

SERVICE DATE – JUNE 18, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36911

LAMPWRIGHTS LLC—OPERATION EXEMPTION—
LINE IN JEFFERSON COUNTY, PA.

Decided: June 18, 2026

On February 25, 2026, Lampwrights LLC (Lampwrights), a non-carrier, filed a verified notice of exemption under 49 C.F.R. § 1150.31 to operate approximately 2,269 feet of existing track (the Line) in Jefferson County, Pa., in conjunction with a transload facility.¹ Notice of the exemption was published in the Federal Register on March 13, 2026 (91 Fed. Reg. 12,480). The exemption was scheduled to take effect on March 27, 2026.

After publication of the notice in the Federal Register, the Board received several petitions asking the Board to reject, revoke, and/or stay the notice.² As a result of issues raised in those petitions, on March 26, 2026, the effective date of the exemption was postponed until further order of the Board, and Lampwrights was directed to supplement its verified notice with information necessary to determine if the thresholds under 49 C.F.R. § 1105.7(e)(5)(i)(C) related to truck traffic would be exceeded as a result of the proposed operations. On March 30, 2026, Lampwrights filed a supplement. On March 31, 2026, Joshua Dean filed a reply to the supplement, and on April 1, 2026, Lampwrights filed a motion to strike Mr. Dean's reply.³ Because there remain unresolved questions regarding Lampwrights' notice of exemption, Lampwrights will be directed to provide additional information, as explained further below.

¹ Lampwrights states that it will hold out to shippers seeking to transload containerized waste from rail cars to trucks and that the waste will remain containerized until it reaches its final destination at Greentree Landfill. (Lampwrights Notice 2.)

² Petitions were filed by Grace J. Preston, Stephen C. Preston, Sandra Preston, Sarah J. Preston, Dessie F. Preston, Charles Marchiori, Rebekka L. Dean, Joshua Dean, and Natalie Fortunato.

³ Lampwrights argues that the Board should strike Mr. Dean's reply because the Board's March 26, 2026 decision seeking supplemental information provided no right by any party except Lampwrights to submit additional comments. (Lampwrights Mot. to Strike 1.) In general, pursuant to 49 C.F.R. § 1104.13(a), a party may file a reply to any pleading within 20 days after the pleading is filed, unless otherwise provided. Accordingly, Lampwrights' motion to strike will be denied.

Status of the Line. Lampwrights has stated that satellite images show that the Line has been used “as recently as 2014,” (Lampwrights Reply (Filing ID 31130) 9, 11, Mar. 20, 2026), and that the Buffalo & Pittsburgh Railroad (BPRR) “then used it as sidetrack,” (Lampwrights Mot. to Strike 3). According to Lampwrights, service was “discontinued when BPRR sold it,” and Lampwrights now “seeks to reinstitute service” on the Line. (Lampwrights Suppl. 3-4, Mar. 30, 2026.) Mr. Dean, however, states that “[c]urrently, a train consisting of two locomotive engines and two to three train cars transverses the [Line] two or three times per week.” (Dean Reply 2, Mar. 31, 2026.)

The statements above raise questions as to whether, and if so, when, use of the Line ceased. The recency of the Line’ use is relevant to determining which environmental threshold under 49 C.F.R. § 1105.7(e)(5) is applicable in this case. If an applicant proposes to reinstitute service on lines over which there have been no recent operations or that have been abandoned , only the § 1105.7(e)(5)(i)(A) eight-train-per-day threshold applies; the truck traffic threshold under § 1105.7(e)(5)(i)(C) would not apply. See 49 C.F.R. § 1105.7(e)(5)(i)(C); Lee’s Summit, Mo. v. STB, 231 F.3d 39, 42 (D.C. Cir. 2000) (affirming the Board’s finding that, where there had been no traffic for nearly 20 years on a rail line that would be reactivated, the only relevant threshold for environmental review is eight trains per day). Accordingly, Lampwrights is directed to supplement its verified notice with more precise information as to whether, and if so, when, the Line ceased to be used for rail operations (regardless of whether the Line was being operated as common carrier, spur, or private track).

Truck Traffic. In its March 30, 2026 supplement, Lampwrights provided information regarding the estimated increase in truck traffic on State Route 219 and Toby Road that will result from its proposed operations. (Lampwrights Suppl., Ex. A.) Mr. Dean claims that the transload facility will not be located on either State Route 219 or Toby Road but rather on a private road. (Dean Reply 1.) Lampwrights states that it and two other property owners hold easement rights to the private road. (Lampwrights Mot. to Strike 2.) The increase in truck traffic on the private road that would result from Lampwrights’ proposed operations is relevant to the Board’s environmental analysis. See 49 C.F.R. § 1105.7(e)(5)(i)(C). Accordingly, Lampwrights is directed to supplement its verified notice with information regarding the current level of truck traffic on the private road and the estimated increase in truck traffic on the private road as a result of its proposed operations.

