

**SURFACE TRANSPORTATION BOARD BEGINS RULEMAKING ON INFORMATION  
REQUIRED FOR USE OF "CLASS EXEMPTION" FOR ACQUISITION, LEASE &  
OPERATION OF RAIL LINES**

The Surface Transportation Board announced today that it has begun a rulemaking proceeding to consider whether to increase the amount of information required from parties seeking to use the abbreviated "class exemption" procedure to obtain authority to acquire, lease and operate rail lines.

The Board has heard a growing number of concerns in recent years from private citizens, local, state and federal officials, and others urging the Board to increase its oversight of individuals and businesses that seek to operate rail facilities under the Board's jurisdiction, exempt from various local and state laws and regulations.

In June 2007, six of the largest railroads asked the Board to institute a rulemaking to consider additions to the information currently required in notices filed under the Board's class-exemption regulations at 49 CFR Part 1150, Subparts D and E, such as whether the entity seeking authorization intends to provide facilities for the transportation or transloading of municipal solid waste or construction and demolition debris, and how the railroad facilities have been and will be operated.

The Board's decision today states that, following further analysis, the Board intends to prepare a Notice of Proposed Rulemaking and will seek public comment on any proposed changes to the current regulations.

In announcing this decision, Board Chairman Charles D. Nottingham stated: "It is my hope that by initiating this rulemaking process and receiving public comments, the Board will be able to identify and implement improvements that advance the public interest in this area of railroad regulation."

The Board issued its [decision today, October 4, 2007, in the proceeding entitled Information Required in Certain Notices of Exemption, STB Ex Parte No. 673](#). That decision is available for viewing and downloading via the Board's Web site, at <http://www.stb.dot.gov>, under "E-Library," then under "Decisions & Notices," beneath the date "10/4/07." A printed copy of the Board's decision also is available for a fee by contacting **ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706, telephone (202) 306-4004** or via [asapdc@verizon.net](mailto:asapdc@verizon.net).

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