



Surface Transportation Board
Washington, D.C. 20423-0001

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Office of the General Counsel

202-245-0260

FAX 202-245-0460

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April 13, 2021

Part of

Public Record

Meeting under Section 5, STB Reauthorization Act

January 27, 2021

Present: Members Begeman, Fuchs, Oberman, Primus, and Schultz
Staff Nathaniel Bawcombe, Stephanie Borges, Rachel Campbell, Ellen
Erichsen, Christopher Falcone, Amanda Gorski, Evelyn Kitay, Craig Keats,
Lisa Novins, Valerie Quinn, Janie Sheng, Michael Small, Scott Zimmerman

Topic: Docket No. FD 36432, Independence Rail Works Ltd.—Acquisition and
Operation Exemption—Byesville Scenic Trails LLC

Summary of the Matters Discussed, Prepared by General Counsel Craig Keats:

At this meeting, staff briefed Board Members on the status of an exemption proceeding brought by Independence Rail Works Ltd. (IRW) seeking to obtain after-the-fact authorization for the acquisition and operation of a 3.6-mile segment of track in Ohio. IRW states that it bought the track in 2013 on the understanding that it had already been abandoned and thus was not part of the national rail system, but that it has since learned that the abandonment was never consummated. Staff briefed the Board on the details of this case, including supplemental information filed in response to a previous agency decision in this proceeding, and on how the agency has handled similar cases in the past. Staff also provided its recommendations on how to resolve the matter.