52886 SERVICE DATE – AUGUST 18, 2026
EB

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 789

CHANGES TO DELEGATIONS

Decided: August 13, 2026

AGENCY: Surface Transportation Board.

ACTION: Final rule.

SUMMARY: In this final rule, the Board is revising its regulations to clarify certain existing delegations of authority and create certain new delegations for the Board's Chief Counsel and Chief of Passenger Rail and Investigations (COPRI). The Board is also creating a new regulation that codifies and expands the Board's grant stamp procedures and is revising certain regulations to make nomenclature changes.

DATES: This final rule is effective on September 17, 2026.

FOR FURTHER INFORMATION CONTACT: Amy Ziehm at (202) 918-5462. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

SUPPLEMENTARY INFORMATION: As discussed in more detail below, the Board is revising its existing delegations at 49 CFR 1011.6 and 1011.7 to clarify that the Board's Chief Counsel has authority to (i) resolve discovery disputes in Board proceedings and (ii) with respect to routine procedural matters, determine whether to accept late-filed procedural motions, revise deadlines established by entire Board decision, and establish reply deadlines that differ from the default 20-day reply period in the Board's regulations. The Board also is newly delegating to the Chief Counsel the authority to determine (i) whether to approve, and if necessary, condition, certain transactions involving motor carriers of passengers subject to the Board's jurisdiction and (ii) whether to waive the advance notice requirements in certain exempt acquisition and operation proceedings. Additionally, the Board will newly delegate to the COPRI the authority to perform certain functions related to the submission of evidence and routine procedural matters in passenger rail proceedings under 49 U.S.C. 24308. The Board will also create a new section at 49 CFR 1011.8 to codify and expand its grant stamp procedures. Finally, the Board will make nomenclature corrections at 49 CFR 1152.20, 49 CFR 1152.50, and 49 CFR 1244.9 to reflect a name change for the U.S. Army Transportation Command and to clarify and standardize other agency references.

Delegations of Authority to the Chief Counsel

i. Discovery Disputes

It has been the Board's practice that discovery disputes may be resolved initially by the Director of the Office of Proceedings (the Director), now the Chief Counsel.[1] See, e.g., Evergy, Inc. v. BNSF Ry., NOR 42180 (STB served Sept. 24, 2024); Canadian Pac. Ry.—Control—Dakota, Minn. & E. R.R., FD 35081 (Sub-No. 2) (STB served Mar. 26, 2014); Ballard Terminal R.R.—Acquis. & Operation Exemption—Woodinville Subdiv., FD 35731 et al. (STB served Jan. 31, 2014). For clarity, the Board will revise its regulations at 49 CFR 1011.7(a) to codify that the Chief Counsel has the authority to resolve discovery disputes raised in Board proceedings.

ii. Routine Procedural Matters

Under 49 CFR 1011.6(c)(3), the Chief Counsel is delegated the "authority to dispose of routine procedural matters in proceedings assigned for handling under modified procedure, other than those assigned to an administrative law judge or a Board Member." In practice, this delegation has been applied to permit the Chief Counsel to accept and decide pleadings related to routine procedural matters even when those pleadings are untimely. See, e.g., Oakland Global Rail Enter.—Pet. for Declaratory Ord., FD 36168, slip op. at 2 n.2 (STB served Aug. 1, 2018); Atlanta Dev. Auth.—Verified Pet. for Declaratory Ord., FD 35991, slip op. at 3 n.5 (STB served June 8, 2016). It has also been applied to permit the Chief Counsel to revise filing deadlines, including those set by entire Board decision,[2] and establish deadlines for replies that differ from the default 20-day reply period in 49 CFR 1104.13.[3] See, e.g., Norfolk S. Corp.—Acquis. of Control—Norfolk & Portsmouth Belt Line R.R., FD 36836 (STB served Aug. 21, 2025) (granting motion to modify procedural schedule initially set by entire-Board decision); Norfolk S. Corp.—Acquis. of Control—Norfolk & Portsmouth Belt Line R.R., FD 36836 (STB served June 16, 2025) (setting four-day deadline for comments limited to the completeness of the application); Union Pac. R.R.—Operation Exemption—in Tooele Cnty., Utah, FD 36741 (STB served Dec. 22, 2023) (approving extension of default 20-day reply period set forth in

