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BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1346X

WEST BELT RAILWAY, LLC
– DISCONTINUANCE OF SERVICE EXEMPTION –
IN THE CITY OF ST. LOUIS, AND ST. LOUIS COUNTY, MO.

**DISCONTINUANCE OF SERVICE PETITION FOR
EXEMPTION OF WEST BELT RAILWAY, LLC**

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TRANSPORTATION BOARD

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Dated: June 30, 2025

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**ATTORNEY FOR WEST BELT
RAILWAY, LLC**

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1346X

WEST BELT RAILWAY, LLC
– DISCONTINUANCE OF SERVICE EXEMPTION –
IN THE CITY OF ST. LOUIS, AND ST. LOUIS COUNTY, MO.

**DISCONTINUANCE OF SERVICE PETITION FOR
EXEMPTION OF WEST BELT RAILWAY, LLC**

Pursuant to 49 U.S.C. § 10502 and the corresponding regulations at 49 C.F.R. part 1121 and § 1152.60, West Belt Railway, LLC (“WBRY”) hereby petitions the Board for an exemption from the formal prior approval requirements of 49 U.S.C. § 10903 to discontinue common carrier service over approximately 9.66 route miles of railroad lines (the “Lines”) that WBRY currently operates pursuant to a soon-to-be-terminated lease agreement with Terminal Railroad Association of St. Louis (“TRRA”), the Lines’ owner. *West Belt Railway, LLC – Lease and Operation Exemption Including Interchange Commitment – Terminal Railroad Association of St. Louis*, FD 35972 (SB served Dec. 1, 2015) (“*West Belt – Exemption*”).

The Lines that is the subject of the present Discontinuance Petition consist of the following two segments: (1) the West Belt Industry Lead (“WBIL”) from approximately milepost 1.07 at Adelaide Avenue to the end of track at approximately milepost 9.54; and (2) the Central Belt Industrial Lead from its point of connection to the WBIL at approximately milepost 9.54 to the end of track, all

located in the City of St. Louis, and St. Louis County, Missouri. A map showing the location of the Lines is attached as Exhibit A. A draft *Federal Register* notice in the form prescribed by 49 C.F.R. § 1152.60(c) is attached as Exhibit B.

WBRY has operated over the TRRA-owned Lines under the terms of a lease. More recently, WBRY and TRRA have agreed to terminate the lease and to make arrangements for TRRA to resume service over the lines in place of WBRY. In accordance with its obligations under the governing lease agreement, WBRY seeks authorization to discontinue its common carrier status and attendant obligations on the Lines, thereby assuring that TRRA may resume common carriage over the Lines following favorable Board action on the present Petition. No customer on the Lines will be deprived of common carrier service as a consequence of WBRY's proposed discontinuance of service to make way for TRRA. For these reasons, and as discussed below, the proposed discontinuance plainly satisfies the exemption criteria of 49 U.S.C. § 10502(a), and, accordingly, should be granted.

In addition, although this would be an uneventful, voluntary unwinding of an arrangement under which TRRA will assume the common carrier obligations that WBRY has shouldered for ten years, the Board's class exemption procedures under 49 C.F.R. part 1152, subpart F are unavailable. Accordingly, unless other Board processes exist to facilitate this transition (of which WBRY's counsel is not aware), WBRY must seek and obtain discontinuance authorization by way of the Board's individual petition for exemption processes (at a filing fee cost of \$9,200), even though, here, WBRY does not need to – (1) present an economic case

for its requested discontinuance (shippers will be unaffected, due to continuation of service under TRRA); and (2) present a combined environmental and historic report under 49 C.F.R. §§ 1105.6(c) and 1105.8(b) (as is explained below).¹

I. Identification of Petitioner

Petitioner WBRY is a Class III railroad common carrier that operates in Missouri. The Lines that are the subject of this Petition comprise the full WBRY system. *See West Belt – Exemption*. WBRY is a subsidiary of Patriot Rail Company LLC, which controls numerous rail carriers throughout the U.S. *See Patriot Rail Company LLC, et al. – Continuance in Control Exemption – Front Range Railroad LLC*, FD 36789 (STB served July 3, 2024) 1, n.1.

The complete name and address of WBRY is:

West Belt Railway, LLC
One Arsenal Street
St. Louis, MO 63118

II. Description of the Lines that are the Subject of this Discontinuance Petition

The Lines consist of roughly 9.66 route miles as follows: (1) the West Belt Industry Lead (“WBIL”) from approximately milepost 1.07 at Adelaide Avenue to the end of track at approximately milepost 9.54; and (2) the Central Belt Industrial Lead from its point of connection to the WBIL at approximately milepost 9.54 to the end of track, all located in the City of St. Louis, and St. Louis County,

¹ Via a separate filing, WBRY is requesting partial relief from the discontinuance filing fee of \$9,200 as set forth at 49 C.F.R. § 1002.2(f)(21)(iii).

Missouri. The Lines traverse United States Postal Service ZIP Codes 63147, 63155, 63120, 63121, 63133, 63130, and 63132.

Although of dubious relevance in the present context where service will continue under another rail carrier and no abandonment is contemplated, WBRY states (as a non-owner-operator of the Line) that it does not believe that the Lines contain federally-granted rights-of-way. If relevant to this proceeding, any documentation in petitioner's possession regarding federally-granted rights-of-way will be made available promptly to those requesting it.

III. Jurisdiction and Statutory Standards

The Board has jurisdiction over the proposed discontinuance of operations pursuant to 49 U.S.C. § 10903. A railroad common carrier such as WBRY must obtain authority from the Board under § 10903 before discontinuing service over a line of railroad. However, 49 U.S.C. § 10502(a) requires the Board to exempt a person, transaction or service from the statutory and regulatory requirements otherwise applicable to a rail carrier when the Board determines that: (1) application of those requirements is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101 (the "RTP"); and (2) either (a) the transaction is of limited scope or (b) regulation is not needed to protect shippers from an abuse of market power.

A. An exemption would serve the Rail Transportation Policy

The RTP requires the Board to minimize federal regulatory control over the rail transportation system, reduce barriers to exit, and expedite regulatory

decisions. 49 U.S.C. §§ 10101(2), (7), and (15). The Board repeatedly has recognized that exempting discontinuances of service from the formal requirements of § 10903 serves these three elements of the RTP, thereby satisfying the exemption criterion of 49 U.S.C. § 10502(a)(1). *E.g., Savage, Bingham & Garfield Railroad Company — Discontinuance of Trackage Rights Exemption — In Whiting, Ind.*, AB 1271X (STB served Mar. 1, 2019) at 2 (“An exemption would expedite regulatory decisions, reduce regulatory barriers to exit, and provide for the expeditious handling and resolution of proceedings. 49 U.S.C. § 10101(2), (7), and (15)”).

The requested discontinuance exemption would: (1) minimize regulation of WBRy’s proposed cessation of operations over the Lines (to accommodate TRRA operations in WBRy’s stead) in accordance with 49 U.S.C. § 10101(2); (2) eliminate a regulatory barrier to WBRy’s exit consistent with 49 U.S.C. § 10101(7); and (3) expedite the regulatory processes to facilitate an agreed-upon transition from WBRy operations to those of TRRA – the owner of the Lines. Granting this Petition would relieve WBRy of the even more time-consuming and more costly formal application process under § 10903, all in keeping with Section 10502(a)(1) and the statute’s incorporation of 49 U.S.C. § 10101.

B. The Transaction Is of Limited Scope

The transaction for which exemption is sought involves WBRy’s discontinuance of operations to facilitate TRRA’s assumption of service in place of WBRy. Under these circumstances, the proposed discontinuance is clearly of limited scope.

C. Regulation Is Not Necessary to Protect Shippers from Market Power Abuse

Since this transaction is of limited scope, WBRY need not demonstrate that regulation is unnecessary to protect shippers from market power abuse. 49 U.S.C. § 10502(a)(2). Even so, this transaction will not and cannot subject shippers to market power abuse. The Line's customers have been served by a single carrier (WBRY) who will be replaced with the Lines' owner, TRRA.

V. Labor Protection

The Board will not impose labor protection where a discontinuance of service would result in the cessation of service on a carrier's "entire system," and the carrier will have no residual interest in railroad assets or any other regulated operations. See *Manufacturers Railway Company — Discontinuance Exemption — In St. Louis County, Missouri*, AB 1075X (STB served Feb. 5, 2013), 6 ("Manufacturers Rwy.") as modified by *Central Texas & Colorado River Railway, LLC — Discontinuance Exemption — In McCulloch, San Saba, Mills, and Lampasas Counties, Tex.*, AB-1272X (STB served Apr. 27, 2022) ("Central Texas"). This is the circumstance here. The Lines for which WBRY seeks discontinuance authority represent the entire scope of WBRY's operations. WBRY has no proprietary interest in any rail assets other than its easement leasehold, which interests WBRY will relinquish. Accordingly, because WBRY, as a result of the proposed discontinuance, will have no residual interest in railroad assets or any other regulated operations, WBRY is entitled to relief from otherwise-applicable labor protection conditions pursuant to *Manufacturers Rwy.* and *Central Texas*.

VI. Environmental Impact Review, Interim Trails Use and Public Use Conditions

As a general rule, the Board does not require a carrier seeking only to discontinue service over a rail line (rather than to abandon it) to prepare and submit for review a combined environmental and historic report under 49 C.F.R. §§ 1105.6(c) and 1105.8(b).² That general rule applies to this discontinuance proceeding; WBRy has not prepared a combined environmental and historic report. WBRy has no plans to salvage the Lines or to alter or destroy any historic structures that may exist along them upon receipt of discontinuance authority; it has no legal authority to do so as a leasehold operator. No rail Line salvage will occur, and no rail-to-truck diversions would result to trigger potential air quality (emissions) impacts. WBRy has, however, arranged for publication of notice of the proposed discontinuance of service in a newspaper of general circulation in the involved counties pursuant to 49 C.F.R. § 1105.12. See Exhibit C.

In addition, because this is a discontinuance proceeding and not an abandonment proceeding, interim trail use/rail banking and public use conditions are not appropriate.

² See, e.g., *Norfolk Southern Railway Company — Discontinuance of Service Exemption – In Isle of Wight, Southampton, Greensville, and Brunswick Counties, Va.*, AB 290 (Sub-No. 359X) (STB served Dec. 16, 2013) at 2 (“Because this is a discontinuance proceeding and not an abandonment, . . . no environmental or historical documentation is required”); *Columbus and Greenville Railway Company – Discontinuance of Service Exemption – In Greenwood, MS*, AB 297 (Sub-No. 103X) (STB served July 3, 2007) at 2 n.2 (same); *Chillicothe-Brunswick Rail Maintenance Authority–Discontinuance Exemption–In Livingston, Linn, and Chariton Counties, MO*, AB 1001X (STB served Feb 23, 2007) at 2 n.3 (same).

VI. Decision Effective by No Later than December 1, 2025 Requested

WBRY and TRRA anticipate a transition in operations on or before December 1, 2025, consistent with TRRA's written commitment to its organized employees. Absent an order granting WBRY's discontinuance of operations effective as of December 1, 2025, TRRA may face a grievance from one or more classes of its employees. WBRY understands that, in keeping with agency practice, the Board would typically render a decision that would be effective well within the requested December 1 deadline, and it encourages the Board to adhere to that practice in case.

WHEREFORE, WBRY respectfully requests that the Board exempt from the prior approval requirements of 49 U.S.C. § 10903 its discontinuance of common carrier service over the above-described Lines under a decision effective no later than December 1, 2025 to facilitate an orderly transition in common carrier operations over the Lines.

Respectfully submitted,

By: /s/ *R. A. Wimbish*

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Chicago, IL 60606-2832
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(312) 252-1500

**ATTORNEY FOR WEST BELT
RAILWAY, LLC**

Dated: June 30, 2025

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1346X

WEST BELT RAILWAY, LLC
– DISCONTINUANCE OF SERVICE EXEMPTION –
IN THE CITY OF ST. LOUIS, AND ST. LOUIS COUNTY, MO.

EXHIBIT A

MAP

West Belt Railway (WBRW)

St. Louis, Missouri



BEFORE THE
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AB-1346X

WEST BELT RAILWAY, LLC
– DISCONTINUANCE OF SERVICE EXEMPTION –
IN THE CITY OF ST. LOUIS, AND ST. LOUIS COUNTY, MO.

EXHIBIT B

DRAFT FEDERAL REGISTER NOTICE

STB AB-1346X

Notice of Petition for Exemption to Discontinue Service

On June 30, 2025, West Belt Railway, LLC (WBRY) filed with the Surface Transportation Board 20423, a petition for exemption for authorization to discontinue common carrier service over approximately 9.66 route miles of railroad consisting of the following two line segments (the “Lines”): (1) the West Belt Industry Lead (WBIL) from approximately milepost 1.07 at Adelaide Avenue to the end of track at approximately milepost 9.54; and (2) the Central Belt Industrial Lead from its point of connection to the WBIL at approximately milepost 9.54 to the end of track, all located in the City of St. Louis, and St. Louis County, Missouri

To the best of WBRY’s knowledge as a non-owner-operator, the Lines do not contain federally granted rights-of-way. Any documentation in the railroad’s possession regarding federally-granted rights-of-way, if any (and if relevant), will be made available promptly to those requesting it.

Labor protective conditions are subject to *Manufacturers Railway Company — Discontinuance Exemption — In St. Louis County, Missouri*, AB 1075X (STB served Feb. 5, 2013) and *Central Texas & Colorado River Railway, LLC — Discontinuance Exemption — In McCulloch, San Saba, Mills, and Lampasas Counties, Tex.*, AB 1272X (STB served Apr. 27, 2022), and will be addressed by the Board at a later date.

Any offer of financial assistance to subsidize continued WBRY service (if applicable) will be due no later than 10 days after service of a decision granting the petition for exemption.

Because this is a discontinuance proceeding and not an abandonment proceeding, interim trail use/rail banking and public use conditions are not appropriate. Similarly, no environmental or historic documentation is required under 49 C.F.R. §§ 1105.6(c)(2) and 1105.8(b).

Persons seeking further information concerning discontinuance procedures may contact the Surface Transportation Board or refer to the full abandonment and discontinuance regulations at 49 C.F.R. part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis (OEA) at (202) 245-0305.

All filings in response to this notice must refer to Docket No. AB-1346X and must be sent to: (1) Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001; and (2) Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-2832. Replies to the petition are due on or before _____, 2025.

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

Decided: _____, 2025.

By the Board, _____, Office of Proceedings.

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1346X

WEST BELT RAILWAY, LLC
– DISCONTINUANCE OF SERVICE EXEMPTION –
IN THE CITY OF ST. LOUIS, AND ST. LOUIS COUNTY, MO.

EXHIBIT C

**CERTIFICATES OF SERVICE
AND PUBLICATION**

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of June, in accordance with the requirements of 49 C.F.R. § 1152.60(d) (to the extent applicable here), a copy of the foregoing Discontinuance Petition for Exemption was served via electronic mail upon the following parties:

Kayla Hahn
Commission Chair
Missouri Public Service Commission
200 Madison Street, PO Box 360
Jefferson City, MO 65102-0360
kayla.hahn@psc.mo.gov

Jerica Holsclaw
Multimodal Operations Division
Director
Missouri Department of
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Multimodal Operations – Rail Section
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David Thomson
Program Manager – Midwest Region
National Park Service
1849 C Street NW
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Military Surface Deployment &
Distribution Command
Transportation Engineering Agency
Attn: SDTE-SA (Railroads for National
Defense)
1 Soldier Way, Bldg. 1900W
Scott AFB, IL 62225-50067
Usarmy.scott.sddc.mbx.tea@mail.mil

Tom Schultz
Chief, Forest Service
U.S. Department of Agriculture
1400 Independence Avenue S.W.
Washington, DC 20250-1111
tmschultz@fs.fed.us

June 30, 2025

/s/ *R. A. Wimbish*

Robert A. Wimbish
Attorney for West Belt Railway, LLC

CERTIFICATE OF NEWSPAPER PUBLICATION

I certify that a “Notice of Petition to Discontinue Rail Service” was published in the form prescribed by the Surface Transportation Board for a petition for exemption (49 C.F.R. § 1105.12). The notice was published one time on June 27, 2025 in *The Countian – St. Louis County*, a newspaper of general circulation in St. Louis County, Missouri, and one time on June 30, 2025, in the *St. Louis Daily Record*, a newspaper of general circulation in the City of St. Louis, Missouri, where the subject railroad lines are located.

June 30, 2025

/s/ *R. A. Wimbish*

Robert A. Wimbish
Attorney for West Belt Railway, LLC