

GLTRR's verified notice failed to explain why GLTRR had never requested authority for agreements pursuant to which it operated over the Owners' Association's and CRRC's tracks. *Director Order*, FD 36764, slip op. at 3. Rather, GLTRR only stated that at some point after the *January 5, 2018 Decision* authorized GLTRR to operate 12,500 feet of track at the Facility, "additional trackage was added," and that GLTRR now operates over 22,568 feet of track, including the track owned by the Owners' Association and CRRC. *Id.* at 2. In its petition, GLTRR clarifies that its agreement to lease the track GLT acquired from CenterPoint also included an assignment to GLTRR of the rights GLT acquired from CenterPoint to operate over track owned by CRRC and the Owner's Association.⁵ (GLTRR Pet. 5–6.) For the reasons explained below, the Board will grant GLTRR's petition for exemption for after-the-fact authority for the Line.

The acquisition of a rail line by a Class III carrier requires prior approval from the Board under 49 U.S.C. 10902(a). Under 49 U.S.C. 10502(a), however, the Board shall, to the maximum extent consistent with U.S. Code Title 49, subtitle IV, part A, exempt a transaction from the detailed application procedures of 49 U.S.C. 10902 when it finds that: (1) those procedures are not necessary to carry out the rail transportation policy of 49 U.S.C. 10101 (RTP); and (2) either (a) the proposal is of limited scope, or (b) the full application procedures are not necessary to protect shippers from an abuse of market power.

The Board finds an after-the-fact exemption should be granted to GLTRR for its acquisition and operation of the Line pursuant to the 2018 Agreement. Prior to the 2018 Agreement, in January 2018, GLTRR sought and obtained authority to sublease from GLR and operate track at the Facility. *See January 5, 2018 Decision*, FD 36160. A few months later, the Facility was sold to GLT and GLTRR entered into the 2018 Agreement so that it could continue its operations at that facility after the

filed a letter renewing its request for expedited consideration.

⁵ The *Director Order* also noted GLTRR's statement that "today GLTRR is leasing 14,215 linear feet (2.69 miles) of trackage from NSR and will continue to operate over [it]," and explained that "[t]his language suggests that GLT has already sold the track to NSR and GLTRR has entered into a lease with NSR without the necessary Board authority." *Director Order*, FD 36764, slip op. at 3. GLTRR's petition explains that the language quoted by the Board contained a typo and should have referred to GLT rather than NSR as the party currently leasing the track to GLTRR, and that NSR has not yet purchased GLT's track or consummated a lease with GLTRR. (GLTRR Pet. 7.)

change in ownership.⁶ (*See* GLTRR Pet. 5.) GLTRR states that it failed to seek authority for the 2018 Agreement and subsequent operations because it mistakenly believed that the authority it obtained in January 2018 to operate pursuant to an agreement with one of its affiliates, GLR, was sufficient to allow it to continue to operate at the Facility pursuant to an agreement with another of its affiliates, GLT. (*Id.*) Based on the nature of the transaction at issue and the inadvertent nature of the failure to seek an exemption prior to completing the transaction, an exemption from the prior approval requirements of section 10902 is consistent with section 10502(a) and detailed scrutiny of the transaction through an application for review under 49 U.S.C. 10902 is not necessary here to carry out the RTP.⁷ Granting an exemption to correct GLTRR's past error so that it is authorized to continue operations at the Facility and can proceed to file a notice of exemption for its proposed transaction with NSR would promote the RTP by minimizing the need for regulatory control over the transaction (49 U.S.C. 10101(2)), ensuring the development and continuation of a sound rail transportation system able to compete with other modes of transportation and meet the needs of the public (49 U.S.C. 10101(4)), minimizing the need for regulatory barriers for entry into and exit from the industry (49 U.S.C. 10101(7)), and providing for the expeditious handling and resolution of proceedings required or permitted to be brought under this part (49 U.S.C. 10101(15)). Other aspects of the RTP will not be adversely affected.

