

**FOR FURTHER INFORMATION CONTACT:**

Please contact the Designated Federal Officer (DFO) Daniel Oates or Alternate DFO Brian Mattys at [IDET@state.gov](mailto:IDET@state.gov) or (202) 878-2010.

**Kevin E. Bryant,**

*Acting Director, Office of Directives Management, Department of State.*

[FR Doc. 2022-16744 Filed 8-3-22; 8:45 am]

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**SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36610]

**Burns Harbor Shortline Railroad Company—Operation Exemption—in Porter County, Ind.**

Burns Harbor Shortline Railroad Company (BHS), a noncarrier,<sup>1</sup> has filed a verified notice of exemption pursuant to 49 CFR 1150.31 to operate a segment of track owned by the State of Indiana and controlled and managed by Ports within the Port of Indiana-Burns Harbor. The track begins at a connection with Norfolk Southern Railway Company (NSR) near the intersection of South Boundary Drive and Sun Drive and extends in a loop configuration northerly, easterly and then southerly to a second connection with NSR near the intersection of East Boundary Drive and Joe Emig Drive, a distance of approximately 4.15 miles in Portage, Porter County, Ind. (the Line).

This transaction is related to a concurrently filed verified notice of exemption in *Ports of Indiana—Continuance in Control Exemption—Burns Harbor Shortline Railroad*, Docket No. FD 36611, in which Ports and IPR seek to continue in control of BHS upon BHS's becoming a Class III rail carrier.

According to the verified notice, pursuant to an operating agreement between BHS and Ports,<sup>2</sup> BHS will provide common carrier rail service on the Line, as Ports and BHS have determined that BHS's operation of the Line and related ancillary trackage would benefit tenants of the Port of Indiana-Burns Harbor and promote the continued development and success of the Burns Harbor port facility.

BHS states that the operating agreement between BHS and the Ports contains no restriction on BHS interchanging traffic with any rail carriers. BHS certifies that its projected annual revenue will not exceed \$5

<sup>1</sup> BHS is a wholly owned subsidiary of Indiana Ports Railroad Holding Corporation (IPR) and an indirect subsidiary of Ports of Indiana (Ports).

<sup>2</sup> A confidential copy of the operating agreement between Ports and BHS was filed under seal as an exhibit to the verified notice.

million and that the proposed transaction will not result in BHS's becoming a Class I or II rail carrier.

The earliest this transaction may be consummated is August 18, 2022, the effective date of the exemption (30 days after the verified notice was filed).

If the verified 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 effectiveness of the exemption. Petitions for stay must be filed no later than August 11, 2022.

All pleadings, referring to Docket No. FD 36610, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on BHS's representative, Thomas J. Healey, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to BHS, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

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

Decided: July 29, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

**Kenyatta Clay,**  
*Clearance Clerk.*

[FR Doc. 2022-16699 Filed 8-3-22; 8:45 am]

**BILLING CODE 4915-01-P**

**SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36611]

**Ports of Indiana and Indiana Ports Railroad Holding Corporation—Continuance in Control Exemption—Burns Harbor Shortline Railroad Company**

Ports of Indiana (Ports) and Indiana Ports Railroad Holding Corporation (IPR), both noncarriers, have filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Burns Harbor Shortline Railroad Company (BHS), a noncarrier wholly owned by IPR, which in turn is owned by Ports, upon BHS's becoming a Class III rail carrier.

This transaction is related to a verified notice of exemption filed concurrently in *Burns Harbor Shortline Railroad—Operation Exemption—in Porter County, Ind.*, Docket No. FD

36610, in which BHS seeks to operate an approximately 4.15-mile segment of track owned by the State of Indiana and controlled and managed by Ports within the Port of Indiana-Burns Harbor, in Portage, Porter County, Ind.

According to the verified notice, Ports is a statewide port authority that operates state-owned port facilities at Burns Harbor, Jeffersonville, and Mt. Vernon, Ind. IPR is a noncarrier subsidiary of Ports that directly controls two Class III shortlines that operate on track owned by the State of Indiana and controlled and managed by Ports at the port facilities in Jeffersonville and Mt. Vernon. According to the verified notice, Ports and IPR will continue in control of BHS upon BHS's becoming a railroad common carrier.

*Ports and IPR represent that:* (1) the rail line to be operated by BHS does not connect with the rail lines of any of the rail carriers controlled by Ports or IPR; (2) the transaction is not part of a series of anticipated transactions that would result in such a connection; and (3) the transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2).

The transaction may be consummated on or after August 18, 2022, the effective date of the exemption (30 days after the verified notice was filed).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified 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 effectiveness of the exemption. Petitions for stay must be filed no later than August 11, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36611, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Ports' and IPR's representative, Thomas J. Healey,

Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606–3208.

According to Ports, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

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

Decided: July 29, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

**Kenyatta Clay,**  
Clearance Clerk.

[FR Doc. 2022–16700 Filed 8–3–22; 8:45 am]

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## SURFACE TRANSPORTATION BOARD

[Docket No. AB 167 (Sub-No. 1195X)]

### Consolidated Rail Corporation— Abandonment Exemption—in Schuylkill & Carbon Counties, Pa.

Consolidated Rail Corporation (Conrail) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a railroad line known as the Tresckow Branch, which runs between milepost 0.0 and milepost 7.7 in the Township of Kline in Schuylkill County, Pa., and the Townships of Packer and Banks in Carbon County, Pa. (the Line).<sup>1</sup> The Line traverses U.S. Postal Service Zip Codes 18237 and 18255.

Conrail has certified that: (1) no local traffic has moved over the Line in the past two years; (2) any overhead traffic could be rerouted over other lines; (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 a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(b) and 1105.8(c) (notice of environmental and historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

<sup>1</sup> Conrail submitted its verified notice of exemption on November 12, 2021. However, by decision served December 2, 2021, the effective date of the notice of exemption was postponed and Conrail was directed to submit supplemental information addressing the status of the Line. Conrail filed supplements on January 18, 2022, and January 27, 2022. Additional information can be found in the decision served on August 4, 2022, in this proceeding.

As a condition to this exemption, any employee adversely affected by the abandonment 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) has been received,<sup>2</sup> this exemption will be effective on September 3, 2022, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>3</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/rail banking requests under 49 CFR 1152.29 must be filed by August 15, 2022.<sup>4</sup> Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by August 24, 2022.

All pleadings, referring to Docket No. AB 167 (Sub-No. 1195X), must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Conrail's representative, Michael L. Rosenthal, Covington & Burling, LLP, One CityCenter, 850 Tenth Street NW, Washington, DC 20001–4956.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Conrail has filed a combined environmental and historic report that addresses the potential effects, if any, of the abandonment on the environment and historic resources. OEA served a Draft Environmental Assessment (Draft EA) on December 7, 2021, and solicited public comments. Following the close of the public comment period, OEA issued a Final EA on December 27, 2021, and

<sup>2</sup> Persons interested in submitting an OFA must first file a formal expression of intent to file an offer, indicating the type of financial assistance they wish to provide (*i.e.*, subsidy or purchase) and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

<sup>3</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 exemption's effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.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 exemption's effective date.

<sup>4</sup> Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

a Supplemental Final EA on January 19, 2022. The Draft EA, Final EA, and Supplemental Final EA are available to interested persons on the Board's website, by writing to OEA, or by calling OEA at (202) 245–0294. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

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), Conrail 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 Conrail's filing of a notice of consummation by August 4, 2023, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: August 1, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

**Eden Besera,**  
Clearance Clerk.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Request To Dispose 9.97 Acres of Airport Land at Manchester-Boston Regional Airport, Manchester, NH

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Request for public comments.

**SUMMARY:** Notice is being given that the FAA is considering a request from the City of Manchester to dispose of 9.97 acres of land at Manchester-Boston Regional Airport, Manchester, NH. The disposal of the 5 parcels corrects a 100-year lease that produced no revenue stream for the properties over the term of the lease. The 5 parcels are not required for existing or future aviation development and are currently developed as non-aeronautical uses. As such, the disposal will not affect the airport's future development needs. The land disposal proceeds will be deposited in the airport's operation and maintenance account.

**DATES:** Comments must be received on or before September 6, 2022.

**ADDRESSES:** You may send comments using any of the following methods: