

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**

*Associate Administrator, Office of Disaster Recovery & Resilience.*

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**BILLING CODE 8026–09–P**

## 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](http://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](mailto:Curtis.Rich@sba.gov); (202) 205–7030, or from [www.reginfo.gov/public/do/PRAMain](http://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),<sup>1</sup> 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.<sup>2</sup> Under the

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

<sup>2</sup> 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.<sup>3</sup> According to the verified notice, the reorganization will be implemented pursuant to a merger agreement<sup>4</sup> by and among KII, Koch, Koch Cos., and Sunflower Subsidiary Corp. (Sunflower).<sup>5</sup> 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.<sup>6</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> 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.