Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CboeBYX–2023–004, and should be submitted on or before March 23, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[41]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2023–04227 Filed 3–1–23; 8:45 am]

BILLING CODE 8011–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36377 (Sub-No. 7)]

BNSF Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

By petition filed on December 13, 2022, BNSF Railway Company (BNSF) requests that the Board partially revoke the trackage rights exemption granted to it under 49 CFR 1180.2(d)(7) in Docket No. FD 36377 (Sub-No. 6), as necessary to permit that trackage rights arrangement to expire at midnight on December 31, 2023.

As explained by BNSF in its verified notice of exemption in Docket No. FD 36377 (Sub-No. 6), BNSF and Union Pacific Railroad Company (UP) entered into an agreement granting BNSF restricted, local trackage rights over two rail lines owned by UP between: (1) UP milepost 93.2 at Stockton, Cal., on UP's Oakland Subdivision, and UP milepost 219.4 at Elsey, Cal., on UP's Canyon Subdivision, a distance of 126.2 miles; and (2) UP milepost 219.4 at Elsey, and UP milepost 280.7 at Keddie, Cal., on UP's Canyon Subdivision, a distance of 61.3 miles (collectively, the Lines). BNSF Verified Notice of Exemption 2, *BNSF Ry.—Trackage Rts. Exemption—Union Pac. R.R.,* FD 36377 (Sub-No. 6). BNSF further stated that the trackage rights arrangement is intended to permit BNSF to move empty and loaded unit ballast trains to and from the ballast pit located at Elsey. *Id.* According to BNSF, it filed its verified notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(7), instead of 49 CFR 1180.2(d)(8), because the trackage rights covered by the notice are local rather than overhead rights. BNSF Verified Notice of Exemption 1 n.1, 2, *BNSF Ry.—Trackage Rts. Exemption—Union Pac. R.R.,* FD 36377 (Sub-No. 6).

In its petition, BNSF asks the Board to partially revoke the exemption as necessary to permit the trackage rights to expire at midnight on December 31, 2023, pursuant to the parties' agreement. (*See* BNSF Pet. 1–2); *see also* BNSF Verified Notice of Exemption, Ex. B at 2, *BNSF Ry.—Trackage Rts. Exemption—Union Pac. R.R.,* FD 36377 (Sub-No. 6). BNSF argues that granting this petition will promote the rail transportation policy at 49 U.S.C. 10101 and that the partial revocation would be consistent with the limited scope of the transaction and would not have an adverse effect on shippers. (BNSF Pet. 3.) In addition, BNSF asserts that the Board has granted similar petitions for partial revocation to permit temporary trackage rights to expire, including petitions involving prior iterations of the trackage rights agreement at issue here. (*Id.* at 3–4.)

Discussion and Conclusions

Although BNSF and UP have expressly agreed on the duration of the proposed trackage rights agreement, trackage rights approved under the class exemption at 49 CFR 1180.2(d)(7) typically remain effective indefinitely, regardless of any contract provisions. At times, however, the Board has partially revoked a trackage rights exemption to allow those rights to expire after a limited time period rather than lasting in perpetuity. *See, e.g., BNSF Ry.—Trackage Rts. Exemption—Union Pac. R.R.,* FD 36377 (Sub-No. 5) (STB served Feb. 7, 2022) (granting a petition to partially revoke a trackage rights exemption involving the Lines at issue in this case); *New Orleans Pub. Belt R.R.—Trackage Rts. Exemption—Ill. Cent. R.R.,* FD 36198 (Sub-No. 1) (STB served June 20, 2018).

Granting partial revocation in these circumstances to permit the trackage rights to expire at the end of 2023 would eliminate the need for BNSF to file a second pleading seeking discontinuance authority when the agreement expires, thereby promoting the aspects of the rail transportation policy at 49 U.S.C. 10101(2), (7), and (15). Moreover, partially revoking the exemption to limit the term of the trackage rights would have no adverse impact on shippers because the trackage rights at issue are solely to allow BNSF to move empty and loaded unit ballast trains to and from the ballast pit in Elsey for use in BNSF's maintenance-of-way projects. (*See* BNSF Pet. 2.) Therefore, the Board will grant the petition and permit the trackage rights exempted in Docket No. FD 36377 (Sub-No. 6) to expire at midnight on December 31, 2023.

To provide the statutorily mandated protection to any employee adversely affected by the discontinuance of trackage rights, the Board will impose the employee protective conditions set forth in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979).

