

(known as the Milford Secondary) between milepost QVG 0 and milepost QVG 8.4 in Milford, Bellingham, and Franklin, Mass. (the Line).<sup>1</sup>

According to the verified notice, this proceeding is related to *Massachusetts Bay Transportation Authority—Acquisition Exemption—CSX Transportation, Inc.*, Docket No. FD 36669. In that proceeding, Massachusetts Bay Transportation Authority (MBTA) filed a verified notice of exemption seeking authority to acquire the physical assets of the Line and another rail line from CSXT, subject to a permanent and exclusive freight common carrier service easement that will be retained by CSXT. *See Mass. Bay Transp. Auth.—Acquis. Exemption—CSX Transp., Inc.*, Docket No. FD 36669, slip op. at 1–2 (STB served March 1, 2023).<sup>2</sup> In the verified notice in this proceeding, G&U states that immediately upon MBTA's closing on the Line's assets, CSXT will assign its new, retained freight easement over the Line to G&U, which will replace G&U's existing easement. G&U further states that it will execute an operating agreement with the MBTA which, together with the new easement, will govern, among other things, MBTA's commuter rail operations and maintenance and G&U's freight common carrier operations over the Line. According to G&U, the agreement assigning the easement from CSXT to G&U provides for an initial term of ten years, subject to three five-year extensions if certain conditions are met.

G&U certifies that its projected annual revenues as a result of this transaction will not exceed \$5 million or the threshold required to qualify as a Class III carrier. G&U also certifies that the proposed transaction does not involve a provision or agreement that may limit future interchange with a third-party connecting carrier.

The transaction may be consummated on or after March 24, 2023, the effective date of the exemption (30 days after the verified notice was filed).<sup>3</sup>

<sup>1</sup> G&U currently operates over the Line pursuant to an existing easement from CSXT. *See Grafton & Upton R.R.—Acquis. & Operation Exemption—CSX Transp., Inc.*, FD 36444 (STB served Oct. 14, 2020).

<sup>2</sup> As noted in that decision, MBTA also filed a motion to dismiss its notice of exemption on the grounds that its transaction does not require authorization from the Board. *Mass. Bay Transp. Auth.—Acquis. Exemption—CSX Transp., Inc.*, Docket No. FD 36669, slip op. at 1 n.1 (STB served March 1, 2023).

<sup>3</sup> In Docket No. FD 36669, MBTA states that it will consummate its acquisition of the Line's assets once the Board has rendered a favorable decision on the motion to dismiss filed concurrently in that docket and upon effectiveness of the exemption here. *Mass. Bay Transp. Auth.—Acquis.*

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 March 17, 2023 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36670, 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 G&U's representative, James E. Howard, 57 Via Buena Vista, Monterey, CA 93940.

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

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: March 7, 2023.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

**Kenyatta Clay,**  
*Clearance Clerk.*

[FR Doc. 2023–04906 Filed 3–9–23; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. 2022–1202]

#### Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Reduction of Fuel Tank Flammability on Transport Category Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on September 29, 2022. The FAA's Fuel

*Exemption—CSX Transp., Inc.*, Docket No. FD 36669, slip op. at 2–3 (STB served March 1, 2023).

Tank Flammability Safety rule requires manufacturers to report to the FAA every 6 months on the reliability of the fuel tank flammability reduction systems of their fleet. The data is needed to assure system performance meets that predicted at the time of certification. This collection of information supports the Department of Transportation's strategic goal of safety.

**DATES:** Written comments should be submitted April 10, 2023.

**ADDRESSES:** Written comments and recommendations for the proposed information collection 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 by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Philip Dang by email at: [Philip.M.Dang@faa.gov](mailto:Philip.M.Dang@faa.gov) by phone: 206–231–3442.

#### SUPPLEMENTARY INFORMATION:

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA 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.

*OMB Control Number:* 2120–0710.

*Title:* Reduction of Fuel Tank Flammability on Transport Category Airplanes.

*Form Numbers:* There are no FAA forms associated with this collection.

*Type of Review:* Renewal of an information collection.

*Background:* The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on Sept 29, 2022 (87 FR 59160). Design approval holders use flammability analysis documentation to demonstrate to their FAA Oversight Office that they are compliant with the Fuel Tank Flammability Safety rule (73 FR 42443). Semi-annual reports submitted by design approval holders provide listings of component failures discovered during scheduled or unscheduled maintenance so that the reliability of the flammability reduction means can be verified by the FAA.

*Respondents:* Approximately four design approval holders.

*Frequency:* Every three years.

*Estimated Average Burden per Response:* 100 hours.

*Estimated Total Annual Burden:* 800 hours.

Issued in Kansas, Missouri, on March 06, 2023.

**Patrick R. Mullen,**

*Technical Innovations Policy Branch  
Manager, Policy and Innovation, Aircraft  
Certification Service.*

[FR Doc. 2023-04886 Filed 3-9-23; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2000-7257, Notice No. 93]

#### Railroad Safety Advisory Committee; Notice of Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** FRA announces the sixty-fourth meeting of the Railroad Safety Advisory Committee (RSAC), a Federal Advisory Committee that provides advice and recommendations to FRA on railroad safety matters through a consensus process. This special meeting of the RSAC will focus on the events related to the February 3, 2023 freight train derailment in East Palestine, Ohio, and include a discussion of potential related safety improvements and possible RSAC tasks and actions.

**DATES:** The RSAC meeting is scheduled for Monday, March 27, 2023. The meeting will commence at 9:30 a.m. and will adjourn by 4:30 p.m. (all times Eastern Daylight Time). Requests to submit written materials to be reviewed during the meeting must be received by March 17, 2023. Requests for accommodations because of a disability must be received by March 17, 2023.

**ADDRESSES:** The RSAC meeting will be held at the National Association of Home Builders, located at 1201 15th Street NW, Washington, DC 20005. A final agenda will be posted on the RSAC internet website at <https://rsac.fra.dot.gov/> at least one week in advance of the meeting. Please see the RSAC website for additional information on the committee at <https://rsac.fra.dot.gov/>.

**FOR FURTHER INFORMATION CONTACT:** Kenton Kilgore, RSAC Designated Federal Officer/RSAC Coordinator, FRA Office of Railroad Safety, (202) 365-3724 or [kenton.kilgore@dot.gov](mailto:kenton.kilgore@dot.gov). Any committee-related request should be sent to Mr. Kilgore.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal

Advisory Committee Act (Pub. L. 92-463), FRA is giving notice of a meeting of the RSAC. The RSAC is composed of 51 voting representatives from 26 member organizations, representing various rail industry perspectives. The diversity of the Committee ensures the requisite range of views and expertise necessary to discharge its responsibilities.

**Public Participation:** The meeting is open to the public. Attendance is on a first-come, first served basis, and is accessible to individuals with disabilities. DOT and FRA are committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, please contact Mr. Kenton Kilgore as listed in the **FOR FURTHER INFORMATION CONTACT** section and submit your request by March 17, 2023. Any member of the public may submit a written statement to the committee at any time. If a member of the public wants the submit written materials to be reviewed by the committee during the meeting, it must be received by March 17, 2023.

**Agenda Summary:** This special meeting of the RSAC will focus on the events leading up to, during, and following the February 3, 2023 Norfolk Southern Railway Co. freight train derailment in East Palestine, Ohio, as well as suggested safety improvements, and possible RSAC tasks and actions. A detailed agenda for the meeting will be posted on the RSAC internet website at least one week in advance of the meeting. Copies of the minutes of past meetings, along with general information about the committee, are also available on the RSAC internet website at <https://rsac.fra.dot.gov/>.

Issued in Washington, DC.

**Amitabha Bose,**  
*Administrator.*

[FR Doc. 2023-04914 Filed 3-9-23; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Updated Civil Penalty Schedules and Guidelines

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

**ACTION:** Notice of availability.

**SUMMARY:** FRA is issuing this notice to advise all interested stakeholders that it has issued, and made available on its website, updated civil penalty schedules and guidelines (Schedules) to

account for inflation. This notice explains FRA's increase to its guideline rail safety civil penalty amounts. This notice also announces FRA's intent to adjust the civil penalty amounts line-by-line on an annual basis for inflation, after this adjustment.

**FOR FURTHER INFORMATION CONTACT:** Veronica Chittim, Senior Attorney, Office of the Chief Counsel, telephone: 202-480-3410, email: [veronica.chittim@dot.gov](mailto:veronica.chittim@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

FRA is authorized as the delegate of the Secretary of Transportation to enforce the Federal railroad safety and hazardous materials transportation statutes, regulations, and orders, including the civil penalty provisions codified primarily at 49 U.S.C. chs. 51 and 213.<sup>1</sup> FRA currently has safety regulations in 36 parts of the Code of Federal Regulations (CFR) that contain provisions establishing the agency's authority to impose civil penalties if a person<sup>2</sup> violates any requirement in the pertinent portion of a statute, regulation, or order. Out of those 36 CFR parts, 32 contain civil penalty Schedules constituting a statement of agency policy. These Schedules were historically issued as an appendix to the relevant part of the CFR. In 2019, FRA relocated the existing Schedules from the CFR to FRA's website (<https://railroads.dot.gov/legislation-regulations/civil-penalties-schedules-guidelines>).<sup>3</sup> Since 2019, FRA has incorporated updates to the Schedules to account for regulatory changes, to reflect updated minimum and maximum statutory civil monetary penalty (CMP) amounts, and to add Schedules for FRA regulations (*i.e.*, 49 CFR parts 271 and 299).

FRA last published comprehensive, line-by-line revisions to the Schedules of its safety regulations in 1988.<sup>4</sup> The revisions reflected the higher maximum penalty amounts the Rail Safety Improvement Act of 1988 (RSIA of 1988) established.<sup>5</sup> With the exception of the penalties relating to the hours of service laws (49 U.S.C. ch. 211),<sup>6</sup> RSIA

<sup>1</sup> 49 U.S.C. 103 and 49 CFR 1.89; 49 U.S.C. chs. 51, 201-213.

<sup>2</sup> 49 CFR 209.3.

<sup>3</sup> 84 FR 23730 (May 23, 2019).

<sup>4</sup> 53 FR 52918 (Dec. 29, 1988).

<sup>5</sup> Pub. L. 100-342.

<sup>6</sup> The Rail Safety Enforcement and Review Act (RSERA) (Pub. L. 102-365, Sept. 3, 1992), increased the maximum penalty for a violation of the hours of service laws, from \$1,000 to \$10,000, and in some cases to \$20,000, making these penalty amounts consistent with those of FRA's other regulatory provisions. RSERA also increased the