



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

August 30, 2013

Matthew D. Williams, Esq.
Matthew D. Williams & Associates, LLC
2215 Pilgrim Mill Circle
Cumming, Georgia 30041

Re: STB Docket No. FD 35756, Hartwell Railroad Company – Construction Exemption – In Elbert County, Georgia; Waiver Approval of Six-Month Prefiling Notice Requirement

Dear Mr. Williams:

Pursuant to 49 C.F.R. § 1105.1(c), we are granting your request of August 8, 2013 for a waiver of the six-month prefiling notice generally required for construction projects under 49 C.F.R. § 1105.10(a)(1).

On July 30, 2013, the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) met with representatives from Hartwell Railroad Company (Hartwell), CSX Transportation, Inc. (CSXT), and Belvedere Terminals Systems (Belvedere). Meeting participants included: Matthew D. Williams of Hartwell; Lou Gitomer, CSXT outside counsel, John Patelli and Keith Brinker of CSXT; Ed Cothon, Chris Palkowitsh, and Bill Meade of Belvedere; and Victoria Rutson and Diana Wood of OEA.

At the meeting, Belvedere representatives explained that Belvedere is interested in marketing its refined petroleum products by rail to customers in the southeastern part of the United States, particularly Florida. In order to accomplish this goal, Belvedere has asked Hartwell to develop a direct interchange with CSXT in Elbert County, Georgia. Hartwell and CSXT have agreed that about 1,360 feet of track would need to be constructed to connect the two railroads. The connection would be constructed as follows: (1) CSXT would construct 300 feet of track within its right-of-way; (2) Hartwell would construct 1060 feet of track, of which 400 feet is within its right-of-way and 660 feet is located on industrial property that Hartwell is currently under contract to acquire. Hartwell proposes to move two unit trains per day of diesel and gasoline in tankers from the Hartwell line to the CSXT mainline (travelling northeast to Greenwood and southwest to Atlanta).

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You presented maps at the meeting and explained that you had conducted an inspection of the proposed project area. As you explained in the meeting, you believe that, based on information available at this time, the environmental effects of the proposed construction and operation are likely to be minimal: the project area is surrounded by heavy industry; the new line would not cross or affect any waterways, highways, or public/private roads; and truck traffic would be diverted from truck to trains, thus reducing highway congestion, emissions and enhancing energy conservation.

At the meeting, OEA provided a general overview of the Board's environmental review process, OEA's role in conducting the environmental review, and the role of third-party contractors. In addition, OEA discussed the importance of adequate public outreach, as well as the role of the public, including federal, state, and local agencies, parties of record, communities and other interested parties in the review process.

Based on the information from this initial meeting, OEA believes that it has adequate information and the applicant is sufficiently aware of the environmental process to grant this request. If we can be of further assistance, please contact Diana Wood of my staff at 202-245-0302.

Sincerely,

A handwritten signature in blue ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis