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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
September 6, 2016
Part of
Public Record

FINANCE DOCKET NO. 36063

**JERSEY MARINE RAIL, LLC
PETITION FOR A DECLARATIOY ORDER THAT REHABILITATION
AND OPERATION OF EXISTING TRACKS WITHIN A FORMER RAIL
YARD AND SERVING AN ADJACENT INDUSTRIAL CITE AS A CLASS
III RAIL CARRIER IS AN EXEMPT TRANSACTION
AND
SEEKING EXPEDITED CONSIDERATION**

CORRECTION

Petitioners dispatched this petition for filing on August 30, 2016

Petitioner found that its Exhibit A to its petitions contains a minor error. It is a map of the trackage in question in this petition. The points of the switch to the lead to the three spurs crossing the leasehold appears to be on Conrail's property and the lead to that switch appears to be at a few feet onto that property. A corrected Exhibit A which depicts the existing trackage is attached. As interchange will be on the petitioner's property reconstruction will need to include construction of a new lead for those spur tracks within the petitioner's property line and a crossover connecting the two easternmost yard tracks to the westernmost track. All this work will be on Petitioner's leasehold and will essentially duplicate switches connecting those tracks and the lead which are located beyond the petitioner's property line with nearly identical tracks and switches within the petitioner's leasehold.

On August 30, 2016, the day the petitioners petition was dispatched to the Board, the Board decided Brookhaven Rail, LLC Petition for a Declaratory Order, FD 35_819_0, holding that the type of construction contemplated by JMR, i.e. in that case a 1,200 foot new track onto an adjacent rail owned but not previously rail used property, is a spur and is not subject to Board licensing authority or to environmental review.

Dated, New York, N.Y.
September 6, 2016

/s/ John F. McHugh
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American Marine Rail Exhibit A, Map