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SERVICE DATE – LATE RELEASE JANUARY 7, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34442

MARITIME RAIL, LLC
— LEASE AND OPERATION EXEMPTION —
MEADOWS INDUSTRIAL TRACKS

Decided: January 7, 2004

On November 25, 2003, Maritime Rail, LLC (Maritime Rail), a noncarrier, filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate certain railroad properties located on the South Kearny peninsula in the Town of Kearny, Hudson County, NJ. By decision served December 1, 2003, the effective date of the exemption was postponed to December 9, 2003. By decision served December 8, 2003, the effective date of the exemption was postponed to January 8, 2004. On December 19, 2003, notice of the exemption was published in the Federal Register at 68 FR 70863. By decision served December 23, 2003, a petition to reject the exemption notice (the petition had been filed by New Jersey Rail Carrier LLC) was denied.

By letter filed January 7, 2004, Maritime Rail asks that the Board extend the effective date of the exemption to January 17, 2004, so that comments may be submitted by Consolidated Rail Corporation prior to that time. Pursuant to the request of Maritime Rail, the effective date of the exemption will be extended from January 8, 2004, to January 17, 2004.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The effective date of the exemption in STB Finance Docket No. 34442 is postponed to January 17, 2004.

2. This decision is effective on the service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary