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Public Record

RE: Lampwrights LLC Notice of Exemption
Operation Exemption
Line in Jefferson County, PA
Surface Transportation Board Finance Docket 36911
Lampwrights LLC Supplement in Response to the Board's Request for Additional Information

Docket No. FD 36911

To Whom it May Concern,

This comment is submitted in response to Lampwrights LLC's March 30, 2026 Supplement in Response to the Board's Request for Additional Information (hereinafter Supplement). Lampwrights has failed to provide the information necessary to determine whether the thresholds under 49 C.F.R. § 1105.7(e)(5)(i)(C) will be exceeded as a result of its proposed operations. Furthermore, Lampwrights takes the additional and unresponsive step of asserting that no environmental evaluation is necessary due to the purported abandonment of the Buffalo & Pittsburgh, Inc. ("BPRR") ancillary track and the lack of substantial change in truck traffic on State Route 219. For the reasons set forth below, Lampwrights LLC's assertions are not valid.

1. Road Traffic

The threshold under 49 C.F.R. § 1105.7(e)(5)(i)(C) looks to "an 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*." (emphasis added). Lampwrights provided information on State Route 219 and Toby Road, however most notably omitted any analysis of truck traffic and environmental impacts associated with the private access road connecting the proposed transload facility to State Route 219.

The proposed transloading station is not located on State Route 219 or Toby Road. It is located on a private road, not owned by Lampwrights, that runs from State Route 219, past the proposed transload station side, and on to private property. See Exhibit A and Exhibit B. Lampwrights LLC fails to mention this private road in the Supplement. This omission is critical and Lampwrights failed to comply with the Board's directive.

The private road leading to the proposed transload site is nothing more than a large driveway. There are no road lines or markers. There is no significant traffic along the road of any kind. The proposed usage of 46 trucks a day is far more than the 10% limit set forth in 49 C.F.R. § 1105.7(e)(5)(i)(C). Any truck accessing the transload facility must travel down the private road for approximately 400 feet. See Exhibit A. Traffic impacts on this segment will be concentrated rather than dispersed.

Lampwrights entirely failed to address the traffic impact on the private road as directed by the Board, and in doing so, materially omitted the most heavily impacted road segment.

2. Rail Track

Lampwrights LLC states that “BPRR’s decision to discontinue the rail line did not require Board authority, but the track was nevertheless, discontinued when BPRR sold it.” See Supplement at Page 3. The deed transferring ownership from BPRR to Lampwrights LLC was recorded on 01/13/2026. Therefore, according to Lampwrights LLC, the track in question was abandoned approximately 11 weeks ago. This theory of abandonment is not sufficient to justify ignoring the requirements of 49 C.F.R. §1105.7(e)(5). The time frame is far too short to consider the track abandoned.

Regardless of the status of the abandonment of the ancillary track, there remains the issue of a drastic increase in track usage for the rail spur leading up to the proposed transloading station. Subsection (5)(i)(A) of 49 C.F.R. §1105.7(e) addresses any segment of rail line affected by the proposal. Lampwrights LLC requests that the Board ignore this subsection as addressed above. Essentially, what Lampwrights LLC is requesting, is that the Board disregard all of 49 C.F.R. §1105.7(e)(5) because a very small portion of the various railroad spurs and tracks affected by this proposed transloading station has seen little use and was the subject of a quitclaim deed filed in January of this year.

Any reasonable person reading the requirements of 49 C.F.R. §1105.7(e)(5) can see that the law is attempting to provide for environmental review for changes in railroad track usage that have the potential to alter the surrounding community and environment, but not require such a review for routine changes that have little to no impact on the surroundings.

The transload station proposed by Lampwrights LLC will have significant and far-reaching impacts on the environment and surrounding community. The proposed daily train would drastically increase the train traffic on the rail spur leading to and from the proposed transload station. Currently, a train consisting of two locomotive engines and two to three train cars transverses the spur two or three times per week as it travels to the OI Glass Plant. This results in six to nine train cars per week. A daily train of 23 cars, six days a week, as indicated in Exhibit C of the Supplemental, results in 138 rail cars a week. Therefore, the track traffic will increase from the current level of 9 cars a week to 138 cars a week, not including locomotives. This is an increase of 1,533%. This increase in train traffic would affect the entire rail spur from the site of the proposed transload facility to the junction with the main rail line on the opposite side of State Route 219 and the old train trestle, a distance of approximately 1.28 miles. See Exhibit C.

The transloading station would also cause a significant increase in rail traffic for the main rail line as each daily train would need to stop and change directions on the main line in order to access the rail spur that carries train traffic to the proposed site. The trains would need to change direction and cross the old trestle, built in 1907, each time the train travels to or from the transloading location. Without any environmental review, the Surface Transportation Board would have no way of knowing how this significant change in daily train traffic will impact Snyder Township and Brockway Borough.

I would also like to note that the Supplement’s assertion that the train would consist of 23 cars per day is not located in the initial exemption application. There is nothing in the record that would limit the transloading facility to such a number, and there is nothing in prior filings indicating that any trash train would be limited to such a size.

I am asking the Board to not limit its scope of review to just the track of rail that has been transferred to Lampwrights, LLC, or to State Route 219 and Toby Road. Instead, the Board should consider the changes this transload facility would have on the railroad tracks leading to and from the transload facility, the traffic impacts on the private road, and the substantial change this activity would present to the surrounding community. To approve this kind of change without any environmental review would cause great harm to Snyder Township and Brockway Borough.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Dean", with a stylized, flowing script.

Joshua Dean, Esq.

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EXHIBIT A

Proposed Transload Site



EXHIBIT B

Private Property Accessible Only By Private Road

Private Road



EXHIBIT C

Train Trestle over State Route 219
and Rattlesnake Creek

Proposed Transfer Station Site Location

