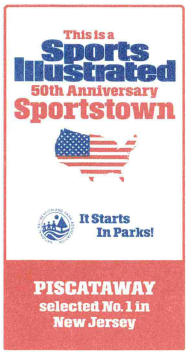
MUNICIPAL COMPLEX • PISCATAWAY, N.J. 08854
TOWNSHIP OF PISCATAWAY



November 15, 2026

The Honorable Patrick J. Fuchs, Chairman

The Honorable Karen J. Hedlund, Member

The Honorable Michelle A. Schultz, Member

The Honorable Richard Kloster, Member

Surface Transportation Board (Docket No. FD 36873)
395 E Street SW
Washington, DC 20423

312889

ENTERED
Office of Chief Counsel
November 16, 2026
Part of
Public Record

RE: Docket No. FD 36873

Dear Chairman Fuchs, Commissioner Hedlund, Commissioner Schultz, and Commissioner Kloster:

The Township of Piscataway appreciates the opportunity to submit comments on the proposed merger of Union Pacific (UP) and Norfolk Southern (NS).

Piscataway is a township of 62,000 residents located 40 miles southwest of New York City covering 18.96 square miles in Middlesex County, New Jersey.

The Township does not take a position on the merger. However, should the Commission approve the merger, the Township urges you to conduct a comprehensive review and analysis of the proposed merger and ensure that the combined railroad thoroughly address all potential impacts on the communities that host UP and NS infrastructure through concrete and enforceable mitigation measures.

More specifically, the Township urges the Board the to conduct a comprehensive review and analysis of the proposed merger that addresses all its potential impacts on the communities that host UP and NS infrastructure. Should the Board eventually approve this merger, the Township urges the Board to identify concrete and enforceable mitigation measures to address negative impacts identified by the Board's review and analysis.

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Impacts that the Township urges the Board to review and analyze include but are not limited to air quality, noise, mobility, safety, and emergency response operations and response times. The Township also requests that the Board evaluate the transportation of hazardous waste by the proposed merged railroad and its potential impact on communities, including strong community right to know provisions that allow local officials and first responders to prepare for potential incidents.

Two lines of Conrail's North Jersey Shared Assets Division, which are majority owned by NS, run through Piscataway:

- A single-track section of the Port Reading Secondary, which runs east-west across the breadth of Piscataway parallel to I-287, and serves several commercial, industrial, and warehouse properties, and
- A double-track section of the Lehigh Line, which runs east-west along Bound Brook through the densely populated New Market section of Piscataway.

The interactive map on STB's Environmental Impact Statement (EIS) website for the proposed merger identifies both lines as *"segments that exceed the Board's thresholds for air quality analysis."* The Township therefore anticipates that the EIS will evaluate the air quality impacts of the merger on Piscataway, particularly those of the Lehigh Line, which runs through a densely populated neighborhood and directly adjacent to Columbus Park, the primary municipal park serving residents of the New Market section of Piscataway. Columbus Park is a heavily used park that includes Columbus Park lake, walking trails, baseball fields, pickleball courts, and a handball court.

In addition, the Township would note that the two lines that run through Piscataway include 7 grade crossings.

The Port Reading Secondary has grade crossings at:

- New Brunswick Avenue,
- Stelton Road, and
- Baekeland Avenue.

The Lehigh Line has grade crossings at:

- New Brunswick Avenue,
- New Market Road,
- Prospect Avenue, and
- South Avenue.

The Township is particularly concerned about the impacts of the proposed merger on the grade crossings of the double-track Lehigh Line with New Market Road and Prospect Avenue. Both grade crossings are in densely populated, mixed-use neighborhoods with heavy vehicle and pedestrian traffic. Both grade crossings lack sidewalks, creating a gap in an otherwise comprehensive network and posing mobility and safety challenges for pedestrians, especially for those with limited mobility. The grade crossing on New Market Road is of particular concern, as it is located directly next to the main entrance of

Columbus Park and at the main access point to the popular gazebo on Columbus Park Lake.

Piscataway recognizes that federal law gives the Board full authority to regulate railroads under the Interstate Commerce Clause of the Constitution.

However, as the Board itself recognized in its recently issued Policy Statement on Jurisdiction and Preemption Under the ICC Termination Act[1], those laws are not intended to give the railroads carte blanche. As the Board outlines in its Policy Statement, they recognize that in a complex, modern society, there are multiple public interests that public policy must address:

> *"...railroads should not use ICCTA preemption as an excuse to be unresponsive to local public officials. Consistent with the rail transportation policy of the United States government (set forth at 49 U.S.C. 10101), railroads, as regulated entities, should seek to engage in good communication, information sharing and cooperation with the communities they serve and operate within. State and local governments may have legitimate interests in the development of, among other things, passenger rail and trails within rights of way where allowed, for the benefit of both rail carriers and local communities.[2]"*

Please contact Dana Korbman (dkorbman@piscatawaynj.org) if you have any questions or would like additional information about how this merger might impact the Township of Piscataway.

Sincerely,

Brian C. Wahler
Mayor

[1] https://www.stb.gov/resources/preemption-policy/
[2] https://www.stb.gov/resources/preemption-policy/