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**Before the
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36911

**LAMPWRIGHTS LLC
- OPERATION EXEMPTION –
LINE IN JEFFERSON COUNTY, PA**

ENTERED
Office of Chief Counsel
March 30, 2026
Part of
Public Record

**LAMPWRIGHTS SUPPLEMENT IN RESPONSE TO THE BOARD'S REQUEST FOR
ADDITIONAL INFORMATION**

(includes color images)

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Dated: March 30, 2026

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ADDITIONAL INFORMATION**

Lampwrights LLC (“Lampwrights”) respectfully submits the following information in response to the Board’s March 26, 2026, order. In its order, the Board stated that “[a]dditional information is needed to determine whether the relevant thresholds under 49 C.F.R. § 1105.7(e)(5)(i)(C) will be exceeded” as a result of the Lampwrights proposed operations and directed Lampwrights to file a supplement to its verified notice of exemption. To facilitate a complete record, Lampwrights submits this information as a supplement. The information being provided demonstrates that Lampwrights proposed operations of the Rail Line in this proceeding would not exceed the threshold that would trigger an Environmental Assessment.

However, as discussed in the Lampwrights Reply to Preston/Marchiori Petitions, Section 1105.7(e)(5)(i)(C) is inapplicable because the applicable threshold in this instance is the eight train a day provision in Section 1105.7(e)(5)(i)(A). As such, although Lampwrights appreciates the opportunity to supplement the record, Lampwrights continues to believe that the information provided in response to the Board’s request is unnecessary for the Board to allow Lampwrights’ exemption to proceed. This supplemental information further demonstrates that no environmental assessment is necessary.

I. Supplemental Information: Lampwrights Projected Transload Volume

Initial commercial interest appears to support that shippers would begin shipping to the

Lampwrights Rail Line one train per day, comprising approximately twenty-three sealed containers. As a result of the Rail Line, Lampwrights projects an annual average of 38 vehicles per day to be added to the roads.¹ This would result in an increase in average daily truck traffic of less than 1% on state route 219 and 1.26% on Toby Road.

As Lampwrights previously stated in its notice of exemption, the intent of the Rail Line subject to this proceeding is to operate the line as a common carrier for Lampwrights to develop commercial relationships with shippers as it pursues Board authority to construct a rail line directly to the Greentree Landfill in Finance Docket No. 36833. Once that rail line is operational, demand for the Rail Line in this proceeding will likely shift to the new line directly serving the landfill and therefore, any truck traffic that is generated by this Rail Line would likely cease. In other words, if the direct line to the Greentree Landfill is constructed, any additional truck traffic that is generated by this Rail Line is likely to be temporary.

II. Legal Standard

Under 49 C.F.R. § 1105.6(b)(4), an “Environmental Assessment will normally be prepared” for “an acquisition, lease or operation under 49 U.S.C. 10901, 10902, or 10907, or consolidation, merger or acquisition of control under 49 U.S.C. 11323 and 14303, if it will result in “(i) Operational changes that would exceed any of the thresholds established in § 1105.7(e) (4) or (5).” The threshold established in Section 1105.7(e)(5)(i)(C) is “[a]n average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10502) to construct a new line or reinstitute service over a previously abandoned line,

¹ Exhibit A. Lampwrights counts a single vehicle as traveling from the Rail Line to the Greentree Landfill. A return trip from the Greentree Landfill is counted as an additional vehicle. The regulation is ambiguous if the vehicle count is one vehicle per round trip or two vehicles per round trip. Lampwrights assumed a more stringent standard.

only the eight train a day provision in subsection (5)(i)(A) will apply.”

In analyzing a rail line that has not had rail operations, the Board has stated, “[w]here there have been no operations over a rail line, the applicable threshold is an increase of eight trains per day over any section of the line to be operated.”² As previously stated in the Notice of Exemption, Lampwrights acquired the Rail Line from Buffalo & Pittsburgh, Inc. (“BPRR”). BPRR previously used the Rail Line as ancillary track. Under 49 USC § 10906, the “Board does not have authority under this chapter over construction, acquisition, operation, abandonment, or discontinuance of spur, industrial, team, switching, or sidetracks.” However, the Board has stated, “[a]lthough such ancillary track (also known as excepted track) is not subject to the Board’s licensing authority, it nevertheless is within the Board’s exclusive jurisdiction.”³

III. Analysis

A. Section 1105.7(e)(5)(i)(C) is not applicable because the applicable threshold in this proceeding is the eight train a day provision in subsection Section 1105.7(e)(5)(i)(A).

BPRR utilized the Rail Line as ancillary track. As the Board has stated, “[a]ncillary track is within the Board’s exclusive jurisdiction, but Board authority is not required to abandon or discontinue service over them.”⁴ BPRR’s decision to discontinue the rail line did not require Board authority, but the track was nevertheless, discontinued when BPRR sold it.

As previously stated in the Notice of Exemption, Noble Environmental, Inc., parent company to Lampwrights and Greentree Rail, LLC initially intended to operate the track as a non-

² Citing 49 CFR 1105.7(e)(5)(i)(C); *NW. Pac. R.R. Co.--Change in Operators Exemption--N. Coast R.R. Auth., Sonoma-Marin Area Rail Transit Dist. & Nw. Pac. Ry. Co., LLC*, STB Finance Docket No. 35073, 2007 WL 2571417, at *2 (Sept. 7, 2007)(citing *Missouri Central Railroad Company-Acquisition and Operation Exemption-Lines of Union Pacific Railroad Company*, STB Finance Docket No. 33508, *et al.*, slip op. at 7 (STB served Apr. 30, 1998), *aff’d sub nom. Lee’s Summit, Mo. v. STB*, 231 F.3d 39 (D.C. Cir.2000).

