

BEFORE THE SURFACE TRANSPORTATION BOARD
Finance Docket No. FD 36911

ENTERED
Office of Chief Counsel
March 11, 2026
Part of
Public Record

PETITION TO DENY (OR, IN THE ALTERNATIVE, TO REVOKE) EXEMPTION

Submitted by:

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I. INTRODUCTION

Pursuant to 49 U.S.C. §10502(d) and applicable Surface Transportation Board regulations, I respectfully submit this Petition to Deny, or alternatively to Revoke, the requested exemption in Finance Docket No. FD 36911 concerning the proposed rail-served transload facility associated with Noble Environmental Specialty Recycling, LLC.

I am an immediate family member of the owners of a residence located within a few hundred feet of the proposed facility site. The home was left to my family by my grandfather, and I hope to one day reside in and continue caring for this property as part of our family's long-standing connection to the community.

The proposed waste transfer operation threatens the future residential use, safety, and livability of a home that represents both family heritage and my intended permanent residence.

II. NATURE OF THE PROPOSED OPERATION

The proposed project functions as a solid waste transfer or transload facility involving the receipt, staging, and shipment of waste materials by truck and rail.

Although characterized as rail transportation, the most significant impacts arise from non-rail activities, including heavy truck traffic, waste handling operations, storage, and industrial activity occurring immediately adjacent to residential homes.

These impacts extend beyond traditional rail operations and should not qualify for exemption from regulatory oversight.

III. PRIOR STATE PERMIT DENIAL

The Pennsylvania Department of Environmental Protection (DEP) previously denied permitting for substantially similar operations at this same location because of its proximity to residences and incompatibility with surrounding land uses.

Granting a federal exemption following a state denial would allow an industrial waste operation to proceed in a location already determined to be unsuitable for the protection of nearby residents and communities.

IV. IMPACT ON FUTURE RESIDENTIAL USE

My family home represents a multi-generational residence intended to remain part of our family's future. I hope to eventually live in this home and continue its residential use.

The introduction of a nearby waste transfer facility would negatively affect:

- Residential quality of life;
- Safety and environmental conditions;
- Property enjoyment and long-term habitability; and
- The ability of future generations to safely occupy and maintain the property.

Federal decisions regarding this exemption will therefore have lasting consequences not only for current residents but also for future occupants.

V. COMMUNITY SAFETY AND TRAFFIC CONCERNS

The proposed operation is expected to significantly increase heavy truck traffic along residential roads used daily by families and schoolchildren.

At least thirty (30) school-age students board school buses along these routes. Increased industrial traffic raises concerns regarding pedestrian safety, roadway congestion, noise, and diesel emissions in an area designed for residential—not industrial—use.

These impacts arise primarily from trucking activity rather than rail transportation itself.

VI. HISTORIC AND COMMUNITY RESOURCES

The surrounding area includes a historic cemetery, historic homes, and children's recreational and sports fields. The introduction of an industrial waste operation in close proximity to these resources would alter the character of the community and potentially impact historic and cultural assets.

VII. PUBLIC INTEREST CONSIDERATIONS

Under 49 U.S.C. §10502, exemptions may only be granted when consistent with the public interest.

Here, granting the exemption would:

- Introduce industrial waste handling into a residential neighborhood;

- Create safety concerns affecting families and children;
- Undermine prior state environmental determinations; and
- Produce impacts largely unrelated to rail transportation.

Accordingly, continued regulatory oversight is necessary, and exemption is not warranted.

VIII. REQUEST FOR RELIEF

For the foregoing reasons, I respectfully request that the Surface Transportation Board:

1. **Deny the requested exemption** in Finance Docket No. FD 36911; or
 2. In the alternative, **Revoke the exemption** pursuant to 49 U.S.C. §10502(d); and
 3. Require full environmental review and public participation prior to authorization of operations at this site.
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IX. CONCLUSION

The proposed facility would negatively affect both current residents and future generations intending to live within this community. For these reasons, the Board should deny or revoke the requested exemption in order to protect the public interest.

Respectfully submitted,

Grace J. Preston
Date: 3-11-2026

CC: A Noble Cause
Lampwrights, LLC
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