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SERVICE DATE – LATE RELEASE FEBRUARY 23, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35209

SALEM INDUSTRIAL RAILWAY, INC.–  
CHANGE IN OPERATORS EXEMPTION–IN SALEM COUNTY, NJ

Decided: February 23, 2009

On January 27, 2009, Salem Industrial Railway, Inc. (SIR) filed a verified notice of exemption under 49 CFR 1150.31 for a change in operators from J.P. Rail, Incorporated, d.b.a. Southern Railroad Company of New Jersey to SIR over approximately 16.94 miles of rail line owned by Salem County, NJ. The line extends between milepost 10.86, at or near Swedesboro, and milepost 27.80, at or near Salem. The line connects with a line of Consolidated Rail Corporation Shared Asset Area at Swedesboro, and with the Port Salem Industrial Track at Salem.

On February 9, 2009, SIR filed a motion to withdraw the verified notice of exemption. SIR states that it does not currently have an underlying contractual right to operate the rail line as stated in its notice and that it would file a new verified notice of exemption if it were to obtain that right.

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

It is ordered:

1. SIR's motion to withdraw the verified notice of exemption is granted.
2. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Anne K. Quinlan  
Acting Secretary