

SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 791X)]

**CSX Transportation, Inc.—
Abandonment Exemption—in Mason
County, Ky**

CSX Transportation, Inc. (CSXT), has filed a verified notice of exemption under 49 CFR pt. 1152 subpart F—*Exempt Abandonments* to abandon its dock and loadout/conveyor belt at the Maysville Port in Maysville, beginning at milepost CA 599.0 in Mason County, Ky. (the Line).¹ The Line traverses U.S. Postal Service Zip Code 41056.

CSXT has certified that: (1) No local traffic has moved over the Line for at least two years; (2) any overhead traffic over the Line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication), 49 CFR 1152.50(d)(1) (notice to governmental agencies), 49 CFR 1105.11 (transmittal letter), and 49 CFR 1105.7 and 1105.8 (environment and historic report) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,² this exemption will be effective on July 7, 2019, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,³

¹ CSXT states that, prior to November 2016, it moved coal through the dock and loadout to a power plant down the Ohio River, and that it is seeking abandonment authority because, under Board precedent, rail-water terminal property has been considered a line of railroad and part of rail operations.

² Persons interested in submitting an OFA must first file a formal expression of intent to file an offer, indicating the type of financial assistance they wish to provide (*i.e.*, subsidy or purchase) and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

³ The Board will grant a stay if an informed decision on environmental issues (whether raised

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/rail banking requests under 49 CFR 1152.29 must be filed by June 17, 2019.⁴ Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 27, 2019, with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Ave., Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

CSXT has filed an environmental and historic report that addresses the potential effects of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by June 14, 2019. The EA will be available to interested persons on the Board's website, by writing to OEA, or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or interim trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by CSXT's filing of a notice of consummation by June 7, 2020, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: June 4, 2019.

by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

⁴ Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.

Raina Contee,

Clearance Clerk.

[FR Doc. 2019-12024 Filed 6-6-19; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36307]

**Chicago, Rock Island & Pacific
Railroad, LLC—Lease and Operation
Exemption—Rail Line of Coahoma
County, Miss., Near Swan Lake, Miss.**

Chicago, Rock Island & Pacific Railroad, LLC (CRIP), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate approximately 0.25 miles of rail line owned by the County of Coahoma, Miss. (the County), between milepost 103.75 and milepost 104.00 at or near Swan Lake, Miss. (the Segment). CRIP states that the Segment is part of a line that extends approximately 50 miles between Lula, Miss., and Swan Lake (the Line). CRIP states that, at milepost 104.00, the Segment connects to the Illinois Central Railroad Company.

CRIP states that the County consummated abandonment of the Line in 2001¹ and thereafter leased the Line to C&J Railroad Co. (C&J), which operated it as a contract carrier. In 2005, C&J obtained an exemption to lease and operate the Segment (but not the rest of the Line) as a common carrier.²

CRIP further states that C&J's lease of the Line from the County was terminated effective on February 8, 2019, and, shortly thereafter, the County leased the Line to CRIP.

Upon consummation of the transaction, CRIP states that it will provide common carrier rail service over the Segment.³

According to CRIP, the lease does not include an interchange commitment.

CRIP certifies that its projected revenues as a result of the transaction will not result in the creation of a Class

¹ See *Cty. Notice of Consummation*, July 25, 2001, *Cty. of Coahoma, Miss.—Aban. Exemption—in Tallahatchie & Coahoma Cty., Miss.*, Docket No. AB 579X.

² See *C&J R.R.—Acquis. & Operation Exemption—in Tallahatchie Cty., Miss.*, FD 34673 (STB served May 6, 2005).

³ CRIP captions its verified notice as a lease and operation exemption but requests that, if the Board were to determine that the verified notice supports an exemption for change in operators on the Segment from C&J to CRIP, the Board "so provide" in this notice. However, because the verified notice does not indicate that CRIP has reached an agreement with C&J for C&J to cease its own operations over the Segment, CRIP's verified notice does not support a change in operators exemption.

II or Class I rail carrier and will not exceed \$5 million.

