory already served by another carrier."¹⁴

Here, Lampwrights will be constructing the Proposed Line to hold itself out to serve customers seeking available landfill airspace by providing a more efficient option than trucks can offer.¹⁵ In addition, the Proposed Line will extend into territory not currently served by Lampwrights or any other carrier.

Lampwrights is willing to accept a common carrier obligation and to "hold out" to provide rail service to the public at large. Lampwrights will enter into an agreement for BPRR to operate the Proposed Line and Lampwrights will hold the underlying common carrier obligation.

¹² *Texas Railway Exchange LLC – Construction and Operation Exemption – Galveston County, Tex.*, STB Finance Docket 36186 (served Jan. 17, 2020); *Palmetto Railways – Construction and Operation Exemption in Berkeley County, S.C.*, STB Finance Docket 36095 (served July 22, 2019); *Northwest Tennessee Regional Port Authority – Construction and Operation Exemption – In Lake County, Tenn.*, STB Finance Docket 35802 (served Apr. 21, 2016).

¹³ *Midwest*, slip op at 6.

¹⁴ *Texas & Pacific Railway Co. v. Gulf, Colorado & Santa Fe Railway Co.*, 46 S. Ct. 263, 278-79 (1926).

¹⁵ Because the Proposed Line is designed to deliver waste directly to the Superior Greentree Landfill, Lampwrights is not seeking authority to build a solid waste transfer facility under 49 CFR Part 1155.

B. The Proposed Line is in the Public Interest

Lampwrights need not argue that the Proposed Line is in the public interest because ICCTA establishes a presumption that rail construction projects are in the public interest. Even without the ICCTA presumption, the Proposed Line is in the public interest because it creates a rail served landfill that would remove trucks from state and local roadways. Further, because local jurisdictions receive quarterly landfill host payments calculated on a per ton basis, increased use of the Greentree Landfill would result in an increase in revenues to the State of Pennsylvania, Fox Township, and Elk County. As such, these state and local governments – representing “the public” within the State of Pennsylvania would receive a significant benefit from the Proposed Line even though the Proposed Line is a project being developed by a non-governmental entity.

In totality, the Proposed Line is in the Public Interest because it would increase state and local revenues, remove trucks from state and local roadways, and would provide additional rail served landfill capacity for Pennsylvania and the surrounding states.

C. Application of 49 U.S.C. §10901 is not necessary to further the National Rail Transportation Policy of 49 U.S.C. §10101.

The Board need not perform a detailed scrutiny of Lampwrights’s Proposed Rail Line because compliance with the formal requirements of Section 10901 is not necessary to accomplish the transportation policies of 49 U.S.C. §10101 (the “RTP”). As applicable here, under the RTP, it is the policy of the United States Government:

(2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required; ...

(4) to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public and the national defense; ...

(5) to foster sound economic conditions in transportation and to ensure effective competition and coordination between rail carriers and other modes; ...

(7) to reduce regulatory barriers to entry into and exit from the industry; ...

(8) to operate transportation facilities and equipment without detriment to the public health and safety.

(14) to encourage and promote energy conservation.

The Board should grant the Lampwrights petition because regulation of the Proposed Line is not necessary to accomplish the RTP since the Proposed Line meets each one of the enumerated policies. The Proposed Line will satisfy RTPs (2) and (7) since an exemption will minimize the need for federal regulatory control over the rail transportation system in Pennsylvania and will reduce regulatory barriers for Lampwrights to enter the railroad industry.

Further, the Proposed Line will meet the goals of RTP (8) and (14). The Proposed Line will be operated "without detriment to public health and safety" and is likely to improve public health and safety by potentially removing commercial motor vehicles that currently travel from states such as Connecticut, Massachusetts, New York, and New Jersey to the Greentree Landfill.

The Proposed Line satisfies RTP (4) because it will facilitate a sound rail transportation system by creating a competitive option for shippers seeking to ship waste directly to the Greentree Landfill in lieu of utilizing motor carriers. Further, the Proposed Line meets the needs of the public by creating a cost-effective option for waste-by-rail, particularly for those jurisdictions that have limited local landfill disposal capacity.

The Proposed Line will satisfy RTP (5) because it will facilitate competition among rail carriers. Although, the Proposed Line will only connect with BPRR, BPRR interchanges with four Class I railroads (Canadian National, CPKC, CSX, and NS) and numerous Class III railroads. This

connection to the national rail network potentially provides customers with numerous routing options to source the most competitive route to transport this commodity.

Finally, the grant of the Lampwrights petition would not be inconsistent with any of the other goals of the RTP.

D. The construction and operation of the Proposed Line is of limited scope.

The Proposed Line satisfies the second element of the Board's section 10502 exemption analysis because the transaction is of limited scope since Lampwrights only proposes to construct and operate approximately 20,427 feet of rail line extending from the end of the BPRR line located at the O-I Crenshaw Glass Plant and terminating at the Greentree Landfill over abandoned railroad right-of-way through two Pennsylvania counties. The Proposed Line is even more limited in length than other rail construction projects that the Board has exempted from the formal requirements of 49 U.S.C. §10901 as limited in scope.¹⁶ Finally, the Proposed Line is similar to other instances where an industry establishes a railroad to build out to the interstate rail system.¹⁷

E. Alternatively, application of 49 U.S.C. §10901 is not necessary to protect shippers from abuse of market power.

The Proposed Line satisfies the criteria for an exemption because it is limited in scope and regulation is not necessary to protect shippers from the abuse of market power. The Proposed Line benefits shippers because it enhances competition since it would create another landfill that can

¹⁶ See *Northwest Tennessee Regional Port Authority – Construction and Operation Exemption – In Lake County, Tenn.*, STB Finance Docket 35802 (served Apr. 21, 2016)(5.5 miles); *Port of Moses Lake – Construction Exemption – Moses Lake, Washington*, STB Finance Docket 34936 (served Aug. 27, 2009) (11.5 miles); *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).

¹⁷ See generally, *Townline Rail Terminal, LLC – Construction and Operation Exemption – In Suffolk County, N.Y.*, STB Finance Docket No. 36575 (served Aug. 15, 2024).

directly receive waste via rail. For this reason, application of section 10901 is not necessary to protect shippers from abuse of market power.

CONCLUSION

In conclusion, Lampwrights respectfully requests that the Board grant this petition and issue a decision exempting the construction and operation of the Proposed Line from the prior approval requirements of 49 U.S.C. §10901 because the Proposed Line is in the public interest and satisfies the exemption criteria of 49 U.S.C. §10502.

Respectfully submitted,



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*Counsel for
Lampwrights LLC*

Dated: September 29, 2025

Exhibit A

Map



General Location: Brockport, PA (Elk County, PA)

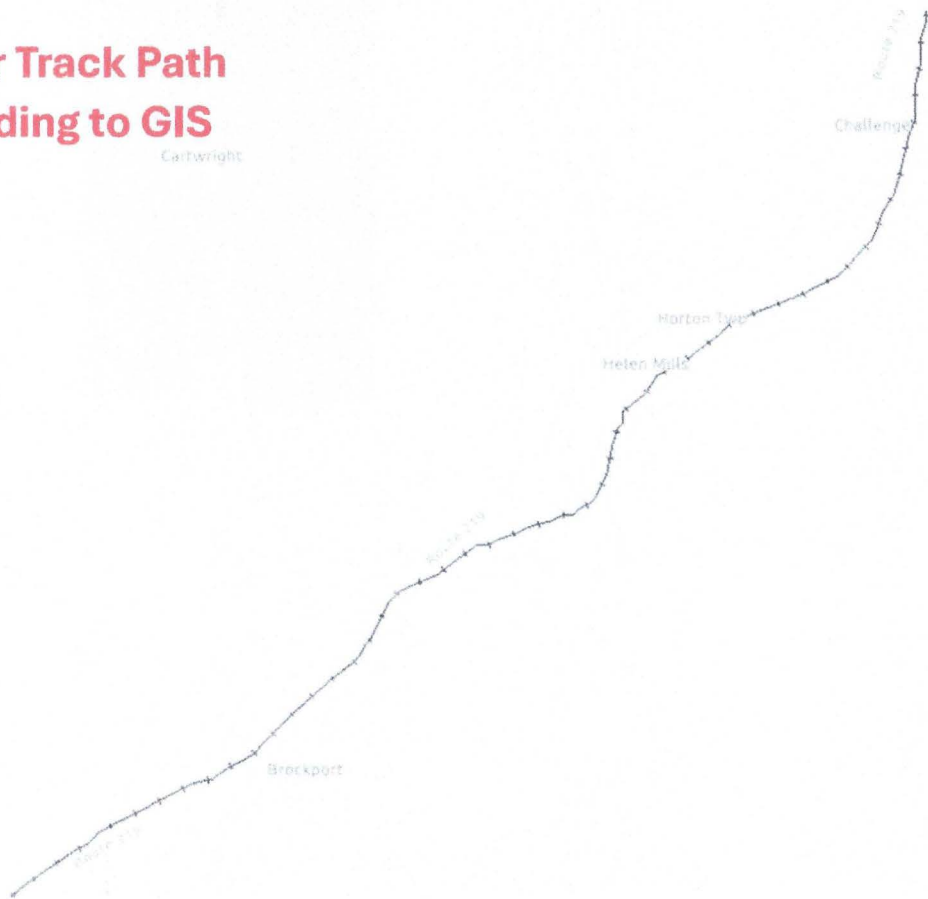
End of Active BRR: O-I Crenshaw Plant 19 (3831 US-219, Brockport, PA 15823)