---

[1] In August 2025, the Board's two legal offices (the Office of Proceedings and the Office of the General Counsel) were combined to form the Office of Chief Counsel, and the Chief Counsel assumed the responsibilities and delegations previously held by the Director. Interim Delegations, EP 784 (STB served Aug. 4, 2025); see also Nomenclature Corrs. Due to Office Reorg., Removal of Obsolete References, & Payment Processing Changes, EP 786 (STB served Jan. 30, 2026). The Office of Chief Counsel also houses the COPRI.

[2] Under 49 CFR 1011.4(a)(2), "[e]xtensions of time for compliance with orders and procedural matters in any formal case or pending matter" are issues generally referred to the Chairman of the Board. Section 1011.6 delegates the authority to dispose of routine procedural matters (e.g., extension of time requests) from the Chairman to the Chief Counsel.

[3] Section 1104.13 provides that "[a] party may file a reply or motion addressed to any pleading within 20 days after the pleading is filed with the Board, *unless otherwise provided*," (emphasis added).

49 CFR 1104.13(a)). In this final rule, the Board will revise and clarify 49 CFR 1011.6(c)(3) to codify these existing practices. The Board will decide appeals from decisions of employees acting under authority delegated under 49 CFR 1011.6. See 49 CFR 1011.6(b).

The Board will also update its regulations to reflect that the Board assigns and authorizes administrative law judges in Board proceedings. See Lucia v. Sec. & Exch. Comm'n, 585 U.S. 237, 247-252 (2018). Specifically, in 49 CFR 1011.6(c)(1), the Board will remove "the assignment of proceedings to administrative law judges" from the definition of "procedural matter" and, in 49 CFR 1011.2(a), the Board will add a new paragraph clarifying that the Board reserves to itself the assignment of proceedings to administrative law judges.

iii. Motor Carrier Transactions

The Board will revise 49 CFR 1011.7(a) to newly delegate to the Chief Counsel the authority to determine whether to approve and, where appropriate, condition unopposed transactions involving motor carriers of passengers governed by 49 U.S.C. 14303 and 49 CFR part 1182. Part 1182 covers applications for authority under 49 U.S.C. 14303 to consolidate, merge, purchase, lease, or contract to operate the properties or franchises of motor carriers of passengers, or to acquire control of motor carriers of passengers. Board approval is only required for transactions where the aggregate gross operating revenues of the parties to the proposed transaction exceed $2 million during a period of 12 consecutive months, ending no more than six months prior to the date of the parties' agreement. 49 U.S.C. 14303(g). The Board is required to approve the proposed transaction when it finds it consistent with the public interest and may impose conditions governing the transaction. 49 U.S.C. 14303(b).

In considering an application, the Board must consider the effect of the proposed transaction on the adequacy of transportation to the public, the total fixed charges that result from the proposed transaction, and the interest of carrier employees affected by the proposed transaction. 49 U.S.C. 14303(b). Within 30 days after an application is filed, the Board must either publish notice of the application in the Federal Register or reject the application if it is incomplete. 49 U.S.C. 14303(c). Under 49 CFR 1182.4(a), applicants may be given an opportunity to correct minor errors or omissions. If the application is accepted, the Federal Register publication gives notice to the public, in the form of a tentative grant of authority, and sets a deadline for comments on the proposed transaction. 49 CFR 1182.4(b), 1182.5. If no opposing comments are timely filed, the notice takes effect automatically and is the final Board action in the proceeding. 49 CFR 1182.5(a). If timely comments are submitted in opposition to the application, the tentative grant of authority is void and the Board may issue a decision making a final determination[4] on whether to grant the application. 49 CFR 1182.6(a), (c).

Proceedings filed under 49 U.S.C. 14303 and 49 CFR part 1182 are rarely controversial. Most proposed transactions are found to be consistent with the public interest based on the information applicants provide to the Board and are unopposed. Delegating authority to the Chief Counsel to accept and approve unopposed applications will enhance administrative

[4] The Board may issue a procedural schedule seeking additional evidence prior to issuing its final decision. 49 CFR 1182.6(c)(2).

efficiency and save Board resources. This new delegation will permit the Chief Counsel to tentatively approve complete applications, impose conditions on such approvals when necessary, direct applicants to file additional information to correct minor errors or omissions, and reject incomplete applications. This delegation, however, would not extend to opposed applications under 49 CFR 1182.6 or grants of interim approval under 49 CFR 1182.7.[5] Rather, those issues will be addressed by a full Board decision. Additionally, pursuant to 49 CFR 1011.2(a)(6), the Board will continue to reserve to itself the consideration and disposition of all matters involving issues that it finds to be of general transportation importance.

iv. Waivers of Advance Notice Requirements

The Board will revise 49 CFR 1011.7(a) to newly delegate to the Chief Counsel the authority to determine whether to approve requests for waiver of the 60-day advance notice requirements of 49 CFR 1150.32(e) and 1150.42(e). Section 1150.32 governs noncarriers that seek acquisition or operation authority under the Board's notice of exemption procedures, and section 1150.42 governs established Class III carriers that seek acquisition or operation authority under the same procedures. Under 49 CFR 1150.32(e), if the projected annual revenue of the carrier to be created by the transaction exceeds $5 million, an applicant must, at least 60 days before the exemption becomes effective, post a notice of intent to undertake the proposed transaction at the workplace of employees on the affected lines, serve a copy of the notice on the national offices of the labor unions with employees on the affected lines, and certify to the Board that it has done so. Under 49 CFR 1150.42(e), an applicant must satisfy the same 60-day advance notice requirement if the projected annual revenue of the rail lines to be acquired or operated, together with the acquiring carrier's projected annual revenue, exceeds $5 million.

In some cases, parties seeking authority for transactions subject to 49 CFR 1150.32 or 1150.42 ask the Board to waive the 60-day advance notice requirement where the subject transaction would have no impact on any railroad employees. The Board has routinely granted such unopposed waivers where the purpose behind the notice requirement would not be thwarted or substantially diminished by the waiver. See, e.g., Ark. Midland R.R.—Lease & Operation Exemption Including Interchange Commitment—Union Pac. R.R., FD 36885 (STB served Dec. 9, 2025) (waiving notice requirement in 49 CFR 1150.42 to allow incumbent carrier to extend lease where no employees would be adversely affected by the waiver); Willamette & Pac. R.R.—Lease & Operation Exemption Including Interchange Commitment—Union Pac. R.R., FD 36827 (STB served May 9, 2025) (same); Tex. N.M. Ry., L.L.C.—Acquis. Exemption—Austin & N.W. R.R., FD 35930 (STB served June 26, 2015) (granting unopposed request for partial waiver of notice requirement in 49 CFR 1150.32 to facilitate expedited consummation); Keystone R.R. LLC–Acquis. & Operation Exemption—Keystone R.R., FD 34157 (Dec. 27,

[5] Under 49 CFR 1182.7(a), a party may request interim approval of the operation of the properties sought to be acquired through the proposed transaction, for a period of not more than 180 days pending determination of the application. Such a request must show that failure to grant interim approval of operation may result in destruction of or injury to those properties or substantially interfere with their future usefulness in providing adequate and continuous service to the public. 49 CFR 1182.7(b).

2001) (waiving notice requirement where transaction would not result in changes to operations, bargaining agreements, or personnel).

To enhance the administrative efficiency of the agency, the Board will delegate to the Chief Counsel the authority to determine whether to grant such requests for waiver. These waiver requests are rarely controversial. Additionally, as noted above, these requests are filed in cases proceeding under the Board's notice of exemption procedures, and the authority to decide whether to issue notices of exemption under 49 CFR part 1150 is already delegated to the Chief Counsel. See 49 CFR 1011.7(a)(3)(x)(A). When appropriate, the Chief Counsel may grant such waiver requests using the Board's grant stamp procedures, which are discussed in more detail below. As with other delegated authorities, the Board will decide appeals of decisions issued by the Chief Counsel.

