

210607

LAW OFFICE

MCLEOD, WATKINSON & MILLER

MICHAEL R. MCLEOD
WAYNE R. WATKINSON
MARC E. MILLER
RICHARD T. ROSSIER
CHARLES A. SPITULNIK
RICHARD PASCO
ALEX MENENDEZ
ELIZABETH A. HAWS
AMY B. JONES

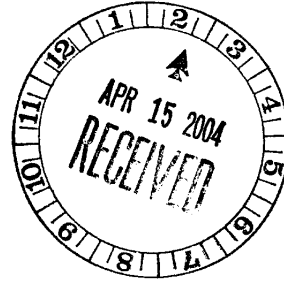
ONE MASSACHUSETTS AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20001-1401
(202) 842-2345
TELECOPY (202) 408-7763

KATHRYN A. KLEIMAN*
OF COUNSEL
(*Admitted in Virginia only)

ROBERT RANDALL GREEN
LAURA L. PHELPS
GOVERNMENT RELATIONS

ENTERED
Office of Proceedings
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Part of
Public Record

April 15, 2004



Hon. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: *James Riffin, d/b/a The Northern Central Railroad – Acquisition and
Operation Exemption – Lines of Railroad in York County, Pennsylvania and
Baltimore County, Maryland, Finance Docket No. 34484*

Dear Sir:

I am enclosing an original and ten (10) copies of the Supplemental Request of the State of Maryland for Expedited Handling of its Petition to Revoke and Motion for a Cease and Desist Order in the above referenced proceeding. Please date stamp the extra copy of this document and return to our messenger. In addition, we are enclosing a 3.5" diskette with this document.

Thank you for your assistance.

Sincerely,

Charles A. Spitulnik
Charles A. Spitulnik

Enclosure

cc: Joseph Dettmar, Esquire

**Before the
Surface Transportation Board**

Finance Docket No. 34484



**JAMES RIFFIN, d/b/a THE NORTHERN CENTRAL RAILROAD –
ACQUISITION AND OPERATION EXEMPTION –LINES OF RAILROAD IN
YORK COUNTY, PENNSYLVANIA AND BALTIMORE COUNTY, MARYLAND**

**SUPPLEMENTAL REQUEST OF THE STATE OF MARYLAND FOR EXPEDITED
HANDLING OF ITS PETITION TO REVOKE AND MOTION
FOR A CEASE AND DESIST ORDER**

Communications with respect to this
document should be addressed to:

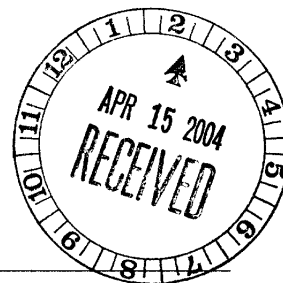
CHARLES A. SPITULNIK
ALEX MENENDEZ
McLeod, Watkinson & Miller
One Massachusetts Avenue, NW
Suite 800
Washington, DC 20001
(202) 842-2345

Counsel for the State of Maryland

Dated: April 15, 2004

**Before the
Surface Transportation Board**

Finance Docket No. 34484



**JAMES RIFFIN, d/b/a THE NORTHERN CENTRAL RAILROAD –
ACQUISITION AND OPERATION EXEMPTION –LINES OF RAILROAD IN
YORK COUNTY, PENNSYLVANIA AND BALTIMORE COUNTY, MARYLAND**

**SUPPLEMENTAL REQUEST OF THE STATE OF MARYLAND FOR EXPEDITED
HANDLING OF ITS PETITION TO REVOKE AND MOTION
FOR A CEASE AND DESIST ORDER**

The State of Maryland (“Maryland”), through counsel and pursuant to the Surface Transportation Board (“STB”) regulations hereby files this Supplemental Request for Expedited Handling of its Petition to Revoke and Motion for a Cease and Desist Order against James Riffin *d/b/a* The Northern Central Railroad (“Riffin”). The relief requested here is the same relief as was requested by counsel in a letter dated April 14, 2004 to the Honorable Roger Nober. In support thereof Maryland states as follows:

I. Background

On March 22, 2004, Riffin filed a Verified Notice of Exemption in this proceeding. On April 2, 2004, Maryland filed a Petition to Revoke that Notice, citing examples of misleading statements that Riffin made about his plans and/or ability to acquire the interests in property he described there, and asked for expedited consideration of the Petition to Revoke. At that time, Maryland explained that expedition was required because Riffin was using his purported status as an interstate railroad to flaunt the legitimate health and safety laws of the State of Maryland,

and a hearing is scheduled to occur on April 26, 2004 in the Circuit Court for Baltimore County to address those issues. Thereafter, the Notice of Exemption was published on April 7, 2004.