Noble Environmental's Landfill: Greentree Landfill (Greentree Landfill Road, Fox Township, PA 15846)

Orange Parcels: Former Lake Erie Lackawanna Right-of-Way (Parcels Purchased by Noble Environmental)

**Former Track Path
According to GIS**

Cartwright



**Greentree Landfill – Noble
Environmental**

Exhibit B

Verified Statement of Alexander Sulkowski

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36833

LAMPWRIGHTS LLC
– CONSTRUCTION AND OPERATION OF A LINE OF RAILROAD –
IN ELK AND JEFFERSON COUNTIES, PA

VERIFIED STATEMENT OF ALEXANDER SULKOWSKI

My name is Alexander Sulkowski, I am the President of Lampwrights LLC. Lampwrights is a wholly owned subsidiary of Noble Environmental, Inc. (“Noble” or the “Company”). Lampwrights was established in 2024 to build out a rail line from Noble’s Greentree Landfill (“Greentree” or the “Landfill”), a modern solid waste landfill, connecting to the Buffalo and Pittsburgh Railroad (“BPRR”).

Noble is a vertically integrated solid waste management company, offering a comprehensive suite of nonhazardous solid waste collection, transportation, recycling and disposal services to residential, commercial, and industrial customers in Ohio, Pennsylvania, and Maryland. In addition to Greentree Landfill, Noble owns six landfills and three transfer stations. The Company also operates wholly owned subsidiaries specializing in renewable natural gas (“RNG”); at five of its six landfill gas generating landfills. A map of Noble’s locations is provided below.

Greentree Landfill (PADEP - Solid Waste Permit No. 100403) is in Kersey, PA (Elk County). Greentree is permitted to accept up to 6,000 tons per day of non-hazardous solid waste. It currently receives 2,500 to 3,500 tons daily, or about 50% of its permitted maximum daily limit. The primary waste streams are municipal solid waste (“MSW”) and construction and demolition debris (“C&DD”). Greentree is not permitted to accept hazardous waste.

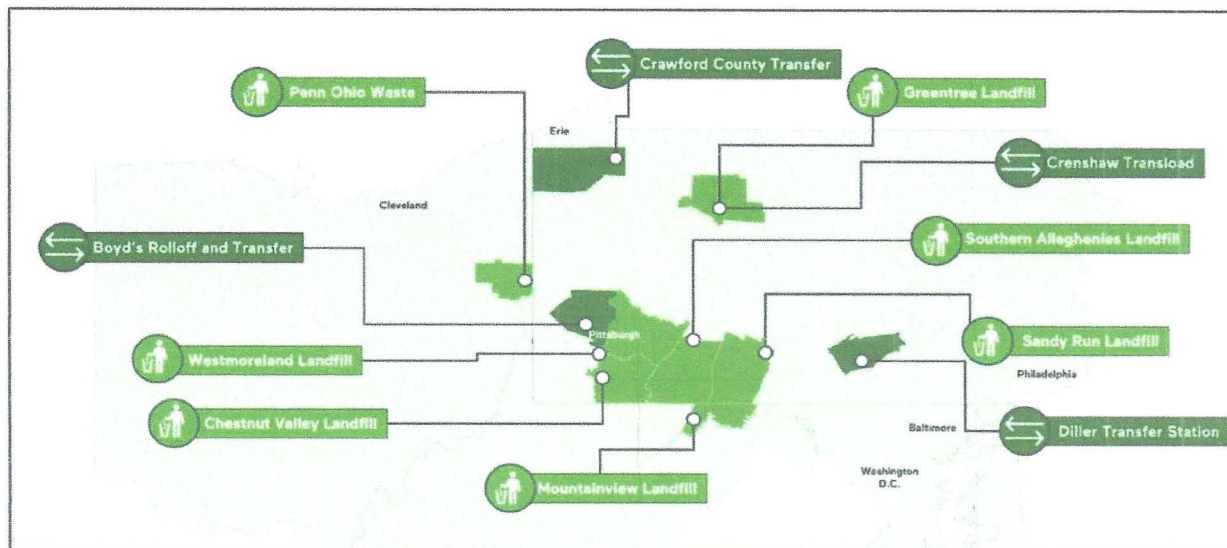


Figure 1 - Noble Environmental Locations

Of the 2,500 to 3,500 tons of waste Greentree receives daily, 45-50% of the waste originates from out of state- primarily from New York and New Jersey and at times from as far as Connecticut, and Massachusetts. This waste typically arrives via long-haul tractor trailers on State Route 219, amounting to an estimated 26,000 to 45,500 trailer trips per year.

Tons Per Day	2,000	2,500	3,000	3,500
Out of State	50%	50%	50%	50%
Out of State Tons Per Day	1,000	1,250	1,500	1,750
Tons Per Tractor Trailer	20	20	20	20
Tractor Trailer Trips Per Day (Round Trip)	100	125	150	175
Operating Days	260	260	260	260
Tractor Trailer Trips Per Year	26,000	32,500	39,000	45,500

In 2024, landfills in Pennsylvania accepted 5.89 million tons of out-of-state waste from New Jersey, New York, Connecticut, and Maryland.¹ Pennsylvania remains a preferred destination for out of state waste due to lower tipping fees, while neighboring states face higher tipping fees driven by limited landfill capacity (airspace), reliance on Waste-to-Energy (“WTE”)

¹ Pennsylvania Department of Environmental Protection, Bureau of Solid Waste Management, Disposal Information Dashboard, available at http://cedatareporting.pa.gov/reports/powerbi/Public/DEP/WM/PBI/Solid_Waste_Disposal_Information (last visited Aug. 4, 2025).

facilities (AKA Incinerators), and state/local policies designed to restrict landfill use in favor of recycling and diversion initiatives. The result is a supply-demand imbalance: shrinking disposal capacity against steady waste generation.

Aging WTE facilities are costly to maintain and rebuilding them at the end of their useful life is economically difficult. In June of 2023, Connecticut enacted House Bill (HB) 6664, closing the state's largest WTE facility – the Materials Innovation Recycling Authority (MIRA). Just three years earlier, MIRA had sought \$330 million for reconstruction to maintain existing service levels.² With the facility's closure and no in-state landfills, Connecticut now exports roughly 860,000 tons of waste annually for disposal.³

Beyond economic challenges, air pollution from WTE facilities has become a major concern, with facilities in Philadelphia and Baltimore now facing public calls for closure over emissions issues. In 2017, the Pennsylvania Department of Environmental Protection (“PADEP”) released data indicating WTE Facilities are “80% worse than landfills for the climate, and that other pollutants that directly harm humans are 60% worse from incineration.”⁴

With the unknown future of WTE facilities in the face of high costs and environmental concerns, the regional shortage of disposal options could grow. Rail transport provides a critical solution, enabling large volumes of solid waste to be moved safely from dense population centers to permitted landfills, reducing reliance on trucks and ensuring waste is managed in the most controlled and environmentally responsible manner. Lampwrights’ proposal leverages sealed intermodal waste containers for rail transport, providing a safe, economical, and environmentally

² The Lakeville Journal, MIRA Shutdown: Connecticut’s solid waste crisis, *available at* <https://lakevillejournal.com/mira-shutdown-connecticuts-solid-waste-crisis> (last visited September 27, 2025).

³ *Id.*

⁴ Energy Justice Network, Landfills are bad, but incinerators (with ash landfilling) are worse, *available at* https://energyjustice.net/incineration/incineration_vs_landfills.pdf?fbclid=IwAR3b1E9Td9L_E9iI9Zz8oL62kE6z4F-Jl1rlMVpPr06MZleOXhLz4VHtW3U (last visited August 5, 2025).

responsible method to increase landfill capacity – particularly in airspace constrained states. Pennsylvania already receives substantial volumes of out-of-state waste, and transporting this material by rail offers the safest and most efficient option, minimizing truck traffic, reducing greenhouse gas emissions, and limiting wear on local roadways.

The Proposed Line will extend approximately 20,427 feet from the end of the active BRR line at O-I Crenshaw Glass Plant to Greentree Landfill, following the former Toby Branch right-of-way of the Lake Erie Lackawanna Railroad, which historically served local industry. The last known operator of the branch was Conrail. Lampwrights plans to construct the line on the existing railroad bed, which, while lacking track, retains underlying infrastructure such as culverts and bridge structures that will be rehabilitated or replaced as part of the construction.

The Company is actively working with a land assembly and acquisition company to secure control of the remaining parcels. To qualify for state grant funding, the property acquisition process follows the Pennsylvania Department of Transportation's Multimodal Property Acquisition Process.



Figure 2 - Existing Railroad Grade and Bridge Structure

The Proposed Line will terminate at Greentree Landfill, where Noble will construct private tracks to receive sealed intermodal containers. Each 89-foot flat car carries the same amount of waste as four tractor trailers. Intermodal waste containers are engineered specifically for the safe transportation and disposal of environmentally sensitive materials. The containers



Figure 3 - Intermodal Containers in Transit, DSNY Intermodal Containers on Barge

are solid steel, sealed with a watertight gasketed door, and the entire container is welded with continuous seams and joints. There are no external binders or levers that can be accessed or tampered with during transit. This eliminates the possibility of accidental or unauthorized opening while in transit. For over 20 years, CSX and Norfolk Southern have operated said containers daily to transport MSW along the East Coast. The New York City Department of Sanitation operates a fleet of intermodal style waste containers to ship solid waste by barge on the East River.

At the landfill, gantry-style cranes and reach stackers will move the containers from rail car to articulated dump trucks (“ADTs”). The containers will travel via ADTs within the landfill property to the active working face of the landfill. Lampwrights is not seeking authority to build a solid waste transfer facility from the Surface Transportation Board because the transloading of the containers will be conducted on industry track adjacent to the Greentree Landfill.

Lampwrights anticipates that it will ship one in-bound train and one empty out-bound train per week. We anticipate that each train will be comprised of 75 cars per train totaling approximately 6,675 – 7,000 feet in total length. Lampwrights is seeking construction and operating authority, but it intends to enter into an agreement with BPRR to operate the Proposed Line. Lampwrights understands that it will hold a residual common carrier obligation over the track.

The Proposed Line will provide significant commercial benefits to Greentree Landfill by enabling it to handle greater volumes than are currently feasible by truck. At the same time, opening the landfill to rail traffic could benefit the local community by potentially removing truck traffic on area roadways, improving safety, minimizing infrastructure wear, and substantially lowering greenhouse gas emissions. Rail is far more fuel-efficient than trucks, requiring less energy to move the same cargo over longer distances; according to the American Association of Railroads, railroads are three to four times more efficient on average.⁵ Additionally, the State of Pennsylvania, Fox Township, and Elk County will benefit from quarterly landfill host payments calculated on a per ton basis.

Beneficiary	Per Ton Fee
State of Pennsylvania - Environmental Stewardship	\$4.25
State of Pennsylvania - Recycling	\$2.00
Fox Township - All Tons	\$1.39
Fox Township - Out of State Tons	\$0.78
Elk County - All Tons	\$0.30

Noble strongly supports the benefits of waste-by-rail and is developing a non-carrier transloading facility near the Proposed Line in Brockway, PA – the Brockway Transload Facility. Trains carrying sealed containers will be delivered by BPRR, unloaded at the transload

⁵ The Environmental Benefits of Moving Freight by Rail – Association of American Railroads - July 2019, available at <https://www.aar.org/wp-content/uploads/2018/07/AAR-Environmental-Benefits-Moving-Freight-by-Rail.pdf> (last visited Aug. 4, 2025).

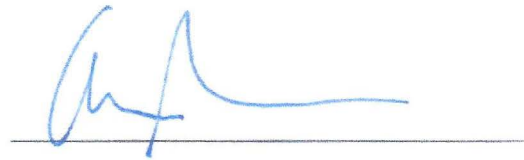
facility, and transported approximately 7.4 miles by truck to Greentree Landfill. Noble is currently seeking state regulatory approval to operate the facility, which will serve as a temporary solution until the Proposed line directly serving Greentree is complete. While the Brockway facility enables waste-by-rail in the interim, it cannot match the Proposed line's capacity and still requires truck transport for the final delivery to the landfill.

Lampwrights appreciates the opportunity to present this proposal to STB. Enclosed with this petition are letters of support from potential interchange partners and customers.

VERIFICATION

I, Alexander Sulkowski, President of Lampwrights LLC, declare under penalty of perjury that I have read the foregoing Verified Statement, the I know the facts asserted therein, and that the same are true as stated. Further, I certify that I am qualified to and authorized to submit this Verified Statement.

Executed on September 27, 2025



Alexander Sulkowski

Exhibit C
Support Letters



May 21, 2025

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: STB Docket No. FD 36833 Lampwrights LLC– Construction and Operation
Exemption–In Elk and Jefferson Counties, PA

Dear Ms. Brown:

This letter is being submitted in support of the Lampwrights LLC petition for exemption to construct approximately 20.427 feet of new common carrier railroad line in Brockport and Kersey Townships, PA to connect the Noble Environmental Greentree Landfill to the interstate rail system.

I am the President with Mercer Group International of NJ, Inc. My company is responsible for locating landfills, like Greentree Landfill, that have the capacity to handle C&D and MSW waste. Mercer Group has utilized the Greentree Landfill in the past. At Mercer Group International of NJ, Inc. we look for transportation solutions in all modes. Of course, we value shipping waste-by-rail because it provides us significant efficiencies over other modes of transportation.

If this project moves forward and we had the option to ship our commodity by rail, we anticipate that we would utilize the Greentree Landfill as a destination for our waste.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Lodgek', is written over a horizontal line.

Richard Lodgek
Mercer Group International of NJ, Inc.

A Full Service Material Recovery Facility

The logo for Horizon Disposal Services features a stylized sunburst or starburst graphic above the word 'HORIZON' in a bold, sans-serif font. Below 'HORIZON' is the phrase 'DISPOSAL SERVICES' in a smaller, sans-serif font. At the bottom, it says 'A Division of MGI' in a smaller, sans-serif font.

HORIZON
DISPOSAL SERVICES
A Division of MGI



June 11, 2025

Cynthia T. Brown
Chief, Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: STB Docket No. FD 36833 Lampwrights, LLC— Construction and Operation
Exemption—In Elk and Jefferson Counties, PA

Dear Ms. Brown:

This letter is being submitted in support of the Lampwrights, LLC application for an exemption to construct and operate approximately 20,427 feet of new common carrier railroad line in Brockport and Kersey Townships, PA to connect the Noble Environmental, Inc. Superior Greentree Landfill (the "Facility") to the interstate rail system.

Buffalo & Pittsburgh Railroad, Inc. (BPRR) is a Class II regional railroad that operates over 659 miles of trackage in Pennsylvania and New York. BPRR interchanges with Canadian National (Buffalo, NY and Butler, PA); CPKC (Buffalo, NY); CSXT (Buffalo, NY; Erie, PA and New Castle, PA); Norfolk Southern (Buffalo, NY; Erie, PA; Driftwood, PA; Freeport, PA and Pittsburgh, PA); Rochester & Southern Railroad (Buffalo, NY); Buffalo Southern Railroad (Buffalo, NY); Western New York & Pennsylvania Railroad (East Salamanca, NY); Allegheny Valley Railroad (Allison Park, PA); and Wheeling and Lake Erie Railway (Bruceton, PA)

If constructed, the new rail line will connect with BPRR and link the Facility to the interstate rail system and numerous available routing options via the above listed interchange points. BPRR supports the project and will work with Lampwrights, LLC to establish a reliable freight rail service to and from the Facility.

Respectfully submitted,

Daniel Pavick
President
Buffalo & Pittsburgh Railroad, Inc.
200 Meridian Centre, Suite 300
Rochester, NY 14618

ATTACHMENT

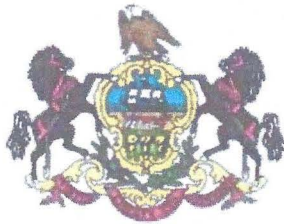
#15

BRIAN SMITH, MEMBER
66th Legislative District

Capitol Office
P.O. Box 202066
Harrisburg, PA 17120-2066
Phone: 717-787-3845
Fax: 717-782-2946

Committees:
Game & Fisheries
Liquor Control
Tourism, Recreation & Economic Development
Transportation

June 2, 2025



House of Representatives

Commonwealth of Pennsylvania
Harrisburg

310244

District Offices
109 Indiana Street, Suite 3
Punxsutawney, PA 15767
Phone: 814-938-4225
Fax: 814-938-1950

82 Barnett Street
Brookville, PA 15825
Phone: 814-849-8008
Fax: 814-849-6710

Website: RepSmith.com
Email: bsmith@pahousegop.com
Facebook: facebook.com/RepBrianSmith

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

ENTERED
Office of Chief Counsel
September 30, 2025
Part of
Public Record

Re: STB Docket No. FD 36833 Lamp wrights LLC- Construction and Operation
Exemption-In Elk and Jefferson Counties, PA

Dear Ms. Brown:

This letter is being submitted in support of the Lampwrights LLC petition for exemption to construct approximately 20,427 feet of new common carrier railroad line in Horton Township, Elk County, PA to connect Noble Environmental's Greentree Landfill to the interstate rail system. I support Lampwrights's petition, and I encourage the Surface Transportation Board to approve this project because it will greatly benefit my community.

I represent the 66th Legislative District as a Pennsylvania State Representative. This project has the potential to improve my district because Greentree Landfill currently lacks a rail connection, so all the waste delivered to it must be delivered via truck. These trucks weigh 40 tons, and the potential damage to our local road infrastructure is a constant concern.

This project has the potential to enhance the local communities in Elk and Jefferson Counties and the state and federal government by removing trucks from the road that travel over federal, state, and locally funded road infrastructure. Further, the communities that host Greentree Landfill and the state of Pennsylvania could see increased; 1) Act 101 Recycling Fee Payments 2) Environmental Stewardship Fee Payments 3) Growing Greener Disposal Fee Payments and 4) Host Municipality Benefit Fee Payments, due to the innate ability of rail transportation to deliver greater volume to Greentree Landfill than motor carriage.

As a local State Representative, I look forward to the progress of this project.

Sincerely,

A handwritten signature in blue ink that reads "Brian Smith".

Brian Smith
Pennsylvania State Representative
66th Legislative District



ATTACHMENT

#16

MIKE ARMANINI, MEMBER
75th Legislative District

Capitol Office:
P.O. Box 202075
Harrisburg, PA 17120-2075
Phone: 717-260-6142
Fax: 717-782-2906

Committees:
Energy
Liquor Control
Professional Licensure
Tourism, Recreation & Economic Development

Website: RepMikeArmanini.com
Facebook: facebook.com/RepMikeArmanini

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024



House of Representatives
Commonwealth of Pennsylvania
Harrisburg

May 30, 2025
310242

ENTERED
Office of Chief Counsel
November 13, 2025
Part of
Public Record



District Offices:
DuBois Area Plaza, Suite 10
1221 East DuBois Avenue
DuBois, PA 15801
Phone: 814-375-4688
Fax: 814-375-5955

14 South Front Street
Clearfield, PA 16830
Phone: 814-765-0593
Fax: 814-765-0590

53 South Saint Marys Street, Suite 2
St. Marys, PA 15857
Phone: 814-781-6301
Fax: 814-781-7213

Re: STB Docket No. FD 36833 Lampwrights LLC - Construction and Operation Exemption-In Elk and Jefferson Counties, PA

Dear Ms. Brown,

This letter is being submitted in support of the Lampwrights LLC petition for exemption to construct approximately 20,427 feet of new common carrier railroad line in Horton and Fox Townships, Elk County, PA, to connect Noble Environmental's Greentree Landfill to the interstate rail system. I support Lampwrights' petition and I encourage the Surface Transportation Board to approve this project because it will greatly benefit my community.

I represent the 75th Legislative District as a Pennsylvania State Representative. This project has the potential to greatly benefit my district in two obvious ways. First, because Greentree Landfill currently lacks a rail connection, all the waste delivered to it must be delivered via truck. These trucks weigh 40 tons and create substantial wear and tear to our local road infrastructure.

The second benefit is that once the rail line is constructed, Greentree Landfill will be able to increase the amount of waste it receives and, therefore, the 75th District will realize even greater revenue from this waste. Our jurisdiction utilizes this revenue to fund local projects and, as such, we do not have to pass those costs on to our citizens in numerous townships and boroughs in Clearfield and Elk counties.

As a local State Representative, my community will benefit from the construction of a new rail line connecting directly to the Greentree Landfill by raising revenue for local government and potentially reducing the impact of trucks on our local roadways.

Regards,

A handwritten signature in dark ink, appearing to read "Mike Armanini".

Mike Armanini
Pennsylvania State Representative
75th Legislative District

ATTACHMENT

#17



Pennsylvania
**Department of
Environmental Protection**

December 5, 2025

VIA EMAIL AT: mzucatti@nobleenviro.com

Michael Zucatti
Director of Engineering
Greentree Rail, LLC
6000 Town Center Boulevard
Canonsburg, PA 15317

Re: Greentree Rail, LLC
Brockway Transload Facility
Notice of Deficiency Letter
APS ID No. 1137709, Auth: 1527839
Id. No. 101741
Snyder Township, Jefferson County

Dear Mr. Zucatti,

Upon initial review of your proposed transfer station application, the Department of Environmental Protection (Department) finds that the proposed operations will not meet the exclusionary criteria found in 25 Pa Code § 279.202 (a)(3) and 25 Pa Code § 279.202 (a)(2) related to occupied dwelling and wetlands.

The application proposes to operate a municipal waste transfer facility and store municipal waste within 300 feet of an occupied dwelling. A municipal waste transfer facility may not be operated within 300 feet of an occupied dwelling unless the owner has provided a written waiver consenting to the facility being closer than 300 feet. The staging/storage and the moving of loaded railcars with waste containers to facilitate the transfer of waste is considered operating a transfer station under the Department Rules and Regulations.

The application proposes to locate storage and processing areas within 100 feet of wetlands. 25 Pa Code 279.202(a)(2) prohibits the storage and processing of waste within 100 feet of a wetland unless the storage and processing takes place in an enclosed facility and 25 Pa. Code § 279.202(a)(2)(ii)(A or B) applies. Storage and processing are not proposed in an enclosed facility and mitigation of the wetlands under 25 Pa. Code Chapter 105 permit does not eliminate the permanent 100-foot setback.

The terms operate, transfer facility, municipal waste processing facility and processing are defined in 25 Pa. Code § 271.1 (Definitions).

Also, the Landowner Consent Form E (25 Pa. Code § 271.123) provided with the application indicates the Buffalo & Pittsburgh Railroad, Inc. as the owner of the property where the proposed transfer facility operation will take place. No specific deed information clearly showing property ownership was provided in the application. Please provide ownership

documentation for the property. Access to the facility appears to be a private driveway. Please provide documentation showing the legal right to use this location to access the facility.

As these regulatory requirements impact the above referenced permit application, you have three options:

1. Withdraw your application and consider other options related to receiving municipal waste via rail.
2. Revise your application to be consistent with the exclusionary criteria found at 25 Pa. Code § 279.202. The revision would need to be provided within sixty (60) days; otherwise, the Department will act on your application as currently submitted.
3. Request that the Department make a decision on your pending application.

This is not a final action of the Department. Please advise the Department of your choice of the above options within thirty (30) days of receipt of this notice.

Sincerely,



Shawn Peters, P.E.
Environmental Engineer Manager
Waste Management Program

cc: NWRO – OnBase
Jefferson County Commissioners (snorth@jeffersoncountypa.us)
Snyder Twp Supervisor (snydertwp@windstream.net)
Pat Wozinski (pwozinski@baigroupllc.com)
Ron Lybrook (rlybrook@pa.gov)

ATTACHMENT

#18

SERVICE DATE – DECEMBER 22, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36833

LAMPWRIGHTS LLC—CONSTRUCTION AND OPERATION OF A LINE OF
RAILROAD—IN ELK AND JEFFERSON COUNTIES, PA.

Decided: December 22, 2025

On September 29, 2025, Lampwrights LLC (Lampwrights), a noncarrier, filed a petition under 49 U.S.C. § 10502 for exemption from the prior approval requirements of 49 U.S.C. § 10901 to construct and operate a new rail line in Elk and Jefferson Counties, Pa. (the Line). According to Lampwrights, the Line would extend approximately 20,427 feet from the terminus of an active Buffalo & Pittsburg Railroad, Inc. (BPRR), rail line located at the O-I Crenshaw Glass Plant to the Greentree Landfill.¹ (Pet. 1.) Lampwrights states that it intends to enter into an agreement with BPRR for BPRR to operate the Line. (*Id.*)

According to the petition, construction of the Line would facilitate the movement via rail of waste to the Greentree Landfill, which is not directly served by any rail carrier. (*Id.* at 2.) Lampwrights states that it anticipates that the Line will be used to ship one in-bound train and one empty out-bound train per week, each comprised of 75 cars. (*Id.* at 4.) According to Lampwrights, the Line would provide public benefits by shifting the transportation of waste from trucks on public roadways to more efficient transportation by rail. (*Id.* at 7.) In addition, Lampwrights claims that the Line would allow for increased use of the Greentree Landfill, which would generate additional revenue for the state and local governments. (*Id.*)

The petition for exemption raises issues that require consideration by the Board, and an environmental and historic review will also be required. By this decision, a proceeding will be instituted under 49 U.S.C. § 10502(b). Interested persons may reply to the petition by January 22, 2026. 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. Replies to Lampwrights' petition are due by January 22, 2026.

¹ Lampwrights states that it is a noncarrier subsidiary of Noble Environmental, Inc., which owns Greentree Landfill. (Pet. 1.) According to Lampwrights, the landfill will construct private track to receive waste in sealed intermodal containers. (*Id.* at 4.)

3. This decision is effective on its date of service.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

ATTACHMENT

#19



May 14, 2025

Mr. Shawn Peters, P.E.
Facilities Manager
Pennsylvania Department of Environmental Protection
Bureau of Land Recycling and Waste Management
230 Chestnut Street
Meadville, PA 16335

**RE: Greentree Rail, LLC
Brockway Transload Facility
Transfer Station Permit Application
Fox Township, Elk County, Pennsylvania**

Dear Mr. Peters:

Enclosed, please find one digital copy of the "Brockway Transload Facility – Transfer Station Permit Application". Greentree Rail, LLC (Greentree) is proposing to operate the Brockway Transload Facility, a solid waste transfer facility, in Snyder Township, Jefferson County, Pennsylvania. The site is an historic rail siding that has been used to transfer locomotive cargo for over one hundred years. The application proposes the updated and continued use of the siding to support Greentree Landfill. Train cars carrying sealed waste containers will enter the site via the rail spur. The waste containers will be unloaded and placed onto waste hauling vehicles and hauled to Greentree Landfill for disposal.

The application fee of \$4,400 is included in the electronic filing of this application. Please note that certified letters have been sent to the local municipalities and contiguous landowners and a public newspaper notice is in circulation at the time of this submittal. Proof of publication and proof of receipts for the letters which are not yet included in the application will be forwarded to your attention when received.

We trust that the enclosed application is sufficient; however, should you have any questions or require additional information, please do not hesitate to call me.

Sincerely,

BAI Group

A handwritten signature in dark ink, appearing to read 'Patrick Wozinski'.

Patrick Wozinski, P.E.
Project Manager

Enclosure

cc: Greentree Rail, LLC
Donna Copper (dcopper@Jeffersoncountypa.gov)

APPLICATION FOR NEW TRANSFER STATION PERMIT

GREENTREE RAIL, LLC
PERMIT ID PENDING

MAY 2025

Prepared For:



Noble Environmental Greentree Landfill, LLC
635 Toby Road
Kersey, Pennsylvania 15846

Snyder Township
Jefferson County, Pennsylvania

Prepared By:



MAIN OFFICE:
366 Walker Drive, Suite 300
State College, PA 16801
PH: 814-238-2060 FX: 814-238-7123

DELAWARE VALLEY OFFICE:
101 Lindenwood Dr, Suite 225
Malvern, PA 19335
PH: 610-495-5585 FX: 610-495-7652

**GREENTREE RAIL, LLC
BROCKWAY TRANSLOAD FACILITY
TRANSFER STATION PERMIT APPLICATION**

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Project Narrative

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Attachment A-2	Municipality Proof of Notifications
Attachment A-3	Contiguous Landowner Proof of Notification

Form B – Professional Certification

Form B1 – Application Form Certification

Form HW-C – Compliance History

Permit Forms

Form D Environmental Assessment for Municipal and Residual Waste Management Facilities

Attachment D-1	Narrative Responses to Environmental Assessment Criteria
Attachment D-2	Benefits and Harms: Environmental, Social, and Economic
Attachment D-3	Wetlands Delineation Report
Attachment D-4	PNDI Receipt
Attachment D-5	PA SHPO Environmental Review Response Letter

Form E Contractual Consent of Landowner

Form I Soil Erosion and Sedimentation Control

Attachment I-1	Form I Narrative
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Form L Contingency Plan

Attachment L-1	PPC Plan
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Form O Transfer Facilities

Attachment O-1	Form O Narrative
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Form R Waste Analysis and Classification Plan

Attachment R-1	Greentree Landfill's Waste Analysis and Classification Plan
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Form 5 Map Requirements

**GREENTREE RAIL, LLC
BROCKWAY TRANSLOAD FACILITY
TRANSFER STATION PERMIT APPLICATION**

Project Narrative

Greentree Rail, LLC (Greentree) proposes to operate the Brockway Transload Facility, a solid waste transfer facility, in Snyder Township, Jefferson County, Pennsylvania. The site is an historic rail siding that has been used to transfer locomotive cargo for over one hundred years. The application proposes the updated and continued use of the siding to support Greentree Landfill. Train cars carrying sealed waste containers will enter the site via the rail spur. The waste containers will be unloaded and placed onto waste hauling vehicles and hauled to Greentree Landfill for disposal. Typically, waste containers removed from train cars will be hauled to Greentree Landfill the same day. However, in unique situations, waste containers may be staged for a period of 48 hours after being offloaded. If loaded containers are staged onsite, staging will not occur within 50' of a property boundary. Sealed empty trailers can also be staged onsite, although empty containers are not required to maintain a 50' setback from property boundaries.

The proposed facility maximum daily tonnage is 3,000 tons per day hauled to Greentree Landfill. There will be no scales located at the site. All waste passing through the facility will be weighed at Greentree Landfill and Greentree Landfill will maintain separate records for the quantity and type of waste brought in from the transload facility during each business day.



