



ILLINOIS COMMERCE COMMISSION

March 17, 2009

Hennepin Road District, County of Putnam, Illinois,
Petitioner,

v.

ArcelorMittal USA,
Respondent.

T09-0037

Petition for approval of the relocation of ESK Road located in Hennepin
Township, Putnam County, Illinois.

Mr. Roger C. Bolin
Boyle & Bolin
227 East Court Street
Hennepin, IL 61327

Dear Mr. Bolin:

Receipt is acknowledged of the original Petition filed March 16, 2009 in the above matter.

All future correspondence/pleadings should be filed and addressed to: Mr. Dave Lazarides, Director of Processing, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original electronically through E-docket if you have an account. To apply for an account, please log on to www.icc.illinois.gov and apply for an E-docket account.

Processing and Information Section

KI

Cc: Staff: Mr. Aaron Toliver
Mr. Thomas Ambler, NS
Ms. Nanci Scott, NS
Mr. George Meister, Putnam County

Mr. Richard Boyle, NS
Mr. Rick Ray, NS
Mr. John Urnikis, Hennepin Township
Mr. Mike Stahira, ArcelorMital Steel USA

BOYLE & BOLIN
ATTORNEYS AT LAW
227 E. COURT STREET
HENNEPIN, ILLINOIS 61327-0140

ROGER C. BOLIN

CHRISTINA K. JUDD

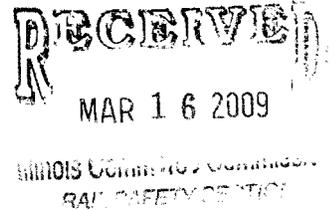
WALTER DURLEY BOYLE
1913 - 2008

TELEPHONE (815) 925-7393
FAX (815) 925-7561
email: hgblaw@mchsi.com
rcblaw@mchsi.com - ckjlaw@mchsi.com

Predecessor Firms

Boyle & Goldsmith
Boyle, Goldsmith & Shore
Boyle, Goldsmith, Shore & Bolin

March 13, 2009



Mr. Michael E. Stead
Rail Safety Program Administrator
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62701

Dear Mr. Stead:

RE: HENNEPIN ROAD DISTRICT V. ARCELORMITTAL USA

Enclosed please find Petition for relocation, together with Exhibits A and B, in regard to the above matter.

Sincerely yours,

Roger C. Bolin
FOR

CHRISTINA JUDD MENNIE

CJM:ch

enclosures

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

RECEIVED
MAR 16 2009

Illinois Commerce Commission
RAIL SAFETY SECTION

HENNEPIN ROAD DISTRICT,)
COUNTY OF PUTNAM, ILLINOIS,)

Petitioner,)

V.)

ARCELORMITTAL USA,)

Respondent.)

NO. *T09-0037*

PETITION

NOW COMES THE PETITIONER, HENNEPIN ROAD DISTRICT, PUTNAM COUNTY, ILLINOIS, and represent unto the Commission as follows:

1. Petitioner is a political subdivision of the State of Illinois and has responsibilities for maintenance of certain ROAD DISTRICT roads in Hennepin Township, Putnam County, Illinois.
2. Respondent is a Delaware corporation engaged in the business of steel production and finishing. Respondent owns railroad tracks and equipment in the State of Illinois, including Hennepin Road District, and is authorized to do business in the State of Illinois.
3. Respondent owns a single main line of railroad track running East and West from the Norfolk & Southern Railroad mail line into the AcelorMittal, Hennepin Mill. Said rail crosses ESK Road (Hennepin Road District Road) at 1190 N on 875 E (ESK Road). Respondent receives one freight train carrying steel per day into its spur at the Hennepin Mill, however, pursuant to recent press releases, ArcelorMittal is scheduled to close its Hennepin Mill permanently in March of 2009.
4. Said ESK Road is a public road maintained by Hennepin Road District running in a North-South direction and is a 20-foot wide chip and seal road. It has a current ADT of 750 and a 20-year design traffic of 1566.
5. Petitioner desires to relocate said crossing approximately 200 feet West from the current location because Petitioner is reconstructing said road because of safety concerns in order to avoid

DOCKETED

MAR 17 2009

crossing the railroad tracks in a curve in the roadway and to provide improved visibility at the crossing.

