



**DIVISION OF
ENVIRONMENTAL QUALITY**

Sarah Huckabee Sanders
GOVERNOR

Shane E. Khoury
SECRE

September 10, 2026

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

RE: National Environmental Policy Act (NEPA) Comments Requested Regarding Docket No. FD 36873 – Union Pacific Corporation and Union Pacific Company – Control – Norfolk Southern Corporation and Norfolk Southern Railway Company – Acquisition of Control – Arkansas

Dear Ms. Webster,

The Arkansas Department of Energy and Environment, Division of Environmental Quality (DEQ), appreciates the opportunity to comment on the proposed acquisition of control. Union Pacific Corporation (UPC), Union Pacific Railroad Company (UP), Norfolk Southern Corporation (NSC), and Norfolk Southern Railway Company (NS) (collectively, Applicants) filed a revised application with the Surface Transportation Board (Board) in Docket No. FD 36873 seeking authority for (1) the acquisition of control by UPC of NSC, and through NSC of NS and NS's rail carrier subsidiaries, and (2) the resulting common control by UPC of UP and NS and the consolidation of the rail operations of UP and NS (the Transaction).

To thoroughly assess the potential environmental impacts that may result from the Transaction, the Board's Office of Environmental Analysis (OEA) will prepare an environmental impact statement (EIS) pursuant to the National Environmental Policy Act and related environmental laws.

At this time, DEQ has no comments regarding the Transaction, but requests the opportunity to review the EIS when available.

Please direct all future correspondence related to the National Environmental Policy Act to DEQ's Enterprise Services at ee.nepa@arkansas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shane E. Khoury'.

ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT

ee.arkansas.gov | 5301 Northshore Drive, North Little Rock, AR 72118 | 501.682.0744

Lucy Witherow
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LW: vdk