



www.cn.ca

April 7, 2010

Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW,
Washington, DC 20424

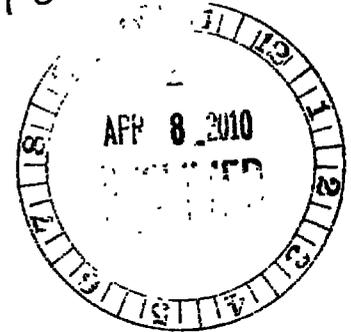
Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

226783



ENTERED
Office of Proceedings

APR 8 2010

Part of
Public Record

Re: Environmental Report, Historic Report and Required Certifications for
Docket No. AB-117 (Sub No. 7X)
Elgin, Joliet & Eastern Railway Company — Notice of Exemption for Abandonment
in Hammond, Lake County, Indiana

Dear Sir or Madam:

Elgin, Joliet & Eastern Railway Company ("EJ&E") intends to file a Notice of Exemption for the above-referenced proposed abandonment any time on or after May 7, 2010. Enclosed for the above-referenced Abandonment Exemption are the following documents, which are required by 49 C.F.R. Part 1105:

1. An original and ten copies of the Environmental/Historic Report;
2. An original and ten copies of the transmittal letter that accompanied the reports; and
3. An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C.F.R. Part 1105.

Please stamp and return the duplicate copy of this letter to my attention to indicate that you received the items listed.

Feel free to call me if you have any questions.

Respectfully submitted,

Thomas J. Healey
Attorney for
Elgin, Joliet & Eastern Railway Company

ENTERED
Office of Proceedings

APR 8 2010

Part of
Public Record

Encls.



www.cn.ca

April 7, 2010

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

ENTERED
Office of Proceedings

APR 8 2010

Part of
Public Record

**Re: Elgin, Joliet & Eastern Company Notice of Exemption for Abandonment – Hammond,
Lake County, Indiana - Docket AB-117 (Sub-No. 7X)**

To Whom It May Concern:

Any time on or after May 7, 2010, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 46.10 and milepost 48.28, a distance of 2.18 miles, in Hammond, Lake County, Indiana. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

EJ&E will file the Environmental Report and Historic Report with the STB on or about May 7, 2010. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for Elgin, Joliet & Eastern Railway Company

Encls.

Docket No. AB-117 (Sub-No. 7X)

ELGIN, JOLIET & EASTERN
RAILWAY COMPANY

NOTICE OF EXEMPTION FOR
ABANDONMENT IN HAMMOND
LAKE COUNTY, INDIANA

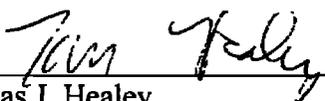
To: Chief, Section of Administration
Surface Transportation Board (STB)
395 E. Street, SW
Washington, DC 20424

CERTIFICATE OF COMPLIANCE WITH 49 C.F.R. PART 1105

I hereby certify that on April 7, 2010, copies of the Environmental Report and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 C.F.R. § 1105.7(b), all agencies consulted in preparing the reports, and on the Indiana Division of Historic Preservation and Archaeology. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Elgin, Joliet & Eastern Railway Company intends to file its Notice of Exemption in the above-captioned matter no earlier than May 7, 2010. All appropriate agencies as listed in 49 C.F.R. § 1105.7(e) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on March 25, 2010, in *The Northwest Indiana Times*, a newspaper of general circulation in Lake County, Indiana. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice is attached to this certificate as Attachment B.

Dated this 7th day of April, 2010.



Thomas J. Healey
Attorney for Elgin, Joliet & Eastern Railway Company

ENTERED
Office of Proceedings
APR 8 2010
Part of
Public Record

**Indiana Historic Preservation Agency
608 East Third Street
Hobart, IN 46342**

**US Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460**

**Office of Ocean and Coastal Resource
Management
NOAA Ocean Service
1305 East West Highway
Silver Spring, MD 20910**

**Mr. Frances DuPey
Commissioner, 3rd District
2293 N. Main Street
Building A, 3rd Floor
Crown Point, IN 46307**

**Indiana Environmental Protection Agency
Office of Regional Counsel
UPEPA Region 5
77 West Jackson Blvd.
Chicago, IL 60604**

**Division of Fish and Wildlife
Indiana Department of Natural Resources
402 W. Washington St. RM W273
Indianapolis, IN 46204**

**U.S. Army Corps of Engineers, Louisville District
P.O. Box 59
Louisville, KY 40201-0059**

**Mr. Dewayne Prince, Chief Land Resource
National Park Service, Midwest Region
601 Riverfront Dr.
Omaha, NE 68102**

**Ms. Jane Hardisty, State Conservationist
Indiana State Office
6013 Lakeside Boulevard
Indianapolis, Indiana 46278-2933**

**Indiana Department of Transportation
100 N. Senate Ave.
Room IGCN 755
Indianapolis, IN 46204**

ATTACHMENT A

4

Mr. Simon Monroe
Simon.Monroe@noaa.gov



ELGIN, JOLIET & EASTERN RAILWAY COMPANY gives notice that on or after April 2, 2010, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments, permitting the abandonment of 2.18 miles of railroad line between milepost 48.28 and milepost 48.10 in Hammond, Lake County, Indiana. This line traverses through U.S. Postal Zip Code 46320. The proceeding will be docketed as AB-117 (Sub No. 7X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, 399 E Street SW, Washington, DC 20423 or by calling that office at (202) 646-0245.

Applicants seeking financial assistance to continue rail service can be helped by the Board. Requests for environmental concerns, public use concerns, or rail-to-air-trails use also can be filed with the Board. An original and 100 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, or others of financial assistance) must be filed directly with the Board's Office of Proceedings, Section of Administration, 399 E Street SW, Washington, DC 20423 (see 49 CFR 1104.3(a) and 1104.10), and one copy must be served on all parties to the proceeding. See 49 CFR 1104.2(a). Guidelines regarding public use, financial assistance, public use or trail use may be directed to the Commission's Office of Proceedings and Public Services at (202) 646-3602. Copies of any comments or requests for conditions should be served on the applicant's representative, Thomas J. Healey, (708) 332-1344 at 17641 S. Ashland Ave., Homewood, IL 60430. 312-83574

ENTERED
Office of Proceedings

APR 8 2010

Part of
Public Record

AT
TA
CH
CO
PY
OF
AD
VE
RTI
SE
M
EN
T
HE
RE

Prescribed by State Board of Accounts

General Form No 99P (Rev 2009A)

CN Law Department
(Governmental Unit)

To The Times Media Company

Lake County, Indiana

601-45th Avenue, Munster, IN 46321

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines -----

Head -- number of lines -----

Body -- number of lines -----

Tail -- number of lines -----

Total number of lines in notice -----

COMPUTATION OF CHARGES

.....*58* lines,*1* columns wide equals*58* equivalent lines at 400 cents per line ----- \$ *232.00*

Additional charges for notices containing rule or tabular work (50 per cent of above amount) ----- Online Charge \$10.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) -----

TOTAL AMOUNT OF CLAIM ----- \$ *242.00*

DATA FOR COMPUTING COST

Width of single column in picas 9p4
Number of insertions *1*

Size of type 7.0 point.

20289574

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper*1* times. The dates of publication being as follows:

March 25, 2010

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- ..X.. Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Kate Stephens *[Signature]*

Date *March 25, 2010*

Title: Legal Clerk

BEFORE THE
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
APR 8 2010
Part of
Public Record

DOCKET NO. AB-117 (SUB-NO. 7X)

ELGIN, JOLIET & EASTERN RAILWAY COMPANY
-- PETITION FOR EXEMPTION FOR ABANDONMENT--
IN HAMMOND, LAKE COUNTY, INDIANA

ENVIRONMENTAL/HISTORIC REPORT

Elgin, Joliet & Eastern Railway Company, ("EJ&E") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§1105.7 and 1105.8. Supporting correspondence and certifications are attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

EJ&E initially served their Environmental Report to the Surface Transportation Board on February 17, 2010. Subsequently it was discovered that an incorrect docket number was used. EJ&E reissued the Letters of Intent, dated February 19, 2010.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. Proposed Action and Alternatives. EJ&E seeks to abandon its line of railroad starting at MP 46.10 and ending at MP 48.28, in Hammond, Indiana (the "Line"). The Line is situated in Lake County, Indiana and extends a total distance of approximately 2.18 miles.

This Environmental Report is submitted in anticipation of EJ&E's Petition for Exemption to abandon the above-mentioned Line. This line has not been used in over two years. There are no rail customers on this portion of the Line. There is no overhead traffic to be rerouted to other lines.

Following abandonment, EJ&E intends to salvage rail, ties and track materials from the Line.

No alternatives to the proposed abandonment have been considered. A map showing the location of the Line is attached herein as **Appendix A**.

EJ&E has contacted and requested comments from the Lake County Board of Commissioners. See correspondence attached herein as **Appendix B**. The Commissioner does not foresee any potential effects to the abandonment.

2. Transportation System. EJ&E does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. There is no overhead traffic on the Line, and no passenger trains are operated over the Line.

EJ&E has contacted and requested comments from the Indiana Department of Transportation. See correspondence attached herein as **Appendix C**. There have been no comments to date.

3. Land Use.

(i) EJ&E does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the Illinois State Geodetic Advisor. See correspondence attached herein as **Appendix D**. There are no geodetic survey markers located in this area.

(ii) The proposed abandonment lies entirely within the limits of Lake County, Indiana. The Natural Resource Conservation Service has been contacted and comments requested. See correspondence attached herein as **Appendix E**. The NRCS has responded that the abandonment will not cause a conversion of prime farmland.

(iii) EJ&E believes that this track does not lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. EJ&E has requested comments from the Office of Ocean and Coastal Resource Management but has received no comments to date. See correspondence attached as **Appendix F**.

(iv) EJ&E is not aware of any alternative public use under 49 U.S.C. § 10905 for which the right-of-way of this track would be suitable.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities move on the Line, and EJ&E foresees little or no possibility that such on-line traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on this line for many years (if ever), and EJ&E foresees little or no possibility that any online recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on the Line and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable. Abandonment of the Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. §1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. There are no shipments of ozone-depleting materials on this line, thus nothing will be diverted as a result of this abandonment.

6. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R. § 1105.7(e)(5)(i) will be exceeded as a result of the abandonment.

7. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. During any salvage operations on the Line, precautions will be taken to ensure public safety.

(ii) Not applicable. To EJ&E's knowledge, no hazardous commodities were ever handled on this Line. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) To the best of EJ&E's knowledge, there are no known hazardous waste sites or any hazardous waste materials involved. Therefore, EJ&E believes that its abandonment will not have any adverse impact on this site.

8. Biological Resources.

(i) The U.S. Fish and Wildlife Service have been contacted and we have requested comments. See correspondence attached as **Appendix G**. The Department requested further information. EJ&E is also including that correspondence in this Appendix, and EJ&E will forward any additional comments from the Department to the STB.

(ii) The Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. EJ&E has contacted and requested comments from the National Park Service. See correspondence attached herein as **Appendix H**. The Department requested further information. EJ&E is also including that correspondence in this Appendix, and EJ&E will forward any additional comments from the Department to the STB.

9. Water.

(i) EJ&E has contacted the US Environmental Protection Agency in Washington, DC to determine whether the proposed abandonment is consistent with applicable federal, state and local water and air quality standards. See correspondence attached hereto as **Appendix I**. There have been no comments to date.

(ii) The Army Corps of Engineers has been contacted to determine if the proposed abandonment requires permits under Section 404 of the Clean Water Act. See correspondence attached herein as **Appendix J**. To date, the Corps has not responded to our correspondence.

EJ&E also believes that removal of the rails will not affect any existing wetlands, if they are present. In addition, abandonment should not impact any 100-year floodplain if no additional fill is placed in any floodplain.

(iii) EJ&E has contacted the Indiana Environmental Protection Agency, Office of Regional Counsel in Chicago. See correspondence attached herein as **Appendix K**. The Department has not responded to our correspondence.

10. Proposed Mitigation. As no adverse impact is anticipated, EJ&E does not propose any mitigation activities.

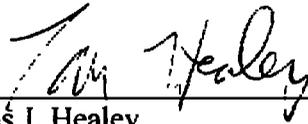
HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. Map. A map of the Line is attached hereto as **Appendix A**.
2. Description of Line. EJ&E seeks to abandon its line rail starting at MP 46.10 and ending at 48.28 in Hammond, Indiana (the "Line"). The Line is situated in Lake County, Indiana and extends a total distance of 2.18 miles.
3. Photographs. There are no photographs of this line as it does not contain any bridges or structures.
4. Information on Structures. There are no structures located along this portion of the line.
5. History of Operations. This rail line previously served as the main line to a fabrication shop (Beatty Machine), steel processing/service center (LaSalle Steel) and a scrap yard. Most of the rail traffic declined in the 1980's.
6. Engineering Documents. EJ&E will make available any relevant engineering documents in its possession.
7. Historic Criteria. EJ&E has contacted and given notice of the proposed abandonment to the Indiana Historic Preservation Agency. See correspondence attached as **Appendix L**. The SHPO has informed EJ&E that they have not noted any resources listed in or eligible for inclusion in the National Register of Historic Places.

8. Ground Disturbances. EJ&E is unaware of any possibility that archaeological resources may be in the area. Access to the line is generally good.

Dated: 4-7-, 2010

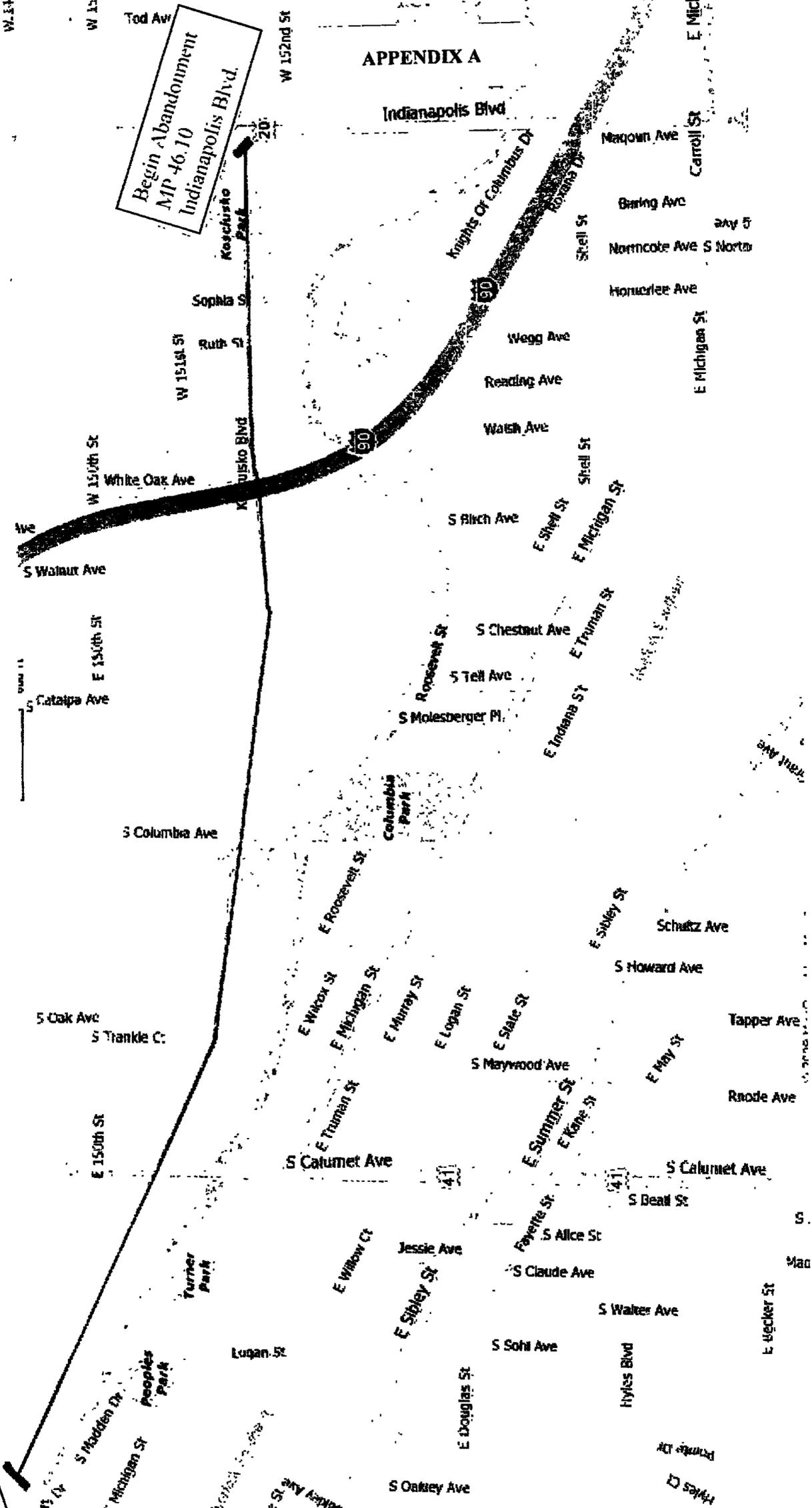
Respectfully submitted,



Thomas J. Healey
Attorney for the Elgin, Joliet & Eastern Railway Company
17641 South Ashland Avenue
Homewood, IL 60430-1345
Telephone: 708-332-4381
Fax: 708-332-4361

APPENDIX A

Begin Abandonment
MP 46.10
Indianapolis Blvd



1 Ave
Council



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

Mr. Frances DuPey
Commissioner, 3rd District
2293 N. Main Street, Building A, 3rd Floor
Crown Point, IN 46307

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Mr. DuPey:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Encl.

APPENDIX B

16



**THE BOARD OF COMMISSIONERS
OF THE COUNTY OF LAKE**

2293 North Main Street
Crown Point, Indiana 46307

FRANCES DUPEY, Third District

Office: (219) 755-3205
Fax: (219) 648-6085

February 24, 2010

Thomas J. Healey
Council Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

Dear Sir:

I am very familiar with the area and trackage you are proposing to abandon. I do not foresee any adverse effects. However, I would be inclined to support the opinion of the Mayor of Hammond and the Hammond City Council. This trackage lies entirely in the boundary of the City of Hammond.

Respectfully,

Frances DuPey
Commissioner



Law

Thomas J. Healey
Counsel - Regulatory
17641 S Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

Indiana Department of Transportation
100 N. Senate Ave.
Room IGCN 755
Indianapolis, IN 46204

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Sir or Madam:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Encl.



www.cn.ca

February 19, 2010

Mr. Simon Monroe
Simon.Monroe@noaa.gov

Re. Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Mr. Monroe:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Encl.

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

Tom
Healey/HEALEY03/IL/CNR/C
A
11/10/2009 09:13 AM

To Rebecca Bott/BOTT01/IL/CNR/CA@CNR
cc
bcc
Subject Fw: NGS Response, STB Docket AB-117 (SUB NO. 06X)]

Becky:

As info.

Tom

----- Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 11/10/2009 09:13 AM -----



Simon Monroe
<Simon.Monroe@noaa.gov>
11/10/2009 09:12 AM

To tom.healey@cn.ca
cc Surface Transportation Board <sea@stb.dot.gov>, Surveyorlady@yahoo.com, Gilbert Mitchell <Gilbert.Mitchell@noaa.gov>, Simon Monroe <Simon.Monroe@noaa.gov>
Subject NGS Response, STB Docket AB-117 (SUB NO. 06X)]

Thank you for sharing your railroad abandonment environmental report for Hammod, Lake County, INDIANA.

Approximately 00 geodetic survey marks may be located in the area described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall consult with the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic station.

marks are described on the attached file. Additional advice is provided at

<http://geodesy.noaa.gov/marks/railroads/>

```
.Dist|PID...|H V|Vert_Source|Latitude.....|Longitude.....|Stab|Designation
|-----|-----|-----|-----|-----|-----|-----|-----|
```

No Stations Found.



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

Ms. Jane Hardisty, State Conservationist
Indiana State Office
6013 Lakeside Boulevard
Indianapolis, Indiana 46278-2933

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Ms. Hardisty:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company
Encl.