6. A copy of a portion of the Putnam County highway map with the general area of interest is attached hereto marked Exhibit A and expressly made a part hereof.

7. Cost of this proposed relocation of the railroad crossing attached hereto, marked Exhibit B and expressly made a part hereof.

8. Cost of this proposed relocation of the railroad crossing should be borne by AcelorMittal Steel Corporation. All of the roadway related costs shall be borne by Hennepin Road District.

9. The changes herein would be in the interest of public safety and would particularly improve the visibility of the crossing for northbound vehicle traffic.

WHEREFORE, Petitioner requests that the Commission conduct such investigation and hearings as are proper in the matter and issue an order authorizing the following:

- A. Relocation of the existing grade crossing with "exempt" status granted to such crossing;
- B. Cost be assessed to AcelorMittal USA;
- C. Such other and further relief as is deemed appropriate.

HENNEPIN ROAD DISTRICT, PUTNAM COUNTY

BY: Roger C. Boli
attorney for petitioner

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the attorneys of record and all parties to the above cause by enclosing the same in an envelope addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein With postage fully prepaid and by depositing said envelope in a United States Post Office at Hennepin, Illinois on 3-13 2009. by the following:

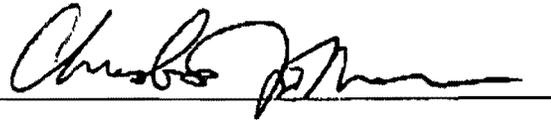
Hand Delivery
 Overnight Courier
 Other
 FAX
 U.S. Mail

Signature: RCB

The undersigned certifies that a copy of the foregoing instrument was served upon these individuals by enclosing the same in an envelope addressed as follows:

Mr. Mike Stahira
Operations Manager
ArcelorMital Steel USA
1 Steel Drive
Hennepin, IL 61327

Said envelope, addressed as set out above, containing a copy of the foregoing instrument was deposited in the U.S. Post Office Mail Box in the Village of Hennepin, Illinois, with postage fully prepaid on the 17th day of March, 2009.



BOYLE & BOLIN
Attorneys for Petitioner
227 E. Court Street
Hennepin, IL 61327
Tel: (815) 925-7393
Atty. Reg. No. 3125822

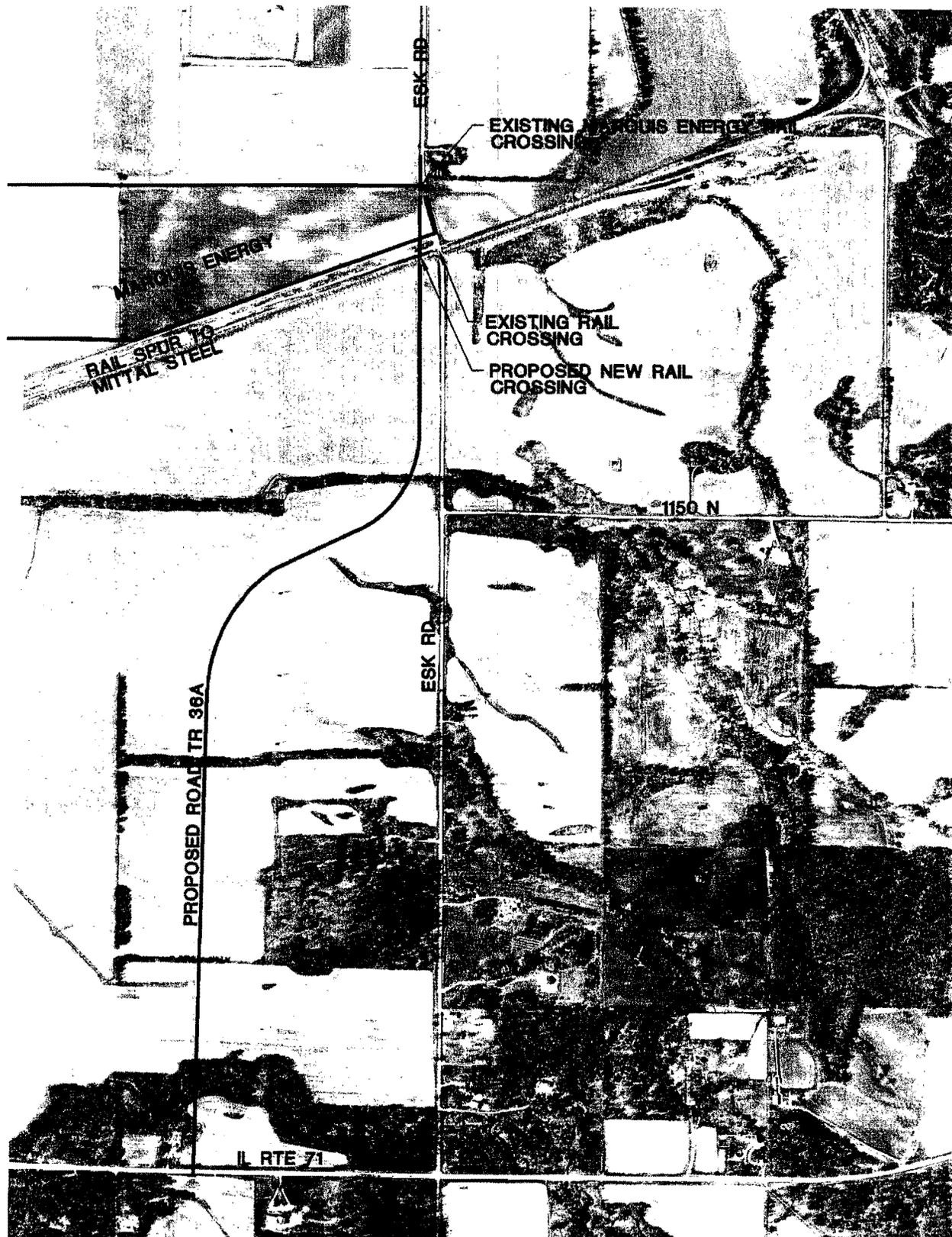
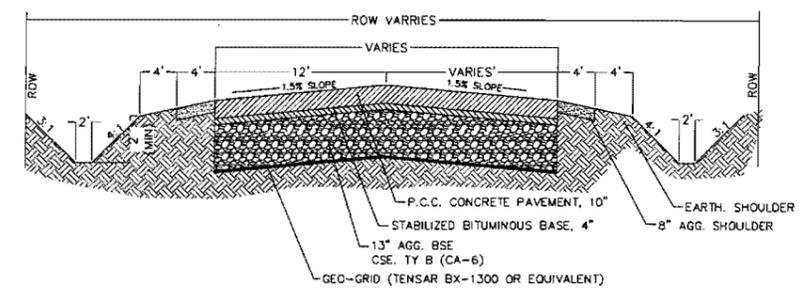
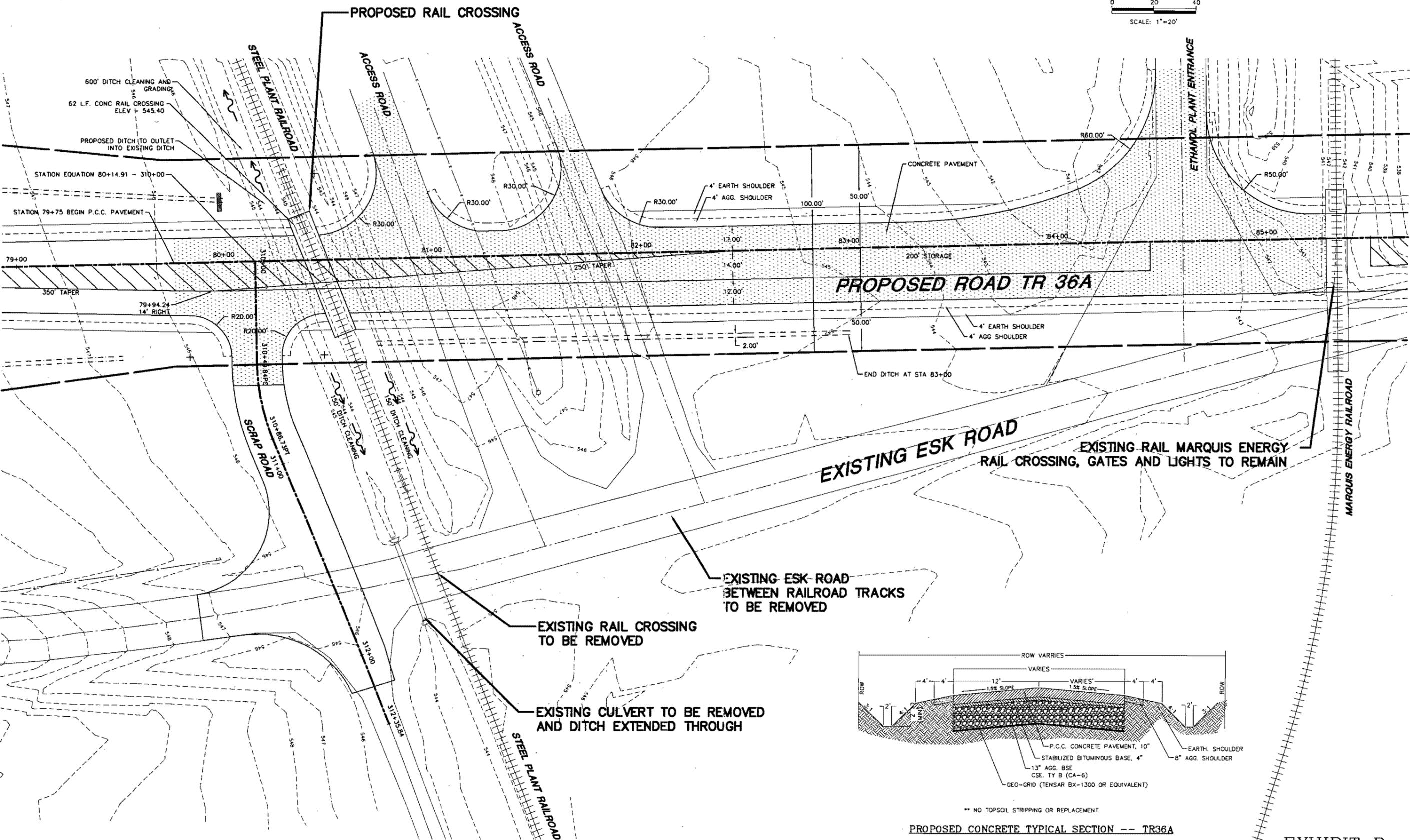
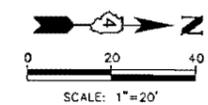


EXHIBIT A
RAILROAD CROSSING
LOCATION MAP



IVSC Illinois Valley Surveying and Consultants, Inc.
 Land Surveying - Engineering
 401 Court Street Hennepin, Illinois 61327 / P.O. Box 302
 Phone: (815) 925-7511 - Fax: (815) 925-7580



** NO TOPSOIL STRIPPING OR REPLACEMENT

PROPOSED CONCRETE TYPICAL SECTION -- TR36A
N.T.S.

EXHIBIT B

DRAWN BY: G. RUFF
DESIGNED BY: K. GORDANO
HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: NA

I.C.C. EXHIBIT
STATIONS: 79+00 - 85+50

DESIGN FIRM LICENSE: ILLINOIS #184-004102
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Illinois Valley Surveying and Consultants, Inc.
Land Surveying - Engineering
401 Court Street, Mokena, Illinois 60457 / P.O. Box 302
Phone: (815) 825-7511 - Fax: (815) 825-7508

DATE: 12/31/08
DRAWING: PP SHEETS
SHEET: 1 OF 1
FILE NO. 3.202.08.01