



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

December 31, 2007

Mr. John D. Heffner, PLLC
1750 K Street, N.W.
Suite 350
Washington, DC 20006

Re: Finance Docket No. 35107, JP Rail – Construction – Bensalem, PA, PA Rail Terminal; Bucks County, Bensalem Township, Pennsylvania; Waiver of Six-Month Prefiling Notice

Dear Mr. Heffner:

Pursuant to 49 CFR 1105.10(c), we are granting your request of November 30, 2007, for waiver of the six-month prefilng notice generally required for construction projects under 49 CFR 1105.10 (a)(1).

The Surface Transportation Board's Section of Environmental Analysis (SEA) has met and consulted with JP Rail representatives regarding the proposed environmental impacts associated with the construction and operation of a new rail line in Bucks County, Bensalem Township, Pennsylvania. At a meeting on August 14, 2007, JP Rail's representatives provided SEA with an overview of the project. If approved, the rail line would be used to support the following: 1) railroad car repair, 2) railroad track construction, 3) rail tank car cleaning, 4) building supply delivery, 5) boxcar service – inbound and outbound, and 6) shipment of construction/demolition debris.

JP Rail, an existing Class III short line rail carrier operating in New Jersey under the name of the Southern Railroad of New Jersey (SRNJ) proposes to construct a rail line of approximately 1,200 feet in length starting at a connection with the existing Amtrak owned and Conrail operated rail line and terminating at a stub end within the enclosed building of a proposed transloading facility to be operated by JP Rail. JP Rail states that the new rail line would handle about 3,600 carloads totaling 360,000 tons annually. JP Rail proposes to move this rail traffic utilizing one train per day at 15 carloads per trips, five days per week, 50 weeks per year.

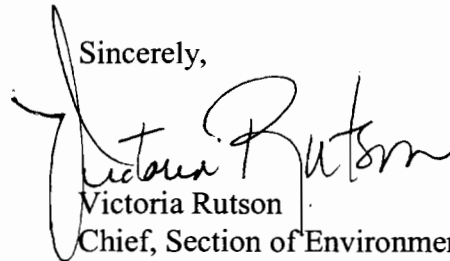
JP Rail states that if the construction is approved, that all incoming materials would be removed within 72 hours of receipt. JP Rail further states that all incoming materials would be

loaded and unloaded within the confines of an enclosed building. This building, as proposed, would include a high output air exchange system providing 6 exchanges per hour to address an air quality concerns. To address any soil and/or water contamination concerns, the building's construction would include floor drains to catch all waters/liquids. This water/liquid would flow into a sump which would then be pumped into an above ground tank for proper disposal.

The preceding information provided by JP Rail, along with the fact that SEA has explained in detail the Surface Transportation Board's environmental review process to JP Rail's representatives, lead SEA to believe that it has adequate information, and that JP Rail is sufficiently aware of the environmental review process, to grant this request.

If we can be of further assistance, please contact me or Troy Brady of my staff at (610) 793-4301.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and "R".

Victoria Rutson

Chief, Section of Environmental Analysis