APPENDIX E



Natural Resources Conservation Service
6013 Lakeside Blvd.
Indianapolis, IN 46268

November 10, 2009

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

Dear Mr. Healey:

The revised proposed project to abandon approximately 2.1 miles of railroad line in the City of Hammond, Lake County, Indiana, as referred to in your letter received November 9, 2009, will not cause a conversion of prime farmland.

If you need additional information, please contact Lisa Bolton at 317-290-3200, extension 342.

Sincerely,

ACTING FOR

A handwritten signature in cursive script that reads "Jane E. Hardisty".

JANE E. HARDISTY
State Conservationist



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

Office of Ocean and Coastal Resource Management
NOAA Ocean Service
1305 East West Highway
Silver Spring, MD 20910

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Sir or Madam:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

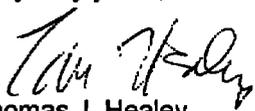
Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Encl



Law

Thomas J. Healey
Counsel - Regulatory
17641 S Ashland Avenue
Homewood IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

Division of Fish and Wildlife
Indiana Department of Natural Resources
402 W. Washington St. RM W273
Indianapolis, IN 46204

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Sir or Madam:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Illinois Central Railroad Company

Encl.

**State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Water**

Early Coordination/Environmental Assessment

DNR #: ER-14400 **Request Received:** September 29, 2009

Requestor: CN
Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1339

Project: Elgin, Joliet and Eastern Railway Company proposed abandonment in Hammond

County/Site info: Lake

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

Regulatory Assessment: This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of a stream or other flowing waterbody which has a drainage area greater than one square mile. Please submit more detailed plans to the Division of Water's Technical Services Section if you are unsure whether or not a permit will be required.

Natural Heritage Database: The Natural Heritage Program's data have been checked. It is not clear if the rail will be removed or left in place subsequent to the abandonment. Near the eastern end of the abandonment, the railroad runs within 200 feet of the northern boundary of Roxanna Marsh, an un-dedicated Division of Nature Preserves property. Within this property are records for Northern leopard frog (*Rana pipiens*), which is a state species of special concern, and the state endangered Black tern (*Chlidonias niger*) and King rail (*Rallus elegans*).

Fish & Wildlife Comments: A comprehensive review of the proposed action is not possible based on the information submitted. Please submit additional information that indicates what the line abandonment will entail. In addition, please provide a map that clearly indicates the location of the rail line to be abandoned.

Fish, wildlife, and botanical resource losses as a result of this project can be minimized through implementation of the following measures.
Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion.
Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.
Do not cut any trees suitable for Indiana bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark) from April 1 through September 30.
Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
Seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for selection and installation) or use an appropriate structural armament; seed and apply mulch on all other disturbed areas.
Do not excavate or place fill in any riparian wetland.

THIS IS NOT A PERMIT

**State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Water**

Early Coordination/Environmental Assessment

Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife
Our agency appreciates this opportunity to be of service. Please do not hesitate to contact the above staff member at (317) 232-4160 or 1-877-928-3755 (toll free) if we can be of further assistance.



Date: November 2, 2009

J. Matthew Buffington
Environmental Supervisor
Division of Fish and Wildlife



Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

www.cn.ca

February 1, 2010

Christie L. Stanifer, Env. Coordinator
Division of Fish and Wildlife
Indiana Department of Natural Resources
402 W. Washington St. RM W273
Indianapolis, IN 46204

Re: DNR #ER-14400
Docket AB-117 (Sub No. 6X) Elgin, Joliet & Eastern Railway Company
Proposed Abandonment in Hammond, Lake County, Indiana

Dear Ms. Stanifer,

I am responding to the Early Coordination/Environmental Assessment I received from J. Matthew Buffington.

Regulatory Assessment: EJ&E will not be constructing, excavating or filling in on the Calumet River. The railroad does not cross over the River. Please see the enclosed map.

Natural Heritage Database: EJ&E intends to salvage rail, ties and track materials with this abandonment. The rail bed will be left in place. To the best of its ability, EJ&E will not cross into the northern boundary of the Roxanna Marsh to endanger the Northern leopard frog, the Black tern, or the King rail.

Fish & Wildlife Comments: EJ&E intends to salvage rail, ties and track materials with this abandonment. The rail bed will be left in place. Please see the enclosed map.