This action is categorically excluded from environmental review under 49 CFR 1105.6(c).

It is ordered:

1. The petition for partial revocation of the trackage rights class exemption is granted.

2. As discussed above, the trackage rights in Docket No. FD 36377 (Sub-No. 6) are permitted to expire at midnight on December 31, 2023, subject to the employee protective conditions set forth in *Oregon Short Line.*

3. Notice of this decision will be published in the **Federal Register**.

4. This decision is effective on April 1, 2023. Petitions for stay must be filed by March 13, 2023. Petitions for reconsideration must be filed by March 22, 2023.

Decided: February 24, 2023.

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

Stefan Rice,

Clearance Clerk.

[FR Doc. 2023–04263 Filed 3–1–23; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2023–0002–N–03]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA will seek approval of the Information Collection Request (ICR) abstracted

[41] 17 CFR 200.30–3(a)(12), (59).

below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified in the ICR.

DATES: Interested persons are invited to submit comments on or before May 1, 2023.

ADDRESSES: Written comments and recommendations for the proposed ICR should be submitted on *regulations.gov* to the docket, Docket No. FRA–2023–0002. All comments received will be posted without change to the docket, including any personal information provided. Please refer to the assigned OMB control number (2130–0593) in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Ms. Arlette Mussington, Information Collection Clearance Officer, at email: *arlette.mussington@dot.gov* or telephone: (571) 609–1285 or Ms. Joanne Swafford, Information Collection Clearance Officer, at email: *joanne.swafford@dot.gov* or telephone: (757) 897–9908.

SUPPLEMENTARY INFORMATION: The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days' notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. *See* 44 U.S.C. 3506, 3507; 5 CFR 1320.8–1320.12. Specifically, FRA invites interested parties to comment on the following ICR regarding: (1) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology. *See* 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal statutes and regulations mandate. In summary, FRA reasons that comments received will advance three objectives: (1) reduce reporting burdens; (2) organize information collection requirements in a ''user-friendly'' format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. *See* 44 U.S.C. 3501.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service.

OMB Control Number: 2130–0593.

Abstract: This collection of information is necessary to enable FRA to garner customer and stakeholder feedback in an efficient, timely manner, consistent with its commitment to improving service delivery. The information collected from FRA's customers and stakeholders will help ensure users have an effective, efficient, and satisfying experience with FRA's programs. This feedback will provide insights into customer and stakeholder perceptions, experiences and expectations, provide an early indicator of issues with service, and focus attention on areas where communication, training or changes in operations might improve delivery of products or services. This collection will allow ongoing, collaborative, and actionable communications between FRA and its customers and stakeholders. It also allows feedback to contribute directly to the improvement of program management. If this information is not collected, vital feedback from customers and stakeholders on FRA's services will be unavailable.

Improving FRA's programs requires ongoing assessment of service delivery. FRA will collect, analyze, and interpret information gathered through this generic clearance to identify strengths and weaknesses of current services and make improvements to service delivery based on feedback. The solicitation of feedback will target areas such as: timeliness, appropriateness, information accuracy, courtesy, service delivery efficiency, and issue resolution. FRA will assess responses in order to plan and inform efforts seeking to improve the quality of service offered to the public.

FRA will only submit a collection for approval under this generic clearance under the following conditions:

- The information gathered is only used internally for general service improvement and program management purposes and is not intended for public release;
- The information gathered is not used to substantially inform significant policy decisions;
- The information gathered will yield qualitative information; FRA will not design the collection or expect it to yield statistically reliable results or use it as though the results are generalizable to the study population;
- Participation in the collection is voluntary;
- The collection is low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and is low-cost for both the respondents and the Federal Government;
- The collection is non-controversial and does not raise issues of concern to other Federal agencies;
- The collection is directed to the solicitation of opinions from respondents who have experience with the OMB program or may have experience with the OMB program soon after receiving the collection; and
- With the exception of information needed to provide remuneration for focus group participants and cognitive laboratory studies, personally identifiable information (PII) is collected only to the extent necessary and is not retained by FRA.

FRA increased the estimated paperwork burden by 121 hours, from 354 hours (current inventory) to 4475 hours (requesting inventory). The increased burden is due to changes in FRA's organizational structure and additional interactions with stakeholders as a result of continued implementation of the Infrastructure Investment and Jobs Act statutorily required programs.

