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ENTERED  
Office of Chief Counsel  
December 23, 2025  
Part of  
Public Record

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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FD 36901

SMOKY RIDGE RAILROAD, L.L.C.  
— ACQUISITION AND OPERATION EXEMPTION —  
ENERGYSOLUTIONS, LLC

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VERIFIED NOTICE OF EXEMPTION OF  
SMOKY RIDGE RAILROAD, L.L.C.  
PURSUANT TO 49 C.F.R. PART 1150, SUBPART D

FEE RECEIVED  
December 23, 2025  
SURFACE  
TRANSPORTATION BOARD

Stephen J. Foland  
Fletcher & Sippel LLC  
29 North Wacker Drive, Suite 800  
Chicago, Illinois 60606-3208  
(312) 252-1500  
sfoland@fletcher-sippel.com

ATTORNEY FOR SMOKY RIDGE  
RAILROAD, L.L.C.

Dated: December 23, 2025

FILED  
December 23, 2025  
SURFACE  
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SMOKY RIDGE RAILROAD, L.L.C.  
— ACQUISITION AND OPERATION EXEMPTION —  
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**VERIFIED NOTICE OF EXEMPTION OF  
SMOKY RIDGE RAILROAD, L.L.C.  
PURSUANT TO 49 C.F.R. PART 1150, SUBPART D**

Pursuant to 49 C.F.R. part 1150, subpart D, Smoky Ridge Railroad, L.L.C. (“SMO”), a non-carrier, hereby files this verified notice of exemption (the “Notice”) to operate as a common carrier over approximately 7.07 miles of leased railroad track (“the Line”), together with approximately 6.63 miles of ancillary spur track, in Anderson and Roane Counties, Tennessee. The Line consists of a perpetual easement to operate on a railroad right-of-way owned by the United States Department of Energy (“USDOE”). Concurrently with this Notice, Watco Holdings, Inc. (“Watco”) is filing a notice of exemption under 49 C.F.R. § 1180.2(d), captioned as *Watco Holdings, Inc. — Continuance in Control — Smoky Ridge Railroad, L.L.C.*, FD 36902, to continue in control of SMO upon receipt of the easement which is the subject of this Notice.<sup>1</sup>

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<sup>1</sup> The Line which is the subject of this Notice has been the subject of previous proceedings before the Board. *See Heritage R.R. Corp.—Lease and Operation Exemption—Rail Line of U.S. Dep’t of Energy*, FD 34372 (STB served July 23, 2003); *EnergySolutions, LLC d/b/a/ Heritage R.R. Corp.—Acquisition and Operation Exemption—Heritage R.R. Corp.*, FD 35288 (STB served Sep. 3, 2009);

Pursuant to the requirements of 49 C.F.R. § 1150.33, SMO submits the following information:

**Name and Address of Applicant: 49 C.F.R. § 1150.33(a)**

The full name and address of the applicant is as follows:

Smoky Ridge Railroad, L.L.C.  
315 West Third Street  
Pittsburg, Kansas 66762

**Applicant's Representative: 49 C.F.R. § 1150.33(b)**

SMO's representative to whom correspondence regarding this transaction should be sent is as follows:

Stephen J. Foland  
Fletcher & Sippel LLC  
29 North Wacker Drive, Suite 800  
Chicago, Illinois 60606-3208  
sfoland@fletcher-sippel.com  
(312) 252-1500

**Statement Concerning Agreement: 49 C.F.R. § 1150.33(c)**

EnergySolutions, LLC ("EnergySolutions"), and SMO have reached an agreement, subject to the approval of USDOE, whereby EnergySolutions will convey its common carrier easement interest in the Line to SMO.

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and *EnergySolutions, LLC d/b/a Heritage R.R. Corp.—Abandonment Exemption—In Anderson and Roane Counties, Tenn.*, AB 1128X (STB served Oct. 13, 2015).

**Operator of the Property: 49 C.F.R. § 1150.33(d)**

Upon consummation of the subject transaction, SMO will operate and will provide all common carrier railroad freight service to shippers on the Line. EnergySolutions will have no further rights or authority on the Line.

**Background and Summary of the Transaction: 49 C.F.R. § 1150.33(e)**

The Line extends from mile post 0, located at a switch on a main line of the Norfolk Southern Railway, near Blair, Tennessee, to mile post 7.07. The United States Army Corps of Engineers first built the Line during World War II to provide railroad service to the Oak Ridge National Laboratory Complex, which was being developed at the time as part of the Manhattan Project. The United States Department of Defense later conveyed the Line to USDOE.