Regulation of the transaction is not needed to protect shippers from an abuse of market power. GLTRR states that both before and after the 2018 Agreement, its operations consisted of providing transloading services to shippers seeking to ship steel rebar and steel piping by truck after arrival at the

⁶ As noted above, the 2018 Agreement also allowed GLTRR to operate over additional trackage immediately outside the Facility owned by the Owners' Association and CRRC.

⁷ The Board has granted after-the-fact authority in similar circumstances. *See Ark.-Okla. R.R.—Acquis. & Operation Exemption—Okla.*, FD 36323 (STB served Sept. 19, 2019) (granting an exemption for after-the-fact authority where a carrier was previously authorized by the Board to operate a rail line pursuant to a lease but mistakenly believed it did not require additional authority to exercise a purchase option and continue its operations as owner of the line); *Elk River R.R.—Merger Exemption—Buffalo Creek R.R.*, FD 36434 (STB served Nov. 6, 2020) (granting an exemption for after-the-fact authority where a rail carrier authorized by the Board to operate mistakenly believed it did not need additional authority to merge with its affiliate and for the surviving entity to continue operations post-merger).

Facility by rail, as well as agriculture and construction equipment by rail after arrival at the Facility by truck. (GLTRR Pet. 10.) Granting the requested exemption for after-the-fact authority would give GLTRR authority to provide these same services to shippers that it has been providing since 2018.⁸ In addition, and as GLTRR contends, there was no apparent loss of rail competition and no change in the level of rail service to the shippers as a result of the 2018 Agreement.

Under 49 CFR 1105.6(c)(1), this action, which will not result in significant changes in carrier operations, is categorically excluded from environmental review. Similarly, under 49 CFR 1105.8(b)(1), no historic report is required because the subject transaction is for continued rail service, GLT does not intend to dispose of or alter properties subject to the Board's jurisdiction that are 50 years old or older, (GLTRR Pet. 14), and discontinuance of service or abandonment by GLTRR would be subject to Board jurisdiction.

It is ordered:

1. Under 49 U.S.C. 10502, the Board grants GLTRR's petition for exemption for after-the-fact authority to acquire and operate the Line.

2. Notice of this exemption will be published in the **Federal Register**.

3. This decision will be effective on August 30, 2024. Petitions for stay must be filed by August 12, 2024. Petitions to reopen must be filed by August 20, 2024.

Decided: July 30, 2024.

By the Board, By the Board, Board Members Fuchs, Hedlund, Primus, and Schultz.

Eden Besera,
Clearance Clerk.

[FR Doc. 2024–17187 Filed 8–2–24; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

60-Day Notice of Intent To Seek Extension of Approval of Collections: Rail Carrier Financial Reports

ACTION: Notice and request for comments.

AGENCY: Surface Transportation Board.
SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Surface

⁸ Because regulation of the proposed acquisition and operation is not needed to protect shippers from the abuse of market power, the Board need not determine whether the transaction is limited in scope. 49 U.S.C. 10502(a)(2).

Transportation Board (Board) gives notice of its intent to request from the Office of Management and Budget (OMB) approval without change of the six existing collections described below.

DATES: Comments on these information collections should be submitted by October 4, 2024.

ADDRESSES: Direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, or to PRA@stb.gov. When submitting comments, please refer to "Paperwork Reduction Act Comments, Rail Carrier Financial Reports." For further information regarding these collections, contact Pedro Ramirez at (202) 245-0333 or pedro.ramirez@stb.gov. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

SUPPLEMENTARY INFORMATION: Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) 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. Submitted comments will be included and summarized in the Board's request for OMB approval.

Subjects: In this notice, the Board is requesting comments on the following information collections:

Description of Collection 1

Title: Quarterly Report of Freight Commodity Statistics (Form QCS).

OMB Control Number: 2140-0001.

Form Number: Form QCS.

Type of Review: Extension without change.

Respondents: Class I railroads.

Number of Respondents: Seven.

Estimated Time per Response: One hour.

Frequency of Response: Quarterly, with an annual summation.

Total Annual Hour Burden: 35 hours annually.

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

Needs and Uses: This collection, which is based on information contained in carload waybills used by railroads in the ordinary course of business, reports car loadings and total

revenues by commodity code for each commodity that moved on the railroad during the reporting period. See 49 CFR part 1248. Information reported on Form QCS is entered into the Agency's Uniform Rail Costing System (URCS). URCS, which was developed by the Board pursuant to 49 U.S.C. 11161-62, is used in rail rate proceedings as a tool to calculate the variable costs of providing a particular rail service in accordance with 49 U.S.C. 10707(d). The Form QCS has been reformatted in a way that should allow for more efficient submission and agency processing, but it contains all of the same information as required. This collection is compiled and published on the Board's website, https://www.stb.gov/stb/industry/econ_reports.html. The reformatted form and instructions may be viewed at <https://www.stb.gov/wp-content/uploads/Quarterly-and-Annual-Freight-Commodity-Statistics-Public.xlsx> and <https://www.stb.gov/wp-content/uploads/Instructions-for-Quarterly-and-Annual-Freight-Commodity-Statistics.pdf>, respectively. It should be noted that the form for this report has been reformatted in a way that should allow for more efficient submission and agency processing, but the information has not changed. The form continues to contain all of the same data elements. The information contained in this report is not available from any other source.

Description of Collection 2

Title: Report of Railroad Employees, Service and Compensation (Wage Forms A and B).

OMB Control Number: 2140-0004.

Form Number: Wage Form A; and Wage Form B.

Type of Review: Extension without change.

Respondents: Class I railroads.

Number of Respondents: Seven.

Estimated Time per Response: No more than 3 hours per quarterly report and 4 hours per annual summation.

Frequency of Response: Quarterly, with an annual summation.

Total Annual Hour Burden: No more than 112 hours annually.

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

Needs and Uses: This collection shows the number of employees, service hours, and compensation, by employee group (e.g., executive, professional, maintenance-of-way and equipment, and transportation), of the reporting railroads. See 49 CFR part 1245. The information is used by the Board to forecast labor costs and measure the efficiency of the reporting railroads. The

information is also used by the Board to evaluate proposed regulated transactions that may impact rail employees, including mergers and consolidations, acquisitions of control, purchases, and abandonments. Other Federal agencies and industry groups, including the Railroad Retirement Board (RRB), Bureau of Labor Statistics (BLS), and Association of American Railroads (AAR), use the information contained in the reports to monitor railroad operations. Certain information from these reports is compiled and published on the Board's website, https://www.stb.gov/stb/industry/econ_reports.html. The reformatted forms and instructions may be viewed at <https://www.stb.gov/wp-content/uploads/Consolidated-Wage-Forms-ABC.csv> and <https://www.stb.gov/wp-content/uploads/Instructions-for-Consolidated-Wage-Forms-A-B-C.pdf>, respectively. It should be noted that the form for these reports have been reformatted in a way that should allow for more efficient submission and agency processing, but the information has not changed. They continue to contain all of the same data elements. The information contained in these reports is not available from any other source.

Description of Collection 3

Title: Monthly Report of Number of Employees of Class I Railroads (Wage Form C).

OMB Control Number: 2140-0007.

Form Number: STB Form C.

Type of Review: Extension without change.

Respondents: Class I railroads.

Number of Respondents: Seven.

Estimated Time per Response: 1.25 hours.

Frequency of Response: Monthly.

Total Annual Hour Burden: 105 hours annually.

