Under 49 U.S.C. 10502(g), we may not use our exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. The Board, however, is not required to impose labor protective conditions when only Class III rail carriers are involved in a transaction that falls under 49 U.S.C. 11324–25, as is the case here. 49 U.S.C. 11326(c).

These transactions are categorically excluded from environmental review under 49 CFR. 1105.6(c)(2)(i) because they will not result in any significant change in carrier operations. Similarly, the transactions are exempt from the historic reporting requirements under 49 CFR. 1105.8(b)(3) because they will not substantially change the level of maintenance of railroad properties.

As indicated, OmniTRAX has requested expedited action to avoid delays to critical railroad physical plant improvements. We find OmniTRAX’s request to be reasonable. We will grant the exemption and the exemption will be effective immediately.

It is ordered:

1. Under 49 U.S.C. 10502, the Board exempts the above-described transactions from the prior approval requirements of 11323–25.
2. Notice will be published in the Federal Register.
3. This exemption will be effective on July 14, 2016.

Decided: July 11, 2016.
By the Board, Rachel D. Campbell, Clearance Clerk.

Brendetta S. Jones, Clearance Clerk.

[S.F. Doc. 2016–16673 Filed 7–13–16; 8:45 am]
BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD
[Docket No. FD 36019]

OmniTRAX Holdings Combined, Inc.—Continuance in Control Exemption—Central Texas & Colorado River Railway, LLC

OmniTRAX Holdings Combined, Inc. (OmniTRAX) has filed a verified notice of exemption pursuant to 49 CFR 1105.6(c) to continue in control of Central Texas & Colorado River Railway, LLC (CTCR), a noncarrier, upon CTCR’s becoming a Class III rail carrier. CTCR is a wholly owned subsidiary of OmniTRAX.

This transaction is related to a concurrently filed verified notice of exemption in Central Texas & Colorado River Railway—Acquisition & Operation Exemption—Line of Heart of Texas Railroad, Docket No. FD 36018, in which CTCR seeks Board approval under 49 CFR 1150.31 to acquire and operate a line of railroad extending 67.5 miles from Lometa, Tex., to the end of the track at Brady, Tex. (the Brady Line).

OmniTRAX is a noncarrier holding company that controls 18 Class III rail carrier subsidiaries (the OmniTRAX Railroads) subject to the Board’s jurisdiction. 1 This transaction will

1 In its verified notice, OmniTRAX explains that in preparing the two related class exemption filings, it was discovered that OmniTRAX had acquired direct and exclusive control of the 18 OmniTRAX Railroads on December 31, 2015. It states that it inadvertently did not seek advanced authority to engage in the acquisition of control, “in part because of the preexisting close association among all of the involved carriers and their largely common short line heritage.” On May 5, 2016, OmniTRAX filed a petition for exemption in Docket No. FD 36012 to seek the requisite authority to acquire control of the OmniTRAX Railroads, and by decision served on May 26, 2016, the Board held the notice of exemption proceedings in abeyance pending a ruling on the petition. The Board granted the petition in a decision served July 14, 2016, and therefore is removing this proceeding from abeyance and publishing this notice.