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January 27, 2021

By e-filing

Ms. Allison C. Davis, Director
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: Finance Docket No. 36482, *East Chicago Rail Terminal, LLC -- Acquisition and Operation Exemption -- Rail Line of Chrome, LLC at East Chicago, IN*

Dear Ms. Davis:

Hereby forwarded for filing is a Verified Notice of Exemption Under 49 C.F.R. § 1150.31 in the above proceeding.

The filing fee of \$2,200 is being paid through pay.gov.

Respectfully submitted,

/s/Thomas F. McFarland

Thomas F. McFarland
Attorney for East Chicago Rail Terminal, LLC

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FILED
January 27, 2021
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
January 27, 2021
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

EAST CHICAGO RAIL TERMINAL, LLC)
-- ACQUISITION AND OPERATION) FINANCE DOCKET
EXEMPTION -- RAIL LINE OF) NO. 36482
CHROME, LLC AT EAST CHICAGO, IN)

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31**

EAST CHICAGO RAIL TERMINAL, LLC
3600 Michigan Avenue Business Park
East Chicago, IN 46312

Applicant

THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
2230 Marston Lane
Flossmoor, IL 60422-1336
(708) 704-7679
mcfarland@aol.com

Attorney for Applicant

DATE FILED: January 27, 2021

BEFORE THE
SURFACE TRANSPORTATION BOARD

EAST CHICAGO RAIL TERMINAL, LLC	)	
-- ACQUISITION AND OPERATION	)	FINANCE DOCKET
EXEMPTION -- RAIL LINE OF	)	NO. 36482
CHROME, LLC AT EAST CHICAGO, IN	)	

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31**

Pursuant to 49 U.S.C. § 10502(a) and 49 C.F.R. § 1150.31, *et seq.*, EAST CHICAGO RAIL TERMINAL, LLC (ECRT), a noncarrier, hereby provides notice of its class exemption from 49 U.S.C. § 10901 for its acquisition and operation of a rail line owned by CHROME, LLC (Chrome) a noncarrier, that extends approximately 467 feet between connection to INDIANA HARBOR BELT RAILROAD COMPANY (IHB) at a point 363 feet north of the center line of Michigan Avenue at East Chicago, IN and the end of track on private property of Chrome at East Chicago, IN (the Rail Line). A drawing of the Rail Line is attached to this Notice as Appendix 1.

BACKGROUND

IHB currently operates over the Rail Line pursuant to a Private Side Track Agreement dated July 1, 1985 between IHB and a Chrome predecessor, Standard Forgings Company. IHB currently provides service over the Rail Line to one shipper, i.e. Tri-Star DEF LLC, which ships or receives approximately 10 carloads per week. ECRT will provide rail service to that shipper after it acquires the Rail Line from Chrome. ECRT proposes to hold itself out to provide common carrier rail service to that shipper and also to the general public over the Rail Line

(including rail-truck and/or truck-rail transloading service).

INFORMATION REQUIRED BY 49 C.F.R. § 1150.33

(a) The full name and address of the applicant;

The Applicant is East Chicago Rail Terminal, LLC, 3600 Michigan Avenue Business Park, East Chicago, IN 46312.

(b) The name, address, and telephone number of the representative of the applicant who should receive correspondence;

Applicant's representative to receive correspondence is Thomas F. McFarland, Thomas F. McFarland, P.C., 2230 Marston Lane, Flossmoor, IL 60422-1336, ph (708) 704-7679, mcfarland@aol.com.

(c) A statement that an agreement has been reached or details about when an agreement will be reached;

An agreement has been reached whereby Chrome will convey the Rail Line to ECRT and ECRT will provide common carrier rail service to shippers.

(d) The operator of the property;

The operator will be ECRT.

(e) A brief summary of the proposed transaction, including:

(1) The name and address of the railroad transferring the subject operating authority,

The transferor is Chrome, LLC, 3600 Michigan Avenue Business Park, East Chicago, IN 46312.

(2) The proposed time schedule for consummation of the transaction,

The proposed acquisition and operation will be consummated no earlier than the 30th day after the filing of this Notice.

(3) The mile-posts of the subject property, including any branch lines, and

The Rail Line is located in a terminal area in which the Line is not identified by Mileposts.

(4) The total route miles being operated;

A total of 467 feet of Rail Line is proposed to be acquired and operated.

(f) A map that clearly indicates the area to be served, including origins, termini, stations, cities, counties, and States; and

The required map of the Rail Line is attached to this Notice as Appendix 1.

(g) A certificate that applicant's projected revenues do not exceed those that would qualify it as a Class III carrier.

Attached to this Notice as Appendix 2 is a verification of Mr. William Marsh, President of ECRT, that ECRT's projected revenues do not exceed those that would qualify it as a Class III rail carrier.

(h) Interchange Commitments.

(1) The filing party must certify whether or not a proposed acquisition or operation of a rail line involves a provision or agreement that may limit future interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means ("interchange commitment").

The proposed acquisition and operation does not involve a provision or agreement that may limit future interchange with a third party connecting rail carrier.

REVENUES LESS THAN \$5 MILLION PER YEAR

Mr. Marsh's Verification includes a statement that ECRT's annual revenues will not exceed \$5 million per year (Appendix 2).

VERIFICATION

Mr. Marsh's Verification includes the truth of all factual assertions in this Notice (Appendix 2).

LABOR PROTECTION

Labor protective conditions are not required for the proposed acquisition and operation. *See* 49 U.S.C. § 10901(c).

ENVIRONMENTAL AND HISTORIC REPORTING

Environmental and historic reporting are not required for the proposed acquisition and operation. *See* 49 C.F.R. § 1105.6 and 49 C.F.R. § 1105.8.

CAPTION SUMMARY

A caption summary required by 49 C.F.R. § 1150.34 is attached to this Notice as Appendix 3.

CONCLUSION AND REQUESTED RELIEF

WHEREFORE, the Board should accept this Notice for filing, and should arrange for its publication in the *Federal Register* as notice to the general public.

Respectfully submitted,

EAST CHICAGO RAIL TERMINAL, LLC
3600 Michigan Avenue Business Park
East Chicago, IN 46312

Applicant

/s/ Thomas F. McFarland

THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
2230 Marston Lane
Flossmoor, IL 60422-1336
(708) 704-7679
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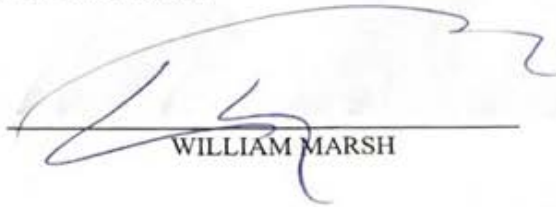
Attorney for Applicant

DATE FILED: January 27, 2021

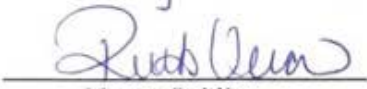
STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

VERIFICATION

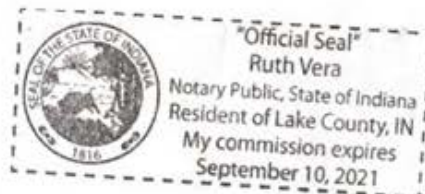
WILLIAM MARSH, being duly sworn, states that he is President of EAST CHICAGO RAIL TERMINAL, LLC (ECRT); that he has read the foregoing Notice of Exemption; that the projected annual revenues of the rail line being operated by ECRT, do not exceed \$5 million; that ECRT's projected revenues as a result of the proposed operation will not result in the creation of a Class I or Class II rail carrier; that the proposed operation does not involve any interchange commitment as defined in 49 C.F.R. § 1150.43(h); and that all allegations of fact contained in ECRT's Notice of Exemption are true and correct.


WILLIAM MARSH

SUBSCRIBED AND SWORN to
before me this 25 day
of January, 2021.


Notary Public

My Commission Expires:



Appendix 3

CAPTION SUMMARY

**SURFACE TRANSPORTATION BOARD
VERIFIED NOTICE OF EXEMPTION**

(Finance Docket No. 36482)

**EAST CHICAGO RAIL TERMINAL, LLC -- ACQUISITION AND
OPERATION EXEMPTION -- RAIL LINE OF CHROME, LLC AT EAST
CHICAGO, IN**

EAST CHICAGO RAIL TERMINAL, LLC (ECRT), a noncarrier, has filed a Verified Notice of Exemption for its acquisition and operation of a rail line owned by CHROME, LLC (Chrome) a noncarrier, that extends approximately 467 feet between connection to INDIANA HARBOR BELT RAILROAD COMPANY (IHB) at a point 363 feet north of the Center Line of Michigan Avenue at East Chicago, IN and the end of track on private property of Chrome at East Chicago, IN (the Rail Line).

Comments must be filed with the Surface Transportation Board and served on applicant's representative, Thomas F. McFarland, Thomas F. McFarland, P.C., 2230 Marston Lane, Flossmoor, IL 60422-1336, ph (708) 704-7679, mcfarland@aol.com.

This notice of exemption is filed under 49 C.F.R. § 1150.31. 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.

(SEAL)

By the Board