

(Catalog of Federal Domestic Assistance Number 59008)

Francisco Sánchez, Jr.,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024–13585 Filed 6–20–24; 8:45 am]

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SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested member of the public an additional 30 days to provide comments on the proposed collection of information.

DATES: Submit comments on or before July 22, 2024.

ADDRESSES: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection request by selecting “Small Business Administration”; “Currently Under Review,” then select the “Only Show ICR for Public Comment” checkbox. This information collection can be identified by title and/or OMB Control Number.

FOR FURTHER INFORMATION CONTACT: You may obtain a copy of the information collection and supporting documents from the Agency Clearance Office at Curtis.Rich@sba.gov; (202) 205–7030, or from www.reginfo.gov/public/do/PRAMain.

SUPPLEMENTARY INFORMATION: This PRA submission is for SBA Form 770 (OMB Control No. 3245–0012), Financial Statement of Debtor. The primary purpose for collecting this information is to evaluate the debtor’s financial capacity to repay the debt owed to the Agency and determine to what extent the Agency may compromise the debt, maximize recovery, and protect the interests of the Agency. Forms are to be completed and signed by the obligor and then submitted to the lender or Forms are to be completed and signed by the Borrower/Obligor and then submitted to the SBA Disaster Loan Servicing Center handling the account.

Solicitation of Public Comments

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

OMB Control Number: 3245–0012.

Title: Financial Statement of Debtor.

Description of Respondents: SBA Borrowers.

SBA Form Number: SBA Form 770.

Estimated Number of Respondents: 5,000.

Estimated Annual Responses: 5,000.

Estimated Annual Hour Burden: 5,000.

Curtis Rich,

Agency Clearance Officer.

[FR Doc. 2024–13683 Filed 6–20–24; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. FD 36786]

Koch, Inc.—Intra-Corporate Family Exemption—Old Augusta Railroad, LLC; Blue Rapids Railway Company LLC; Moscow Camden and San Augustine Railroad LLC; and KM Railways, LLC

Koch, Inc. (Koch),¹ has filed a verified notice of exemption for an intra-corporate family transaction under 49 CFR 1180.2(d)(3), which exempts from the prior approval requirements of 49 U.S.C. 11323 “[t]ransactions within a corporate family that do not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.” 49 CFR 1180.2(d)(3).

According to the verified notice, Koch Industries, Inc. (KII), a Kansas corporation, indirectly owns controlling interests in four common carrier railroads: Old Augusta Railroad, LLC (OAR); Blue Rapids Railway Company LLC (BRR); Moscow Camden and San Augustine Railroad LLC (MCSA); and KM Railways, LLC (KMR). The verified notice states that each of these railroads are Class III rail carriers.² Under the

¹ The verified notice states that Koch is a newly formed Kansas corporation and noncarrier.

² According to the verified notice, OAR owns approximately 2.5 miles of rail line in Mississippi, BRR owns and operates an approximately 10-mile rail line in Kansas, MCSA owns and operates a 6.9-

proposed transaction, KII will engage in an intra-corporate reorganization that will result in Koch’s indirect control of OAR, BRR, MCSA, and KMR.³ According to the verified notice, the reorganization will be implemented pursuant to a merger agreement⁴ by and among KII, Koch, Koch Cos., and Sunflower Subsidiary Corp. (Sunflower).⁵ Koch states that the purpose of the transaction is to create a new corporate holding structure and to promote the investment objectives of Koch and its stockholders.⁶ The verified notice states that the proposed transaction does not impose or involve any interchange commitment by or affecting any of the subject railroads.

The verified notice states that the transaction will not result in adverse changes in service levels, operational changes, or a change in the competitive balance with carriers outside the corporate family. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(3).

Unless stayed, the exemption will be effective on July 6, 2024 (30 days after the verified notice was filed). Koch states that it intends to consummate the proposed transaction following that date.

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. Accordingly, the Board may not impose labor protective conditions here because all the carriers involved are Class III rail carriers.

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

mile rail line in Texas, and KMR owns and operates 9,350 feet of rail line in Illinois.

³ Koch states that it will indirectly control such railroads through Koch Companies, LLC (Koch Cos.), a newly formed Delaware entity and direct subsidiary of Koch.

⁴ Koch submitted under seal a confidential version of its verified notice containing the agreement. Koch also filed a motion for protective order, which is addressed in a separate decision.

⁵ According to the verified notice, Sunflower, a newly formed Kansas corporation and direct subsidiary of Koch Cos., will merge with and into KII, with KII being the surviving entity.

⁶ The verified notice states that the existing stockholders of KII will continue as the stockholders of Koch in the same proportion as such stockholders held KII immediately prior to the reorganization.

the exemption. Petitions for stay must be filed no later than June 28, 2024 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36786, must be filed with the Surface Transportation Board 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 Koch's representative, Peter W. Denton, Steptoe LLP, 1330 Connecticut Avenue NW, Washington, DC 20036.

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

Board decisions and notices are available at www.stb.gov.

Decided: June 17, 2024.

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

Raina White,
Clearance Clerk.

[FR Doc. 2024-13645 Filed 6-20-24; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. FD 36746; Docket No. FD 36747]

Bay Colony Railroad Corporation—Acquisition and Operation of Rail Line—in Norfolk County, Mass.; Massachusetts Coastal Railroad, LLC—Acquisition and Operation Exemption—Bay Colony Railroad Corporation and Massachusetts Bay Transportation Authority

Bay Colony Railroad Corporation (Bay Colony), a Class III rail carrier, acquired and operates a freight rail easement covering the approximately 3.4-mile Millis Industrial Track (sometimes referred to as the “Millis Branch”) between the northeast side of the Framingham Secondary right-of-way in Medfield Junction (milepost 0.0) and the end of the line in Millis (milepost 3.4), in Norfolk County, Mass. On January 16, 2024, Bay Colony filed, in Docket No. FD 36746, a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10902 for after-the-fact authority for its acquisition and operation of the Millis Industrial Track.