Delegations to the COPRI

The Board will delegate to the COPRI the authority to perform certain functions in connection with passenger rail proceedings conducted pursuant to 49 U.S.C. 24308, which include proceedings in which a rail carrier or regional transportation authority and Amtrak cannot reach agreement on Amtrak's use of facilities, 49 U.S.C. 24308(a), and investigations regarding Amtrak's on-time performance, 49 U.S.C. 24308(f). Specifically, consistent with prior practice,[6] the Board will revise 49 CFR 1011.7 to delegate to the COPRI the authority, in section 24308 proceedings, to direct parties to clarify, modify, or reformat evidence that was previously submitted, or to produce evidence to supplement evidence that was previously submitted (including evidence that was provided pursuant to a decision of the entire Board). Additionally, the Board will revise 49 CFR 1011.6 to delegate to the COPRI the authority to dispose of routine procedural matters in section 24308 proceedings.[7] The COPRI will also be authorized to issue decisions by grant stamp, where appropriate, as discussed further below.

Proceedings under 49 U.S.C. 24308 often involve voluminous technical evidence. While the Board reserves for itself consideration and disposition of "[a]ll investigations and other proceedings instituted by the Board, except as may be ordered in individual situations," see 49 CFR 1011.2(a)(2), delegating authority for these limited functions to the COPRI will increase administrative efficiency and help ensure that proceedings under 49 U.S.C. 24308 proceed as expeditiously as possible. As with other delegated authorities, the Board will decide appeals of decisions issued by the COPRI.

---

[6] Compl. & Pet. of the Nat'l R.R. Passenger Corp. Under 49 U.S.C. § 24308(f)—for Substandard Performance of Amtrak's Sunset Ltd. Trains 1 & 2, NOR 42175, slip op. at 1-2, 2 n.2 (STB served Feb. 6, 2024).

[7] This delegation to the COPRI does not limit or change the existing delegation to the Chief Counsel to dispose of routine procedural matters in cases pending before the Board. See 49 CFR 1011.6.

Grant Stamps

In 2011, the Board began utilizing a grant stamp procedure for issuing decisions in uncontested, routine procedural matters delegated to the Director (now, Chief Counsel), where no further explanation or discussion was necessary. Pol'y Statement on Grant Stamp Proc. in Routine Dir. Ords. (Pol'y Statement), EP 709, slip op. at 1-2 (STB served Nov. 14, 2011). Under the Board's existing grant stamp procedures, the grant stamp is affixed to pleadings filed with the Board. The grant stamp contains information including the agency seal, the decided date, the service date, the decision identification number, the title and signature of the decision-maker, an indication that the request is "approved," and an area for any appropriate notation regarding the decision. Grant stamps are commonly used to grant, for example, motions for extensions of time and protective orders that are uncontested. The grant stamp process has increased the efficiency with which the Chief Counsel can issue decisions on uncontested procedural matters, though it has never been codified.

In this final rule, the Board will create a new section 49 CFR 1011.8 codifying the availability of a grant stamp to approve uncontested matters within a delegated authority. The Chief Counsel may utilize these grant stamp procedures when the pleading states that it is unopposed by all parties or remains unopposed when the reply period expires. See Pol'y Statement, EP 709, slip op. at 1-2 ("In many of these decisions, all parties to the proceeding concur in the relief sought and very little, if anything, in the way of further discussion is required by the Director."). The Chief Counsel need not wait 20 days for replies before grant stamping a pleading that appears to be uncontested.[8] See Riffin v. STB, No. 24-1385 & 25-1141 (consol.), 2026 WL 913273, at *3 (D.C. Cir. Apr. 3, 2026) (stating that the Board's regulations created no obligation that the Board wait 20 days for a reply brief before ruling on a motion that appeared to be uncontested). Additionally, as noted above, the Board will authorize the COPRI to use the grant stamp procedures when exercising their delegated authority to dispose of routine procedural matters in section 24308 proceedings.

Nomenclature Changes

Under 49 CFR 1152.20(a)(2)(vii), applicants are required to serve the "Department of Defense (Military Surface Deployment and Distribution Command, Transportation Engineering Agency, Railroads for the National Defense Program)" with their notice of intent to file an

[8] Pursuant to 49 CFR 1104.14, parties may file a motion for protective order to maintain the confidentiality of materials submitted to the Board. Although, in rare cases, another party might object to a specific term in such a proposed protective order, these motions are nearly always unopposed and require little or no discussion when issued. Moreover, such motions often are filed concurrently with related substantive filings that contain confidential information, making the default 20-day reply deadline the same for both. In that event, waiting 20 days to rule on the motion for protective order would, in effect, prevent other parties from accessing confidential information in the related substantive filing before their replies to that filing are due. Accordingly, this final rule expressly permits motions for protective order under 49 CFR 1104.14 to be decided by grant stamp before the default 20-day reply period expires. Parties wishing to reply to such motions are therefore encouraged to do so expeditiously.

abandonment or discontinuance application under 49 U.S.C. 10903. Section 1152.50(d)(1)(ii) contains a similar requirement with respect to notices of exemption and petitions for exemption. Additionally, 49 CFR 1244.9(h) requires the Board to forward certain waybill requests for munition data to the "Department of Defense's Military Surface Deployment and Distribution Command (SDDC)." The Board has been advised that the Military Surface Deployment and Distribution Command has been renamed the U.S. Army Transportation Command. See Christopher Parr, SDDC changes name to U.S. Army Transportation Command, U.S. Army (Sept. 29, 2025), https://www.army.mil/article/288798/sddc_changes_name_to_u_s_army_transportation_command. The Board will therefore update the above references in its regulations to reflect the name change.

Further, to eliminate confusion about which agencies and subagencies are required to be served under 49 CFR 1152.20(a)(2) and 49 CFR 1152.50(d)(1), and to standardize inconsistent references across regulations, the Board is updating other references to federal agencies.

Final Rule

The revisions to the regulations are set forth in the Appendix to this decision and are issued without prior public notice or opportunity for public comment. The Administrative Procedure Act (APA) does not require that process for "rules of agency organization, procedure, or practice," 5 U.S.C. 553(b)(A), or "when the agency for good cause finds . . . that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest," 49 U.S.C. 553(b)(B). This proceeding concerns matters of agency procedure and practice. In this proceeding, the Board is revising its regulations to reflect existing Board procedures and practices (e.g., clarifying and codifying existing Board practices and procedures), delegating existing Board and Chairman responsibilities to Board staff to increase administrative efficiency, and making nomenclature changes. Moreover, good cause exists to find that public notice and comment are unnecessary for this rule because the rule does not substantively change the rights of agency stakeholders. While the rule provides for certain new delegations and modestly expands the use of the Board's grant stamp procedures, those revisions only change who at the agency has the authority to issue a decision and the manner in which an approval may be issued.

The Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 601-612, generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Because the Board has determined that notice and comment are not required under the APA for this rulemaking, the requirements of the RFA do not apply.

Executive Order 12866, as modified by Executive Order 14215, provides that the Office of Information and Regulatory Affairs will review all significant rules. In section 3(d), Executive Order 12866 defines "regulation" or "rule" to exclude regulations or rules that are limited to agency organization, management, or personnel matters. This rule relates to internal agency organization and management; therefore, it is exempt from the provisions of Executive Order 12866. Because this rule relates to internal agency organization and management, it is also exempt from the provisions of Executive Order 14192 under section 5(b) of that Order.

The Board has determined that this action is not a rule as defined by the Congressional Review Act, 5 U.S.C. 804(3).

This rulemaking does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3521.

List of Subjects

49 CFR Part 1011

Administrative practice and procedure, Authority delegations (Government agencies), Organization and functions (Government agencies).

49 CFR Part 1152

Administrative practice and procedure, Railroads, Reporting and recordkeeping requirements, Uniform System of Accounts.

49 CFR Part 1244

Freight, Railroads, Reporting and recordkeeping requirements.

It is ordered:

1. Parts 1011, 1152, and 1244 are modified as set forth in the Appendix, and notice will be published in the Federal Register.