GENERAL INFORMATION FORM – AUTHORIZATION APPLICATION

Before completing this General Information Form (GIF), read the step-by-step instructions provided in this application package. This form is used by the Department of Environmental Protection (DEP) to inform our programs regarding what other DEP permits or authorizations may be needed for the proposed project or activity. This version of the General Information Form (GIF) must be completed and returned with any program-specific application being submitted to the DEP.

Related ID#s (If Known) Client ID# _____ APS ID# _____ Site ID# _____ Auth ID# _____ Facility ID# _____		DEP USE ONLY Date Received & General Notes
--	--	--

CLIENT INFORMATION

DEP Client ID#	Client Type/Code	Dun & Bradstreet ID#	
Legal Organization Name or Registered Fictitious Name Greentree Rail, LLC		Employer ID# (EIN) 99-1690246	Is the EIN a SSN? ☐ Yes ☒ No
State of Incorporation or Registration of Fictitious Name Pennsylvania		☐ Corporation ☒ LLC ☐ Partnership ☐ LLP ☐ LP ☐ Sole Proprietorship ☐ Association/Organization ☐ Estate/Trust ☐ Other	
Individual Last Name	First Name	MI	Suffix
N/A			
Additional Individual Last Name	First Name	MI	Suffix
N/A			
Mailing Address Line 1		Mailing Address Line 2	
6000 Town Center Blvd			
Address Last Line – City	State	ZIP+4	Country
Canonsburg	PA	15317	USA
Client Contact Last Name	First Name	MI	Suffix
Zucatti	Michael	E	P.E.
Client Contact Title	Phone	Ext	Cell Phone
Director of Engineering	(814) 265-1744		717-448-5613
Email Address		FAX	
mzucatti@Nobleenviro.com			

SITE INFORMATION

DEP Site ID#	Site Name				
	Brockway Transload Facility				
EPA ID#	Estimated Number of Employees to be Present at Site ~5-10				
Description of Site					
Transfer Station					
Tax Parcel ID(s):					
County Name(s)	Municipality(ies)	City	Boro	Twp	State
Jefferson County	Snyder Township	☐	☐	☒	PA
		☐	☐	☐	
		☐	☐	☐	

				☐	☐	☐	
Site Location Line 1				Site Location Line 2			
Route 219							
Site Location Last Line – City				State	ZIP+4		
Brockway				PA	15824		
Detailed Written Directions to Site							
Take Exit 97 of I-80 and head north on Route 219 for 6.5 miles. Turn right to stay on Route 219/Main Street. Travel east approximately 2 miles. Entrance is on right.							
Site Contact Last Name		First Name		MI	Suffix		
Henrichs		Donald		J			
Site Contact Title				Site Contact Firm			
Landfill Manager				Noble Environmental Greentree Landfill, LLC			
Mailing Address Line 1				Mailing Address Line 2			
635 Toby Road							
Mailing Address Last Line – City				State	ZIP+4		
Kersey				PA	15848		
Phone	Ext	FAX	Email Address				
(814) 265-1744		(814) 265-8745	dhenrichs@nobleenviro.com				
NAICS Codes (Two- & Three-Digit Codes – List All That Apply)				6-Digit Code (Optional)			
562							
Client to Site Relationship							
OWNOP							

FACILITY INFORMATION

Modification of Existing Facility		Yes	No
1.	Will this project modify an existing facility, system, or activity?	☐	☒
2.	Will this project involve an addition to an existing facility, system, or activity?	☐	☒
<i>If "Yes", check all relevant facility types and provide DEP facility identification numbers below.</i>			
Facility Type	DEP Fac ID#	Facility Type	DEP Fac ID#
☐ Air Emission Plant		☐ Industrial Minerals Mining Operation	
☐ Beneficial Use (water)		☐ Laboratory Location	
☐ Blasting Operation		☐ Land Recycling Cleanup Location	
☐ Captive Hazardous Waste Operation		☐ Mine Drainage Treatment / Land Recycling Project Location	
☐ Coal Ash Beneficial Use Operation		☐ Municipal Waste Operation	
☐ Coal Mining Operation		☐ Oil & Gas Encroachment Location	
☐ Coal Pillar Location		☐ Oil & Gas Location	
☐ Commercial Hazardous Waste Operation		☐ Oil & Gas Water Poll Control Facility	
☐ Dam Location		☐ Public Water Supply System	
☐ Deep Mine Safety Operation -Anthracite		☐ Radiation Facility	
☐ Deep Mine Safety Operation -Bituminous		☐ Residual Waste Operation	
☐ Deep Mine Safety Operation -Ind Minerals		☐ Storage Tank Location	
☐ Encroachment Location (water, wetland)		☐ Water Pollution Control Facility	
☐ Erosion & Sediment Control Facility		☐ Water Resource	
☐ Explosive Storage Location		☐ Other:	

Latitude/Longitude Point of Origin	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
	41	14	41.11	78	46	11.67
Horizontal Accuracy Measure	Feet	--or--		Meters		
Horizontal Reference Datum Code	☐	North American Datum of 1927				
	☐	North American Datum of 1983				
	☐	World Geodetic System of 1984				
Horizontal Collection Method Code						
Reference Point Code						
Altitude	Feet	--or--		Meters		
Altitude Datum Name	☐	The National Geodetic Vertical Datum of 1929				
	☐	The North American Vertical Datum of 1988 (NAVD88)				
Altitude (Vertical) Location Datum Collection Method Code						
Geometric Type Code						
Data Collection Date						
Source Map Scale Number	Inch(es)	=			Feet	
--or--	Centimeter(s)	=			Meters	

PROJECT INFORMATION

Project Name

Brockway Transload Facility Permit Application

Project Description

Proposed transfer station to accept containerized solid waste via rail for offloading and transport to the Greentree Landfill

Project Consultant Last Name	First Name	MI	Suffix
Wozinski	Patrick		P.E
Project Consultant Title	Consulting Firm		
Project Manager	BAI Group		
Mailing Address Line 1	Mailing Address Line 2		
366 Walker Drive	Suite 300		
Address Last Line - City	State	ZIP+4	
State College	PA	16801	
Phone	Ext	FAX	Email Address
814-238-2060		814-238-7123	pwozinski@baigroupllc.com

Time Schedules	Project Milestone (Optional)
None proposed	

1. Is the project located in or within a 0.5-mile radius of an Environmental Justice community as defined by DEP? ☐ Yes ☒ No

To determine if the project is located in or within a 0.5-mile radius of an environmental justice community, please use the [online PennEnviroScreen tool](#). To see specific EJ areas, select the appropriate year of your submittal from the themes box on the right.

2. Have you informed the surrounding community prior to submitting the application to the Department? ☒ Yes ☐ No

Method of notification: Public Notice Letters/Newspaper Notification

3. Have you addressed community concerns that were identified? ☐ Yes ☐ No ☒ N/A

If no, please briefly describe the community concerns that have been expressed and not addressed.

4. Is your project funded by state or federal grants? ☐ Yes ☒ No

Note: If "Yes", specify what aspect of the project is related to the grant and provide the grant source, contact person and grant expiration date.

Aspect of Project Related to Grant

Grant Source: _____

Grant Contact Person: _____

Grant Expiration Date: _____

5. Is this application for an authorization on Appendix A of the Land Use Policy? (For referenced list, see Appendix A of the Land Use Policy attached to GIF instructions) ☒ Yes ☐ No

Note: If "No" to Question 5, the application is not subject to the Land Use Policy.

If "Yes" to Question 5, the application is subject to this policy and the Applicant should answer the additional questions in the Land Use Information section.

LAND USE INFORMATION

Note: Applicants should submit copies of local land use approvals or other evidence of compliance with local comprehensive plans and zoning ordinances.

- | | | |
|--|---|--|
| 1. Is there an adopted county or multi-county comprehensive plan? | ☒ Yes | ☐ No |
| 2. Is there a county stormwater management plan? | ☒ Yes | ☐ No |
| 3. Is there an adopted municipal or multi-municipal comprehensive plan? | ☒ Yes | ☐ No |
| 4. Is there an adopted county-wide zoning ordinance, municipal zoning ordinance or joint municipal zoning ordinance? | ☐ Yes | ☒ No |

Note: If the Applicant answers "No" to either Questions 1, 3 or 4, the provisions of the PA MPC are not applicable and the Applicant does not need to respond to questions 5 and 6 below.

If the Applicant answers "Yes" to questions 1, 3 and 4, the Applicant should respond to questions 5 and 6 below.

5. Does the proposed project meet the provisions of the zoning ordinance or does the proposed project have zoning approval? If zoning approval has been received, attach documentation. ☐ Yes ☐ No
6. Have you attached Municipal and County Land Use Letters for the project? ☐ Yes ☐ No



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

Coordination #

FORM A
APPLICATION FOR MUNICIPAL OR RESIDUAL WASTE PERMIT

This form must be fully and accurately completed. All required information must be typed or legibly printed in the spaces provided herein. Replacement/substitution of or attachment to this form is prohibited. Improperly completed forms may be rejected by the Department, may be considered to be violations of the Department's Rules and Regulations, and may result in assessment of fines and penalties.

SECTION A. APPLICANT IDENTIFIER (Check one of the boxes and identify both)

☐ Owner	Name: Greentree Rail, LLC.	Phone #:
	Address: 6000 Town Center Blvd, Canonsburg, PA 15317	Email:
☒ Operator	Name: Greentree Rail, LLC.	Phone #:
	Address: 6000 Town Center Blvd, Canonsburg, PA 15317	Email:

SECTION B. TYPE OF FACILITY

Municipal Waste Landfill.....	☐	Residual Waste Landfill	☐
Construction/Demolition Waste Landfill	☐	Class I	☐
Municipal Waste Composting Facility	☐	Class II	☐
Municipal Waste Incinerator or Resource Recovery Facility...	☐	Class III	☐
Municipal Waste Demonstration Facility.....	☐	Residual Waste Disposal Impoundment	
Municipal Waste Transfer Facility.....	☒	Class I	☐
Municipal Waste Processing Facility	☐	Class II	☐
Other, Specify.....	☐	Residual Waste Composting Facility	☐
		Residual Waste Demonstration Facility.....	☐
		Residual Waste Transfer Facility.....	☐
		Residual Waste Incinerator or Other Processing Facility	☐
		Residual Waste Agricultural Utilization.....	☐
		Residual Waste Land Reclamation	☐
		Oil and Gas Wastewater Storage Impoundment.....	☐
		Other, Specify	☐

SECTION C. MAP LOCATION

U.S.G.S. Map Location of Facility (attach the map and identify location on the USGS map)

7.5" Map Name Falls Creek, PA

Center of Facility:

Latitude 41 ° 14 ' 41.11 " Longitude 78 ° 46 ' 11.67 "

SECTION D. GENERAL INFORMATION

Number of New Acres Proposed for Permit (Issued)	Number of Acres Proposed for Permit (New)
<u>1 • 82</u>	<u>1 • 82</u>
Total Acres of the Property	
<u>11 • 93</u>	
Number of Previously Permitted Acres	Current Permit ID Number(s) <u>pending</u>
<u>0 • 0</u>	

SECTION E. AFFIDAVIT

COMMONWEALTH/STATE OF Pennsylvania
 COUNTY OF Elk ss: County of Elk

Sworn and subscribed to before me this 1st day
 of May 2025

Cathy A. Meyer
 NOTARY PUBLIC

My Commission Expires
12/18/2027

Commonwealth of Pennsylvania - Notary Seal
 Cathy A. Meyer, Notary Public
 Elk County
 My commission expires December 18, 2027
 Commission number 1203594
 Member, Pennsylvania Association of Notaries

Print or type name to be Signed: Donald J. Henrichs

Date 5-1-2025

Date: 5-1-2025

Donald J. Henrichs
 (Signature of Applicant)

do hereby certify pursuant to the penalties of 18 Pa. C.S.A.

Section 4904 to the best of my knowledge, information, and belief that the information contained in this application is true and correct and is in conformance with 25 PA. Code Chapters 271 or 287, whichever is applicable, of the rules and regulations of the Department of Environmental Protection.

SECTION F. APPLICATION FEE

A. Municipal Facilities

i. Application for new permit, or repermitting. (ref. 271.128)

- | | | | |
|-------------------------------------|----------|---|--|
| ☐ | \$18,500 | - | Municipal Waste Landfill |
| ☐ | \$19,250 | - | Construction/Demolition Waste Landfill |
| ☒ | \$4,400 | - | Transfer Facility |
| ☐ | \$1,900 | - | Incinerator or Resource Recovery Facility |
| ☐ | \$4,000 | - | Other Municipal Waste Processing Facility, including Composting Facility |
| ☐ | \$17,300 | - | Demonstration Facility |

ii. Application for a major permit modification.

- | | | | |
|--------------------------|---------|---|--|
| ☐ | \$300 | - | Addition of types of waste not approved in the permit |
| ☐ | \$7,800 | - | Municipal Waste Landfill and Construction/Demolition Waste Landfill |
| ☐ | \$700 | - | Transfer Facility |
| ☐ | \$1,500 | - | Incinerator or Resource Recovery Facility |
| ☐ | \$700 | - | Other Municipal Waste Processing Facility, including Composting Facility |
| ☐ | \$6,700 | - | Demonstration Facility |

- | | | | | |
|------|--------------------------|-------|---|---------------------------|
| iii. | ☐ | \$300 | - | Permit Reissuance |
| iv. | ☐ | \$300 | - | Permit Renewal |
| v. | ☐ | \$300 | - | Minor Permit Modification |

ATTACHMENT

#20

Snyder Township
Jefferson County
15706 Route 28, Brockway, PA 15824

August 8, 2025

Department of Environmental Protection

Mr. Shawn Peters

Waste Management Program Manager

230 Chestnut St.

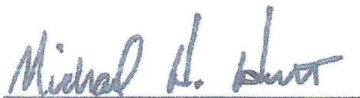
Meadville PA 16335

Dear Mr. Peters,

Snyder Township received correspondence from your office concerning the proposed Municipal Waste Transfer Station located in Brockway, Snyder Township. This letter is to notify you we are not in favor of this proposal. Snyder Township Board of Supervisors, feel that this could have a negative effect on Mead Run and Walburn Run, nearby tributaries of Toby Creek. It will cause an increase in truck traffic and there is a great concern about the station being in a residential area. While measuring roughly from the middle of the transfer station, extending 0.4 miles, there are 59 homes and 10 commercial facilities. One residence, in particular, is located across the tracks from the proposed facility and will need to have access to their driveway at all times.

On behalf of Snyder Township, I thank you for your attention to this matter. Should you have any questions concerning this letter, please contact me at 814-265-1819.

Sincerely,



Michael Holt – Supervisor



Ronald Freemer – Supervisor



Jeremy Bassetti - Supervisor

ATTACHMENT

#21

September 24th, 2025

Crystal Ernecoff
Keystone Acquisition Services Corporation
3200 McKnight East Drive, Suite 3210
Pittsburgh PA, 15237

Ms. Ernecoff,

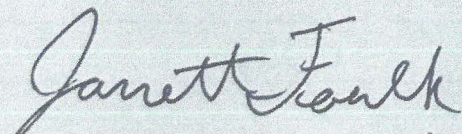
We have received your letter dated September 18th, 2025 concerning accessing our property located at 4395 Route 219 in Brockport Pennsylvania. We are aware of the project in question and will not be granting our written permission to access our property for any surveys. Access will not be granted to anyone at your organization, your client's organization or anyone at any of your client's subsidiaries, LLCs, other related organizations or other organizations working on behalf of your client.

To summarize this: Permission is not granted.

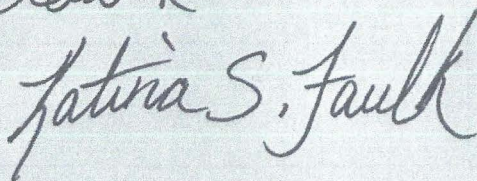
Please be advised that we have no intention to sell all or part of the property we own.

This is our decision and we may have further comments on this matter at a later time.

Thank you,



Jarrett Faulk
Katina Faulk



ATTACHMENT

#22

Horton Township Board of Supervisors

P.O. Box 216, Brockport, Pennsylvania 15823
Phone (814) 265-1622
Fax (814) 265-1622

310468

ENTERED
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.

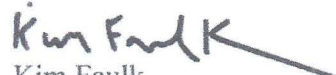
Sincerely,



PJ Piccirillo
Supervisors



Tim Hutchins

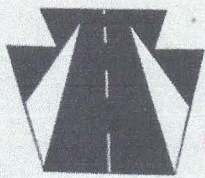


Kim Faulk

CC: Party of Record

ATTACHMENT

#23



Keystone Acquisition Services Corporation

3200 McKnight East Drive, Suite 3210
Pittsburgh, PA 15237
Phone: 412-364-8612 / 888-364-8612
Fax: 412-364-8613
www.keystoneacquisitions.com

November 26, 2024

Jarrett Faulk and Katina Faulk
4395 Route 219
Brockport, PA 15823-3825

Dear Mr. & Mrs. Faulk:

My name is Crystal Ernecoff and I represent Keystone Acquisition Services Corporation (Keystone). Keystone is working on behalf of the Greentree Landfill to explore potential acquisitions of land in your area.

As a property owner, we would like to speak with you to discuss the project. We are requesting an informal conversation, involving no commitment from you.

After our discussion and with your permission, our client would commission a certified independent appraiser and schedule a time to visit your property to complete an appraisal. Our goal is to provide you with enough information so you can make an informed decision regarding the potential benefits of this opportunity.

Please contact me at your earliest convenience. I will be available to assist you and answer any questions you may have and can be reached by telephone at (814) 810-3014 or by email at crystal@keystoneacquisitions.com.

We appreciate your consideration in this matter.

Kindly,

Crystal Ernecoff

Crystal Ernecoff
Real Estate Specialist
Keystone Acquisition Services Corporation

KEYSTONE ACQUISITION SERVICES CORPORATION

A PENNSYLVANIA CERTIFIED DBE / WBE



Crystal Ernecoff

Real Estate Specialist / Relocation Advisor

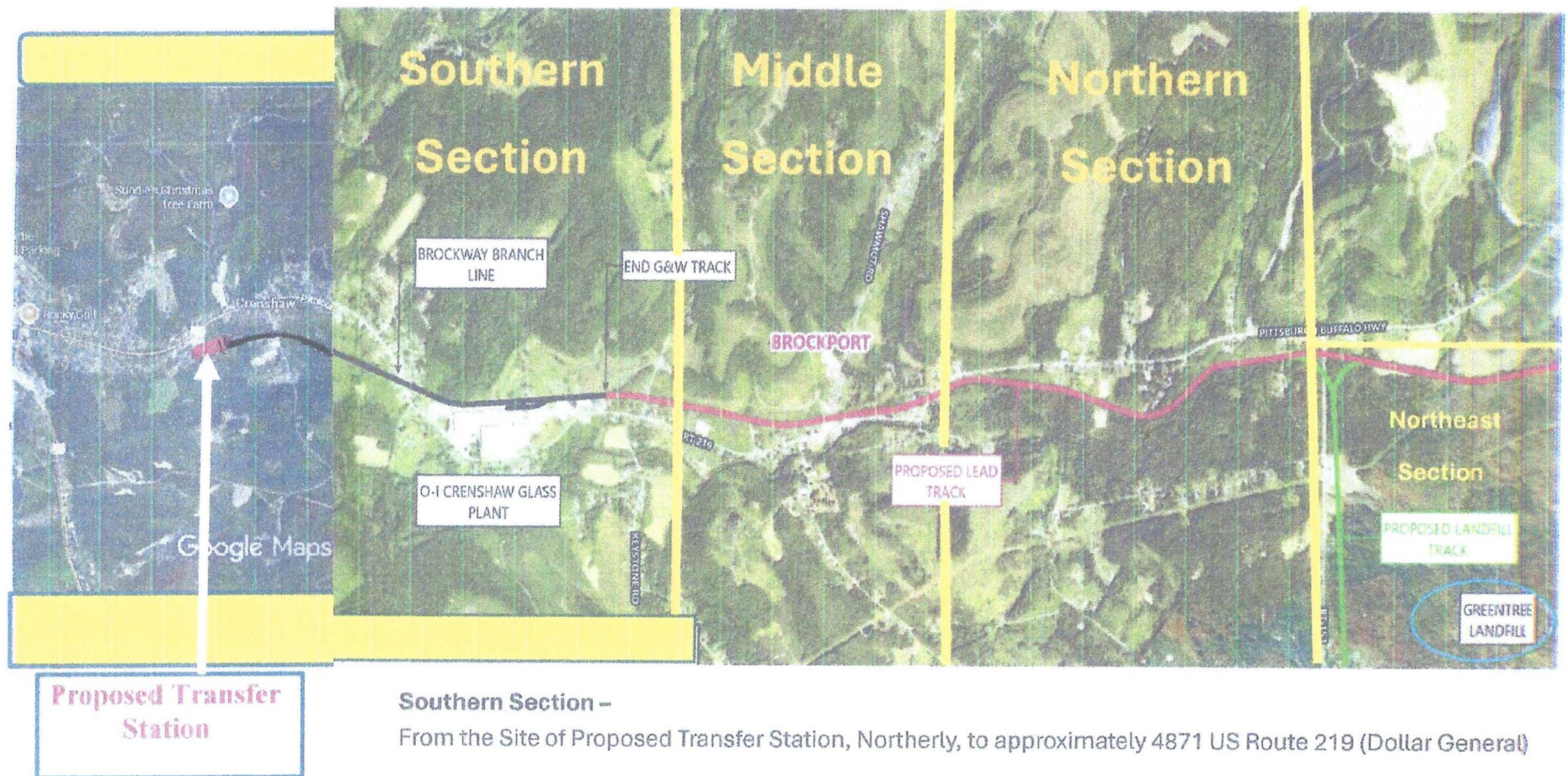
Email: crystal@keystoneacquisitions.com

Mobile: 814-810-3014

www.keystoneacquisitions.com

ATTACHMENT

#24



Southern Section –

From the Site of Proposed Transfer Station, Northerly, to approximately 4871 US Route 219 (Dollar General)

Middle Section –

From approximately 4871 US Route 219 (Dollar General), Northerly, to US Route 219 “S Curve” in Brockport. This is the land privately owned by the citizens

Northern Section

From US Route 219 “S Curve” in Brockport to the area of the intersection of US 219 and PA 153 and beyond to Coal Hollow Road

Northeast Section

Lands north and northeast of PA Route 153 and north of US Route 219, then Northerly along Route 153, branching off to the left and then to the Greentree Landfill

ATTACHMENT

#25

January 5, 2026

Mr. Shawn Peters, P.E.
Environmental Engineering Manager
Pennsylvania Department of Environmental Protection
230 Chestnut Street
Meadville, PA 16335

Subject: Greentree Rail, LLC
Brockway Transload Facility
Deficiency Letter - Response to Comments
Snyder Township, Jefferson County, Pennsylvania.

Greentree Rail, LLC is pleased to submit this Response to Comments to the December 5, 2025 Deficiency Letter received from the Pennsylvania Department of Environmental Protection (PADEP). Based upon the content of the Application, the PADEP Deficiency letter provided three response options as follows.

As these regulatory requirements impact the above referenced permit application, you have three options:

- 1. Withdraw your application and consider other options related to receiving municipal waste via rail.**
- 2. Revise your application to be consistent with the exclusionary criteria found at 25 Pa. Code § 279.202. The revision would need to be provided within sixty (60) days; otherwise, the Department will act on your application as currently submitted.**
- 3. Request that the Department make a decision on your pending application.**

Response: Greentree Rail has selected Option 2, to revise the application. A revised Application will be submitted to the PADEP within sixty (60) days of the PADEP receipt of this letter.

Should you have any questions or need any additional information for this Project, please do not hesitate to contact me at (717) 448-5613.

Sincerely,



Michael E. Zucatti, P.E.
Vice President of Engineering

cc: Mr. Nikolas Mermigas – Noble Environmental, Inc.
Mr. Donald Henrichs – Noble Environmental, Inc.