Should you have any additional questions or concerns, please do not hesitate to contact me. Thank you.

Very truly yours,

Thomas J. Healey

Enc.



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

Mr. Dewayne Prince, Chief Land Resource
National Park Service, Midwest Region
601 Riverfront Dr.
Omaha, NE 68102

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Mr. Prince:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Encl.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

US Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Sir or Madam:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Encl.

APPENDIX I

29



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

U.S. Army Corps of Engineers, Louisville District
P.O. Box 59
Louisville, KY 40201-0059

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Sir or Madam:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains,
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Encl.



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

Indiana Environmental Protection Agency
Office of Regional Counsel
UPEPA Region 5
77 West Jackson Blvd.
Chicago, IL 60604

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Sir or Madam:

This letter and attached map have previously been sent to your attention. The docket number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Encl.

APPENDIX K

31



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 19, 2010

Indiana Historic Preservation Agency
608 East Third Street
Hobart, IN 46342

Re: Elgin, Joliet & Eastern Railway Company Proposed Abandonment in
Hammond, Lake County, Indiana, AB-117 (Sub-No. 7X)

Dear Sir or Madam:

The letter and attached map have previously been sent to your attention. The document number has been revised and should be referenced in your response.

Elgin, Joliet & Eastern Railway Company ("EJ&E") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 2.18 miles of railroad line starting at MP 48.28 and ending at 46.10, in Hammond, Lake County, Indiana. For your convenience, we have attached a revised map for your reference. EJ&E is advising you of the proposed action so you may assist us in performing a historical review process. There are no buildings or structures located along this segment of the line and therefore, there are no historic properties.

Thank you for your assistance. Please call me should you have questions.

Very truly yours,

Thomas J. Healey
Counsel for Elgin, Joliet & Eastern Railway Company

Enc.

APPENDIX L

32



Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov



December 15, 2009

Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
The Mercury Building
1925 K Street, NW, Suite 500
Washington, DC 20423

Federal Agency: Surface Transportation Board

Re: Proposed abandonment of 2.18 miles of Elgin, Joliet and Eastern Railway Company (EJ&E) rail line between Milepost 48.28 and Milepost 46.10 (DHPA #8111)

To whom it may concern:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated November 17, 2009 and received on November 23, 2009, for the above indicated project in Hammond, Lake County, Indiana.

In terms of archaeology, no currently known archaeological resources eligible for inclusion in the National Register of Historic Places have been recorded within the proposed project area. No archaeological investigations appear necessary provided that all project activities remain within areas disturbed by previous construction.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

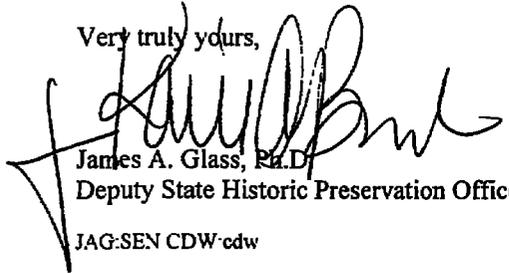
In regard to buildings and structures, we have not identified any resources listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects.

Upon completing its own identification and evaluation efforts, it would be appropriate for the Surface Transportation Board to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Please refer to the following comments for guidance.

- 1) If the Surface Transportation Board believes that a determination of "no historic properties affected" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. § 800.11 to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.4[d][1] and 800.2[d][2]).
- 2) If, on the other hand, the Surface Transportation Board finds that an historic property may be affected, then it shall notify the Indiana SHPO, the public and all consulting parties of its finding and seek views on effects in accordance with 36 C.F.R. §§ 800.4(d)(2) and 800.2(d)(2). Thereafter, the Surface Transportation Board may proceed to apply the criteria of adverse effect and determine whether the project will result in a "no adverse effect" or an "adverse effect" in accordance with 36 C.F.R. 800.5.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. If you have questions about buildings or structures please contact Shawn Niemi at (317) 234-6705 or sniemi@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #8111.

Very truly yours,



James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG:SEN CDW:cdw

cc: Thomas Healey, Counsel for Elgin, Joliet & Eastern Railway Company