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

Needs and Uses: This collection shows, for each reporting carrier, the average number of employees at mid-month in the six job-classification groups that encompass all railroad employees. See 49 CFR part 1246. The information is used by the Board to forecast labor costs and measure the efficiency of the reporting railroads. The information is also used by the Board to evaluate the impact on rail employees of proposed regulated transactions, including mergers and consolidations, acquisitions of control, purchases, and abandonments. Other Federal agencies and industry groups, including the RRB, BLS, and AAR, use the information contained in these reports to monitor

railroad operations. Certain information from these reports is compiled and published on the Board's website, https://www.stb.gov/stb/industry/econ_reports.html. The reformatted form and instructions may be viewed at <https://www.stb.gov/wp-content/uploads/Consolidated-Wage-Forms-ABC.csv> and <https://www.stb.gov/wp-content/uploads/Instructions-for-Consolidated-Wage-Forms-A-B-C.pdf>, respectively. It should be noted that the form for this report has been reformatted in a way that should allow for more efficient submission and agency processing, but the information has not changed. The form continues to contain all of the same data elements. The information contained in this report is not available from any other source.

Description of Collection 4

Title: Annual Report of Cars Loaded and Cars Terminated.

OMB Control Number: 2140-0011.

Form Number: Form STB-54.

Type of Review: Extension without change.

Respondents: Class I railroads.

Number of Respondents: Seven.

Estimated Time per Response: Four hours.

Frequency of Response: Annual.

Total Annual Hour Burden: 28 hours annually.

Total Annual "Non-Hour Burden"

Cost: None identified. Filings are submitted electronically to the Board.

Needs and Uses: This collection reports the number of cars loaded and cars terminated on the reporting carrier's line. See 49 CFR part 1247. Information in this report is entered into the Board's Uniform Rail Costing System (URCS), which is a cost measurement methodology. URCS, which was developed by the Board pursuant to 49 U.S.C. 11161, is used as a tool in rail rate proceedings, in accordance with 49 U.S.C. 10707(d), to calculate the variable costs associated with providing a particular service. The Board also uses URCS to carry out more effectively other of its regulatory responsibilities, including: acting on railroad requests for authority to engage in Board-regulated financial transactions such as mergers, acquisitions of control, and consolidations, see 49 U.S.C. 11323-11324; analyzing the information that the Board obtains through the annual railroad industry waybill sample, see 49 CFR 1244; measuring off-branch costs in railroad abandonment proceedings, in accordance with 49 CFR 1152.32(n); developing the "rail cost adjustment factors," in accordance with 49 U.S.C. 10708; and conducting investigations

and rulemakings. This collection is compiled and published on the Board's website, https://www.stb.gov/stb/industry/econ_reports.html. The reformatted form and instructions may be viewed at <https://www.stb.gov/wp-content/uploads/STB-54-Cars-Loaded-and-Terminated.csv> and <https://www.stb.gov/wp-content/uploads/Instructions-for-STB-54-Cars-Loaded-and-Terminated.pdf>, respectively. It should be noted that the form for this report has been reformatted in a way that should allow for more efficient submission and agency processing, but the information has not changed. The form continues to contain all of the same data elements. The information contained in this report is not available from any other source.

Description of Collection 5

Title: Quarterly Report of Revenues, Expenses, and Income—Railroads (Form RE&I).

OMB Control Number: 2140-0013.

Form Number: Form RE&I.

Type of Review: Extension without change.

Respondents: Class I railroads.

Number of Respondents: Seven.

Estimated Time per Response: Six hours.

Frequency of Response: Quarterly.

Total Annual Hour Burden: 168 hours annually.

Total Annual "Non-Hour Burden"

Cost: None identified. Filings are submitted electronically to the Board.

