

**SURFACE TRANSPORTATION BOARD****[Docket No. FD 36231]****Iowa & Middletown Railway LLC—  
Lease and Operation Exemption—  
American Ordnance LLC, Owner's  
Representative for U.S. Army Joint  
Munitions Command**

Iowa & Middletown Railway LLC (I&M), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from American Ordnance LLC (AO), as owner's representative for the U.S. Army Joint Munitions Command (JMC), and to operate, within the Iowa Army Ammunition Plant (Plant),<sup>1</sup> approximately four miles of track (Line).<sup>2</sup> According to I&M, there are no mileposts assigned to the Line. The Line is located in Des Moines County, Iowa, on a portion of the Plant that JMC no longer needs and will be repurposed as a business park.

I&M states that upon consummation of the transaction and the commencement of operations, I&M will be a Class III carrier. I&M states that it is leasing the Line in order to provide common carrier rail service to transload customers and other rail customers that may locate in the planned business park. I&M states it will originate and terminate freight traffic and conduct loading and unloading operations and that it will also offer rail car storage and car repair services within the Plant. The Line connects with BNSF Railway Company (BNSF) at Middletown, Iowa, and I&M is working with BNSF to establish interchange there.

According to I&M, it intends to commence common carrier operations on or about January 1, 2019. I&M states, however, that Eyal Shapira, President of I&M, would file a related notice of exemption for common control of I&M and other railroads under his control. Mr. Shapira filed that notice in *Eyal Shapira—Continuance in Control Exemption—Iowa & Middletown Railway*, Docket No. FD 36232, on October 23, 2018.<sup>3</sup> Therefore, the effective date of this lease and operation

<sup>1</sup> The Plant is owned by JMC. According to I&M, AO and JMC are parties to an Operations and Maintenance Agreement that permits AO to grant rights to use certain property within the Plant, including the railroad tracks.

<sup>2</sup> I&M states that the lease also includes a number of other tracks that will be operated by I&M under as yard and industrial tracks for which no Board authority is required.

<sup>3</sup> The notice of exemption in Docket No. FD 36232 also relates to a concurrently filed notice of exemption in *Wolf Creek Railroad LLC—Lease & Operation Exemption—American Ordnance LLC, Owner's Representative for U.S. Army Joint Munitions Command*, Docket No. FD 36236.

exemption will be held in abeyance pending review of Mr. Shapira's notice of exemption.

I&M certifies that its projected annual revenues as a result of this transaction will not exceed \$5 million or result in the creation of a Class II or Class I rail carrier.

I&M also certifies that the lease does not impose or include an interchange commitment.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than seven days before the exemption becomes effective; a deadline for filing petitions for stay will be established in a future decision that establishes an effective date for this exemption.

An original and 10 copies of all pleadings, referring to Docket No. FD 36231, must be filed with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Eric M. Hocky, Clark Hill PLC, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

According to I&M, this action is exempt from environmental review under 49 CFR 1105.6(c) and exempt from historic review under 49 CFR 1105.8(b).

Board decisions and notices are available on our website at [www.stb.gov](http://www.stb.gov).

Decided: October 23, 2018.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2018-23472 Filed 10-25-18; 8:45 am]

**BILLING CODE 4915-01-P**

**TENNESSEE VALLEY AUTHORITY****Shawnee Fossil Plant Coal  
Combustion Residual Management**

**AGENCY:** Tennessee Valley Authority.

**ACTION:** Issuance of Record of Decision.

**SUMMARY:** This notice is provided in accordance with the Council on Environmental Quality's regulations and Tennessee Valley Authority's (TVA) procedures for implementing the National Environmental Policy Act (NEPA). TVA has decided to close the Shawnee Fossil Plant (SHF) Special Waste Landfill (SWL) and Ash

Impoundment 2 and construct a new process water basin (PWB). A notice of availability (NOA) of the Final Supplemental Environmental Impact Statement (SEIS) for Shawnee Fossil Plant Coal Combustion Residual (CCR) Management was published in the **Federal Register** on August 31, 2018. The Final SEIS identified TVA's preferred alternative as Alternative C—Closure-in-Place and Regrading of the SWL and Ash Impoundment 2 and Construction of a New PWB. TVA's decision would achieve the purpose and need to manage the disposal of CCR materials on a dry basis and to meet the U.S. Environmental Protection Agency's 2015 CCR regulations, as well as the Commonwealth of Kentucky's regulations.

**FOR FURTHER INFORMATION CONTACT:**

Ashley Pilakowski, Project Environmental Planning, NEPA Specialist, Tennessee Valley Authority, 400 W. Summit Hill Drive Knoxville, TN 37902; telephone 865-632-2256, or by email [aapilakowski@tva.gov](mailto:aapilakowski@tva.gov). The Final SEIS, this Record of Decision and other project documents are available on TVA's website <https://www.tva.gov/nepa>.

**SUPPLEMENTARY INFORMATION:** In December 2017, TVA issued the *Shawnee Fossil Plant Coal Combustion Residual Management Final Environmental Impact Statement* (Final EIS). The year-long assessment called for closing both the SWL and Ash Impoundment 2, as well as building and operating a new lined landfill to store dry CCR waste produced by SHF in the future. In the Final EIS, TVA identified its preferred alternative as Alternative B—Construction of an Onsite CCR Landfill, Closure-in-Place of Ash Impoundment 2 with a Reduced Footprint, and Closure-in-Place of the SWL. On January 16, 2018, TVA issued a record of decision (ROD) to implement construction of the new dry CCR landfill, and elected to further consider the alternatives regarding the closure of the SWL and Ash Impoundment 2 before making a decision. The Final EIS and ROD can be viewed here: <https://www.tva.gov/nepa>.

TVA prepared the SEIS to further analyze the alternatives for closure of the SWL and Ash Impoundment 2. Additionally, while a preliminary location for the PWB was considered in the 2017 Final EIS, upon further investigation TVA chose to consider additional alternative locations for the PWB in the SEIS.

The purpose and need of ceasing CCR management operations at both the SWL and Ash Impoundment 2 and closing