II. Argument

Riffin's recent actions compel Maryland to come to the Board once again to urge prompt action on the Petition to Revoke. This request is a direct result of the extraordinary actions taken by Riffin since the Notice of Exemption was published. Specifically, he is engaging in conduct that endangers the safety of the environment, including tributary waters to the Chesapeake Bay, all under color of the authority he purports to have received by virtue of the publication of the Notice of Exemption.

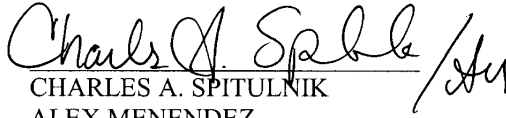
The Notice of Exemption that the Board published on April 7th referred to operating and acquisition authority. Yet, Riffin is beginning to construct a new line of railroad on property to which his claim of ownership is questionable, at best, as Maryland has demonstrated in its Petition to Revoke. Moreover, in proceeding with that construction, Riffin is claiming exemption from all laws of any kind, and has begun excavating dirt and filling waters of the State of Maryland that feed the Chesapeake Bay. According to Michael Forlini, Assistant Attorney General for the State of Maryland's Department of Environment ("MDE"), Riffin and/or his agents have initiated clearing and grading activities in the 100-year flood plain of the Beaver Dam Run, a tributary of the Gunpowder River. Because this activity violates Section 5-503 of the Annotated Code of Maryland, Environment Article, and its accompanying regulations, MDE has issued a Site Complaint that was served upon Mr. Riffin on April 13, 2004. This requires him to immediately cease and desist all construction and grading activities in the 100-year floodplain and in the waterway.

However, Riffin claims that the Notice of Exemption gives him authority to undertake rail construction activity, and that he need not comply with the State's environmental procedures before he does so. No authority to construct was sought, and as a result the STB's Section of Environmental Analysis undertook no environmental review. Yet, Riffin continues to assert the right to proceed in complete disregard of either state or federal environmental laws, even though the actions he is taking will adversely affect the waters that feed the Chesapeake Bay, and have the potential for otherwise adversely affecting the health and safety of the people of the State of Maryland.

In view of Riffin's continuous flaunting of the laws of the State of Maryland, and his decision to take upon himself authority and rights that are not conferred by the Notice of Exemption, especially in view of the misrepresentations that underlie the Notice the Board published on April 7, the State of Maryland hereby requests the Board to:

- (1) Issue an order requiring Mr. Riffin to cease and desist from taking any further actions under color of authority as a rail carrier, pending resolution of the Petition to Revoke; and
- (2) Hasten as much as possible the issuance of an order revoking the Notice of Exemption to prevent any further misrepresentation by Mr. Riffin of the authority he purports to have received by virtue of the publication of that Notice.

Respectfully submitted,


CHARLES A. SPITULNIK

ALEX MENENDEZ
McLeod, Watkinson & Miller
One Massachusetts Avenue, NW
Suite 800
Washington, DC 20001
(202) 842-2345

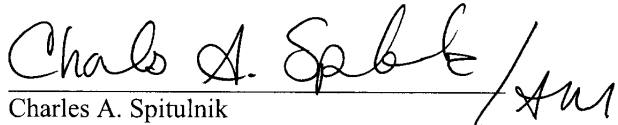
Counsel for the State of Maryland

Dated: April 15, 2004

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of April, 2004, a copy of the foregoing
SUPPLEMENTAL REQUEST OF THE STATE OF MARYLAND FOR EXPEDITED
HANDLING OF ITS PETITION TO REVOKE AND MOTION FOR A CEASE AND DESIST
ORDER was served by first class mail, postage prepaid, upon:

James Riffin d/b/a The Northern Central Railroad
1941 Greenspring Drive
Timonium, MD 21093


Charles A. Spitulnik