Needs and Uses: This collection is a report of railroad operating revenues, operating expenses, and income items. It is also a profit and loss statement, disclosing net railway operating income on a quarterly and year-to-date basis for current and prior years. See 49 CFR 1243.1. The Board uses the information in this report to ensure competitive, efficient, and safe transportation through general oversight programs that monitor and forecast the financial and operating condition of railroads, and through regulation of railroad rate and service issues and rail restructuring proposals, including railroad mergers, consolidations, acquisitions of control, and abandonments. Information from these reports is used by the Board, other Federal agencies, and industry groups to monitor and assess industry growth and operations, detect changes in carrier financial stability, and identify trends that may affect the national transportation system. Some of the information from these reports is compiled by the Board in our quarterly Selected Earnings Data Report, which is published on the Board's website, https://www.stb.gov/stb/industry/econ_

[reports.html](https://www.stb.gov/stb/industry/econ_reports.html). The reformatted form and instructions may be viewed at <https://www.stb.gov/wp-content/uploads/Revenue-Expenses-and-Income.csv> and <https://www.stb.gov/wp-content/uploads/Instructions-for-Revenue-Expenses-and-Income.pdf>, respectively. It should be noted that the form for this report has been reformatted in a way that should allow for more efficient submission and agency processing, but the information has not changed. The form continues to contain all of the same data elements. The information contained in this report is not available from any other source.

Description of Collection 6

Title: Quarterly Condensed Balance Sheet—Railroads (Form CBS).

OMB Control Number: 2140-0014.

Form Number: Form CBS.

Type of Review: Extension without change.

Respondents: Class I railroads.

Number of Respondents: Seven.

Estimated Time per Response: Six hours.

Frequency of Response: Quarterly.

Total Annual Hour Burden: 168 hours annually.

Total Annual "Non-Hour Burden"

Cost: None identified. Filings are submitted electronically to the Board.

Needs and Uses: This collection shows the balance, quarterly and cumulative, for the current and prior year of the carrier's assets and liabilities, gross capital expenditures, and revenue tons carried. See 49 CFR 1243.2. The Board uses the information in this report to ensure competitive, efficient, and safe transportation through general oversight programs that monitor and forecast the financial and operating condition of railroads, and through specific regulation of railroad rate and service issues and rail restructuring proposals, including railroad mergers, consolidations, acquisitions of control, and abandonments. Information from these reports is used by the Board, other Federal agencies, and industry groups to assess industry growth and operations, detect changes in carrier financial stability, and identify trends that may affect the national transportation system. Revenue ton-miles, which are reported in these reports, are compiled and published by the Board in its quarterly Selected Earnings Data Report, which is published on the Board's website, https://www.stb.gov/stb/industry/econ_reports.html. The reformatted form and instructions may be viewed at <https://www.stb.gov/wp-content/uploads/Condensed-Balance-Sheet.csv> and

Condensed-Balance-Sheet.pdf, respectively. It should be noted that the form for this report has been reformatted in a way that should allow for more efficient submission and agency processing, but the information has not changed. The form continues to contain all of the same data elements. The information contained in this report is not available from any other source.

The Board makes this submission because, 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. Under 44 U.S.C. 3506(c)(2)(A), Federal agencies are required to provide, prior to an agency's submitting a collection to OMB for approval, a 60-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 31, 2024.

Kenyatta Clay,
Clearance Clerk.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Number USTR-2024-0012]

Request for Comments and Notice of Public Hearing Concerning China's Compliance With WTO Commitments

AGENCY: Office of the United States Trade Representative.

ACTION: Request for comments and notice of public hearing.

SUMMARY: The interagency Trade Policy Staff Committee (TPSC) is seeking public comments to assist the Office of the United States Trade Representative (USTR) in the preparation of its annual report to Congress on China's compliance with its obligations as a Member of the World Trade Organization (WTO). This notice includes the schedule for the submission of comments to the TPSC for the China report and a public hearing.

DATES:

September 10, 2024 at 11:59 p.m. EDT: Deadline for submission of written comments, requests to testify, and summaries of written testimony.

September 24, 2024 at 9:30 a.m. EDT: The TPSC will convene a public hearing to receive oral testimony.