Relationship to the Construction Proceeding and Declaratory Order Proceeding. Prior to filing its verified notice of exemption in this docket, Lampwrights filed a petition for exemption to construct a new rail line (Construction Line) that would allow waste to be moved directly to the Greentree Landfill by rail. Lampwrights Pet., Sept. 29, 2025, Lampwrights LLC—Constr. & Operation of a Line of R.R.—in Elk & Jefferson Cntys., Pa., FD 36833. At the time it filed its construction petition, Lampwrights informed the Board’s Office of Environmental Analysis (OEA) that its affiliate, Greentree Rail, LLC (Greentree),⁴ intended to operate the proposed

⁴ Lampwrights and Greentree are both controlled by Noble Environmental, Inc. (Lampwrights Reply (Filing ID 31130) 2, Mar. 20, 2026.)

transload facility only until the Construction Line is complete.⁵ (Lampwrights Letter 3, Aug. 5, 2025 (Env’t Comment EI-34103).) Lampwrights indicated to OEA that the transload facility would be temporary and would not operate as part of common carrier rail operations subject to the Board’s jurisdiction. See id.; see also Lampwrights Pet. 3, Sept. 29, 2025, Lampwrights LLC—Constr. & Operation of a Line of R.R.—in Elk & Jefferson Cntys., Pa., FD 36833. According to Lampwrights, Greentree submitted an application for a permit to operate the transload facility to the Pennsylvania Department of Environmental Protection (PADEP) on May 14, 2025. (Lampwrights Reply (Filing ID 31130) 2-3, Mar. 20, 2026.) In December 2025, however, PADEP found Greentree’s application deficient, and Lampwrights now proposes to operate the Line and transload facility itself as part of common carrier rail operations offered to the public. (Id. at 8)

While Lampwrights’ application for a state permit to operate the transload facility was pending, OEA put its environmental review of the proposed rail construction in Docket No. FD 36833 on hold because the Brockway Area Sewage Authority (BASA) argued that Lampwrights’ proposed alignment would interfere with an existing sewer line, which, according to BASA, could not be relocated. Lampwrights Pet. 5, May 8, 2026, Lampwrights LLC—Pet. for Declaratory Ord., FD 36833 (Sub-No. 1). OEA explained that the environmental review will remain on hold until Lampwrights provides OEA with confirmation that a negotiated settlement has been reached with BASA to move the sewer line or with an alternative alignment (or alignments) for the Construction Line.⁶ Id.

On May 8, 2026, Lampwrights filed a supplement to its petition in the construction proceeding (Docket No. FD 36833). Among other things, the supplement states that Lampwrights intends to operate the transload facility until the Construction Line is completed. Lampwrights Suppl. 4, May 8, 2026, Lampwrights LLC—Constr. & Operation of a Line of R.R.—in Elk & Jefferson Cntys., Pa., May 8, 2026, FD 36833. According to Lampwrights, it anticipates that once that Construction Line is operating, all traffic using the transload facility would shift to the Construction Line “unless commercial interest in continuing the transload facility remains.” Id. In addition, on May 8, 2026, Lampwrights filed a petition for declaratory order asking the Board to find, among other things, that the right-of-way where it seeks to build the Construction Line was never abandoned and that construction authority is therefore unnecessary. Id. at 6-7. That petition also asks the Board to find that the easement that allowed BASA to place the sewer line under the right-of-way is preempted. Id. at 21-22.

⁵ As noted above, Lampwrights proposed transloading operations would transload waste from rail to trucks, and the trucks would move the waste to Greentree Landfill. (Lampwrights Notice 2.)

⁶ Although Lampwrights has since proposed, in the construction proceeding, an alternative alignment extending the Construction Line by 7,147 feet, that alternative alignment does not address or avoid the sewer line. Lampwrights Suppl. 1-2, Lampwrights LLC—Constr. & Operation of a Line of R.R.—in Elk & Jefferson Cntys., Pa., May 8, 2026, FD 36833; id., Ex. A. Lampwrights also has not yet provided OEA with any information on the record about a negotiated settlement with BASA to move the sewer line.

Given the changes to Lampwrights' plans regarding the transload facility and the uncertainty surrounding the construction proceeding, the Board will direct Lampwrights to provide additional information regarding those projects and their relationship to each other. Specifically, Lampwrights must address in its supplement (1) whether it would proceed with the transload operations regardless of whether the construction proceeding moves forward, (2) whether and how the outcome of the construction proceeding would affect operations at the transload facility, including truck and train traffic volumes at the facility and any information about potential commercial interest in using the transload facility if and when the Construction Line is completed, and (3) whether it would proceed with the transload operations regardless of the outcome of its petition for declaratory order. In addition, as noted above, Lampwrights' supplement must also include (4) more precise information as to whether, and if so, when, the Line ceased to be used for rail operations (regardless of whether the Line was being operated as common carrier, spur, or private track), and (5) information regarding the current level of truck traffic on the private road and the estimated increase in truck traffic on the private road as a result of its proposed operations.

It is ordered:

1. Lampwrights' motion to strike is denied.
2. Lampwrights is directed to supplement its verified notice, as described above.
- 3 This decision is effective on its date of service.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.