

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board****[Docket No. FD 35962]****Terminal Railroad Association of St. Louis—Trackage Rights Exemption—Norfolk Southern Railway Company**

Norfolk Southern Railway Company (NSR), pursuant to a written trackage rights agreement dated July 31, 2015, has agreed to grant limited local trackage rights to the Terminal Railroad Association of St. Louis (TRRA) over approximately 0.49 miles of rail line in St. Louis, Mo. (the Line). Specifically, TRRA will acquire trackage rights between TRRA's connection with NSR at approximately North Market Street, St. Louis, Mo., and the Kiesel Facility at approximately Dock Street, St. Louis, Mo.

TRRA may consummate its acquisition on or after November 7, 2015, the effective date of the exemption (30 days after the verified notice of exemption was filed).

TRRA states that NSR, who currently operates over TRRA via trackage rights to access the Line and serve the Kiesel Facility, intends to discontinue a nearby two-mile segment of trackage. According to TRRA, granting TRRA limited local trackage rights over the Line for the sole purpose of serving the Kiesel Facility (the only active shipper accessible via the Line) will allow NSR and TRRA to operate more efficiently in this area after NSR's nearby discontinuance while also preserving rail service to an existing customer. TRRA will assume maintenance of the Line until NSR decides to resume active operations over the Line.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If the 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 by October 30, 2015 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35962, must be filed with the Surface

Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Asim S. Raza, Terminal Railroad Association of St. Louis, 415 S. 18th Street, Suite 200, St. Louis, MO 63103.

Board decisions and notices are available on our Web site at WWW.STB.DOT.GOV.

Decided: October 20, 2015.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Kenyatta Clay,
Clearance Clerk.

[FR Doc. 2015-26987 Filed 10-22-15; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board****[Docket No. FD 35966]****Martin Marietta Materials, Inc.—Acquisition of Control Exemption—Rock & Rail, Inc.**

Martin Marietta Materials, Inc. (MMM), a noncarrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to acquire control of Rock & Rail, Inc. (RRI), a Class III rail carrier.

According to MMM, it currently controls Alamo North Texas Railroad (ANT),¹ a Class III rail carrier, which has lines in Wise County, Tex., and Alamo Gulf Coast Railroad (AGC), a Class III rail carrier, which has lines in Bexar County, Tex. MMM states that RRI has lines in Pueblo and Canon City, Colo., and that the proposed transaction would not connect ANT, AGC, or RRI. MMM and RRI have signed a letter of intent² by which MMM will acquire indirect ownership of 100% of the stock of RRI. The transaction is scheduled to be consummated on or after November 8, 2015, the effective date of the exemption.

MMM states that: (i) The railroads do not connect with each other or any railroad in their corporate family; (ii) the proposed transaction is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior

¹ See *Martin Marietta Materials, Inc.—Continuance in Control Exemption—Alamo N. Tex. R.R.*, FD 34266 (STB served Dec. 13, 2002).

² An unredacted copy of the letter of intent was filed concurrently under seal, along with a motion for protective order pursuant to 49 CFR 1104.14(b). That motion will be addressed in a separate decision.

approval of requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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. Section 11326(c), however, does not provide for the labor protection for transactions under §§ 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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 transaction. Petitions to stay must be filed no later than October 30, 2015 (at least seven days before the exemption becomes effective).

An original and ten copies of all pleadings referring to Docket No. FD 35966, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on William A. Mullins, Baker & Miller PLLC, 2401 Pennsylvania Ave. NW., Suite 300, Washington, DC 20037.

Board decisions and notices are available on our Web site at WWW.STB.DOT.GOV.

Decided: October 20, 2015.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Brendetta S. Jones,
Clearance Clerk.

[FR Doc. 2015-27052 Filed 10-22-15; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board****[Docket No. AB 1112X]****Caldwell Railroad Commission—Abandonment Exemption—in Caldwell County, NC**

Caldwell Railroad Commission (CRC) has filed an amended verified notice of exemption under 49 CFR pt. 1152 subpart F—*Exempt Abandonments* to abandon an approximately 3.91-mile rail segment extending between milepost 108.79 and milepost 112.7 in Caldwell County, N.C. (the Line).¹ The

¹ CRC previously filed a verified notice of exemption that was dismissed as moot, because CRC's predecessor had obtained a 49 U.S.C. Subtitle

Line traverses United States Postal Service Zip Code 28645.

CRC has certified that: (1) No freight traffic has moved over the Line for at least two years; (2) any overhead traffic over the Line can and has been rerouted; (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 is either pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) 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, this exemption will be effective on November 24, 2015, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and interim trail use/rail banking requests under 49 CFR 1152.29 must be filed by November 2, 2015. Petitions to reopen or requests for

IV exemption over the relevant portion of the Line, which encompassed authority to abandon the Line. *Caldwell R.R. Comm'n—Aban. Exemption—in Caldwell Cty., N.C.*, AB 1112X (STB served May 22, 2015). CRC subsequently obtained a partial revocation of that Subtitle IV exemption, which allows CRC to pursue abandonment authority. *Caldwell R.R. Comm'n—Exemption from 49 U.S.C. Subtitle IV*, FD 32659 (Sub-No. 2) (STB served Sept. 8, 2015).

² The Board will grant a stay if an informed decision on environmental issues (whether raised 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.

³ Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See 49 CFR 1002.2(f)(25).

public use⁴ conditions under 49 CFR 1152.28 must be filed by November 12, 2015, 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 CRC's representative: David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Ave. NW., Washington, DC 20036.

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

CRC has filed environmental and historic reports that address the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by October 30, 2015. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information 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), CRC 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 CRC's filing of a notice of consummation by October 23, 2016, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at WWW.STB.DOT.GOV.

Decided: October 20, 2015.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Kenyatta Clay,

Clearance Clerk.

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⁴ CRC states that the Line may be suitable for other public purposes or trail use, but may be subject to reversionary interests.

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT-OST-2015-0197]

Privacy Act of 1974; Department of Transportation, Office of the Secretary of Transportation; DOT/ALL-18, International Freight Data System (IFDS)

AGENCY: Office of the Departmental Chief Information Officer, Office of the Secretary of Transportation, DOT.

ACTION: Notice of retirement of one Privacy Act system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of Transportation (DOT) is giving notice that it will retire the following Privacy Act system of records: DOT/ALL 18, International Freight Data System (IFDS) (April 14, 2008, 73 FR 20084). The IFDS was never implemented by the DOT and the DOT will continue to rely upon the U.S. Customs and Border Protection's Automated Commercial Environment/International Trade Data System for its data needs.

DATES: This change will take effect upon publication.

FOR FURTHER INFORMATION CONTACT: For questions, please contact: Claire W. Barrett, Departmental Chief Privacy Officer, Privacy Office, Department of Transportation, Washington, DC 20590; privacy@dot.gov; or 202.527.3284.

SUPPLEMENTARY INFORMATION:

I. Background

Pursuant to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a, and as part of its ongoing integration and management efforts, DOT is retiring the system of records notice, DOT/ALL 18 International Freight Data System (IFDS) (April 14, 2008, 73 FR 20084), which was intended to be an automated system that provided participating DOT Operating Administrations with international commercial information to perform their enforcement, statistical, analytical, modeling and policy responsibilities. The IFDS was never implemented by the DOT and the DOT will continue to rely upon DHS/CBP-001, Automated Commercial Environment/International Trade Data System (January 19, 2006, 71 FR 3109) for the collection and dissemination of international commercial information.

Eliminating the system of records notice DOT/ALL 18, International Freight Data System, will have no adverse impacts on individuals and will