

Minutes for February 28-29 2012

The Railroad Shipper Transportation Advisory Council (the "Council"), pursuant to notice, held a meeting on February 28th and 29th 2012 in the hearing room of the Surface Transportation Board, 395 E. Street, SW, Washington, DC. The meeting was called to order at noon, on February 28th.

The following members were present: Chairman: Jeff Keever, Virginia Port Authority; Vice Chairman/Treasurer: John Levine Pinsky Railroad Company; Secretary: Howard Kaplan, U.S. Magnesium, LLC; Robin Burns, Occidental Chemical Corp.; Jerry Cope, Dakota Mill and Grain; George Duggan, BNSF; John Friedmann, Norfolk Southern Corporation; Tom Giovinazzi, (Feb. 29 only), Holcim (US), Inc.; Eric Jakubowski, Canadian National Railway Company; Henry Lampe, Chicago South Shore & South Bend Railroad; John McCreavy, SMS Rail Services, Inc.; Leslie Moll, ArcelorMittal USA; Michael Ogborn, Omnitrax; Shelley Sahling-Zart, Lincoln Electric System; Peter A. Weiss, Chrysler LLC; Daniel R. Elliott III, Surface Transportation Board; Ann D Begeman, Surface Transportation Board; Scott Greene, Federal Railroad Administration.

The following members were not present: Francis P. Mulvey, Surface Transportation Board.

- I. Welcome and opening remarks from RSTAC Chairman Keever, and self introductions.
- II. Opening remarks from Chairman Elliott and Board Member Begeman.
- III. RSTAC orientation-Overview-Jamie Rennert
 - a. Statutory Authority
 - b. STB overview/compliance-Brian O'Boyle
 - c. Ethics restriction rules-Anne Quinlan
 - d. Ex parte communication rules and Sunshine Act-Jeff Komarow
 - e. Antitrust Issues-Jeff Komarow
 - f. Rail public assistance program-Tom Brugman
- IV. Reports from the field-all
- V. Beginning discussions on RSTAC future topics
- VI. Resuming discussions on February 29th regarding future topics-proposals included (STB members not present for this discussion):
 - a. Antitrust discussion for next meeting- vis-à-vis Kohl amendment
 - b. Review of EP 712-regulatory review-possible late file of comments on regulation changes needing consideration; Messrs Friedman and Ogborn to provide summary info for group and circulate prior to next meeting.
 - c. Rail car availability
 - d. Competition issues
- VII. Possible staff updates for future meetings suggested
 - a. URCS overview
 - b. National Transportation Freight Policy
 - c. Environmental issues
- VIII. Council business
 - a. 2011 annual report not yet received for approval-waiting for 2011 chair.
 - b. November 2011 minutes approved for publication.
 - c. It was noted that August 2011 minutes were not on the web site.

- d. Treasurer Levine reviewed the bank account status and notified all that dues invoices would be issued shortly.
 - e. 2012 meeting dates were reconfirmed as May 9-10, August 7-9 for field trip, and October 30-31.
 - f. Field trip plans were discussed and it was agreed that a Colorado trip involving new energy facilities, short line operations and passenger/freight interactions would be of interest. Mike Ogborn to work out details for next meeting review.
 - g. It was noted that the URCS white paper and the Short Haul paper were both completed and posted on the website since the last RSTAC meeting.
- IX. Scott Greene presented an overview of the FRA programs and objectives, which was greatly appreciated by the RSTAC group. Electronic copies of the slides were promised for distribution.
- X. Next meeting May 9-10 at the STB in Washington, DC.
- XI. Meeting adjourned at app. 11:30 am.