

SURFACE TRANSPORTATION BOARD

49 CFR Ch. X

[STB Ex Parte No. 536 (Sub-No. 58)]

Regulatory Agenda

AGENCY: Surface Transportation Board.

ACTION: Regulatory agenda.

SUMMARY: The Chairman of the Surface Transportation Board (STB or Board) is publishing the Regulatory Flexibility Agenda.

FOR FURTHER INFORMATION CONTACT: A contact person is identified for each of the rules listed below.

SUPPLEMENTARY INFORMATION: The Chairman of the STB is publishing the Regulatory Flexibility Agenda as part of the Unified Agenda of Federal Regulatory and Deregulatory Actions

(Unified Agenda). The Unified Agenda is coordinated by the Office of Management and Budget (OMB), pursuant to Executive Orders 12866, 13563, and 14215. The Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, requires that each agency publish in the **Federal Register** a Regulatory Flexibility Agenda. The Chairman has included rulemaking proceedings in the Unified Agenda beyond those required by the RFA, and the complete agenda, reflecting the Chairman’s priorities, is available online at www.reginfo.gov.

Section 602(d) of the RFA, 5 U.S.C. 602(d), provides: “Nothing in [section 602] precludes an agency from considering or acting on any matter not included in a Regulatory Flexibility Agenda or requires an agency to consider or act on any matter listed in such agenda.”

The Board exercises its statutory authority to support an efficient, competitive, and sound transportation network. Consistent with the Board’s mission and statutory requirements, the Chairman’s agenda items represent the subject areas where the Chairman intends to have a regulatory or deregulatory action over the next 12 months. The agenda represents the Chairman’s best estimates, and it does not necessarily reflect the views of the Board (a multi-member voting body) as a whole or of any other individual Board Member. The matters listed in the agenda, including proposed dates, are subject to change.

By the Chairman of the Board, Patrick J. Fuchs.

Dated: November 21, 2025.

Jeffrey Herzig,
Clearance Clerk.

SURFACE TRANSPORTATION BOARD—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
502	Review of Commodity, Boxcar, and TOFC/COFC Exemptions, EP 704 (Sub-No. 1)	2140–AB29

Surface Transportation Board (STB)	Proposed Rule Stage
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502. REVIEW OF COMMODITY, BOXCAR, AND TOFC/COFC EXEMPTIONS, EP 704 (SUB–NO. 1)

Legal Authority: 49 U.S.C. 10502; 49 U.S.C. 13301

Relevant Executive Orders: 14154; 14267

Abstract: In this proceeding, the Board issued a notice of proposed rulemaking seeking public comment on its proposal to revoke the existing class exemptions under 49 CFR part 1039 for crushed or broken stone or rip rap; hydraulic cement; and coke produced from coal, primary iron or steel products, and iron or steel scrap, wastes or tailings. Following the feedback received during the course of this proceeding, the Board’s Office of Economics developed an approach for

possible use in considering class exemption and revocation issues, and the Board sought comments on the approach from interested parties. Board staff held technical conferences on the proposed approach on December 18, 2020, and January 15, 2021.

Timetable:

Action	Date	FR Cite
NPRM	03/28/16	81 FR 17125
NPRM Comment Period End.	07/26/16	
NPRM Reply Comment Period End.	08/26/16	
Request for Further Comment in Rulemaking Proceeding.	10/05/20	85 FR 62689
Comment Period End.	01/29/21	
Reply Comment Period End.	03/01/21	

Action	Date	FR Cite
Next Action	10/00/26	

Regulatory Flexibility Analysis Required: Yes

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RIN: 2140–AB29

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