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OCC

SERVICE DATE – APRIL 20, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 290 (Sub-No. 420X)

NORFOLK SOUTHERN RAILWAY COMPANY—
ABANDONMENT EXEMPTION—IN THE CITY OF BALTIMORE, MD.

Decided: April 20, 2026

On December 3, 2025, Norfolk Southern Railway Company (NSR) filed a verified notice of exemption (NOE) under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon its freight rail easement over an approximately one-mile rail line extending from milepost UU 0.00 +/- to milepost UU 1.00 +/- in the City of Baltimore, Md. (the Line). Notice of the exemption was served and published in the Federal Register on December 23, 2025 (90 Fed. Reg. 60,221). The notice indicated that the exemption would become effective on January 22, 2026, unless stayed by the Board or unless a formal expression of intent to file an offer of financial assistance (OFA) was filed by January 2, 2026.

On January 2, 2026, James Riffin filed a notice of intent to participate with a comment attached. In his comment, he alleges, among other things, that the NOE contains six “false or misleading statements” and two “significant omissions.” (Riffin Comment (Filing ID No. 310642) 1.) That same day, Riffin filed a notice of intent to file an OFA to purchase the Line and other related pleadings.

On January 12, 2026, the Board issued a decision rejecting Riffin’s notice of intent to file an OFA. That decision also stayed the effective date of the NOE until further Board order due to Riffin’s then-pending petitions for review involving the Line before the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit). Norfolk S. Ry.—Aban. Exemption—in City of Balt., Md., AB 290 (Sub-No. 420X), slip op. at 3 (STB served Jan. 12, 2026). On April 3, 2026, the D.C. Circuit issued an order dismissing one petition for review and denying the other. Riffin v. STB, Nos. 24-1385 & 25-1141 (consol.) (D.C. Cir. Apr. 3, 2026).

NSR will be directed to respond to the allegations raised by Riffin’s January 2 comments by April 30, 2026.

It is ordered:

1. NSR is directed to file its response to the allegations raised by Riffin’s January 2, 2026 comment by April 30, 2026.

2. This decision is effective on its date of service.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.