

carrier's practices. This information collection regarding fuel cost, consumption, and surcharge revenues permits the Board to monitor the current fuel surcharge practices of the Class I carriers. Failure to collect this information would impede the Board's ability to fulfill its statutory responsibilities. The Board has authority to collect information about rail costs and revenues under 49 U.S.C. 11144 and 11145.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: July 10, 2023.

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

[FR Doc. 2023-14940 Filed 7-13-23; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36712]

### **Carolina Coastal Railway, Inc.— Acquisition Exemption—Line of Clinton Industrial Switching District, Inc., d/b/a Clinton Terminal Railroad Company**

Carolina Coastal Railway, Inc. (CLNA), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to acquire approximately 3.53 miles of rail line between milepost 199.0 in Moltonville, NC, and the end of the track at milepost 202.53 in Clinton, NC (the Line), from Clinton Industrial Switching District, Inc., d/b/a Clinton Terminal Railroad Company (CTR), also a Class III rail carrier.

The verified notice states that CLNA will acquire the Line from CTR pursuant to an Asset Purchase Agreement entered into on June 28, 2023.<sup>1</sup> CLNA intends to

<sup>1</sup> A redacted version of the agreement was filed with the verified notice of exemption. An unredacted version was filed concurrently under seal, along with a motion for protective order pursuant to 49 CFR 1104.14(b). That motion will be addressed in a separate decision.

operate the Line as a CLNA division, under a separate trade name and reporting marks.

CLNA represents that: (1) the Line does not connect with the existing rail lines of CLNA or the lines of any rail carrier in the CLNA corporate family; (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). 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.

The transaction may be consummated on or after July 30, 2023, 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 July 21, 2023 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36712, 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 CLNA's representative, Thomas J. Litwiler, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to CLNA, 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 11, 2023.

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

**Eden Besera,**  
*Clearance Clerk.*

[FR Doc. 2023-14982 Filed 7-13-23; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

### **30-Day Notice of Intent To Seek Extension of Approval: Petitions for Declaratory Orders and Petitions for Relief Not Otherwise Specified**

**ACTION:** Notice and request for comments.

**AGENCY:** Surface Transportation Board.  
**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for extensions of the collections regarding petitions for declaratory orders and petitions for relief not otherwise specified, as described below.

**DATES:** Comments on these information collections should be submitted by August 14, 2023.

**ADDRESSES:** Written comments should be identified as "Paperwork Reduction Act Comments, Surface Transportation Board, Petitions for Declaratory Orders and Petitions for Relief Not Otherwise Specified." Written comments for the proposed information collection should be submitted via [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). This information collection can be accessed by selecting "Currently under Review—Open for Public Comments" or by using the search function. As an alternative, written comments may be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Michael J. McManus, Surface Transportation Board Desk Officer: via email at [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov); by fax at (202) 395-1743; or by mail to Room 10235, 725 17th Street NW, Washington, DC 20503.

Please also direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001, or to [PRA@stb.gov](mailto:PRA@stb.gov). When submitting comments, please refer to "Paperwork Reduction Act Comments, Petitions for Declaratory Orders and Petitions for Relief Not Otherwise Specified." For further information regarding this collection, contact Michael Higgins, Deputy Director, Office of Public Assistance, Governmental Affairs, and Compliance (OPAGAC), at (866) 254-1792 (toll-free) or 202-245-0238, or by

emailing to [rcpa@stb.gov](mailto:rcpa@stb.gov). Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** The Board previously published a notice about this collection in the **Federal Register** (88 FR 30827 (May 12, 2023)). That notice allowed for a 60-day public review and comment period. No comments were received.

For each collection, comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

#### Description of Collections

##### Collection Number 1

*Title:* Petitions for declaratory orders.

*OMB Control Number:* 2140-0031.

*STB Form Number:* None.

*Type of Review:* Extension without change.

*Respondents:* Affected shippers, railroads, communities, and other stakeholders that choose to seek a declaratory order from the Board to terminate a controversy or remove uncertainty.

*Number of Respondents:* Approximately eight.

*Estimated Time per Response:* 180 hours.

*Frequency:* On occasion. In calendar years 2020-2022, approximately 12 petitions for declaratory orders were filed with the Board per year.

*Total Burden Hours (annually including all respondents):* 2,160 hours (estimated hours per petition (180) × total number of petitions (12)).

*Total "Non-Hour Burden" Cost:* None identified. Filings are submitted electronically to the Board.

*Needs and Uses:* Under 5 U.S.C. 554(e) and 49 U.S.C. 1321, the Board may issue a declaratory order to terminate a controversy or remove uncertainty. Because petitions for declaratory orders can encompass a broad range of issues and types of requests, the Board does not prescribe specific instructions for their filing. The collection by the Board regarding

petitions for declaratory orders that parties choose to file enables the Board to meet its statutory duty to regulate the rail industry.

##### Collection Number 2

*Title:* Petitions for relief not otherwise provided.

*OMB Control Number:* 2140-0030.

*STB Form Number:* None.

*Type of Review:* Extension without change.

*Respondents:* Affected shippers, railroads, communities, and other stakeholders that seek to address issues under the Board's jurisdiction that are not otherwise specifically provided for under the Board's other regulatory provisions.

*Number of Respondents:* Approximately four.

*Estimated Time per Response:* 25 hours.

*Frequency:* On occasion. In calendar years 2020-2022, approximately four petitions of this type were filed with the Board per year.

*Total Burden Hours (annually including all respondents):* 100 hours (estimated hours per petition (25) × total number of petitions (4)).

*Total "Non-Hour Burden" Cost:* None identified. Filings are submitted electronically to the Board.

*Needs and Uses:* Under 49 U.S.C. 1321 and 49 CFR part 1117 (the Board's catch-all petition provision), shippers, railroads, and the public in general may seek relief (such as waiver of the Board's regulations) not otherwise specifically provided for under the Board's other regulatory provisions. Under section 1117.1, such petitions should contain three items: (a) a short, plain statement of jurisdiction, (b) a short, plain statement of petitioner's claim, and (c) request for relief. The collection by the Board of these petitions that parties choose to file enables the Board to more fully meet its statutory duty to regulate the rail industry.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: July 10, 2023.

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

[FR Doc. 2023-14942 Filed 7-13-23; 8:45 am]

**BILLING CODE 4915-01-P**

#### SURFACE TRANSPORTATION BOARD

[Docket No. EP 526 (Sub-No. 18)]

#### Notice of Railroad-Shipper Transportation Advisory Council Vacancy

**AGENCY:** Surface Transportation Board (Board).

**ACTION:** Notice of vacancy on the Railroad-Shipper Transportation Advisory Council (RSTAC) and solicitation of nominations.

**SUMMARY:** The Board hereby gives notice of a vacancy on RSTAC for an at-large (public interest) representative. The Board seeks nominations for candidates to fill this vacancy.

**DATES:** Nominations are due on August 14, 2023.

**ADDRESSES:** Nominations may be submitted via e-filing on the Board's website at [www.stb.gov](http://www.stb.gov). Submissions will be posted to the Board's website under Docket No. EP 526 (Sub-No. 18).

**FOR FURTHER INFORMATION CONTACT:** Gabriel Meyer at (202) 245-0150. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

**SUPPLEMENTARY INFORMATION:** The Board, created in 1996 to take over many of the functions previously performed by the Interstate Commerce Commission, exercises broad authority over transportation by rail carriers, including regulation of railroad rates and service (49 U.S.C. 10701-47, 11101-24), the construction, acquisition, operation, and abandonment of rail lines (49 U.S.C. 10901-07), as well as railroad line sales, consolidations, mergers, and common control arrangements (49 U.S.C. 10902, 11323-27).

The ICC Termination Act of 1995 (ICCTA), enacted on December 29, 1995, established RSTAC to advise the Board's Chair; the Secretary of Transportation; the Committee on Commerce, Science, and Transportation of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives with respect to rail transportation policy issues RSTAC considers significant. RSTAC focuses on issues of importance to small shippers and small railroads, including car supply, rates, competition, and procedures for addressing claims.