ADDRESSES: USTR strongly prefers electronic submissions made through the Federal eRulemaking Portal: <https://www.regulations.gov> (*Regulations.gov*). Follow the instructions for submitting written comments and testimony and requests to testify in sections III and IV below, using Docket Number USTR-2024-0012. For alternatives to on-line submissions, please contact Alex Martin, Deputy Director for China Affairs, in advance of the relevant deadline at Thomas.A.Martin@ustr.eop.gov or 202.395.9625.

FOR FURTHER INFORMATION CONTACT: Alex Martin, Deputy Director for China Affairs at Thomas.A.Martin@ustr.eop.gov or (202) 395-9625.

SUPPLEMENTARY INFORMATION:

I. Background

China became a Member of the WTO on December 11, 2001. In accordance with section 421 of the U.S.-China Relations Act of 2000 (Pub. L. 106-286), USTR is required to submit, on or about December 11 of each year, a report to Congress on China's compliance with commitments made in connection with its accession to the WTO, including both multilateral commitments and any bilateral commitments made to the United States. In accordance with section 421, and to assist it in preparing this year's report, the TPSC is soliciting public comments. You can find last year's report on the USTR website at: [https://ustr.gov/sites/default/files/USTR%20Report%20on%20China's%20WTO%20Compliance%20\(Final\).pdf](https://ustr.gov/sites/default/files/USTR%20Report%20on%20China's%20WTO%20Compliance%20(Final).pdf).

The terms of China's accession to the WTO are contained in the Protocol on the Accession of the People's Republic of China (including its annexes) (Protocol), the Report of the Working Party on the Accession of China (Working Party Report), and the WTO agreements. You can find the Protocol and Working Party Report on the WTO website at <http://docsonline.wto.org> (document symbols: WT/L/432, WT/MIN(01)/3, WT/MIN(01)/3/Add.1, WT/MIN(01)/3/Add.2).

II. Hearing Participation

USTR will convene a public hearing on September 24, 2024, related to China's compliance with its WTO commitments. Persons wishing to observe the public hearing will find a link on USTR's web page for China on the day of the hearing at <https://ustr.gov/countries-regions/china-mongolia-taiwan>. To ensure

participation, you must submit requests to present oral testimony at the hearing and written testimony by midnight on September 10, 2024, via [Regulations.gov](https://www.regulations.gov), using Docket Number USTR-2024-0012. Instructions for submission are in Sections III and IV below. Remarks at the hearing will be limited to no more than five minutes to allow for possible questions from the TPSC. Because it is a public hearing, testimony should not include any business confidential information (BCI). USTR will provide a link in advance of the virtual hearing to persons wishing to testify.

The TPSC requests small businesses or organizations representing small business members that submit comments to self-identify as such, so that we may be aware of issues of particular interest to small businesses.

Written comments and/or oral testimony should address China's compliance with the commitments made in connection with its accession to the WTO, including, but not limited to, commitments in the following areas:

- A. Trading rights.
- B. Import regulation (*e.g.*, tariffs, tariff-rate quotas, quotas, import licenses).
- C. Export regulation.
- D. Internal policies affecting trade (*e.g.*, subsidies, standards and technical regulations, sanitary and phytosanitary measures, government procurement, trade-related investment measures, taxes and charges levied on imports and exports).
- E. Intellectual property rights (including intellectual property rights enforcement).
- F. Services.
- G. Rule of law issues (*e.g.*, transparency, judicial review, uniform administration of laws and regulations) and status of legal reform.
- H. Other WTO commitments.

In addition, given the United States' view that China should be held accountable as a full participant in, and beneficiary of, the international trading system, USTR requests that interested persons specifically identify unresolved compliance issues that warrant review and evaluation by USTR.

III. Procedures for Written Submissions

To be assured of consideration, submit your written comments, requests to testify, and summaries of written testimony by the September 10, 2024 11:59 p.m. EDT deadline. All submissions must be in English. The TPSC strongly encourages submissions via [Regulations.gov](https://www.regulations.gov), using Docket Number USTR-2024-0012.