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June 17, 2025

VIA E-FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

ENTER
Office of Proceedings
June 17, 2025
Part of
Public Record

Re: STB Docket No. FD 36862
Port Harbor Railroad, Inc.
- Lease and Operation Exemption -
America's Central Port District

Dear Ms. Brown:

Enclosed for e-filing on behalf of Port Harbor Railroad, Inc. is a Notice of Exemption being filed in accordance with 49 CFR 1150.43.

The filing fee was paid using Pay.gov. Please let me know if there are any questions regarding this filing.

Sincerely,

A handwritten signature in blue ink that reads 'Justin J. Marks'.

Justin J. Marks
Counsel for Port Harbor Railroad, Inc.

Enclosure

FEE RECEIVED
June 17, 2025
SURFACE
TRANSPORTATION BOARD

FILED
June 17, 2025
SURFACE
TRANSPORTATION BOARD

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36862

**PORT HARBOR RAILROAD, INC.,
– LEASE AND OPERATION EXEMPTION –
AMERICA’S CENTRAL PORT DISTRICT**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. §10902**

(includes color images)

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Attorneys for Port Harbor Railroad, Inc.

Dated: June 17, 2025

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36862

**PORT HARBOR RAILROAD, INC.,
– LEASE AND OPERATION EXEMPTION –
AMERICA’S CENTRAL PORT DISTRICT**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. §10902**

Port Harbor Railroad, Inc. (“Port Harbor”), a Class III railroad, files this Notice of Exemption under 49 U.S.C. § 10902 to exempt from regulation Port Harbor’s acquisition via a lease from the America’s Central Port District¹ (“ACPD”), and the operation as a common carrier, of approximately 2.97 miles of rail line within the cities of Granite City and Madison in Madison County, Ill extending from milepost 0.00 to milepost 2.97 (“Rail Line”).

Port Harbor is the current operator of the Rail Line and first received operating authority in 2010. *Port Harbor Railroad, Inc. - Lease and Operation Exemption – Line of Tri-City Regional Port District*, STB Finance Docket No. 35374 (served May 7, 2010). In 2016, Port Harbor and ACPD extended the term of the agreement.²

Port Harbor has now entered into a new lease (“New Lease”) with ACPD to continue operating on the Rail Line and to make other commercial changes. A map of the Rail Line is included as Exhibit A.

¹ ACPD was formerly known as Tri-City Regional Port District, it changed its name in 2011. ACPD is a noncarrier.

² It does not appear that Port Harbor sought Board authority for this lease extension.

Notice

In accordance with 49 C.F.R. §1150.43, Port Harbor hereby provides the following information:

- (a) The full name and address of Applicant: Port Harbor Railroad, Inc. 1635 West First Street Suite 151 Granite City. IL 62040.

- (b) Applicant's Representatives:

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- (c) Port Harbor has entered into the New Lease with ACPD for Port Harbor to enable Port Harbor to continue to lease and operate as a common carrier over approximately 2.97 miles of tracks and associated right of way within the cities of Granite City and Madison in Madison County, Ill.
- (d) The current operator of the Rail Line is Port Harbor. Port Harbor will continue to operate the Rail Line after the New Lease becomes effective.

- (e) Brief Summary of the Proposed Transaction:

Port Harbor and ACPD have entered into the New Lease to allow Port Harbor to continue to operate the Rail Line that Port Harbor has operated since 2010. *Port Harbor*

Railroad, Inc. - Lease and Operation Exemption – Line of Tri-City Regional Port District, STB Finance Docket No. 35374 (served May 7, 2010).

- (1) The lessor of the Rail Line is America's Central Port District. The name and address of ACPD is 1635 West First Street, Granite City, IL 62040.
- (2) Port Harbor is already operating the Rail Line. It will commence operation of the Rail Line under the New Lease on or after the effective date of this Notice, thirty days after filing.
- (3) The mileposts of the Rail Line extend from milepost 0.00 to milepost 2.97.
- (4) The total route miles to be acquired and operated is approximately 2.97 miles.³
- (f) Attached as Exhibit A to this Notice of Exemption is a map of the Rail Line.
- (g) Port Harbor certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III carrier.
- (h) Port Harbor certifies that the Agreement does not include an interchange commitment.
- (i) In addition to the information set forth above, Port Harbor certifies that its annual operating revenues after the transaction will not exceed \$5,000,000.

Labor Protection

Port Harbor is a Class III carrier and pursuant to 49 U.S.C. §10902(d), approval of this transaction may not be subjected to labor protection conditions. Additionally, since Port Harbor

³ Port Harbor is also receiving the right from ACPD to use adjacent track that Port Harbor will use as spur and/or industry tracks outside of the Board's jurisdiction.

is the current operator of the Rail Line, no employees will be adversely affected by the transaction.

Environmental and Historic Reports

Pursuant to 49 C.F.R. §1105.6(c)(2), no environmental documentation should be required because this proceeding involves authority for an agreement for acquisition (lease) that will allow for continued rail operations that will not exceed the thresholds established in 49 C.F.R. §1105.7(e)(4) or (5).

No historic report under 49 C.F.R. §1105.8(b)(1) should be required because the transaction merely involves a lease of the Rail Line with no changes in rail operations and further Board approval is required for Port Harbor to abandon or discontinue service on the Rail Line. Port Harbor has no plans to dispose of or alter properties subject to the Board's jurisdiction that are 50 years old or older.

Caption Summary

Attached hereto as Exhibit B is the caption summary required by 49 C.F.R. §1150.44.

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Conclusion

Accordingly, Port Harbor requests that the Board issue a notice allowing Port Harbor to lease and operate the Rail Line effective 30 days after the date of filing of this notice of exemption.

Respectfully submitted,



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Attorneys for Port Harbor Railroad, Inc.

Dated: June 17, 2025

VERIFICATION

I hereby verify on behalf of Port Harbor Railroad, Inc., under penalty of perjury, that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verification.

Executed on June [↓]16 2025.

