

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 an eighteen-year-old graduating high school senior preparing to enter service in the United States Air Force. My family owns a residence located within a few hundred feet of the proposed facility site, a home left to us by my grandfather. I hope to return to this home following my military service and maintain it as a safe and stable place to live.

Because of my close connection to this property and my intention to return to the community after serving my country, I will be directly affected by the long-term impacts of the proposed waste transfer operation.

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 described as rail transportation, the primary impacts arise from non-rail activities, including increased 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 location due to its proximity to residences and incompatibility with surrounding land uses.

Granting a federal exemption after a state denial raises concerns that protections intended to safeguard residents and communities would be bypassed.

IV. IMPACT ON FUTURE RETURNING RESIDENTS

As I prepare to begin military service, the ability to return home to a safe and livable residential environment is important to me. The family home represents stability and continuity during and after my service.

The introduction of a nearby industrial waste transfer facility may negatively affect:

- Residential safety and quality of life;
- Environmental conditions near the home;
- Noise, traffic, and air quality; and
- The long-term suitability of the property as a residence for returning family members.

Federal decisions made in this proceeding will therefore affect not only current residents but also individuals who plan to return to the community after military service.

V. PUBLIC SAFETY AND TRAFFIC CONCERNS

The proposed operation is expected to substantially increase heavy truck traffic along residential roads.

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

Such impacts are inconsistent with the character of a residential community and arise primarily from trucking activity rather than rail transportation.

VI. HISTORIC AND COMMUNITY RESOURCES

The surrounding area includes a historic cemetery, historic homes, and children's recreational and sports fields. Industrial waste operations in close proximity to these resources would alter the character of the community and affect spaces intended for families and youth activities.

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 young residents;
- Undermine prior state environmental determinations; and
- Produce impacts largely unrelated to rail transportation itself.

Accordingly, continued regulatory oversight is necessary.

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 individuals who intend to return to this community in the future. For these reasons, the Board should deny or revoke the requested exemption in order to protect the public interest and preserve the residential character of the neighborhood.

Respectfully submitted,

Sarah Joy Preston
Date: 3-12-2026

CC: Parties of record