Type of Request: Extension without change (revised estimates) of a currently approved collection.

Affected Public: Individuals and Households, Businesses and Organizations, State, Local or Tribal Governments.

Form(s): N/A.

Respondent Universe: 5,750.

Frequency of Submission: Once per request.

Reporting Burden:

CFR section	Respondent universe (A)	Total annual responses	Average time per response (minutes) (B)	Total annual burden hours (C = A * B)
1. Surveys, comment cards, interviews, focus groups, and web-based technologies for Customer Service Satisfaction and Delivery for the Office of the Administrator.	350	Annual, periodically	10	58.33
2. Surveys, comment cards, interviews, focus groups, and web-based technologies for Customer Service Satisfaction and Delivery for the Office of Railroad Safety.	350	Annual, periodically	10	58.33
3. Surveys, comment cards, interviews, focus groups, and web-based technologies for Customer Service Satisfaction and Delivery for the Office of Research, Data, and Innovation.	350	Annual, periodically	10	58.33
4. Surveys, comment cards, interviews, focus groups, and web-based technologies for Customer Service Satisfaction and Delivery for the Office of Railroad Development.	350	Annual, periodically	10	58.33
5. Surveys, comment cards, interviews, focus groups, and web-based technologies for Customer Service Satisfaction and Delivery for the Office of the Chief Financial Officer.	350	Annual, periodically	10	58.33
6. Web-based technologies for Customer Service Satisfaction and Delivery related to the improvement of webinar-based stakeholder engagement for the Office of Railroad Development.	3,500	Annual, periodically	1	58.33
7. Surveys, comment cards, interviews, focus groups, and web-based technologies for Customer Service Satisfaction and Delivery related to the improvement of stakeholder capacity building and training resources for the Office of Railroad Development.	500	Annual, periodically	15	125
Total [1]	5,750	Annual, periodically	N/A	475

Total Estimated Annual Responses: 5,750.

Total Estimated Annual Burden: 475 hours.

FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information that does not display a currently valid OMB control number.[1]

Authority: 44 U.S.C. 3501–3520.

Brett A. Jortland,

Deputy Chief Counsel.

[FR Doc. 2023–04299 Filed 3–1–23; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2023–0038]

Request for Comments on the Approval of a New Information Collection: Building American Production Capacity for Electric Port Equipment and Other Port Infrastructure Items

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice and request for comments.

SUMMARY: The Maritime Administration (MARAD) invites public comments on our intention to request the Office of Management and Budget (OMB) approval of a new information collection. The proposed collection OMB 2133–NEW (Building American Production Capacity for Electric Port Equipment and other Port Infrastructure Items) will be used to identify the demand for electric-powered port equipment and other port infrastructure items supported by a pooled procurement. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Comments must be submitted on or before May 1, 2023.

ADDRESSES: You may submit comments [identified by Docket No. DOT–MARAD–2023–0038] through one of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Search using the above DOT docket number and follow the online instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Instructions: All submissions must include the agency name and docket number for this rulemaking.

Note: All comments received will be posted without change to *www.regulations.gov* including any personal information provided.

Comments are invited on: (a) whether the proposed collection of information is necessary for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

FOR FURTHER INFORMATION CONTACT: Kirk Claussen, (202) 366–5660, Office of Ports & Waterways, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, Email at *Kirk.Claussen@dot.gov*.

SUPPLEMENTARY INFORMATION:

Title: Building American Production Capacity for Electric Port Equipment and other Port Infrastructure Items.

OMB Control Number: 2133–NEW.

Type of Request: New Information Collection.

Abstract: The Building American Production Capacity for Electric Port Equipment and other Port Infrastructure Items collection is essential to identify the demand for electrically powered port equipment and infrastructure items supported by pooled procurement. This initiative, which is comprised of an online survey and interview with diverse American port stakeholders, will also support Buy American/Buy America objectives and American manufacturers of electrically powered port equipment. Survey responses will also help to identify a suitable port through which the procurement of electrically powered port equipment and infrastructure can be initiated. This survey is being conducted through a cooperative agreement between the Maritime Administration (MARAD) and the American Association of Port Authorities (AAPA).

Currently, many U.S. port authorities and marine terminal operators purchase diesel-powered dockside equipment, necessary for loading, unloading, and organizing shipping containers. Much of this equipment is foreign made, in short supply, and increases exposure to

[1] Totals may not add due to rounding.