The earliest this transaction may be consummated is June 21, 2019 (30 days after the verified notice of exemption 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 June 14, 2019 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36307, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on CRIP's representative, Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1666, Chicago, IL 60604.

According to CRIP, this action is excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(1).

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

Decided: June 4, 2019.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2019-12009 Filed 6-6-19; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36304]

CWW, LLC—Change in Operator Exemption Assigning BNSF Railway Company Lease With Interchange Commitment—Palouse River & Coulee City Railroad, L.L.C.

CWW, LLC (CWW), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to assume operation of approximately 9.7 miles of rail line owned by BNSF Railway Company (BNSF) and currently leased and operated by the Palouse River & Coulee City Railroad, L.L.C. (PCC), located between milepost 0.6 at Wallula, Wash., and milepost 4.3 at Zangar Jct., Wash., and between milepost 62.01 and milepost 68.01 at Walla Walla, Wash. (the Line).

The verified notice states that the Line is currently operated by PCC pursuant

to a 1993 lease agreement.¹ CWW states that it is entering into an Assignment, Assumption and Consent Agreement with BNSF and PCC pursuant to which the 1993 lease agreement together with a 1993 BNSF-BlMR interchange agreement, including subsequent amendments, is being assigned to CWW. Upon consummation of the transaction, CWW will provide common carrier rail service in place of PCC.

CWW states that the 1993 lease agreement being assigned to it contains an interchange commitment imposing a charge for carloads originating or terminating on the Line that are not interchanged with BNSF.² CWW has provided additional information regarding the interchange commitment as required by 49 CFR 1150.43(h).

CWW certifies that its projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier and will not exceed \$5 million.

Under 49 CFR 1150.42(b), a change in operator requires that notice be given to shippers. CWW certifies that it has provided notice of the proposed transaction and interchange commitment to shippers that currently use or have used the Line in the last two years.

The earliest this transaction may be consummated is June 21, 2019 (30 days after the verified notice of exemption was filed). CWW states that it expects to consummate the transaction on or after June 22, 2019.

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 June 14, 2019 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36304, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on CWW's representative, James H.M. Savage, 22

¹ CWW states that the lease was originally between Blue Mountain Railroad, Inc. (BLMR), and Burlington Northern Railroad Company, *Blue Mountain R.R.—Lease & Operation Exemption—Line of Burlington N. R.R.*, FD 32387 (ICC served Oct. 5, 1994), and that in 2000, BLMR was absorbed into PCC, *Watco Co.—Corp. Family Transaction Exemption*, FD 33898 (STB served July 24, 2000).

² A copy of the 1993 lease agreement with the interchange commitment was submitted under seal with the verified notice. See 49 CFR 1150.43(h)(1).

Rockingham Court, Germantown, MD 20874.

According to CWW, this action is excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(1).

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

Decided: June 3, 2019.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.

Tammy Lowery,

Clearance Clerk.

[FR Doc. 2019-12023 Filed 6-6-19; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Opportunity for Public Comment on a Proposed Change of Airport Property Land Use From Aeronautical to Non-Aeronautical Use at Tulsa International Airport, Tulsa, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA is considering a request from Tulsa Airports Improvement Trust to change approximately 507 acres located on the east side of the airport between North Mingo Road and Highway 169 from aeronautical use to non-aeronautical use and to authorize the conversion of the airport property.

The proposal consists of three parcels of land which were originally acquired under the following grants: Federal Airport Aid Program (FAAP) Nos. 9-34-032-C132 in 1963 and 3-34-032-C514 in 1965 and Airport Development Aid Program (ADAP) No.6-40-99-15 in 1978. The land comprising these parcels is outside the forecasted need for aviation development and is no longer needed for indirect or direct aeronautical use. The Airport wishes to develop this land for compatible commercial, non-aeronautical use. The Airport will retain ownership of this land and ensure the protection of Part 77 surfaces and compatible land use. The income from the conversion of these parcels will benefit the aviation community by reinvestment in the airport.

Approval does not constitute a commitment by the FAA to financially assist in the conversion of the subject airport property nor a determination of eligibility for grant-in-aid funding from