



EO-3290

***SURFACE TRANSPORTATION BOARD***  
***Washington, DC 20423***

*Office of Environmental Analysis*

October 7, 2020

William A. Mullins, Esq.  
Baker & Miller PLLC  
2401 Pennsylvania Avenue, NW  
Suite 300  
Washington, DC 20037

Re: Finance Docket No. 36439, Flint Hill Resources Railroad, LLC – Construction and Operation Exemption – Hardin County, Iowa; Waiver of Six-Month Prefiling Notice

Dear Mr. Mullins:

Pursuant to 49 CFR 1105.10(c), we are granting your request of September 28, 2020, for waiver of the six-month prefiling notice generally required for construction projects under 49 CFR 1105.10 (a)(1). The Surface Transportation Board's Office of Environmental Analysis (OEA) has met with Flint Hill Resources Railroad, LLC (FHRR) representatives regarding the proposed environmental impacts associated with the construction and operation of a new rail line in Hardin County, Iowa. At a meeting on August 4, 2020, FHRR's representatives provided OEA with an overview of the project and OEA discussed the Surface Transportation Board's (Board) environmental review process.

FHRR proposes to construct a 2.3 mile rail line (the Line) connecting Flint Hill Resources' Iowa Falls Ethanol Plant (Plant) with the Canadian National Railway (CN). The Plant is currently exclusively served by the Union Pacific Railroad Company. The project would provide the Plant with direct rail service to two railroads, allowing for competition and improvements in service and rates. FHRR intends to contract with a third-party carrier to conduct the rail operations over the Line or grant trackage rights to CN to operate over the Line. The Line would be located almost entirely on or adjacent to existing railroad rights-of-way or on portions of land already owned by FHRR's affiliate.

The information provided by FHRR and the fact that OEA has explained in detail the Board's environmental review process to FHRR's representatives lead OEA to believe that it has adequate information, and that FHRR is sufficiently aware of the environmental review process, to grant this request.

If we can be of further assistance, please contact me or Kenneth Blodgett of my staff at (202) 245-0305.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" written in a larger, more prominent script than the last name "Rutson".

Victoria Rutson  
Director  
Office of Environmental Analysis