

34250
CO

SERVICE DATE - LATE RELEASE DECEMBER 1, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34442

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

Decided: December 1, 2003

On November 25, 2003, Maritime Rail, LLC (MRL), a newly established noncarrier, filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate as a Class III railroad approximately 2,500 feet of "Meadows Industrial" tracks located on the South Kearny peninsula in the Town of Kearny, Hudson County, NJ. The tracks are identified on the map attached to the notice of exemption as: (1) the lead track, which terminates in a track known as the car loading track; (2) the 10-car storage track; and (3) the 10-car capacity track for holding empties.

By letter filed December 1, 2003, the New Jersey Department of Environmental Protection (NJDEP) advised that it had requested that MRL voluntarily postpone the effective date of the exemption, and that MRL had indicated that it had no objection to a temporary stay of the effectiveness of the exemption from December 2, 2003, to December 9, 2003.

In view of MRL's lack of objection to the temporary stay requested by NJDEP, the stay will be granted.

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

It is ordered:

1. Pending further order of the Board, the effective date of the exemption in STB Finance Docket No. 34442 is postponed to December 9, 2003.

2. This decision is effective on the service date.

By the Board, Roger Nober, Chairman.

Vernon A. Williams
Secretary