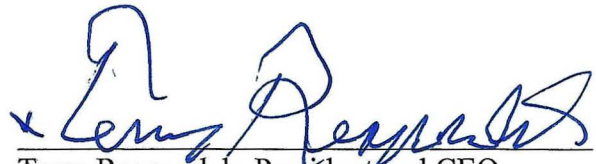
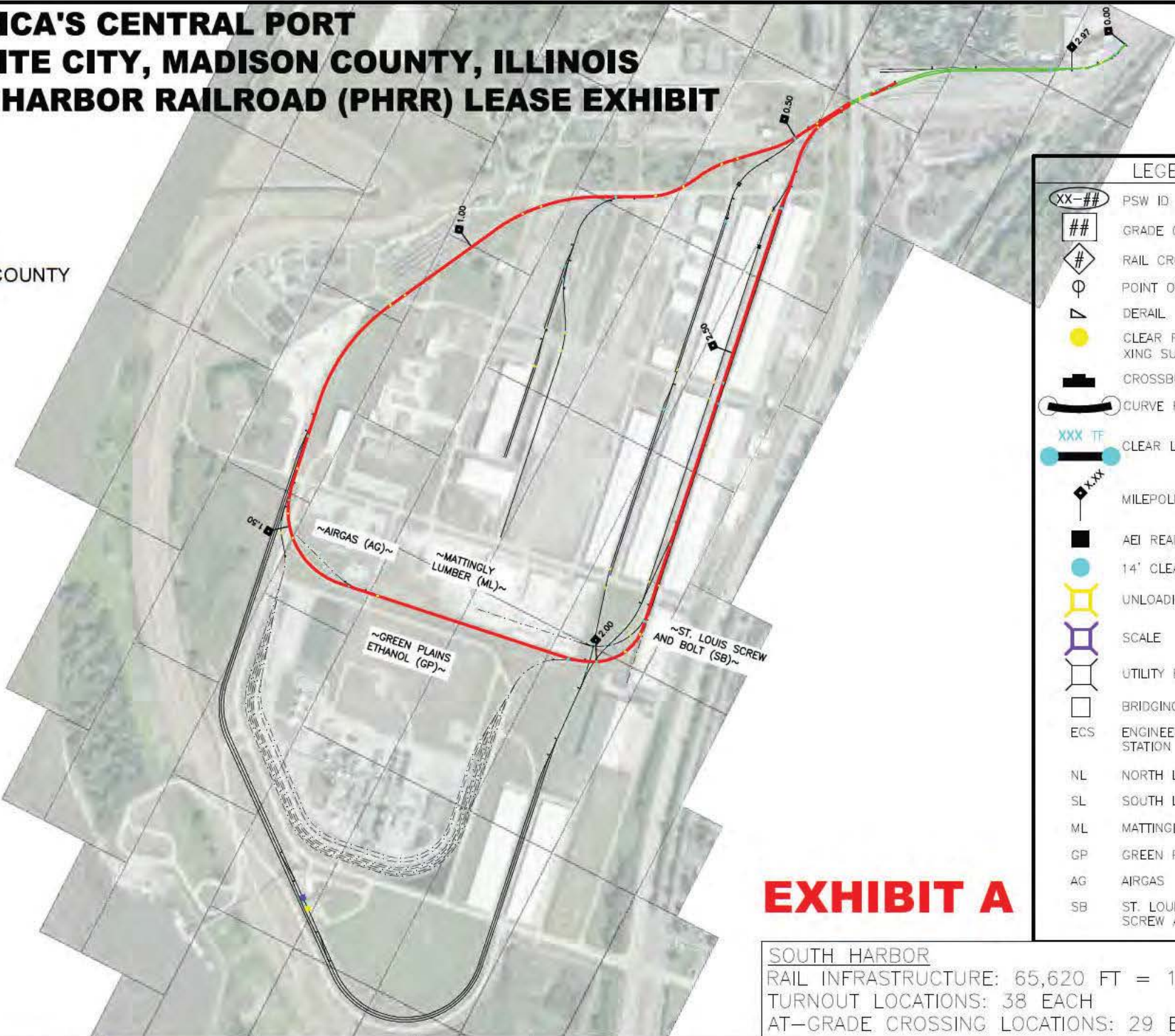

Terry Respondek, President and CEO

EXHIBIT A

MAP

AMERICA'S CENTRAL PORT GRANITE CITY, MADISON COUNTY, ILLINOIS PORT HARBOR RAILROAD (PHRR) LEASE EXHIBIT



LEGEND	
XX-##	PSW ID
##	GRADE CROSSING ID
#	RAIL CROSSING ID
⊙	POINT OF SWITCH
▽	DERAIL
●	CLEAR POINT (50' BEYOND XING SURFACE)
+	CROSSBUCK
⌒	CURVE POINTS
XXX TF	CLEAR LENGTH
XX	MILEPOLE
■	AEI READER
●	14' CLEARANCE POINT
□	UNLOADING PIT
□	SCALE
□	UTILITY BRIDGE
□	BRIDGING
ECS	ENGINEER CHAINAGE STATION
NL	NORTH LOOP
SL	SOUTH LOOP
ML	MATTINGLY LUMBER
GP	GREEN PLAINS ETHANOL
AG	AIRGAS
SB	ST. LOUIS SCREW AND BOLT

EXHIBIT A

SOUTH HARBOR
RAIL INFRASTRUCTURE: 65,620 FT = 12.43 MILES
TURNOUT LOCATIONS: 38 EACH
AT-GRADE CROSSING LOCATIONS: 29 EACH



EXHIBIT B

CAPTION SUMMARY

SURFACE TRANSPORTATION BOARD

Notice of Exemption

STB Docket No. FD 36862

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Comments must be filed with the Board and served on Port Harbor’s representative, Justin Marks, Clark Hill, 1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004, (202) 772-0916, jmarks@clarkhill.com.

The Notice is filed under 49 C.F.R. §1150.41. If the Notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. §10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Board decisions and notices are available at www.stb.gov.

Decided: _____, 2025.

By the Board, Mai T. Dinh, Director, Office of Proceedings.