

**BEFORE THE SURFACE TRANSPORTATION BOARD  
Finance Docket No. FD 36911**

ENTERED  
Office of Chief Counsel  
March 12, 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 a nineteen-year-old member of a family residing within a few hundred feet of the proposed facility site. The nearby residence, left to my family by my grandfather, represents a home that I may one day occupy as I establish my future within this community.

Because of my close proximity to the proposed operation and my intention to remain connected to this property and neighborhood, I will be directly affected by the impacts of the proposed waste transfer facility.

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**II. NATURE OF THE PROPOSED OPERATION**

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

Although presented as rail transportation, the primary impacts arise from non-rail activities such as increased 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.

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**III. PRIOR STATE PERMIT DENIAL**

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

Allowing the project to proceed through federal exemption after state denial raises concerns that established protections for residents and communities would be bypassed.

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#### **IV. IMPACT ON FUTURE HOUSING AND COMMUNITY STABILITY**

As a young adult planning for my future, the ability to live safely and comfortably within my family's home is important to me. The proposed industrial waste operation would affect the long-term residential suitability of the property and surrounding neighborhood.

The presence of heavy industrial activity near homes may negatively affect:

- Residential quality of life;
- Environmental conditions;
- Safety and noise levels; and
- The attractiveness of the community for future residents.

Decisions made in this proceeding will therefore impact not only current residents but also younger generations who hope to remain part of this community.

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#### **V. PUBLIC SAFETY AND TRAFFIC CONCERNS**

The proposed operation is expected to significantly increase heavy truck traffic on residential roads.

These roads are used daily by families and schoolchildren, including locations where approximately thirty (30) students board school buses. Increased truck traffic creates safety concerns for pedestrians, young drivers, and residents traveling through the area.

Noise, diesel emissions, and traffic congestion are inconsistent with a residential neighborhood and may reduce safety and quality of life for nearby families.

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#### **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 transfer facility in close proximity to these community resources would alter the character of the neighborhood and impact spaces intended for families and youth activities.

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#### **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 area;
- Create safety concerns affecting families and young residents;
- Override prior state environmental determinations; and
- Produce impacts largely unrelated to rail transportation itself.

Therefore, continued regulatory oversight is necessary.

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## 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 have lasting effects on both current residents and younger individuals planning their futures within this community. For these reasons, the Board should deny or revoke the requested exemption to protect the public interest.

Respectfully submitted,

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Dessie F. Preston

Date: 3-11-2026

CC: All parties of record