Bay Colony also requests that, to the extent necessary, the Board confirm Bay Colony's right to operate a portion of the Dover Secondary Track beginning near BCLR milepost 7.2 located at the south edge of Ice House Road and terminating at milepost 7.3 at Medfield Junction

(Remaining Dover Secondary Track) (collectively, the Millis Industrial Track and the Remaining Dover Secondary Track will be referred to as “the Line”), also in Norfolk County, Mass.

Concurrently, on January 16, 2024, Massachusetts Coastal Railroad, LLC (Mass Coastal), a Class III rail carrier, filed, in Docket No. FD 36747, a petition under 49 U.S.C. 10502 seeking an exemption from the provisions of 49 U.S.C. 10902 to acquire the Line from Bay Colony and operate it.¹ Both petitions are unopposed.²

As discussed below, the Board finds that exempting Bay Colony's acquisition of the easement and operation of the Millis Industrial Track, as well as Mass Coastal's acquisition and operation of the Line, will promote the rail transportation policy (RTP) of 49 U.S.C. 10101, and regulation of these transactions is not needed to protect shippers from the abuse of market power. Therefore, the Board will grant the petitions.

Background

Mass Coastal's 2023 Verified Notice of Exemption to Acquire the Line

In November 2023, Mass Coastal filed a verified notice of exemption under 49 CFR 1150.41 to acquire the Line from Bay Colony and operate it. Mass Coastal explained that Bay Colony has been operating the Line, which is owned by the Massachusetts Bay Transportation Authority (MBTA), pursuant to modified certificates of public convenience and necessity. Verified Notice 2, *Mass. Coastal R.R.—Acquis. & Operation Exemption—Bay Colony R.R.*, FD 36738; see also *Bay Colony R.R.—Modified Rail Certificate*, FD 29963 (ICC served Sept. 24, 1987)³ & (ICC served June 29, 1982).⁴ In addition, Mass Coastal stated that, since 2005, Bay Colony has been operating the Line pursuant to a retained freight rail easement (Easement), which it acquired from CSX Transportation, Inc. (CSXT), and, since 2006, pursuant to a new trackage rights and operating agreement (Operating Agreement) with MBTA. Verified Notice 2-3, *Mass. Coastal R.R.—Acquis. & Operation Exemption—*

¹ These proceedings are not consolidated but are being addressed in the same decision for administrative convenience.

² By decision served April 12, 2024, proceedings under 49 U.S.C. 10502(b) were instituted in both dockets. *Bay Colony R.R.—Acquis. & Operation of Rail Line—in Norfolk Cnty., Mass.*, FD 36746 et al. (STB served Apr. 12, 2024).

³ The modified certificate served September 24, 1987, will be referred to as the “1987 Modified Certificate.”

⁴ The modified certificate served June 29, 1982, will be referred to as the “1982 Modified Certificate.”

Bay Colony R.R., FD 36738. In its verified notice, Mass Coastal explained that it would be acquiring an assignment of the Easement and the Operating Agreement from Bay Colony. *Id.* at 3.

Mass Coastal's verified notice was rejected because of various issues and questions surrounding the status and operation of the Line, which rendered the matter inappropriate for the class exemption procedures. See *Mass. Coastal R.R.—Acquis. & Operation Exemption—Bay Colony R.R. (December 2023 Decision)*, FD 36738, slip op. at 2 (STB served Dec. 15, 2023). The *December 2023 Decision* explained that it was unclear whether Bay Colony's current operation of the Line pursuant to the modified certificates was appropriate, as it contradicted arguments Bay Colony itself previously made with respect to the Millis Industrial Track. *Id.* Specifically, in response to a notice MBTA filed on April 13, 2005, in Docket No. FD 29963, seeking to terminate Bay Colony's modified certificate operations on the Millis Industrial Track, Bay Colony filed a petition for declaratory order in Docket No. FD 34698, in which it argued, among other things, that its modified certificate may not have been appropriate because the Millis Industrial Track was never abandoned or approved for abandonment. Bay Colony Pet. 5, May 5, 2005, *Bay Colony R.R.—Pet. for Decl. Ord.*, FD 34698. In settling the dispute concerning Bay Colony's operations on the Millis Industrial Track, Bay Colony and MBTA informed the Board that appropriate notices of exemption would be filed in the near future. See Joint Status Report 1, July 7, 2006, *Bay Colony R.R.—Pet. for Decl. Ord.*, FD 34698. However, Bay Colony never sought or received Board authority under 49 U.S.C. 10901 or 49 U.S.C. 10902 for operation of the Millis Industrial Track, nor did Bay Colony explain why it no longer believed it needed such authority. *December 2023 Decision*, FD 36738, slip op. at 2.

The *December 2023 Decision* explained that the rejection of Mass Coastal's verified notice did not preclude Mass Coastal or Bay Colony from seeking authority through a petition for exemption or an application but directed that any future pleading should clarify the following:

1. Whether Bay Colony must obtain Board authority to acquire and operate the Line before Mass Coastal can obtain authority under 49 U.S.C. 10902.

2. Whether the arguments put forth by Bay Colony in Docket No. FD 34698—that the modified certificate may not have been appropriate because the