



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 16, 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; Approval of Third-Party
Consultant

Dear Mr. Mullins:

Your request for approval under 49 CFR 1105.10(d) and 40 CFR 1506.5 for retention of Burns & McDonnell (B&M) as an independent third-party consultant for the above referenced project is approved. B&M will prepare the appropriate environmental document on behalf of the Board in connection with a project proposed by Flint Hill Resources Railroad, LLC (FHRR). FHRR proposes to construct a new 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 served exclusively by Union Pacific Railroad. FHRR anticipates filing an individual Petition for Exemption under 49 U.S.C. § 10502 from the formal application procedures of 49 U.S.C. § 10901 to permit it to construct and own the Line. FHRR intends to contract with a third-party carrier to conduct the rail operations over the Line or to grant trackage rights to CN to operate over the Line in order to provide rail service to the Plant.

We have attached a disclosure statement that we ask you to forward to B&M to complete. Once the statement is signed by B&M, we request that B&M send it directly to us. As we discussed in our meeting on August 4, 2020, the Board's Office of Environmental Analysis will directly supervise, review, and approve all environmental documents prepared by the independent third-party contractor.

If we can be of further assistance, please do not hesitate to 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" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Enclosure