

negatively impact employees. (Appl. 14.)

The Board finds that the acquisition proposed in the application is consistent with the public interest and should be tentatively approved and authorized. If any opposing comments are timely filed, these findings will be deemed vacated, and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. *See* 49 CFR 1182.6(c). If no opposing comments are filed by the expiration of the comment period, this notice will take effect automatically and will be the final Board action.

This action is categorically excluded from environmental review under 49 CFR 1105.6(c).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

*It is ordered:*

1. The proposed transaction is approved and authorized, subject to the filing of opposing comments.

2. If opposing comments are timely filed, the findings made in this notice will be deemed vacated.

3. This notice will be effective April 9, 2019, unless opposing comments are filed by April 8, 2019.

4. A copy of this notice will be served on: (1) The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue NW, Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue SE, Washington, DC 20590.

Decided: February 15, 2019.

By the Board, Board Members Begeman, Fuchs, and Oberman.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2019-03115 Filed 2-21-19; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36259]**

**Kean Burenga and Chesapeake and Delaware, LLC—Continuance in Control Exemption—Dover and Delaware River Railroad, LLC**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board is granting an exemption for Kean Burenga (Burenga) and Chesapeake and Delaware, LLC (CAD), both noncarriers, to continue in

control of Dover and Delaware River Railroad, LLC (DDRR), when DDRR becomes a Class III rail carrier in a related transaction involving DDRR's lease and operation of 27.2 miles of rail lines owned by Norfolk Southern Railway Company (NSR) and operation of 80.7 miles of rail lines pursuant to a trackage rights agreement among DDRR, New Jersey Transit Corporation, and NSR.<sup>1</sup> All of the affected lines are located in the State of New Jersey. The lines over which DDRR will operate connect with lines operated by Dover and Rockaway River Railroad, LCC (Rockaway), another Class III carrier that CAD controls.<sup>2</sup> Because all of the carriers involved are Class III carriers, this continuance-in-control exemption is not subject to labor protective conditions.

**DATES:** This exemption will be effective on February 25, 2019. Petitions to stay must be filed by February 20, 2019. Petitions to reopen must be filed by March 7, 2019.

**ADDRESSES:** Send an original and 10 copies of all pleadings, referring to Docket No. FD 36259, to: Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Eric M. Hocky, Clark Hill PLC, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

**FOR FURTHER INFORMATION CONTACT:** Sarah Fancher, (202) 245-0355. Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision served on February 15, 2019, which is available at [www.stb.gov](http://www.stb.gov).

Decided: February 14, 2019.

By the Board, Board Members Begeman, Fuchs, and Oberman.

**Tammy Lowery,**  
Clearance Clerk.

[FR Doc. 2019-03012 Filed 2-21-19; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>1</sup> *See Dover & Del. River R.R.—Lease with Interchange Commitment & Trackage Rights Exemption—Norfolk S. R.R.*, FD 36258 (STB served Dec. 20, 2018).

<sup>2</sup> Burenga previously sought authority to continue in control of Rockaway once Rockaway became a Class III rail carrier. (*See* Pet. 2 (citing *Burenga—Continuance in Control Exemption—Dover & Rockaway River R.R.*, FD 36125, slip op. at 1 (STB served June 16, 2017)).) The Board found it unnecessary to resolve the issue of Burenga's control in that proceeding.

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. AB 312 (Sub-No. 4X); Docket No. AB 1000 (Sub-No. 4X)]**

**South Carolina Central Railroad Company, LLC—Abandonment Exemption—in Terrell County, GA; Georgia Southwestern Railroad, Inc.—Discontinuance Exemption—in Terrell County, GA**

South Carolina Central Railroad Company, LLC (SCRF), and Georgia Southwestern Railroad, Inc. (GSRW) (collectively, Applicants), have jointly filed a verified notice of exemption under 49 CFR pt. 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* for SCRF to abandon, and for GSRW to discontinue service over, approximately 1,350 feet of rail line between milepost 72.88 and milepost 72.63 in the Town of Sasser, Terrell County, GA (the Line). The Line traverses U.S. Postal Service Zip Code 39885.

Applicants have certified that: (1) No local or overhead traffic has moved over the Line for at least two years; (2) because the Line is not a "through line," there is no overhead traffic on the Line; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to these exemptions, any employee adversely affected by the abandonment and discontinuance of service shall be protected under *Oregon Short Line Railroad—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)<sup>1</sup> has been received,

<sup>1</sup> The Board modified its OFA procedures effective July 29, 2017. Among other things, the OFA process now requires potential offerors, in their formal expression of intent, to make a preliminary financial responsibility showing based on a calculation using information contained in the carrier's filing and publicly available information. *See Offers of Financial Assistance*, EP 729 (STB served June 29, 2017); 82 FR 30,997 (July 5, 2017).

these exemptions will be effective on March 26, 2019, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 4, 2019. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 14, 2019, with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to Eric M. Hocky, Clark Hill, PLC, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

If the verified notice contains false or misleading information, the exemptions are void ab initio.

Applicants have filed a combined environmental and historic report that addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by March 1, 2019. Interested persons may obtain a copy of the EA by writing to OEA (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 CFR 1152.29(e)(2), SCRF 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 SCRF's filing of a notice of consummation by February 22, 2020, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

<sup>2</sup> 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 exemptions' effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 L.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 exemptions' effective date.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,800. See 49 CFR 1002.2(f)(25).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: February 15, 2019.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2019-03061 Filed 2-21-19; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2019-0004-N-3]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Request (ICR) abstracted below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified below.

**DATES:** Interested persons are invited to submit comments on or before April 23, 2019.

**ADDRESSES:** Submit written comments on the ICR activities by mail to either: Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33-497, Washington, DC 20590; or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34-212, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB Control Number 2130-NEW" and should also include the title of the ICR. Alternatively, comments may be faxed to (202) 493-6216 or (202) 493-6497, or emailed to Mr. Brogan at [robert.brogan@dot.gov](mailto:robert.brogan@dot.gov), or Ms. Toone at [kim.toone@dot.gov](mailto:kim.toone@dot.gov). Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in

response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33-497, Washington, DC 20590 (telephone: 202-493-6292) or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34-212, Washington, DC 20590 (telephone: 202-493-6132).

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501-3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days' notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. See 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. Specifically, FRA invites interested parties to comment on the following ICR regarding: (1) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology. See 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations require. In summary, FRA reasons that comments received will advance three objectives: (1) Reduce reporting burdens; (2) organize information collection requirements in a "user-friendly" format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires: