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October 15, 2026

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VIA E-FILING
Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

ENTERED
Office of Chief Counsel
October 15, 2026
Part of
Public Record

Re: Norfolk Southern Railway Company – Abandonment Exemption – In The City of Baltimore, Maryland AB-290 (Sub-No. 420X)

Dear Ms. Brown:

On December 3, 2025, Norfolk Southern Railway Company ("NSR") filed a verified notice of exemption pursuant to 49 C.F.R. Part 1152, Subpart F – Exempt Abandonments and Discontinuances to abandon its freight rail easement over an approximately 1.00-mile-long rail line extending from Milepost UU 0.00 +/- to Milepost UU 1.00 +/- in the City of Baltimore, Maryland (the "Line"). Notice of the exemption ("NOE") was served and published in the Federal Register on December 23, 2025 (90 Fed. Reg. 60,221).

In publishing the NOE, the Surface Transportation Board (the "Board" or "STB") noted that NSR had previously filed a verified NOE to abandon the Line on October 31, 2024, in Docket No. AB 290 (Sub-No. 412X), and that challenges by James Riffin to the December 9, 2024,[1] and April 14, 2025,[2] decisions in AB 290 (Sub-No. 412X) remained pending before the U.S. Court of Appeals for the District of Columbia Circuit ("D.C. Circuit Court of Appeals"). See Riffin v. STB, Nos. 24-1386 & 25-1141 (consol.) (D.C. Cir.) ("Riffin v. STB"). Accordingly, in its December 23, 2025, decision, the Board reserved the right to "address the effective date of this notice in a subsequent decision" given the pending litigation. However, on April 3, 2026, the D.C. Circuit Court of Appeals denied Mr. Riffin's first petition for review and dismissed his second. See Riffin v. STB (D.C. Cir. 2026) (noting that Riffin "filed the second petition purely as a jurisdictional backstop.")

Subsequently, on June 25, 2026, the Office of Environmental Analysis ("OEA") provided a Supplemental Final Environmental Assessment ("Final EA") in the above-stated proceeding, addressing

[1] Allowing NSR to withdraw its NOE to resolve certain real estate and other issues.

[2] Denying Mr. Riffin's request to reopen the Acting Director's decision.

Mr. Riffin's concerns with the Environmental and Historic Report ("E&H Report") and concluding that "no changes to the EA (Draft and Final) are warranted as a result of [Mr. Riffin's] comment." In the Final EA, served previously on January 16, 2026, the OEA recommended no conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

With the denial of Mr. Riffin's Petition by the D.C. Circuit Court of Appeals, the resolution of Mr. Riffin's comment related to the E&H Report by the OEA, the January 12, 2026, rejection of Mr. Riffin's intent to file an Offer of Financial Assistance, and the Board issuing a final decision in this proceeding on September 30, 2026,[3] the exemption is now effective, as of October 14, 2026, and all procedural hurdles to consummation have been resolved. Therefore, in accordance with the provisions of 49 C.F.R. § 1152.29(e)(2), NSR hereby advises the Board that it has exercised the authority granted to it and has fully consummated abandonment of its freight rail easement over the Line. Should you have any questions concerning this notice of consummation, please contact me, NSR's representative, by mail at: William A. Mullins, Mullins Law Group PLLC, 2001 L Street NW, Suite 720, Washington, DC 20036; by FAX: (202) 464-9123; by e-mail: wmullins@mullinslawgroup.net; or by telephone: (202) 663-7823. If I am unavailable, you may also contact Spencer M. Naake, who can be reached at (202) 663-7829 or by e-mail at snaake@mullinslawgroup.net
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Sincerely,

/s/ William A. Mullins

William A. Mullins
Counsel for Norfolk Southern Railway Company

cc: Parties of Record

[3] Granting NSR's motion to strike Riffin's May 15, 2026, rebuttal; denying Riffin's motion to summarily reject the verified notice; and lifting the stay of the exemption's effective date.