In 2003, USDOE granted an easement to Heritage Railroad Corporation (“HRRC”) to provide railroad freight service. In 2009, EnergySolutions acquired HRRC’s easement. In 2015, EnergySolutions sought, but did not obtain, the Board’s authority to abandon common carrier freight service and convert the Line into a private railroad. EnergySolutions desires to convey its easement and obligation to provide common carrier railroad freight service to SMO. Subject to the approval of USDOE, EnergySolutions will convey its easement to SMO by assignment, after which SMO will provide common carrier freight service on the Line.

SMO will commence common carrier operations on the Line upon conveyance of the easement, subject to the subject exemption notice. The Line

consists of an easement to operate on approximately 7.07 miles of USDOE-owned main line track, extending generally southeastward from a switch located on a Norfolk Southern Railway Company (“NSR”) main line in Blair, Tennessee, to the East Tennessee Technology Center, near Oak Ridge, in Anderson and Roane Counties, Tennessee. SMO will also operate on approximately 6.63 miles of spur tracks connecting to the Line.

The name and address of the transferor entity is:

EnergySolutions, LLC  
299 South Main Street, Suite 1700  
Salt Lake City, Utah 84111

**Map: 49 C.F.R. § 1150.33(f)**

A map illustrating the Line is attached hereto as Exhibit A.

**Certificate of Compliance: 49 C.F.R. § 1150.33(g)**

The proposed transaction will not cause SMO’s annual operating revenues to meet or exceed the Class I or II thresholds. *See* the attached Certification and Verification.

**Interchange Commitments: 49 C.F.R. § 1150.33(h)**

The agreement governing this transaction contains no provision that may limit future interchange with a third-party connecting carrier. *See* the attached Certification and Verification.

**Advance Notice: 49 C.F.R. § 1150.32(e)**

SMO's annual operating revenues are not expected to exceed \$5 million. Accordingly, the Board's advance labor notice requirements at Section 1150.32(e) are not applicable.

**Environmental and Historic Preservation Data: 49 C.F.R. § 1105**

Under 49 C.F.R. § 1105.6(c)(1)(i), this common carrier operation transaction is exempt from environmental reporting requirements. The transaction is not expected to result in significant changes in carrier operations, *i.e.*, changes that exceed the thresholds established in 49 C.F.R. §§ 1105.7(e)(4) or (5).

Under 49 C.F.R. § 1105.8(b)(1), the subject transaction is also exempt from historic preservation reporting requirements. Additionally, following consummation of the proposed transaction, SMO would need to obtain separate authority from the Board to discontinue service over the Line or any part of it. Furthermore, there are no plans to dispose of or alter properties subject to Board jurisdiction that are fifty years old or older.

**Caption Summary: 49 C.F.R. § 1150.32(a)**

A Caption Summary is attached hereto as Exhibit B.

Respectfully submitted,

By: /s/*Stephen J. Foland*

Stephen J. Foland

Fletcher & Sippel LLC

29 North Wacker Drive, Suite 800

Chicago, Illinois 60606-3208

(312) 252-1500

sfoland@fletcher-sippel.com

**ATTORNEY FOR SMOKY RIDGE  
RAILROAD, L.L.C.**

Dated: December 23, 2025.

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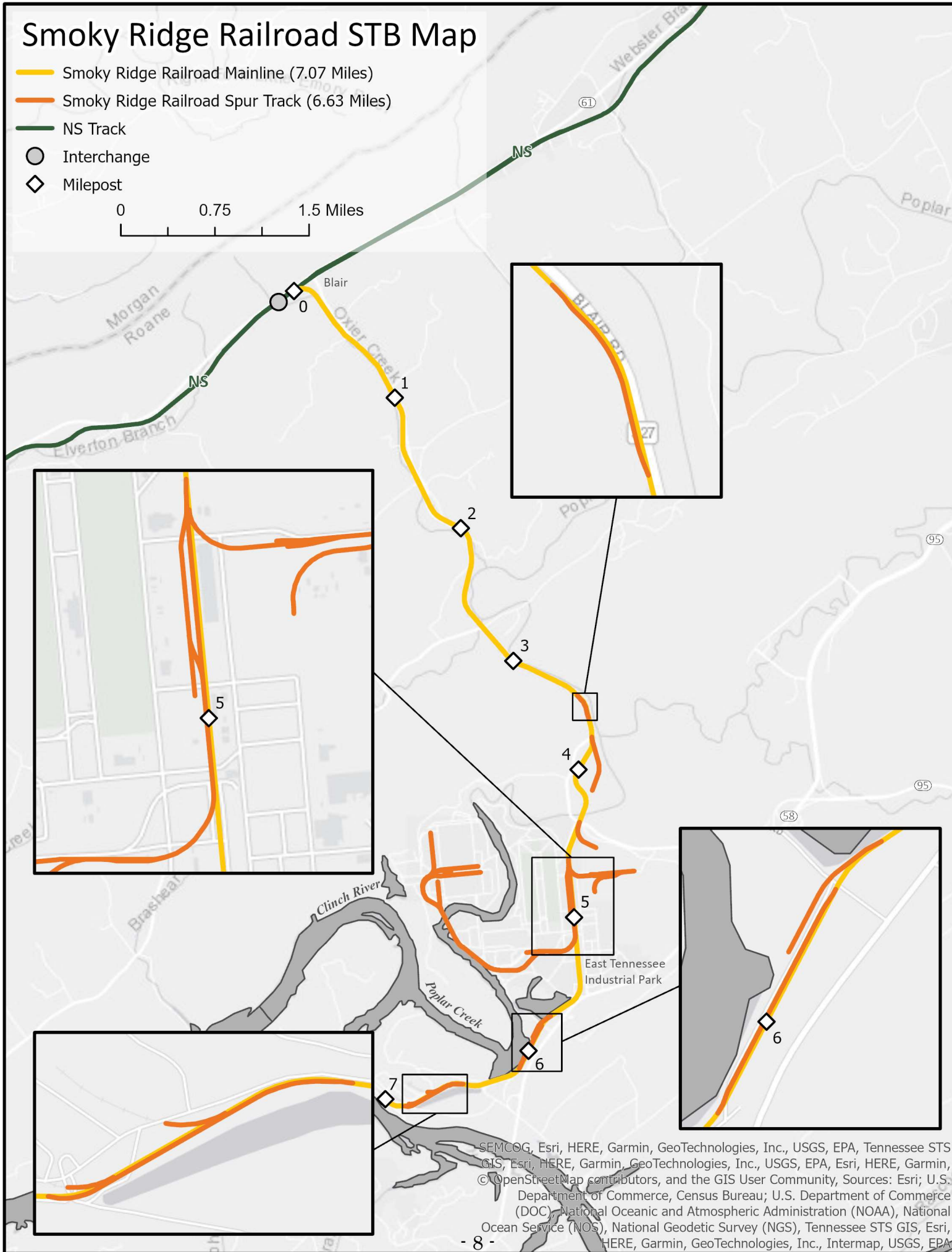
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**EXHIBIT A**  
**MAP**

# Smoky Ridge Railroad STB Map

- Smoky Ridge Railroad Mainline (7.07 Miles)
- Smoky Ridge Railroad Spur Track (6.63 Miles)
- NS Track
- Interchange
- Milepost

0 0.75 1.5 Miles



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**EXHIBIT B**  
**CAPTION SUMMARY**

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

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FD 36901

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— ACQUISITION AND OPERATION EXEMPTION —  
ENERGYSOLUTIONS, LLC

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Smoky Ridge Railroad, L.L.C. (“SMO”), a non-carrier, has filed a notice of exemption (the “Notice”) to operate as a common carrier on approximately 7.07 route miles of main line railroad trackage (the “Line”) and approximately 6.63 miles of ancillary spur trackage owned by the United States Department of Energy (“USDOE”) and currently operated by EnergySolutions, LLC. The Line consists of an easement to operate in common carriage USDOE-owned track as specified herein, extending generally southeastward from a switch located on a Norfolk Southern Railway Company main line in Blair, Tennessee, to the East Tennessee Technology Center, near Oak Ridge, in Anderson and Roane Counties, Tennessee.

Comments must be filed with the Board and served on:

Stephen J. Foland  
Fletcher & Sippel LLC  
29 North Wacker Drive, Suite 800  
Chicago, Illinois 60606-3208  
sfoland@fletcher-sippel.com  
(312) 252-1500

The notice is filed under 49 C.F.R. § 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke

the exemption under 49 U.S.C. § 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

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SMOKY RIDGE RAILROAD, L.L.C.  
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**CERTIFICATION AND VERIFICATION**

## CERTIFICATION AND VERIFICATION

Rick D. Baden, being duly sworn, states as follows:

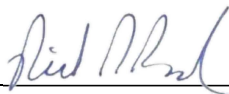
1. I am the Executive Vice President and Chief Financial officer of Smoky Ridge Railroad, L.L.C. ("SMO").

2. I certify that SMO is currently not a common carrier; that SMO's expected annual operating revenues are not expected to exceed \$5 million; and that SMO's anticipated post-transaction annual revenues will not result in SMO becoming a Class I or II rail carrier under the thresholds set forth at 49 C.F.R. § 1201 (1-1).

3. I certify that the proposed transaction does not involve an interchange commitment.

4. I am qualified and authorized to tender this Verification and Certification.

5. I have read the foregoing Notice of Exemption and know that the facts stated herein are true and correct to the best of my information and belief.

  
\_\_\_\_\_  
Rick D. Baden

Dated: December 22, 2025.