2. The modifications are effective September 17, 2026.

By the Board, Board Members Fuchs, Hedlund, Kloster, and Schultz.

Appendix

Code of Federal Regulations

For the reasons set forth in the preamble, and under the authority of 49 U.S.C. 1321(a), the Surface Transportation Board amends chapter X of title 49 of the Code of Federal Regulations as follows:

PART 1011—BOARD ORGANIZATION, DELEGATIONS OF AUTHORITY

1. The authority citation for part 1011 is amended to read as follows:

Authority: 5 U.S.C. 553; 31 U.S.C. 9701; 49 U.S.C. 1301, 1321, 11123, 11124, 11144, 14122, 15722, and 24308.

2. Amend § 1011.2 by:

a. Revising paragraph (a)(7); and

b. Adding paragraph (a)(8).

The revision reads as follows:

§ 1011.2 The Board.

(a) * * *

(7) All appeals of initial decisions issued by the Office of Chief Counsel under the authority delegated by § 1011.7(a), and all appeals of initial decisions issued by the Office of Public Assistance, Governmental Affairs, and Compliance under the authority delegated by § 1011.7(b). Appeals must be filed within 10 days after service of the initial decision or publication of the notice, and replies must be filed within 10 days after the due date for appeals or any extension thereof.

(8) The assignment of proceedings to administrative law judges.

* * * * *

3. Amend § 1011.6 by revising paragraph (c) to read as follows:

§ 1011.6 Delegations of authority by the Chairman.

* * * * *

(c)

(1) As used in this paragraph, *procedural matter* includes, but is not limited to, the assignment of the time and place for hearing; the issuance of decisions directing special hearing procedures; the establishment of dates for filing statements in cases assigned for hearing under modified (non-oral hearing) procedure; the consolidation of proceedings for hearing or disposition; the postponement of hearings and procedural dates; the waiver of formal specifications for pleadings; and extensions of time for filing pleadings. It does not include interlocutory appeals from the rulings of hearing officers; nor does it include postponement of the effective date of:

(i) Decisions pending judicial review,

(ii) Decisions of the entire Board,
(iii) Cease and desist orders, or
(iv) Final decisions where petitions for discretionary review have been filed under 49 CFR 1115.3.

(2) Unless otherwise ordered by the Board in individual proceedings, authority to dispose of procedural matters is delegated to administrative law judges or Board Members in proceedings assigned to them.

(3)

(i) Unless otherwise ordered by the Board in individual proceedings, authority to dispose of routine procedural matters in proceedings assigned for handling under modified procedure, other than those assigned to an administrative law judge or a Board Member, is assigned to the Chief Counsel. With respect to such routine procedural matters, the authority delegated to the Chief Counsel includes, but is not limited to, determining whether to accept late-filed procedural motions, determining whether to grant requests for extension of deadlines established by decision of the entire Board, and establishing reply deadlines that differ from the default 20-day reply period set forth in § 1104.13(a) of this chapter.

(ii) The Chief Counsel shall also have authority, unless otherwise ordered by the Chairman or by a majority of the Board in individual proceedings, to decide whether complaint proceedings shall be handled under the modified procedure or be assigned for oral hearings.

(iii) In proceedings under 49 U.S.C. § 24308, unless otherwise ordered by the Board in individual proceedings, the Chief of Passenger Rail and Investigations is assigned the authority to dispose of routine procedural matters in the manner described in paragraph (c)(3)(i) of this section. This delegation is in addition to, and does not limit, the authority delegated to the Chief Counsel in paragraph (c)(3)(i) of this section to dispose of routine procedural matters.

(iv) In carrying out these duties, the Chief Counsel, or Chief of Passenger Rail and Investigations, as the case may be, shall consult, as necessary, with the Director of any Board office to which an individual proceeding has been assigned.

* * * * *

4. Amend § 1011.7 by adding new paragraphs (a)(3)(xxi) through (a)(3)(xxiii) and new paragraph (a)(4) to read as follows:

§ 1011.7 Delegations of authority by the Board to specific offices of the Board.

