

BAKER & MILLER PLLC

302247

ATTORNEYS and COUNSELLORS
2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820
FACSIMILE: (202) 663-7849

Crystal M. Zorbaugh

ENTERED
Office of Proceedings
May 3, 2021
Part of
Public Record

(202) 663-7831 (Direct Dial)
E-Mail: czorbaugh@bakerandmiller.com

May 3, 2021

VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

Re: Union Railroad Company, LLC – Abandonment Exemption – In the City of McKeesport, Allegheny County, Pennsylvania, AB-183 (Sub-No. 5X)

Dear Ms. Brown:

Pursuant to 49 C.F.R. Part 1152, Subpart F – Exempt Abandonments and Discontinuances Union Railroad Company, LLC (“URR”) is filing a verified notice of exemption to abandon rail service over approximately 5.4-miles of switching and terminal trackage in the City of McKeesport, Allegheny County, Pennsylvania. A \$4,600.00 filing fee has been paid via Pay.gov. If there are any questions about this matter, please contact me directly, either by telephone: 202-663-7831 or by e-mail: czorbaugh@bakerandmiller.com. If I am unavailable, you may contact William A. Mullins, who can be reached at (202) 663-7823 or by e-mail at wmullins@bakerandmiller.com.

Respectfully submitted,

/s/ *Crystal M. Zorbaugh*

Crystal M. Zorbaugh
Attorney for Union Railroad Company, LLC

Enclosures

cc: Matthew J. Fearing

FEE RECEIVED
May 3, 2021
SURFACE
TRANSPORTATION BOARD

FILED
May 3, 2021
SURFACE
TRANSPORTATION BOARD

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

**William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW
Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849**

May 3, 2021

***This filing contains color.**

**Attorneys for Union Railroad Company,
LLC**

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No.5X)

**UNION RAILROAD COMPANY, LLC – ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

INTRODUCTION

Union Railroad Company, LLC (“URR”)¹² hereby submits a verified notice of exemption pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances) for URR to abandon rail service over approximately 5.4-miles of switching and terminal trackage (20.7 acres) in the City of McKeesport in Allegheny County, Pennsylvania (known as the “MCR Track”).³ There has been no common carrier service on the MCR Track for well over two years. Following abandonment, URR will convey the right-of-way to a business owner adjacent to the MCR Track (“Purchaser”) with the MCR Track’s rail and related track material intact. The Purchaser has no immediate plans to

¹ In late 2012/ early 2013, the former McKeesport Connecting Railroad Company was merged into URR. See Union R.R. Co. – Corp. Family Merger Exemption – McKeesport Connecting R.R. Co., FD 35679 (STB served Nov. 2, 2012).

United States Steel Corporation (“USS”), a non-carrier, owns all of the issued and outstanding stock of Transtar, Inc. (“Transtar”), which is a non-carrier holding company. Transtar owns all of the issued and outstanding stock of six Class III common carrier railroads subject to the jurisdiction of the STB, including URR.

² Note, the original entity for STB purposes was Union Railroad Company. Effective December 31, 2016, Union Railroad Company became a Limited Liability Company. The caption for this proceeding reflects the entity’s new legal name under Delaware law.

³ The approximately 5.4 mile long MCK Track, which does not have mileposts, is generally bounded on the North by the Monongahela River; East by the McKeesport / North Versailles Township line; South by Lysle Blvd, 5th Avenue, Bowman Avenue, and/or East Pittsburgh McKeesport Road; and West by the Youghioghenny River.

salvage the MCR Track's rail and related track material but will be responsible for such salvaging should it occur in the future.⁴

The MCR Track traverses United States Postal Zip Code territory 15132. The entirety of the MCR Track is in the City of McKeesport in Allegheny County, Pennsylvania. The Line remains out of service and no common carrier traffic has traversed the MCR Track in well over two years.

Per the requirements of 49 C.F.R. §§ 1152.50(b) and (d), URR provides the following information in support of this notice of abandonment:

Certification: 49 C.F.R. § 1152.50(b)

URR certifies that the MCR Track satisfies the criteria for abandonment under the exemption provisions at 49 C.F.R. part 1152, subpart F. See Certification of Jonathan Carnes, President for URR (Exhibit A). During the past two years, (1) URR has provided no local common carrier traffic over the MCR Track; (2) no overhead traffic has moved over the MCR Track and overhead traffic, if there were any, could be rerouted over other lines; and (3) no formal complaint has been filed by a user of rail service on the MCR Track or a state or local government entity acting on behalf of such user regarding cessation of service over the MCR Track is either pending before the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the two-year-period.

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

The proposed abandonment will be consummated on or after June 22, 2021 (50 days after filing the notice of exemption).

⁴ Should the Board direct any salvage conditions in granting abandonment authority, URR will execute an agreement with the Purchaser, prior to conveying the property, to ensure that purchaser complies with such requirements should the Purchaser later decide to perform salvage activities. See Consummation of Rail Line Abandonments that are Subject to Historic Pres. and Other Envtl. Conditions, EP 678 FN 1 (STB served April 23, 2008).

Additional Information Required: 49 C.F.R. §§ 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

Exact name of applicant (49 C.F.R. § 1152.22(a)(1)):

Union Railroad Company, LLC

Whether the applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

URR is a common carrier by railroad subject to the Board's jurisdiction under 49 U.S.C.

Subtitle IV.

Relief sought (49 C.F.R. § 1152.22(a)(3)):

URR hereby invokes the Board's two-year-out-of-service class exemption procedures to abandon rail service over approximately 5.4-miles of switching and terminal trackage, in the City of McKeesport in Allegheny County, Pennsylvania.⁵ All of the track is located in the City of McKeesport in Allegheny County, Pennsylvania.

Map (49 C.F.R. § 1152.22(a)(4)):

A detailed map showing the location of the MCR Track is attached hereto as Exhibit B.

Applicant's representatives (49 C.F.R. § 1152.22(a)(7)):

URR's representatives to whom correspondence should be sent is as follows:

William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW, Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849

USPS ZIP codes (49 C.F.R. § 1152.22(a)(8)):

The MCR Track is located in the following United States Postal Zip Code territory: 15132.

⁵ As noted in FN 1, the MCR Track was originally operated as the McKeesport Connecting Railroad Company.

Suitability of the MCR Track for Other Public Purposes (49 C.F.R. § 1152.22(e)(4)):

For the right-of-way underlying the MCR Track proposed for abandonment, URR has a mix of fee simple and easement interests; thus, URR may have a corridor available for redeployment for alternative public use(s). The MCR Track does not contain any federally granted right-of-way. As appropriate, URR is willing promptly to make available any information in its possession to anyone so requesting it.

As stated previously, upon receipt of abandonment authority URR currently plans to convey the right-of-way to a business owner adjacent to the MCR Track.

Labor Protection

Because the MCR Track has been inactive for well over years, no railroad employees will be adversely affected by exercise of abandonment authority. Nevertheless, the interests of URR's employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions set forth in Or. Short Line R. Co – Abandonment – Goshen, 360 I.C.C. 91 (1979).

Certifications

Attached hereto as Exhibit C are Certificates of Service and Publication certifying compliance with the advance notice and newspaper publication requirements set forth at 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as part of Exhibit D is a certificate of compliance with the advance notice requirements for Environmental and Historic Reports as set forth at 49 C.F.R. § 1105.11.

Environmental and Historic Report

As is reflected in the certificate of compliance with the provisions of 49 C.F.R. § 1105.11 (see Exhibit D), URR has prepared a combined Environmental and Historic Report ("E&HR") in anticipation of the proposed abandonment portion of the proceeding, which conforms to the

requirements of 49 C.F.R. §§ 1105.7 and 1105.8. A copy of the E&HR is attached hereto as Attachment 1 to Exhibit D (§ 1105.11 certification).

Respectfully submitted,

/s/ **Crystal M. Zorbaugh**

William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW
Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849

May 3, 2021

Attorneys for Union Railroad Company, LLC

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

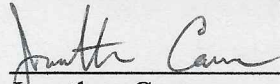
VERIFICATION

Verification

I, Jonathan Carnes, President for Union Railroad Company, LLC ("URR") hereby verify under penalty of perjury that to the best of my knowledge, the foregoing abandonment notice of exemption is true and correct. Further, I certify that I am qualified and authorized to make such verification on behalf of URR in connection with this proceeding before the Surface Transportation Board.

Executed this 30th day of April 2021.

Union Railroad Company, LLC



Jonathan Carnes
President

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT A

CERTIFICATION

CERTIFICATION

COMMONWEALTH OF PENNSYLVANIA:

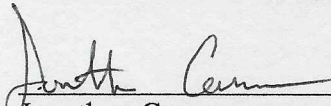
SS:

Washington

COUNTY OF ALLEGHENY:

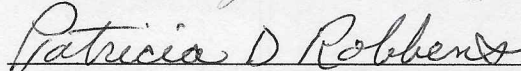
Jonathan Carnes makes oath and says that he is the President of Union Railroad Company, LLC ("URR"); that the approximately 5.4-miles of switching and terminal trackage (20.7 acres) in the City of McKeesport in Allegheny County, Pennsylvania (the "MCR Track"), over which service is to be abandoned, is subject to his supervision and direction; that (1) URR has provided no local common carrier traffic over the MCR Track; (2) no overhead traffic has moved over the MCR Track and overhead traffic, if there were any, could be rerouted over other lines; and (3) no formal complaint has been filed by a user of rail service on the MCR Track or a state or local government entity acting on behalf of such user regarding cessation of service over the MCR Track is either pending before the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the two-year-period.

Union Railroad Company, LLC


Jonathan Carnes
President

Subscribed and sworn to before me

this 30 day of April 2021.


Notary Public

My commission expires:

June 16, 2024

Commonwealth of Pennsylvania - Notary Seal
Patricia D. Robbins, Notary Public
Washington County
My commission expires June 16, 2024
Commission number 1269156
Member, Pennsylvania Association of Notaries

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT B

MAP



ALLEGHENY COUNTY, PA.

CITY OF
DUQUESNE

S.M.S.A.
6280

DUQUESNE-MCKEESPORT
HIGHWAY BRIDGE

MONONGAHELA RIVER

MCKEESPORT CONNECTING RAILROAD

UNION RAILROAD

CSX TRANSPORTATION

CITY OF
MCKEESPORT

LEGEND

— CATEGORY 5



McKEESPORT CONNECTING RAILROAD COMPANY

SCALE **1" = 1600 FEET**

S.M.S.A. **6280**

MONROEVILLE, PA.

DATE **SEPT. 2012**

ENGINEERING SERVICES

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT C

CERTIFICATES OF SERVICE/PUBLICATION

Certificate of Service of Advance Notice

49 C.F.R. § 1152.50(d)(1) – Notice

I certify that, on April 21, 2021, in keeping with 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with the written notice of intent of Union Railroad Company, LLC to invoke the Board's notice of exemption procedures to abandon rail service over approximately 5.4-miles of switching and terminal trackage in the City of McKeesport in Allegheny County, Pennsylvania (the "MCR Track"). I further certify that the MCR Track does not contain any federally granted right of way.

Public Service Commission, et al.

PA Department of Transportation
Keystone Building
400 North St., Fifth Floor
Harrisburg, PA 17120

Secretary's Bureau
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, Room-N201
Harrisburg, PA 17120

Department of Defense (Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program)

David Dorfman
Headquarters Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA
Railroads for National Defense Program
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

The National Park Service, Recreation Resources Assistance Division

Mr. Stephan Nofield
National Park Service
Rivers, Trails, and Conservation Assistance Program
1849 C Street NW, Room 1344
Washington DC 20240

Ms. Julie Bell
National Park Service, Northeast Regional Office
Rivers, Trails, and Conservation Assistance Program
200 Chestnut St., Third Floor
Philadelphia, PA 19106

U.S. Department of Agriculture, Chief of the Forest Service

Vicki Christiansen, Chief
Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20024

May 3, 2021

/s/ **Crystal M. Zorbaugh**

Crystal M. Zorbaugh
Attorney for Union Railroad Company, LLC

Certificate of Newspaper Publication

49 C.F.R. § 1105.12 – Newspaper Notice

I certify that a “Notice of Intent to Abandon Rail Service” was published in the form prescribed by the Board for abandonment notices of exemption (49 C.F.R. § 1105.12). The notice was published one time on April 15, 2021, in the Pittsburgh Post-Gazette, a newspaper of general circulation in the City of McKeesport in Allegheny County, Pennsylvania.

May 3, 2021

/s/ **Crystal M. Zorbaugh**
Crystal M. Zorbaugh
Attorney for Union Railroad Company, LLC

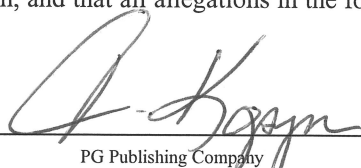
Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

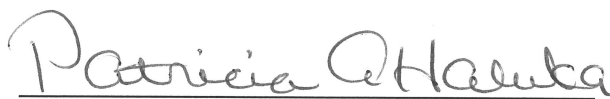
Commonwealth of Pennsylvania, County of Allegheny, ss T. Kopyar, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

15 of April, 2021

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.


 PG Publishing Company

Sworn to and subscribed before me this day of:
 April 15, 2021



Commonwealth of Pennsylvania - Notary Seal
 Patricia A. Haluka, Notary Public
 Allegheny County
 My commission expires December 4, 2024
 Commission number 1387348
 Member, Pennsylvania Association of Notaries

STATEMENT OF ADVERTISING COSTS

Baker & Miller PLLC
 2401 Pennsylvania Ave. NW, Suite
 Washington District of Columbia

To PG Publishing Company

Total ----- \$736.25

Publisher's Receipt for Advertising Costs

PG PUBLISHING COMPANY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

Office
 2201 Sweeney Drive
 CLINTON, PA 15026
 Phone 412-263-1338

PG Publishing Company, a Corporation, Publisher of
 Pittsburgh Post-Gazette, a Newspaper of General Circulation

By _____

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

**COPY OF NOTICE
OR PUBLICATION****NOTICE OF INTENT TO
ABANDON RAIL SERVICE
AB-183 (Sub-No. 5X)**

Union Railroad Company ("URR") gives notice that on or about May 1, 2021, it intends to file with the Surface Transportation Board ("Board"), Washington, DC 20423, a Notice of Exemption pursuant to 49 C.F.R. Part 1152, Exempt Abandonments and Discontinuances of Services, seeking authority for URR to abandon common carrier operations over approximately 5.4 miles (20.7 acres) of switching and terminal trackage (known as the "MCR Track") in the City of McKeesport, Allegheny County, Pennsylvania. The Line traverses United States Postal Zip Code territory 15132. There has been common carrier service on the MCR Track for well over two years. The proceeding has been docketed as AB-183 (Sub-No. 5X).

The proposed action entails the abandonment of rail service over the Line. For abandonments, the Board's Office of Environmental Analysis ("OEA") generally will prepare an Environmental Assessment ("EA"), which normally will be available 25 days after the filing of the abandonment 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. Such comments 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 OEA, Surface Transportation Board, 395 E

Street, SW, Washington, D.C. 20423, or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance ("OFA") to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails public use, and OFA) must be filed directly with the Board's

Section of Administration,
Office of Proceedings, 395 E
Street, S.W., Washington, DC
20423 [See 49 C.F.R. §§
1104.1(a) and 1104.3(a)], and
one copy must be served on
applicant's representative [See
49 C.F.R. § 1104.12(a)].
Questions regarding OFAs,
public use or trails use may be
directed to the Board's Office
of Public Assistance,
Governmental Affairs, and
Compliance at 202-245-0230.
Copies of any comments or
requests for specific Board
action should be served on
the applicant's representative:
Crystal M. Zorbaugh, BAKER &
MILLER PLLC, 2401
Pennsylvania Ave., N.W., Suite
300, Washington, DC 20037;
phone: 202-663-7820; fax
202-663-7849.

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT D

CERTIFICATE OF COMPLIANCE WITH ENVIRONMENTAL AND HISTORIC REPORT REQUIREMENTS

**Environmental and Historic Report
Certificate of Service**

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-290 (Sub-No. 409X) was mailed via first-class mail on April 1, 2021, to the following parties:

**STATE HISTORIC PRESERVATION
OFFICE**

Bureau for Historic Preservation,
State Historic Preservation Office
Pennsylvania Historical & Museum
Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

STATE DOT

PA Department of Transportation
Keystone Building
400 North St., Fifth Floor
Harrisburg, PA 17120

**STATE ENVIRONMENTAL
PROTECTION AGENCY**

Pennsylvania Environmental Protection
Agency
400 Waterfront Drive
Pittsburgh, PA 15222-4745

REGIONAL EPA

United States Environmental Protection
Agency
("EPA Region 3")
1650 Arch St,
Philadelphia, PA 19103

CITY/TOWNSHIP

Mayor Michael Cherepko
City of McKeesport and Allegheny County,
PA
City Hall
500 5th Avenue
McKeesport, PA 15132

COUNTY

Bethany Hallam
Council at-Large
County Council
County Courthouse
436 Grant Street, Room 119
Pittsburgh, PA 15219-2497

Samuel DeMarco III

Council at-Large
County Council
County Courthouse
436 Grant Street, Room 119
Pittsburgh, PA 15219-2497

US ARMY CORPS OF ENGINEERS

U.S. Army Corps of Engineers Pittsburgh
District
1000 Liberty Avenue William S Moorhead
Federal Building
Pittsburgh, PA 15222-4186

**STATE COASTAL ZONE
MANAGEMENT**

Pennsylvania Department of Natural
Resources
Office of Coastal Management
400 Market Street
P O Box 8767
Harrisburg, PA 17105-2063

U.S. FISH AND WILDLIFE SERVICE

US Fish and Wildlife Service
1849 C St NW,
Washington, DC 20240

NATIONAL PARK SERVICE

Mr. Stephan Nofield
National Park Service
Rivers, Trails, and Conservation Assistance Program
1849 C. Street NW, Room 1344
Washington, DC 20240

Ms. Julie Bell
National Park Service, Northeast Regional Office
Rivers, Trails, and Conservation Assistance Program
200 Chestnut St., Third Floor Philadelphia, PA 19106

NATIONAL GEODETIC SURVEY

Communications and Outreach Branch, NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East West Highway
Silver Spring, MD 20910-3282

NATURAL RESOURCES CONSERVATION SERVICE

Mr. Terrell Erickson
Regional Conservationist – Northeast Region
USDA Natural Resources Conservation Service
14th and Independence Ave SW, #5204-S
Washington, DC 20250

The United States Department of Agriculture
Natural Resources Conservation Service (“USDA NRCS”)
14th and Independence Ave SW, Room 5204-S
Washington, DC 20250

/s/ **Crystal M. Zorbaugh**

Crystal M. Zorbaugh
Attorney for Union Railroad Company, LLC

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

ATTACHMENT 1

**ENVIRONMENTAL AND HISTORIC REPORT
INCLUDING SAMPLE TRANSMITTAL LETTER**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY
– PROPOSED ABANDONMENT –
IN THE CITY OF MCKEESPORT,
ALLEGHENY COUNTY, PENNSYLVANIA**

Combined Environmental and Historic Report

Union Railroad Company (“URR”) submits this Combined Environmental and Historic Report (“E&HR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with URR’s proposed abandonment of its McKeesport Connecting Railroad (“MCR”), switching and terminal trackage¹ in the City of McKeesport, Allegheny County, Pennsylvania (“MCR Track”).²³

April 1, 2021

¹ In late 2012/ early 2013, the former McKeesport Connecting Railroad Company was merged into the Union Railroad Company. See Union R.R. Co. – Corp. Family Merger Exemption – McKeesport Connecting R.R. Co., FD 35679 (STB served Nov. 2, 2012).

² The trackage, which connects to CSXT Transportation, Inc., formerly served USS’ McKeesport Tubular Operations. While, URR is seeking abandonment authority, no salvaging with occur as a result of the abandonment because the MCR Track is being sold to the sole shipper served by the trackage, DB Pipe, LLC, a Pennsylvania limited liability company (“DB Pipe, LLC”). URR has not provided common carrier service over the MCR Track for over four years.

³ The approximately 5.4 mile long MCK Track, which does not have mileposts, is generally bounded on the North by the Monongahela River; East by the McKeesport / North Versailles Township line; South by Lysle Blvd, 5th Avenue, Bowman Avenue, and/or East Pittsburgh McKeesport Road; and West by the Youghiogheny River.

ENVIRONMENTAL REPORT

49 CFR 1105.7(e)(1)

Proposed Action and Alternatives

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

RESPONSE: URR is seeking to abandon switching and terminal trackage known as the MCR Track in the City of McKeesport, Allegheny County, Pennsylvania. As noted in FN 3, the MCR Track does not have mileposts.⁴ There are no structures on the MCR Track being proposed for abandonment.

No customers have been served by URR over the MCR Track for over four years. Following abandonment, URR will convey the right-of-way to DB Pipe, LLC with the MCR Track's rail and related track material intact. URR understands DB Pipe, LLC has no immediate plans to salvage the MCR Track's rail and related track material, which will be utilized to (1) support DB Pipe, LLC's steel finishing plant located on land adjacent to the MCR Track and for the storage of railroad cars. Additionally, while DB Pipe, LLC has no immediate plans to salvage the MCR Track, it will be responsible for such salvaging should it occur in the future.⁵

The alternative to abandonment is to not abandon the MCR Track and URR retain the MCR Track. This alternative is not satisfactory. URR would continue to incur opportunity and other

⁴ The MCK Track is approximately 5.4 miles long. The property that the track occupies totals approximately 20.7 acres.

⁵ Should the Board impose any salvage conditions in granting abandonment authority, URR will execute an agreement with DB Pipe, LLC, prior to conveying the property, to transfer such requirements to DB Pipe, LLC in the event it later decides to perform salvage activities. See Consummation of Rail Line Abandonments that are Subject to Historic Pres. and Other Envtl. Conditions, EP 678 FN 1 (April 23, 2008).

holding costs that would need to be covered by non-existent shippers were the MCR Track to be retained.

A map depicting the MCR Track is attached as **Appendix A**. An example of URR's letter to federal, state, and local government agencies along with a list of the consulting agencies that URR has contacted is attached as **Appendix B**. Comments received as a result of URR's written requests for feedback can be found in **Appendix C**. A historical brochure for MCR is attached as **Appendix D**.

49 CFR 1105.7(e)(2) Transportation system.

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

RESPONSE: Effects of the proposed action on regional or local transportation systems and patterns would be negligible. URR has provided no common carrier rail service and no passenger traffic has moved over the MCR Track in more than four years.

49 CFR 1105.7(e)(3) Land use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

RESPONSE: An outline of future land use plans has been requested from the City of McKeesport and Allegheny County, PA, both of which were asked to comment on the consistency of the proposed abandonment of the MCR Track with existing land use plans.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

RESPONSE: URR does not believe the abandonment will have any adverse impact on prime agricultural land because the MCR Track to be abandoned is in the City of McKeesport, Allegheny County, Pennsylvania. However, a copy of this E&HR has been mailed to The United

States Department of Agriculture Natural Resources Conservation Service (“USDA NRCS”) for its information and to provide USDA NRCS an opportunity to comment.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by Sec. 1105.9.

RESPONSE: The MCR Track is not located within a coastal zone. However, a copy of the E&HR was mailed to the Pennsylvania Department of Natural Resources Office of Coastal Management for its information.

(iv) If the proposed action is an abandonment state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.

RESPONSE: URR has fee simple ownership to the right-of-way underlying the MCR Track proposed for abandonment; thus, URR may have a corridor available for redeployment for alternative public use(s). The MCR Track does not contain any federally granted right-of-way. Please note, URR is transferring ownership of the MCR Track to DB Pipe, LLC for continued private rail operations, as such URR is unwilling to negotiate interim trails use.

49 CFR 1105.7(e)(4) Energy.

(i) Describe the effect of the proposed action on transportation of energy resources.

RESPONSE: Development and transportation of energy resources will not be affected by the abandonment. URR has provided no common carrier rail service and no passenger traffic has moved over the MCR Track in more than four years.

(ii) Describe the effect of the proposed action on recyclable commodities.

RESPONSE: Movement or recovery of recyclable commodities will not be affected by the abandonment. URR has provided no common carrier rail and no passenger traffic has moved over the MCR Track in more than four years.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

RESPONSE: The proposed action involves the abandonment of a rail line that has not been utilized for common carrier rail service for over four years, and as such, will not result in an increase or decrease in overall energy.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year; or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

RESPONSE: No traffic will be diverted from rail to motor carriage as a result of the proposed action, so the above thresholds will not be exceeded.

49 CFR 1105.7(e)(5) Air.

(i) If the proposed action will result in either:

(A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or

(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

RESPONSE: The above thresholds will not be exceeded.

(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:

(A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,

(B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or

(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.

RESPONSE: The above thresholds will not be exceeded.

(iii) *If transportation of ozone depleting materials (such as nitrogen oxide and Freon®) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.*

RESPONSE: Not applicable.

49 CFR 1105.7(e)(6) Noise.

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) An incremental increase in noise levels of three decibels Ldn or more; or

(ii) An increase to a noise level of 65 decibels Ldn or greater.

If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

RESPONSE: The above thresholds will not be exceeded.

49 CFR 1105.7(e)(7) Safety.

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

RESPONSE: Abandonment of the MCR Track will have no adverse impact on public health and safety.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

RESPONSE: Not applicable.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

RESPONSE: URR has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way or in areas adjacent to the MCR Track.

49 CFR 1105.7(e)(8) Biological Resources.

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

RESPONSE: URR does not believe the abandonment will have any adverse impact on surrounding habitats and species. However, a copy of this E&HR has been mailed to the U.S. Fish and Wildlife Service to ascertain any impacts to surrounding habitats and species. No comments have been received yet.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

RESPONSE: The MCR Track does not pass through state parks or forests, national parks or forests, or wildlife sanctuaries. As such, no adverse effects on wildlife sanctuaries, national parks or forests, or state parks or forests are anticipated. Regardless, URR requested input from the National Park Service. No comments have been received yet.

49 CFR 1105.7(e)(9) Water.

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

RESPONSE: Neither URR nor DB Pipe, LLC intend to remove or alter the contour of the roadbed underlying the MCR Track to be abandoned by way of excavation or other ground-disturbance activity. No salvage of the MCR Track and related track material is anticipated at this time. Accordingly, no soils will be disturbed as a result of the proposed abandonment, and no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. There are no plans to undertake in-stream work, or dredge and/or use any fill materials in connection with the proposed abandonment, so, for this reason, also, the proposed abandonment will not result in water quality impacts.

Consultation has been requested from the Pennsylvania Environmental Protection Agency (“OEPA”) and the United States Environmental Protection Agency (“EPA Region 3”). No comments have been received yet.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

RESPONSE: The geometry of the roadbed will not be altered, and no in-stream work is contemplated. No discernible effects on either 100-year flood plains or adjacent wetlands are expected in connection with the proposed abandonment. No salvage of the MCR Track and related track material is anticipated at this time. Consequently, URR does not believe a Section 404 permit will be required in connection with the proposed abandonment. Consultation was requested from the U.S. Army Corps of Engineers Pittsburgh District.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.

RESPONSE: Neither URR nor DB Pipe, LLC plan to remove or alter the roadbed underlying the MCR Track, or to undertake in-stream work or to dredge or use any fill materials. No salvage of the MCR Track and related track material is anticipated at this time. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. URR anticipates that the abandonment will not affect water quality and that additional permitting under Section 402 will not be required. Nevertheless, URR has requested input from the U.S. EPA, EPA Region 3, and the Pennsylvania Environmental Protection Agency. No comments have been received yet.

49 CFR 1105.7(e)(10) Proposed Mitigation.

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

RESPONSE: Abandonment of the MCR Track is not expected to produce adverse environmental impacts for the reasons set forth above. URR will convey the right-of-way to DB Pipe, LLC with the MCR Track's rail and related track material intact, and DB Pipe, LLC has no immediate plans to salvage the MCR Track's rail and related track material. Should the Board direct any mitigation or salvage conditions in granting abandonment authority, URR will execute an agreement with DB Pipe, LLC to ensure that DB Pipe, LLC complies with such requirements should DB Pipe, LLC later decide to perform salvage activities.

HISTORIC REPORT

49 CFR 1105.8(d)

PROPOSED ACTION AND ALTERNATIVES

URR is seeking to abandon switching and terminal trackage known as the MCR Track in the City of McKeesport, Allegheny County, Pennsylvania. As noted in FN 3, the MCR Track does not have mileposts. URR has not provided common carrier service over the MCR Track for over four years.

Following abandonment, URR will convey the right-of-way to DB Pipe, LLC with the MCR Track's rail and related track material intact. DB Pipe, LLC has no immediate plans to salvage the MCR Track's rail and related track material but will be responsible for such salvaging should it occur in the future.

The alternative to abandonment is to not abandon the MCR Track and for URR to retain the MCR Track. This alternative is not satisfactory. URR would continue to incur opportunity and other holding costs that would need to be covered by non-existent shippers were the MCR

Track to be retained. A map depicting the MCR Track is attached in **Appendix A**.

ADDITIONAL INFORMATION

- (1) **U.S.G.S. Topographic Map** – Map was furnished to the Pennsylvania State Historic Preservation Office.
- (2) **Written Description Of Right Of Way** – The right-of-way width ranges from 25 feet to 200 feet. Pursuant to Surface Transportation Board policy, the railroad's right-of-way will constitute the Area of Potential Effect (“APE”) for this undertaking.
- (3) **Photographs** – There are no structures on the MCR Track being proposed for abandonment.
- (4) **Date Of Construction Of Structures** – N/A
- (5) **History Of Operations And Changes Contemplated** – The MCR Track that is the subject of this proposed abandonment consists of switching and terminal trackage known as the MCR Track in the City of McKeesport, Allegheny County, Pennsylvania. As noted in FN 1, the MCR Track was originally operated as the McKeesport Connecting Railroad Company.

Incorporated on March 20, 1889, the McKeesport Connecting Railroad connected the National Tube Works Co., and later U. S. Steel's National Plant, to the Pennsylvania, Pittsburgh & Lake Erie, and Baltimore & Ohio railroads. It also switched freight cars within the plant.⁶

⁶ United States Steel Corporation ("USS"), a non-carrier, owns all of the issued and outstanding stock of Transtar, Inc. ("Transtar"), which is a non-carrier holding company. Transtar owns all of the issued and outstanding stock of six Class III common carrier railroads subject to the jurisdiction of the STB, including URR. As stated previously, URR has owned the MCR Track since McKeesport Connecting Railroad Company was merged into URR in 2013.

URR has not provided common carrier service over the MCR Track for over four years. Given the absence of traffic on the MCR Track, no major changes are contemplated from the proposed abandonment.

(6) **Summary of Documents In Carrier's Possession That Might Be Useful For Documenting A Structure That Is Found To Be Historic** – N/A

(7) **Opinion Regarding Criteria For Listing In The National Register Of Historic Places**

There are no structures on the MCR Track being proposed for abandonment.

(8) **Subsurface Ground Conditions That Might Affect Archaeological Recovery**

The railroad is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover, abandonment of the MCR Track will not affect any potential archaeological resources. The subsurface of the right-of-way was initially disturbed in the construction of the railroad line by grading and filling.

Abandonment of the MCR Track will not result in activities below the surface, or below the level of initial disturbance. No salvage of material from the surface is contemplated at this time.

(9) **Follow-Up Information** – Additional information will be provided as appropriate.⁷

⁷ Attached as Appendix D, is a historical brochure for MCR.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

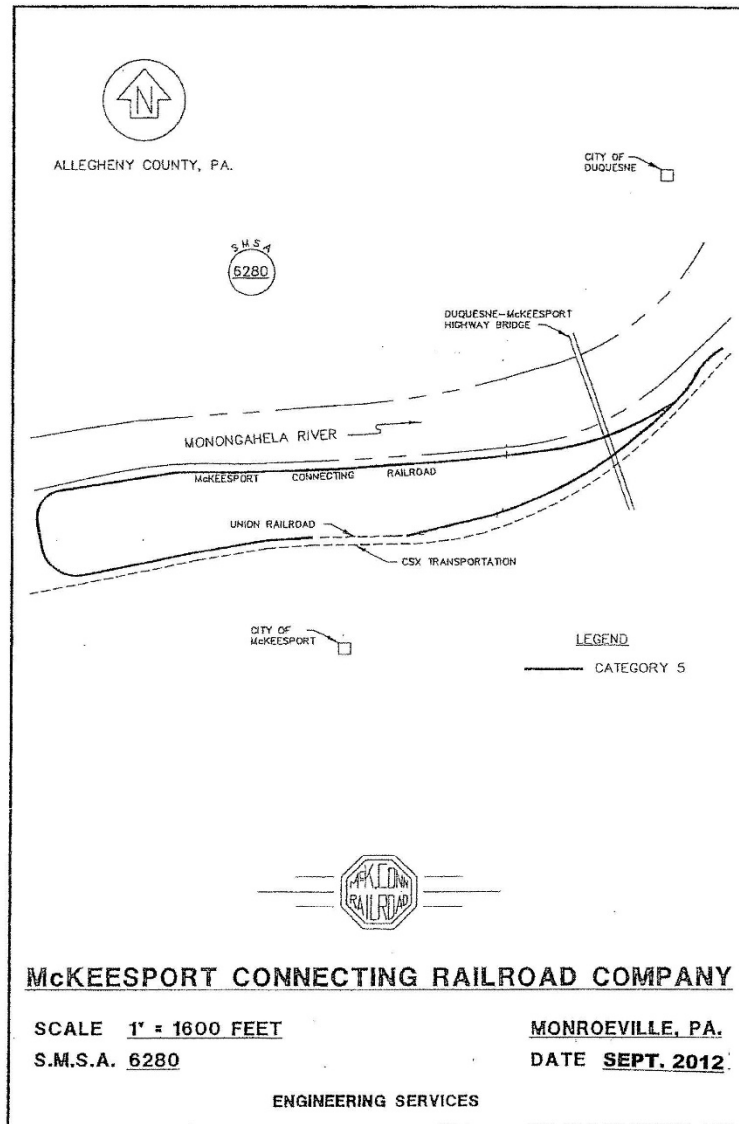
AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY
– PROPOSED ABANDONMENT –
IN THE CITY OF MCKEESPORT,
ALLEGHENY COUNTY, PENNSYLVANIA**

Combined Environmental and Historic Report

APPENDIX A

Map



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY
– PROPOSED ABANDONMENT –
IN THE CITY OF MCKEESPORT,
ALLEGHENY COUNTY, PENNSYLVANIA**

Combined Environmental and Historic Report

APPENDIX B

Sample Consultation Letter & Recipient List

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS
2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037
TELEPHONE: (202) 663-7820
FACSIMILE: (202) 663-7849

Crystal M. Zorbaugh

Direct Dial: (202) 663-7831

E-Mail: czorbaugh@bakerandmiller.com

April 1, 2021

[Insert Consulting Party]

RE: Union Railroad Company – Proposed Abandonment – in the City of McKeesport, Allegheny County, Pennsylvania, AB 183 (Sub-No. 5X)

Dear Sir or Madam,

On or after May 1, 2021, Union Railroad Company (“URR”) expects to file with the Surface Transportation Board, a notice of exemption seeking authority for URR to abandon common carrier operations over switching and terminal trackage (known as the “MCR Track”) in the City of McKeesport, Allegheny County, Pennsylvania.

Enclosed is a Combined Environmental and Historic Report (“Report”) which describes the proposed abandonment and other pertinent information. A map of the proposed track abandonment can be found in Appendix A of this report. Appendix B of this report lists the various agencies receiving it. Appendix C of this report lists the various agency responses. A historical brochure related to the MCR Track is attached as Appendix D.

The railroad does not anticipate adverse environmental impacts; however, if you identify any adverse environmental effects, please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in the Report and sent to the STB.

This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Office of Environmental Analysis (“OEA”) by telephone at (202) 245-0245 or by mail to:

Surface Transportation Board
395 E Street, S.W., Room 1106
Washington DC 20423-0001

Please refer to Docket No. AB 183 (Sub-No. 5X) when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts and/or historic preservation impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, URR must receive your comments within three weeks. If there are any questions concerning this E&HR, please contact me directly. I am URR's representative in this matter. I can be contacted by telephone at (202) 663-7831, or by mail and by e-mail at the addresses shown above.

Sincerely,

Crystal M. Zorbaugh
Counsel for Union Railroad Company

Enclosure

**RECIPIENT LIST
AB-183 (Sub-No. 5X)**

Proposed Abandonment of approximately 5.4 miles (20.7 acres) of switching and terminal trackage known as the MCR Track in the City of McKeesport, Allegheny County, Pennsylvania.

STATE HISTORIC PRESERVATION OFFICE

Bureau for Historic Preservation,
State Historic Preservation Office
Pennsylvania Historical & Museum Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

STATE DOT

PA Department of Transportation
Keystone Building
400 North St., Fifth Floor
Harrisburg, PA 17120

US ENVIRONMENTAL PROTECTION AGENCY

Pennsylvania Environmental Protection Agency
400 Waterfront Drive
Pittsburgh, PA 15222-4745

REGIONAL EPA

United States Environmental Protection Agency
("EPA Region 3")
1650 Arch St,
Philadelphia, PA 19103

STATE EPA

Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

CITY/TOWNSHIP

Mayor Michael Cherepko
City of McKeesport and Allegheny County, PA
City Hall
500 5th Avenue
McKeesport, PA 15132

COUNTY

Bethany Hallam

Council at-Large

County Council

County Courthouse

436 Grant Street, Room 119

Pittsburgh, PA 15219-2497

Samuel DeMarco III

Council at-Large

County Council

County Courthouse

436 Grant Street, Room 119

Pittsburgh, PA 15219-2497

US ARMY CORPS OF ENGINEERS

U.S. Army Corps of Engineers Pittsburgh District

1000 Liberty Avenue William S Moorhead Federal Building

Pittsburgh, PA 15222-4186

STATE COASTAL ZONE MANAGEMENT

Pennsylvania Department of Natural Resources

Office of Coastal Management

400 Market Street

P O Box 8767

Harrisburg, PA 17105-2063

U.S. FISH AND WILDLIFE SERVICE

US Fish and Wildlife Service

1849 C St NW,

Washington, DC 20240

NATIONAL PARK SERVICE

Mr. Stephan Nofield

National Park Service

Rivers, Trails, and Conservation Assistance Program

1849 C. Street NW, Room 1344

Washington, DC 20240

Ms. Julie Bell

National Park Service, Northeast Regional Office

Rivers, Trails, and Conservation Assistance Program

200 Chestnut St., Third Floor Philadelphia, PA 19106

NATIONAL GEODETIC SURVEY

Communications and Outreach Branch, NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East West Highway
Silver Spring, MD 20910-3282

NATURAL RESOURCES CONSERVATION SERVICE

Mr. Terrell Erickson
Regional Conservationist – Northeast Region
USDA Natural Resources Conservation Service
14th and Independence Ave SW, #5204-S
Washington, DC 20250

The United States Department of Agriculture
Natural Resources Conservation Service (“USDA NRCS”)
14th and Independence Ave SW, Room 5204-S
Washington, DC 20250

LAND USE

Allegheny County Economic Development
One Chatham Center, Suite 900
112 Washington Place
Pittsburgh, PA 15219

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY
– PROPOSED ABANDONMENT –
IN THE CITY OF MCKEESPORT,
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Combined Environmental and Historic Report

APPENDIX C

Agency Comments/Responses

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-183 (Sub-No. 5X)

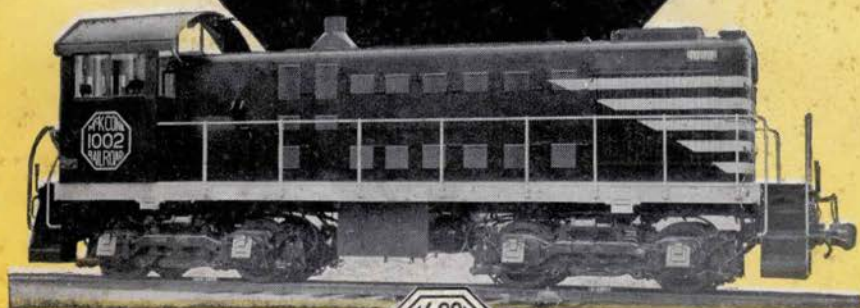
**UNION RAILROAD COMPANY
– PROPOSED ABANDONMENT –
IN THE CITY OF MCKEESPORT,
ALLEGHENY COUNTY, PENNSYLVANIA**

Combined Environmental and Historic Report

APPENDIX D

Historical Brochure

McKEESPORT CONNECTING RAILROAD COMPANY



Executive Offices—2515 Grant Bldg., Pittsburgh 19, Pa.

Local Offices—502 Fifth Ave., McKeesport, Pa.

McKEESPORT

Connecting

RAILROAD COMPANY

The McKeesport Connecting Railroad was incorporated March 20, 1889 under the General Railroad Law of the Commonwealth of Pennsylvania, for the purpose of constructing a line of railroad from McKeesport along the south side of Monongahela River to Port Perry, a distance of about four miles.

The railroad consists of 14.83 miles of main tracks, yard tracks, and sidings. It maintains two public team tracks known as Locust Street and Center Street team tracks. It also has connections for interchange of freight with the Pennsylvania, Pittsburgh & Lake Erie, and Baltimore & Ohio railroads. Its rolling stock consists of seven 1000 H.P. Diesel-Electric switching locomotives and 100 70-ton all steel gondola cars.

What Makes It Tick



WORK EFFICIENTLY ACCOMPLISHED BY A GROUP
OF ASSOCIATES, ALL SUBORDINATING PERSONAL
PROMINENCE TO THE ACHIEVEMENT.



The organization of the McKeesport Connecting may be compared to a league composed of seven teams, all closely dependent upon one another. The success of the league depends wholly upon the teamwork of its several teams. These teams may be identified as follows:

Executive.

Operating:

- a. Transportation.
- b. Maintenance of Equipment.
- c. Maintenance of Way.

Accounting.

Treasury.

Purchasing.

The Operating Department comprises three teams. Transportation is responsible for the manual performance of all phases of train movements and must be on the job every hour in every day in every year. Maintenance is charged with the duties of keeping all railroad property in first class condition and contributes in no small way to safe and efficient operation.

You will become acquainted with the men responsible for the success of each "team" and learn how the success of the "league" is dependent upon teamwork and cooperation of all.



D. J. SMITH*President*

Mr. Smith's railroading experience dates back to the summer of 1913, when he joined the Commercial Freight Department of the Baltimore and Ohio Railroad Company in Pittsburgh as a messenger. For several years he intermingled life insurance, asbestos and steel making with the matter of obtaining a further education. In 1916 he joined the Traffic Department of the Universal Portland Cement Company, holding various positions, until June of 1929, when he left Pittsburgh for New York, to become associated with



the General Commerce Counsel of the United States Steel Corporation, where he was engaged in traffic, transportation and commerce work. He was elected President and Director of the McKeesport Connecting on October 1, 1945.

D. T. HASTINGS*Vice President*

Mr. Hastings has been a native of Pittsburgh all his life. He was first employed in the Traffic Department of the National Tube Company from 1918 to 1932. He then became affiliated with the McKeesport Connecting, as Chief Clerk, Mechanical Department, McKeesport. In April, 1936, he was promoted to Chief Clerk to the President, at Pittsburgh. Late in 1936 he was elected Vice President and a Director.



THE EXECUTIVE DEPARTMENT

The Executive Department is headed by the President and includes his staff of assistants.

The President presides at all meetings of the Stockholders and of the Board of Directors and has general charge of the business of the Company. He is expected to manage the property so that it will render satisfactory service to the public and meet its financial obligations. He is accountable to the Board of Directors and to the stockholders for the property and its efficient operation.

The Vice President is vested with all the powers and required to perform all the duties of the President in the latter's absence.

The functions and activities of the Executive Department are many and varied;—traffic matters, establishing of rates, publishing of freight tariffs, processing of items for the Interstate Commerce Commission and the Pennsylvania Public Utilities Commission, all matters pertaining to employee relations and contracts or agreements concerning rates of pay and working conditions, are only a few of the many matters which require and receive expedient attention.

The Executive Department, having the responsibility of top supervision for the entire organization, is at all times in close contact with all Departments of the Company as to their activities and procedure. It is this close contact that enables the Executive Department to at all times be in the position of setting the correct policies to be followed for better understanding and cooperation of all Departments.

E. F. SULLIVAN*Superintendent*

Mr. Sullivan received his first railroading experience with the Baltimore and Ohio Railroad at Glenwood as a rodman in the Engineering Department. His first job with the McKeesport Connecting Railroad was that of Yard Clerk. After several years as a clerk in the Accounting Department, interrupted by military service in 1918, he was transferred to the Maintenance of Way Department on April 1, 1920. In systematic order he filled the positions of Gang Foreman, General Fore-



man and on January 1, 1934, was appointed Supervisor of the Maintenance of Way Department. On March 1, 1944, he was appointed Superintendent.

J. F. WALSH*General Yardmaster*

Mr. Walsh has been a railroader since 1914, when he started as a clerk for the Baltimore and Ohio Railroad. On November 15, 1918, he came to work for the McKeesport Connecting as a Locomotive Fireman and was promoted to Engineer May 7, 1922. On November 3, 1930, he was appointed Yardmaster, from whence he advanced to Assistant General Yardmaster on March 1, 1944, and to General Yardmaster on April 1, 1947.



THE OPERATING-TRANSPORTATION DEPARTMENT

The Operating Department, headed by the Superintendent, is, with respect to the number of persons employed, the largest department on the railroad. This department operates the trains.

The Superintendent and other officers are responsible for the efficient operation of trains. The General Yardmaster, working in conjunction with the Yardmasters, Dispatchers and various other associated personnel, directs the work of the train and engine crews. Close cooperation between these supervisory keymen and the trainmen and enginemen keeps the trains moving safely and efficiently.

The Operating Department, being closely related to the Mechanical and Maintenance of Way Departments, has a degree of responsibility in the economical use of material, fuel and stores.

It also must maintain close relations with the industries served and the general public. Service is the responsibility of this department.

THE MAINTENANCE OF EQUIPMENT DEPARTMENT

This department, headed by the Superintendent of Motive Power and Equipment, is responsible for the maintenance of the railroad's rolling stock — locomotives, freight cars and work equipment — and for the operation of locomotives and repair shops. It also has charge of the maintenance of buildings and other structures on the property, including Yard Offices, Scale Houses and their facilities.

The Shop force, under the supervision of the Master Mechanic, must keep locomotives and cars in condition for safe and efficient operation. The McKeesport Connecting is a common carrier railroad and its locomotives must conform to the rules and regulations of the Bureau of Locomotive Inspection of the Interstate Commerce Commission. Monthly, quarterly and annual inspections are mandatory. It is the function of this department to so maintain the power, and is the direct responsibility of the Superintendent of Motive Power. The same applies with respect to the Safety Appliance Acts governing cars and locomotives, and orders of the Interstate Commerce Commission.

W. B. JOHNSON

Superintendent of Motive Power and Equipment

Mr. Johnson, a native of McKeesport, commenced work for the McKeesport Connecting on October 15, 1923, as a Machinist Apprentice. He moved ahead as 2nd Class Machinist, 1st Class Machinist, Assistant Foreman, Foreman and Master Mechanic. On April 1, 1947, he was appointed Superintendent of Motive Power and Equipment.



THE MAINTENANCE OF WAY DEPARTMENT

The Maintenance of Way Department, headed by the Supervisor, is responsible for the proper construction and maintenance of fixed property, such as roadbed, tracks, yards and everything pertaining to the roadway.

The track forces, under the supervision of the foreman, contribute in no small way to the safe and efficient operation of the railroad by keeping constantly alert to the condition of the track and making the necessary repairs, which work is very often performed while the track is still in service.

V. P. MANNION

Supervisor, Maintenance of Way

Mr. Mannion took his first job as a railroader in the Maintenance Department of the Pittsburgh and Lake Erie Railroad at Beaver Falls in 1907, as a trackman. He left their service in 1923,

to become associated with W. F. Trimble Construction Company of New Brighton. In 1928 he became affiliated with the Beaver Valley Traction Company at Beaver Falls, until 1937. He continued in track maintenance work at both places. On December 18, 1939, he accepted employment with The Lake Terminal Railroad at Lorain, Ohio, from which point he came to the McKeesport Connecting in 1940 as General Foreman, Maintenance of Way Department. On March 16, 1944, Mr. Mannion was appointed Supervisor, Maintenance of Way Department. He also acts as Safety Director.



WM. G. DUFF

Secretary and Auditor

Born at Carrick, Pittsburgh, Pa., and shortly after graduation from college started to work as clerk in the General Office Accounting Department of National Tube Company, on May 16, 1916. Granted leave of absence for military service during World War I and upon discharge in May, 1919, returned to National Tube Company, serving as Clerk and General Accountant until December, 1930. Appointed Chief Accountant of McKeesport Connecting on January 1, 1931, and on January 26, 1932, was elected a Direc-



tor and Vice President, in which capacity he served until elected to his present position as Secretary and Auditor on December 22, 1936.

F. H. FARRELL

Local Auditor

Born at McKeesport, Pa., and first entered service of McKeesport Connecting as clerk in the Car Accountant's Office on October 1, 1917. Fol-

lowing a brief army service during World War I, he returned to this office and held various clerical positions until his appointment as Assistant Car Accountant on May 1, 1930. He was named Car Accountant on January 1, 1931, and continued in that capacity until made Superintendent Car Service and Chief Timekeeper on January 1, 1938, and on May 1, 1940, was appointed Superintendent Car Service and Freight Agent, which position he held until his present appointment as Local Auditor on October 1, 1948.



THE ACCOUNTING DEPARTMENT

The operations of the Accounting Department may be summarized under four basic functions, as follows:

(1) The Accounting function establishes the design, installation and custody of all accounting books, records and forms.

(2) The Auditing function establishes and maintains internal controls, the audit of receipts and disbursements and the general relationship with the company's public accountants.

(3) The Tax function includes the assembly of information and the preparation of returns for income, excise and payroll taxes, and the general relationship with tax agents and auditors; and

(4) The Interpretative function covers the preparation of financial statements and statistics to assist the directors, officers and general management of the company in the formulation of plans and policies or for other purposes of internal or external use.

The Local Auditor's Office at McKeesport, Pa., functions under the jurisdiction of the Auditor and is comprised of two main divisions, namely, the Car Accounting — Revenue Billing under the Car Accountant, and the Timekeeping — Payroll under the Chief Timekeeper and Paymaster. It is also responsible for accounting work relating to road and equipment accounts, car repair billing and stores accounting involving the records covering the receipt and disbursements of materials used by the various Maintenance Departments.

TREASURY— PURCHASING DEPARTMENT

H. J. GRANCE

*Treasurer and
General Purchasing Agent*

Mr. Grance was born and raised in Pittsburgh and was first employed by Carnegie Steel Company on May 7, 1909. After serving Carnegie Steel for several months, he went to work for National Tube Company on February 1, 1910, and was continuously employed by them, with exception of 18 months in World War I. Mr. Grance joined the McKeesport Connecting Railroad Company as a clerk on September 1, 1936, and on February 8, 1938, was appointed Assistant Treas-

urer. On August 11, 1938, he was elected a Director and Treasurer. On November 1, 1948, he was appointed to the additional post of General Purchasing Agent.



THE PLAYERS

Up to now, you have read only about the managers of those teams referred to on page three. How about the players who perform day in and day out in running the trains, fixing the locomotives, fixing the cars, fixing the tracks, and a thousand other miscellaneous jobs? These players all like to work on the McKeesport Connecting team because the McKeesport Connecting is a good place to work. This is borne out by the fact that there are presently over 75 of them with 25 or more years of service and one with 55 years. This represents about one-third of all employees and the employee-employer relationship of which all of us are justly proud. This McKeesport Connecting league is professional in all ways.

Silver service medals are presented to all employees who have completed 25 years of service. This is repeated thereafter at five-year intervals, until a gold service medal is presented for 50 years of service. Very few have attained the 50 year goal.

The Treasury Department has custody of all funds and securities of the Company, and endorses on behalf of the company for collection, checks, notes and other obligations, and deposits same in such bank or banks as the Board of Directors may designate.

A record of all moneys received and paid is entered daily in the Cash Book, and this record is open for inspection to the President or Auditor of the company at all times.

The Purchasing Department is charged with the actual buying of and contracting for material, supplies and other items which must be procured for the company's requirements, and this department must continuously test the markets so that the lowest possible prices and most favorable terms are available to the company at all times.

Certain other functions, of a more specific nature, are expediting shipments, recording price information, checking invoices, and receiving and interviewing sellers' representatives promptly and courteously.

The installation of Diesel locomotives made a change necessary in the design of the service medals. The old and the new are reproduced here below.



THE OLD TIMERS

Justifiably proud of their 20, 30, 40 and even 50 year service records in various capacities with the McKeesport Connecting, a group of men in 1941 conceived the idea of forming an organization of veteran employees. Plans were perfected and in May, 1943, when the MCKEESPORT CONNECTING RAILROAD VETERANS ASSOCIATION came into being, it met with a most enthusiastic reception from employees and hearty cooperation and support from the executives and officials of the Company.

The Association's membership consists of employees from all departments who have been in the service of the Company five or more years, and all of the retired employees. Current membership is 152, consisting of 121 active employees and 31 retired employees.

The Veterans Association has for its aim and objective promotion of good fellowship among employees, creation and preservation of mutual interest in their common welfare, building up of a social relationship among its members, and the honoring of veteran employees upon retirement from active service.

During the years since its inception the Veterans Association has been highly successful in accomplishment of its objectives. It regularly sponsors a schedule of meetings and social affairs, well attended by workmen, both active and retired, and by Company officials. These affairs have proven an enjoyable deviation from routine, an opportunity for sociable contact, and constructive in the promotion of good fellowship and harmonious relations.

At all functions of the Association, and particularly at the Annual Banquet, the retired employee is the guest of honor. It gives him an opportunity to renew old friendships, greet his former fellow workers and talk over old times. He comes, often from hundreds of miles away, and thoroughly enjoys this homecoming and reunion.

The officers and members of the Veterans Association and the officers of the Railroad who have given the Association their cooperation and support can well be proud of their efforts in the promotion of the objectives of this organization.

The first officers of the Association were:

President F. H. FARRELL
Vice President J. F. WALSH
Secretary-Treasurer J. J. SULLIVAN

REPRESENTATIVES

Trainmen C. L. MURPHY
Enginemen J. N. MACKEY
Maintenance of Way P. BIANCONI
Yard-Clerical J. P. TRACEY
Mechanical H. L. SMITH

Present office holders are:

President J. H. BARAN
Vice President P. FEDOR
Secretary-Treasurer F. H. FARRELL

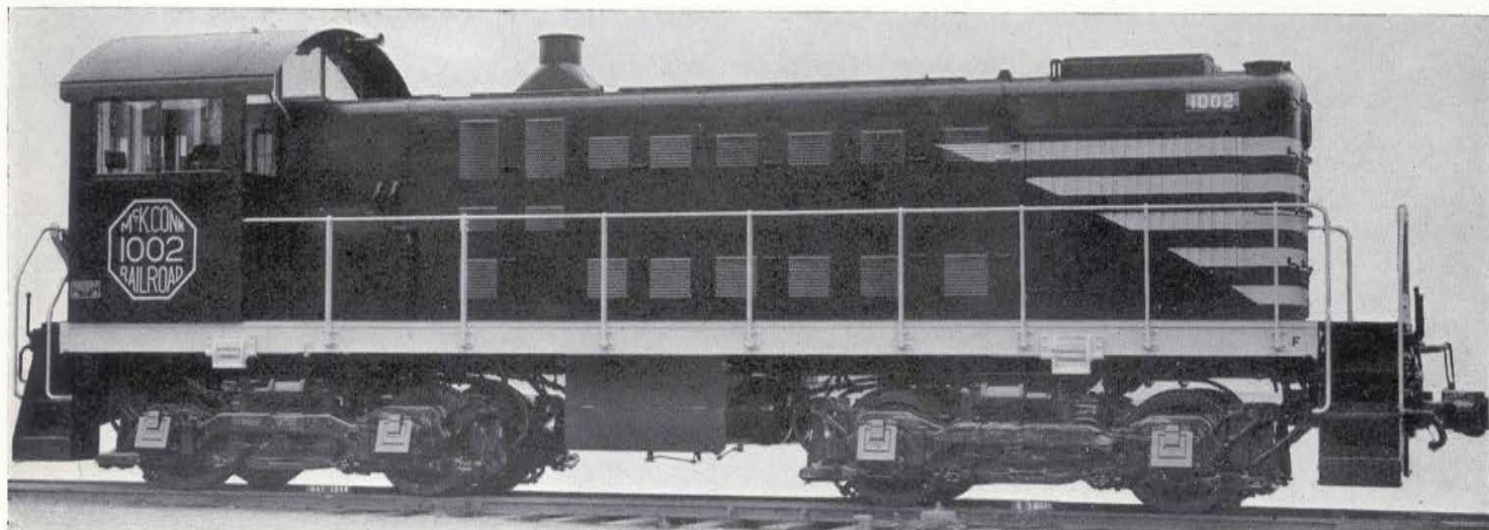
REPRESENTATIVES

Trainmen J. J. LOFTUS
Enginemen E. H. JAMESSON
Maintenance of Way F. MAGLICCO
Yard-Clerical L. L. MORRISON
Mechanical F. HUPPLE

Progress ON THE McKEESPORT CONNECTING

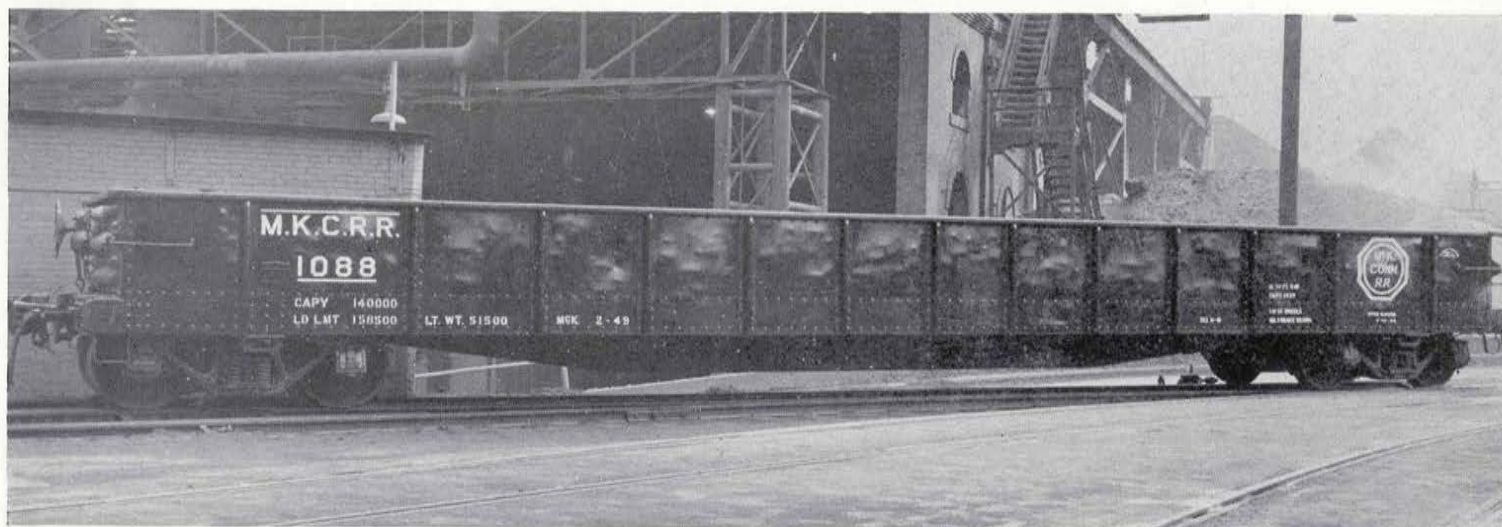


On the closing pages of this brochure there is reproduced a history in picture form of locomotives which were at one time or another in service on the McKeesport Connecting. The progress made is obvious when old No. 7 4-wheel steam switcher is compared with the modern 1000 H.P. diesel-electric No. 1002, which is reproduced several times throughout this brochure. This is in keeping with the parade of progress, not only on McKeesport Connecting but also throughout the length and breadth of this great land of ours.



**MODERN LOCOMOTIVE POWER
1000 B.H.P. ALCO DIESEL LOCOMOTIVE
GENERAL CHARACTERISTICS**

Track Gauge.....	4' 8½"
Diesel Engine, ONE, 6 Cylinders, Supercharged.....	1000 B.H.P.
Driving Motors.....	Number.....Four Maximum Speed Restriction .60 m.p.h.
Driving Wheels.....	Number.....4 Pairs Diameter.....40"
Weight.....	On Drivers.....230,000 lbs. Total Locomotive.....230,000 lbs.
Wheel Base.....	Each Truck (Rigid).....8' 0" Total Locomotive.....30' 6"
Maximum Overall Locomotive Dimensions (Drawing)	Height.....14' 6" Width.....10' 0" Length (Inside Knuckles) ..45' 5¾"
Starting Tractive Effort (at 30% Adhesion).....	69,000 lbs.
Minimum Radius Curvature (Locomotive Alone).....	50'
Supplies (Total Capacity)	Lubricating Oil.....80 gallons Fuel Oil.....635 gallons Engine Cooling Water.....240 gallons Sand.....27 Cu. ft.



MODERN GONDOLA CARS
CAPACITY 140,000 LBS.

GENERAL DIMENSIONS

Length inside of body.....	50' 6"
Length over striking plates.....	53' 3"
Distance from center to center of trucks.....	43' 3"
Length over end sills.....	52' 6"
Width inside.....	9' 6"
Width over side top angles.....	10' 3 1/8"
Height inside.....	3' 0"
Height, rail to top of floor.....	3' 4-13/16"
Height, rail to top of side.....	6' 4-13/16"
Height, rail to center line of coupler.....	2' 10 1/2"
Height, rail to bearing surface of body center plate.....	2' 1 3/4"
Cubic capacity—level.....	1439 Cu. Ft.

CONVERSION FROM STEAM TO DIESEL-ELECTRIC LOCOMOTIVES

Through the foresight and long range planning of McKeesport Connecting's Executives, it was decided to begin a conversion from steam to diesel locomotive equipment. After a careful analysis of the comparative costs of operation of steam and diesel locomotives, there was initiated in the early part of 1946 the conversion from steam to diesel locomotives. The first diesel switchers of 1000 H.P., 115 tons, were received from the American Locomotive Company in May, 1948. These locomotives were enthusiastically received by the same men whose entire experience had been with steam equipment and from the first day the diesels began performing the duties of the McKeesport Connecting, the enthusiasm originally manifested was justified.

Other factors have since confirmed the wisdom of the conversion from steam to diesel, but most notably was an immediate increase in the improvement of railroad service.

The executives of the McKeesport Connecting immediately realized the necessity of shop facilities for the repair and maintenance of diesel locomotives. It became quite obvious that the maintenance of this new diesel equipment, with its entirely different tool and parts requirements, must necessarily be treated differently than that for steam equipment. In the beginning it was decided that all diesel switchers be of the same manufacture, for the reason that a more simplified maintenance and parts setup could be obtained.

There was constructed adjacent to the Locomotive Repair Shop a combination storage and pump house building—14' long, 12' wide and 14' high, below the surface of which were placed three fuel oil storage tanks of 10,000 gallons capacity each.

It was found that the pit formerly used to service steam locomotives was not of the proper type to accommodate the diesels, which made it necessary to deepen it to 56". This pit is 110' long, sufficient to accommodate two locomotives, with concrete steps at each end, and is illuminated with eighteen (18) lights embedded in both sides of the pit walls.

It was further found that the old lighting system would have to be abandoned, and new lighting equipment was installed, to provide more light for the precision work necessary in maintaining diesel-electric locomotives.

Further improvements to the shop facilities included five (5) Kinnear rolling steel doors electrically operated, and at the west end of the shop a concrete block cleaning and drying room was constructed, part of which is used for diesel electrical repair work.

A 1,500 gallon tank for storing lubricating oil and a 1,000 gallon tank for storing waste lubricating oil were placed below the surface of the floor of the shop. Steel platforms were made and placed on both sides of track #413 for the repair of diesel-electric locomotives. Four (4) 35-ton Whiting portable electric jacks have been purchased for raising and lowering locomotives for the purpose of repairing trucks and the removal of wheels.

The interior of the shop was completely redecorated and the coal stove method of heating was replaced by modern steam heating equipment.

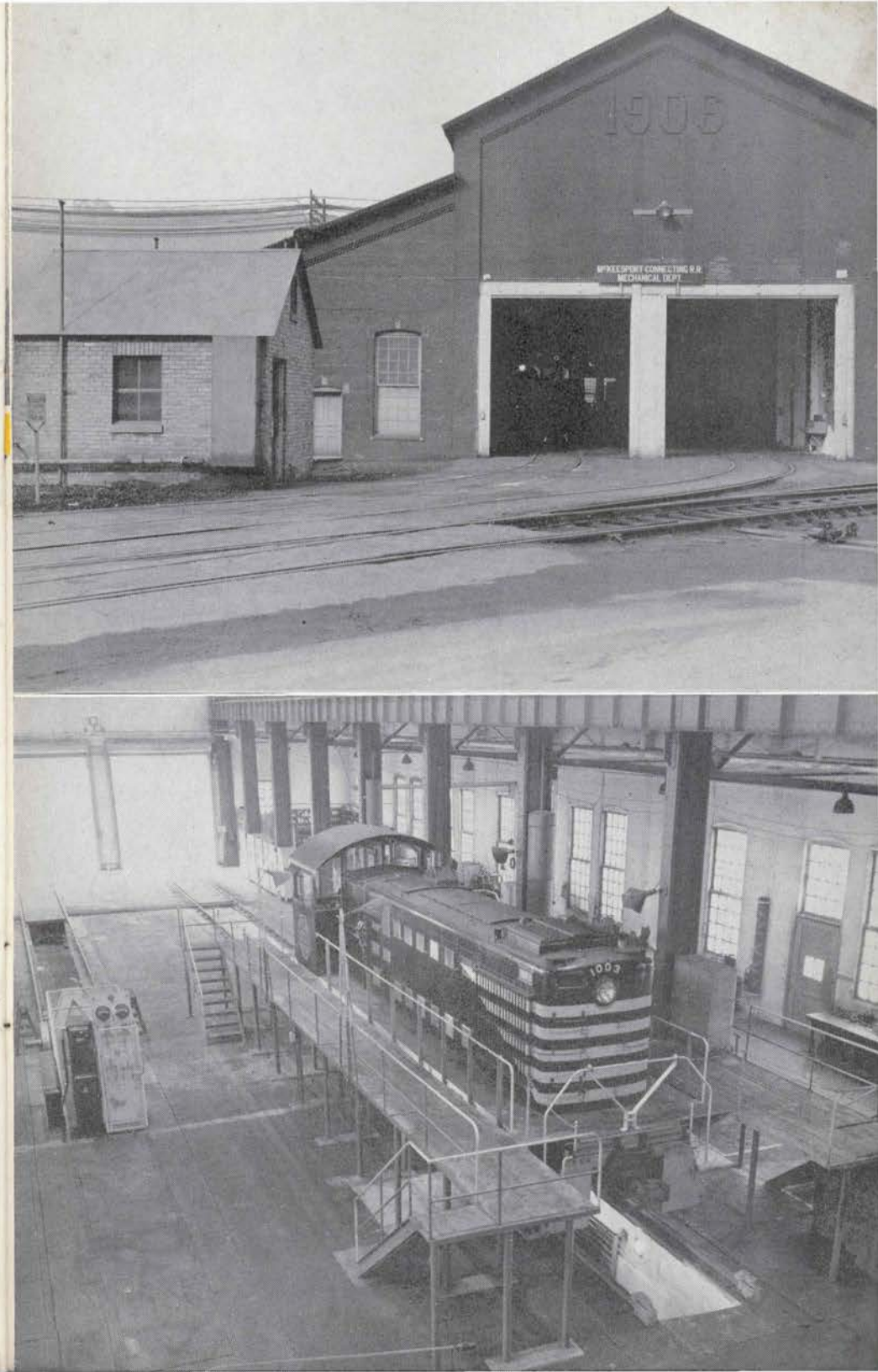
The tool room was remodeled and enclosed with 2" mesh wire.

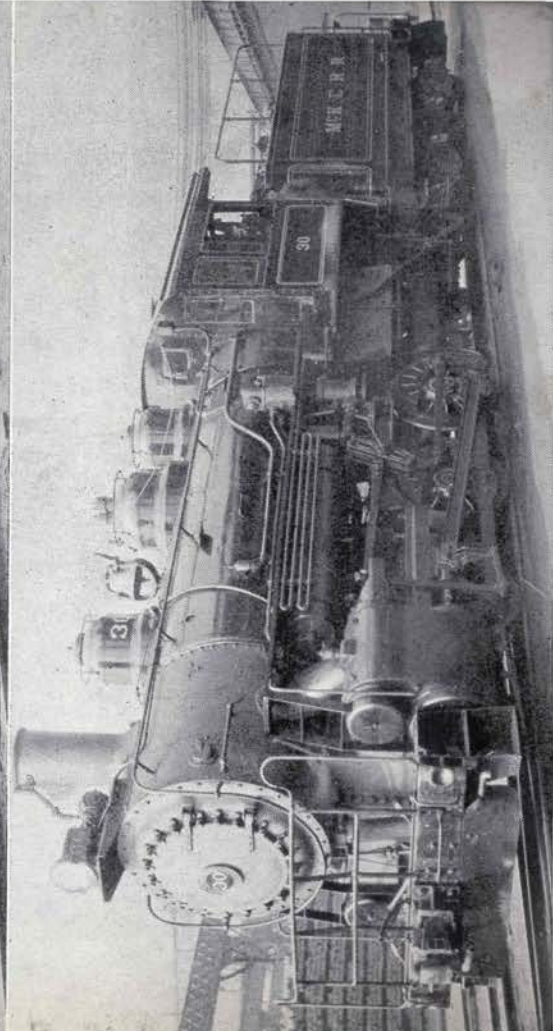
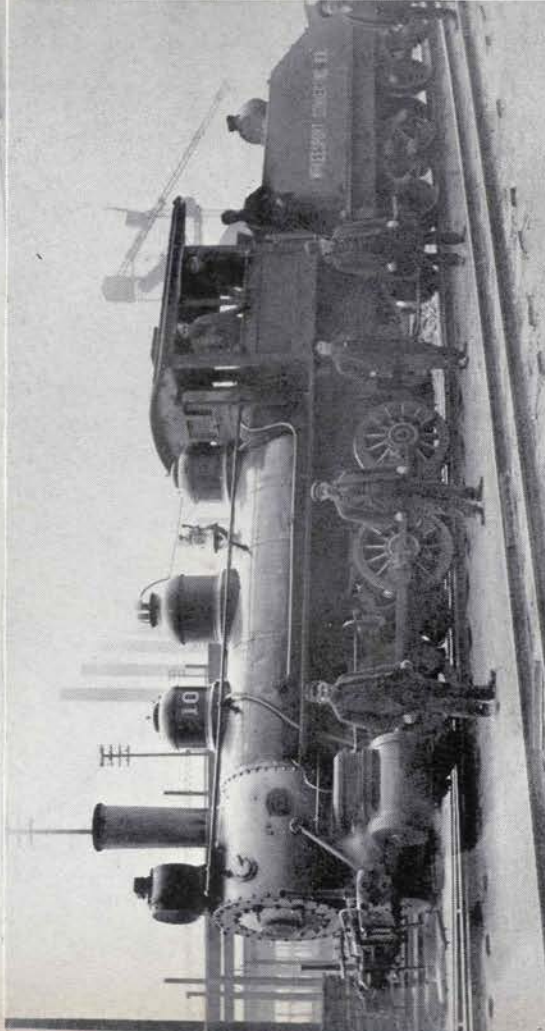
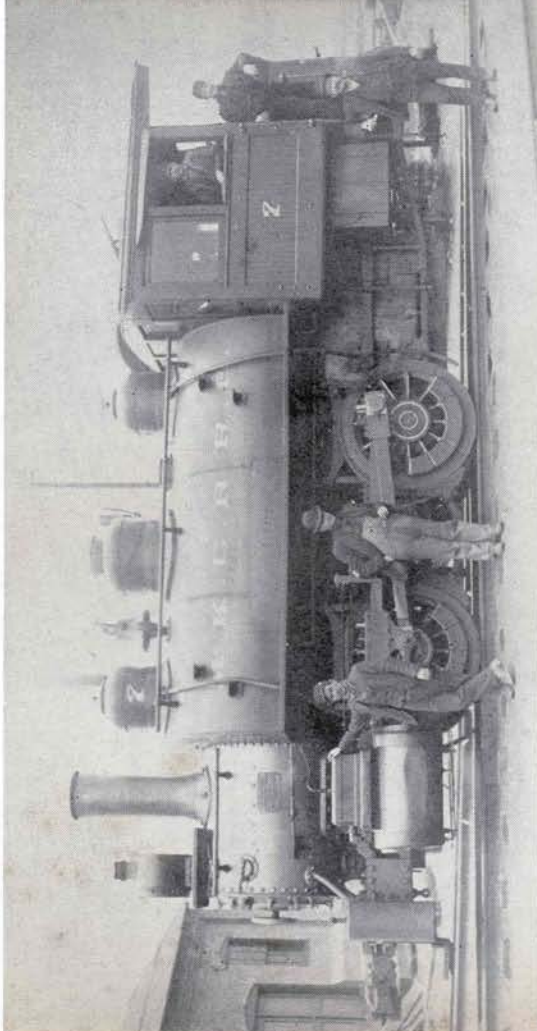
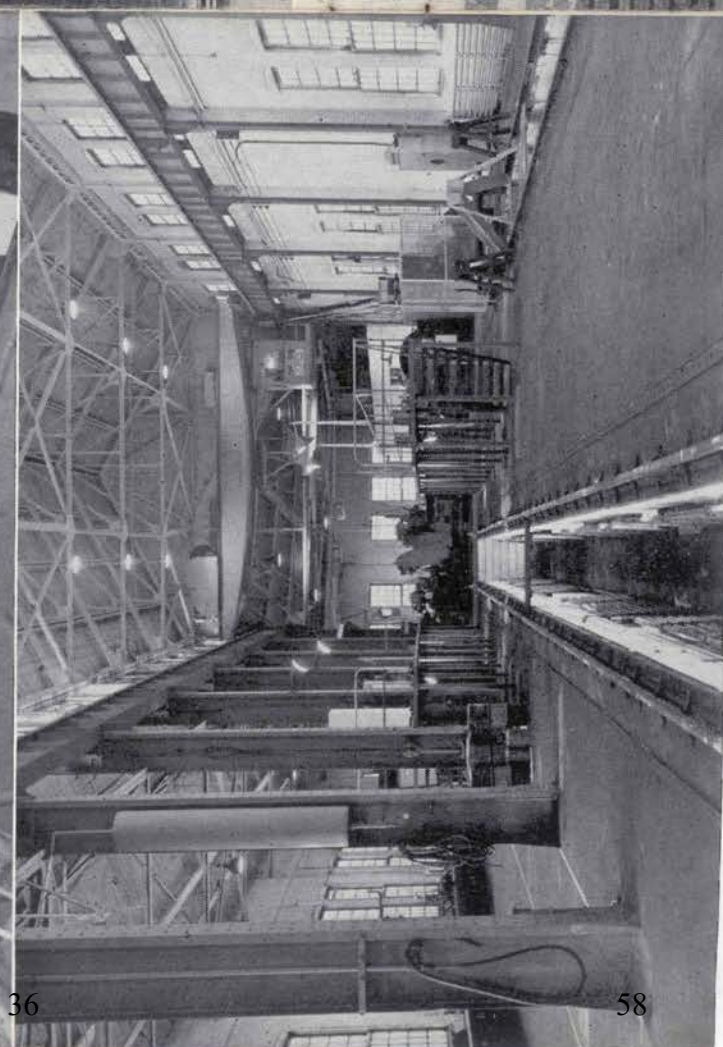
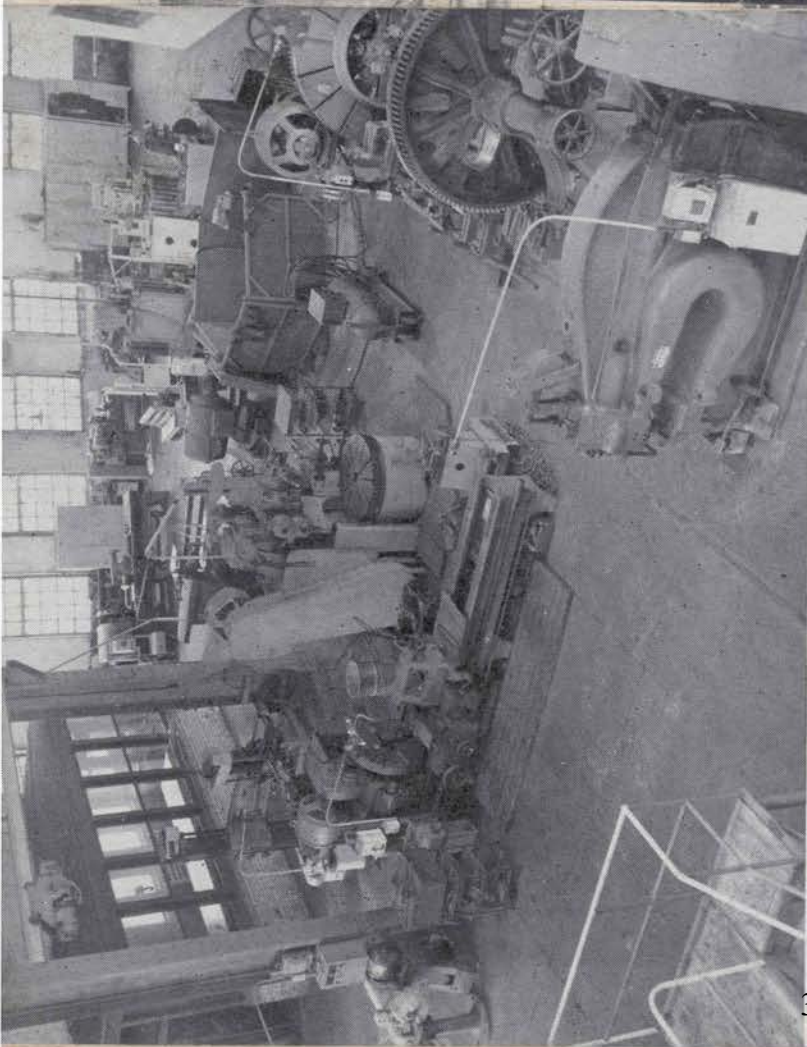
SHOP AND EQUIPMENT