³ *MMD Investment, LLC – Petition for Declaratory Order*, STB Finance Docket No. 36678, slip op. at 1. n. 3 (served Jan. 16, 2024).

⁴ *Id.* at 3.

common carrier transloading facility but after discussions with PADEP and in consideration of the Lampwrights proposal in Finance Docket No. 36833, it was determined to seek Board authority for Lampwrights to acquire as a common carrier.⁵

Under 49 C.F.R. § 1105.7(e)(5)(i)(C), the Board has established a threshold that triggers an Environmental Assessment in class exemption acquisitions. The regulatory threshold states, “for a proposal under 49 U.S.C. 10901 (or 10502) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.” Here BPRR discontinued the tracks and Lampwrights seeks to reinstitute service. Therefore, the proper threshold is whether the eight train a day provision would apply under Section 1105.7(e)(5)(i)(A). In this instance, it would not because Lampwrights is projecting fewer than eight trains per day.

The Board is seeking additional information to determine if operations of the Rail Line require an Environmental Assessment under the threshold established in Section 1105.7(e)(5)(i)(C). However, this section of the regulation is not relevant and therefore, the Board should determine that it does not require any additional information related to motor vehicles because the Lampwrights Notice of Exemption is correct in its statement that no environmental documentation should be required.

B. The Lampwrights traffic projections for the Rail Line do not meet the threshold established in Section 1105.7(e)(5)(i)(C) and therefore an Environmental Assessment is not required.

Even if the Board were to find that Section 1105.7(e)(5)(i)(C) is applicable, the Lampwrights Rail Line would not meet the threshold established in that section and therefore no Environmental Assessment is required. The regulation establishes the threshold as “[a]n average

⁵ Notice of Exemption at 4.

increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment.”⁶

In this instance, as demonstrated in Exhibit A, Lampwrights projects an annual average of 38 trucks per day to be added to the local roads as a result of the Lampwrights Rail Line, and that the resulting increase in the average daily truck traffic would be less than 1% on state route 219 and 1.26% on Toby Road.

This projected impact does not trigger Section 1105.7(e)(5)(i)(C) and therefore no environmental documentation is required.

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⁶ The regulation continues with a requirement to “quantify the anticipated effect on air emissions.” This requirement does not appear to relate to the threshold for an Environmental Assessment. Instead, it appears to be an element of what is required in an environmental report. See 49 C.F.R. § 1105.7(e).

IV. Conclusion

Lampwrights respectfully request that the Board allow its exemption to proceed because the proper threshold to trigger an Environmental Assessment in this proceeding is Section 1105.7(e)(5)(i)(A) and not Section 1105.7(e)(5)(i)(C). If the Board finds that Section 1105.7(e)(5)(i)(C) is the relevant threshold, the Board should nevertheless, allow the exemption to continue because the proposed Lampwrights operation would not trigger the requirement for an Environmental Assessment under that section.

Respectfully submitted,



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Counsel for Lampwrights LLC

Dated: March 30, 2026

EXHIBIT A

Lampwrights Rail Line

Trains Per Day	1
Containers Per Train*	23
Containers Per Truck	1
Trucks Per Operating Day (One-Way)	23
Trucks Per Operating Day (Round Trip)	46
Operating Days**	302
Average Annual Truck Traffic	13,892
Days in Year	365
Average Annual Daily Truck Traffic	38

*Assumes 23 containers per day

**Assumes Monday-Saturday operations
minus major federal holidays. Operating days
may vary slightly year to year due to the
calendar placement of federal holidays and
leap years.

RMSTRAFFIC_LRS_KEY	State Route Number	Current Annual Average Daily Traffic	Average Daily Truck Traffic Count	Current Daily Truck Percentage	Lampwrights Average Annual Daily Trucks Per Day	Lampwrights Average Annual Trucks Per Day plus Current Annual Average Daily Traffic	Average Daily Truck Traffic Count plus Lampwrights Average Daily Trucks	Daily Truck Percentage with Lampwrights Average Daily Trucks	Increase in Average Daily Truck Percentage
33021901600862018008711	219	6,396	1,479	23%	38	6,434	1,517	24%	0.45%
33021901800871021023041	219	5,635	1,002	18%	38	5,673	1,040	18%	0.55%
24021900100127002017671	219	5,713	1,065	19%	38	5,751	1,103	19%	0.54%
24021900201767007000001	219	4,776	1,023	21%	38	4,814	1,061	22%	0.62%
24021900700000009000001	219	6,358	1,137	18%	38	6,396	1,175	18%	0.49%
24200300100000003022641	2003 (Toby Rd)	2,353	494	21%	38	2,391	532	22%	1.26%

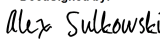
The PennDOT data divides Pennsylvania roadways into segments. The above segments include five sections from state route 219 and a single section of Toby Road.

Source: PennDOT Open Data, RMSTraffic (Traffic Volumes), available at <https://data-pennshare.opendata.arcgis.com/datasets/PennShare::rmstraffic-traffic-volumes/explore?location=41.247751%2C-78.752105%2C15> (last visited March 27, 2026).

VERIFICATION

I, Alex Sulkowski, President, of Lampwrights LLC verify under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on March 30, 2026.

DocuSigned by:

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Alex Sulkowski

CERTIFICATE OF SERVICE

I certify that on this 30th day of March, 2026, I caused a copy of the foregoing document to be served electronically on all parties of record in STB Docket No. FD 36911.



Justin J. Marks

Dated: March 30, 2026