(a) * * *

(3) * * *

(xxi) To resolve discovery disputes raised in cases pending before the Board.

(xxii) Whether to grant and, when appropriate, condition applications for authority under 49 U.S.C. 14303 and part 1182 of this chapter concerning the purchase, merger, and control of motor passenger carriers. The Chief Counsel may direct applicants to file additional information to correct minor errors or omissions in the application. This delegation does not permit the Chief Counsel to process an opposed application under § 1182.6 of this chapter or dispose of requests for interim approval under § 1182.7 of this chapter.

(xxiii) Whether to grant requests to waive the advance notice requirements of § 1150.32(e) and § 1150.42(e) of this chapter.

(4) In connection with proceedings conducted pursuant to 49 U.S.C. 24308, the Chief of Passenger Rail and Investigations is delegated the authority to direct parties to clarify, modify, or

reformat evidence that has previously been submitted or to produce evidence to supplement evidence that has previously been submitted (including evidence that was provided pursuant to a decision of the entire Board).
* * * * *

5. Amend part 1011 by adding § 1011.8 to read as follows:

§ 1011.8 Grant stamp procedures.

(a) The Chief Counsel and Chief of Passenger Rail and Investigations may use the grant stamp procedures of this section to approve uncontested requests for relief pursuant to the authorities delegated to them under § 1011.6 and § 1011.7. The grant stamp procedures may be used only when the request to be approved either states that it is unopposed by all parties or remains unopposed at the close of the reply period.

(b) Notwithstanding paragraph (a) of this section, a motion for protective order filed under § 1104.14 of this chapter may be approved using the grant stamp procedures before the relevant reply period expires.

(c) The grant stamp shall be affixed to the pleading filed with the Board and shall contain the Board's seal, the decided date and service date of the decision, the decision identification number, the title and signature of the issuer, indication that the request is "approved," and any necessary notation.

PART 1152—ABANDONMENT AND DISCONTINUANCE OF RAIL LINES AND RAIL TRANSPORTATION UNDER 49 U.S.C. 10903

6. The authority citation for part 1152 continues to read as follows:

Authority: 11 U.S.C. 1170; 16 U.S.C. 1247(d) and 1248; 45 U.S.C. 744; and 49 U.S.C. 1301, 1321(a), 10502, 10903-10905, and 11161.

7. Amend § 1152.20 by revising paragraphs (a)(2)(vi) through (a)(2)(xi) to read as follows:

§ 1152.20 Notice of intent to abandon or discontinue service.

(a) * * *

(2) * * *

(vi) The Federal Railroad Administration;

(vii) The U.S. Army Transportation Command, Transportation Engineering Agency, Railroads for National Defense Program;

(viii) The Director of the National Park Service;

(ix) The U.S. Railroad Retirement Board;

(x) The National Railroad Passenger Corporation ("Amtrak") (if Amtrak operates over the involved line);

(xi) The Chief of the U.S. Forest Service; and

* * * * *

8. Amend § 1152.50 by revising paragraphs (d)(1)(ii) through (d)(1)(iv) to read as follows:

§ 1152.50 Exempt abandonments and discontinuances of service and trackage rights.

* * * * *

(d) * * *

(1) * * *

(ii) The U.S. Army Transportation Command, Transportation Engineering Agency, Railroads for National Defense Program;

(iii) The Director of the National Park Service; and

(iv) The Chief of the U.S. Forest Service.

* * * * *

PART 1244—WAYBILL ANALYSIS OF TRANSPORTATION OF PROPERTY—RAILROADS

9. The authority citation for part 1244 continues to read as follows:

Authority: 49 U.S.C. 1321, 10707, 11144, 11145.

10. Amend § 1244.9 by revising paragraph (h) to read as follows:

§ 1244.9 Procedures for the release of waybill data.

* * * * *

(h) ***Munitions shipments.*** All waybill requests for munition data at the 3-digit Standard Transportation Commodity Code (STCC) level or greater will be forwarded by the STB to the U.S. Army Transportation Command (ARTRANS). The STB will not release this type of information without the consent of ARTRANS.