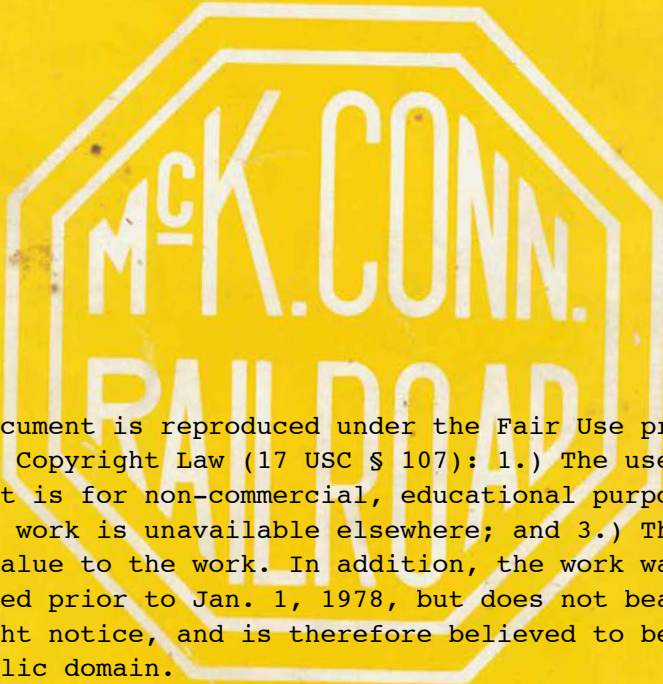
The redesigned and refurbished shop is shown in picture form on the following pages. Included among the shop equipment are:

- 18" Post Drill Press
- 18" Engine Lathe
- 30" Engine Lathe
- 36" Engine Lathe
- 22" Rotary Planer
- 24" Shaper
- 36" Planer
- 12" Double Grinder
- 14" Hydraulic Pressure Press
- 48" Punch and Shear
- Radial Drill (4' - 6")
- 42" Turret Lathe
- 8" Drill Grinder
- 18" Grinder
- 79" Wheel Lathe
- 16" Post Drill Press (size 2 to 3)

It is generally felt that with the use of the new facilities, the outlook for efficient operation of the McKeesport Connecting is extremely optimistic. Abnormal demands of the last few years have added to the difficulties of the McKeesport Connecting but it is hoped and felt that the burden will be considerably lightened through the acquisition of the new facilities and modernizing of the old, together with a determined effort of the whole McKeesport Connecting Team to do a job unequaled.







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April 1, 2021

[Insert Consulting Party]

RE: Union Railroad Company, LLC – Proposed Abandonment – in the City of McKeesport, Allegheny County, Pennsylvania, AB 183 (Sub-No. 5X)

Dear Sir or Madam,

On or after May 1, 2021, Union Railroad Company, LLC (“URR”) expects to file with the Surface Transportation Board, a notice of exemption seeking authority for URR to abandon common carrier operations over switching and terminal trackage (known as the “MCR Track”) in the City of McKeesport, Allegheny County, Pennsylvania.

Enclosed is a Combined Environmental and Historic Report (“Report”) which describes the proposed abandonment and other pertinent information. A map of the proposed track abandonment can be found in Appendix A of this report. Appendix B of this report lists the various agencies receiving it. Appendix C of this report lists the various agency responses. A historical brochure related to the MCR Track is attached as Appendix D.

The railroad does not anticipate adverse environmental impacts; however, if you identify any adverse environmental effects, please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in the Report and sent to the STB.

This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Office of Environmental Analysis (“OEA”) by telephone at (202) 245-0245 or by mail to:

Surface Transportation Board
395 E Street, S.W., Room 1106
Washington DC 20423-0001

Please refer to Docket No. AB 183 (Sub-No. 5X) when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts and/or historic preservation impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, URR must receive your comments within three weeks. If there are any questions concerning this E&HR, please contact me directly. I am URR's

representative in this matter. I can be contacted by telephone at (202) 663-7831, or by mail and by e-mail at the addresses shown above.

Sincerely,

Crystal M. Zorbaugh
Counsel for Union Railroad Company, LLC

Enclosure

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

ATTACHMENT 2

CONSULTING AGENCY RESPONSES TO ENVIRONMENTAL AND HISTORIC REPORT (POST-CIRCULATION)

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-183 (Sub-No. 5X)

**UNION RAILROAD COMPANY, LLC
– ABANDONMENT EXEMPTION –
IN THE CITY OF MCKEESPORT IN ALLEGHENY COUNTY, PENNSYLVANIA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

**DRAFT NOTICE OF EXEMPTION
[CAPTION SUMMARY]**

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[AB 183 (Sub-No. 5X)]

Union Railroad Company, LLC – Abandonment Exemption – In the City of McKeesport in Allegheny County, Pennsylvania

Union Railroad Company, LLC ¹has filed on May 3, 2021, a verified notice of exemption under 49 C.F.R. part 1152 subpart F–Exempt Abandonments to abandon rail service over approximately 5.4-miles of switching and terminal trackage (20.7 acres) in the City of McKeesport in Allegheny County, Pennsylvania (the “MCR Track”). The entirety of the MCR Track is located in the City of McKeesport in Allegheny County, Pennsylvania. The MCR Track traverses United States Postal Zip Code territory 15132. There are no customers served on the MCR Track, which has been out of service and has not provided service to any shippers in well over two years.

URR has certified that (1) URR has provided no local common carrier traffic over the MCR Track for at least two years; (2) no overhead traffic has moved over the MCR Track for at least two years and overhead traffic, if there were any, could be rerouted over other lines; and (3) no formal complaint has been filed by a user of rail service on the MCR Track or a state or local government entity acting on behalf of such user regarding cessation of service over the MCR Track is either pending before the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the two-year-period; and, (4) the requirements at 49 C.F.R. § 1105.7(c) (environmental report), 49 C.F.R. § 1105.11 (transmittal letter), 49 C.F.R.

¹ Note, the original entity for STB purposes was Union Railroad Company. Effective December 31, 2016, Union Railroad Company became a Limited Liability Company. The caption for this proceeding reflects the entity’s new legal name under Delaware law.

§ 1105.12 (newspaper publication), and 49 C.F.R. § 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Or. Short Line R.R. – Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. § 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (“OFA”) has been received, this exemption will be effective on June 22, 2021, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,⁶ formal expressions of intent to file an OFA under 49 C.F.R. § 1152.27(c)(2),⁷ and trail use/rail banking requests under 49 C.F.R. § 1152.29 must be filed by _____, 2021. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by _____, 2021, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to URR’s representative: Crystal M. Zorbaugh, Baker & Miller PLLC, 2401 Pennsylvania Ave., NW, Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void ab initio.

⁶ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board’s Office of Environmental Analysis (“OEA”) in its independent investigation) cannot be made before the exemption’s effective date. See Exemption of Out-of-Serv. Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption’s effective date.

⁷ Each OFA must be accompanied by the filing fee, which is currently set at \$2,000.00 . See 49 C.F.R. § 1002.2(f)(25).

URR has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by _____, 2021. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 C.F.R. § 1152.29(e)(2), URR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by URR's filing of a notice of consummation by _____, 2022, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: _____, 2021.

By the Board, _____, Director, Office of Proceedings