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**BILLING CODE 4710-08-P**

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 33763 (Sub-No. 1)]

### **Paducah & Louisville Railway, Inc.—Trackage Rights Exemption—CSX Transportation, Inc.**

Paducah & Louisville Railway, Inc. (P&L), a wholly owned subsidiary of P&L Transportation, Inc., has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) to allow P&L and CSX Transportation, Inc. (CSXT), to amend trackage rights to expand P&L's use of an approximately 27.7-mile CSXT rail line for the movement of coal between the Dotiki mines at or near milepost OMF 298.3 and a connection with P&L at or near milepost OHJ 274.8. In particular, traffic will move from the Dotiki mines to milepost OMB 275.9, then cross CSXT's Trident Interlocker at milepost OOH 276.5, then through CSXT's Madisonville Yard at Madisonville, Ky., at milepost OHC 275.0, then to point of switch on East Diamond Lead near milepost OHC 273.3, and then CSXT's Cimarron Spur to the connection with P&L near milepost OHJ 274.8 (Dotiki Line).

P&L has held restricted, overhead trackage rights over a portion of the Dotiki Line since 1999.<sup>1</sup> P&L states that, since that time, it has operated those trackage rights for the limited purpose of delivering coal to the Louisville Gas & Electric Cane Run plant in Louisville, Ky., and the Louisville Gas & Electric Mill Creek plant in Kosmosdale, Ky. (the LGE Move), via a P&L line that connects to the Dotiki Line. According to P&L, CSXT and P&L have recently agreed to amend the trackage rights to also allow P&L to move up to one million tons of coal annually over the Dotiki Line to a P&L line that reaches the Ohio and Tennessee Rivers for the export market at the Calvert City, Four Rivers, or GRT Transfer Terminals.

A redacted version of the trackage rights agreement between P&L and

CSXT was filed with the verified notice of exemption.<sup>2</sup>

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). The transaction may be consummated on or after March 6, 2019, the effective date of the exemption.

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. Stay petitions must be filed by February 27, 2019 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 33763 (Sub-No. 1), 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 at [www.stb.gov](http://www.stb.gov).

Decided: February 14, 2019.

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

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2019-02835 Filed 2-19-19; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### **Federal Aviation Administration**

#### **Notice of Intent To Rule on a Land Release Request at the Trenton-Mercer Airport (TTN), Ewing, NJ**

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

**ACTION:** Notice of intent to rule on a request to release airport land for disposal and request for comment.

**SUMMARY:** The FAA proposes to rule and is requesting public comment on Mercer County's proposed land release and disposal of 3.428 acres of on-airport

property at the Trenton-Mercer Airport, Ewing, NJ. The land was purchased with federal financial assistance through FAAP Grant 9-28-012-5803.

**DATES:** Comments must be received on or before March 22, 2019.

**ADDRESSES:** Comments on this application may be mailed or delivered to the following address:

Melinda Montgomery, Manager,  
Trenton-Mercer Airport, 340 Scotch Road, Suite 200, Ewing, NJ 08628, 609-882-1601

and at the FAA Harrisburg Airports District Office:

Rick Harner, Acting Manager,  
Harrisburg Airports District Office,  
3905 Hartzdale Dr., Suite 508, Camp Hill, PA 17011, (717) 730-2830

**FOR FURTHER INFORMATION CONTACT:**

Charles Trice, Project Manager,  
Harrisburg Airports District Office,  
location listed above. Telephone: (717) 730-2843. The request to release airport property may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The following is a brief overview of the request:

The County requests the release of a total of 3.428 acres of property. The property is currently airport-dedicated property, and is occupied by a branch of the Mercer County Library, including the library building itself and parking for the library users. The property will continue to be owned by the County and used for its current purpose. The only change is that the property will no longer be designated as federally obligated airport property. As shown on the Airport Layout Plan, the subject property is to the south and west of Runway 34 and is separated from the rest of airport property by a railroad line. Based on this location the property is not needed now or in the foreseeable future for aeronautical purposes and/or airport development. Through funding the County of Mercer has provided to the airport over the last 6 years, the County has already paid well in excess of the sum of both the fair market fee simple value of the subject property and the fair market value of the lease rate of the subject property over each of the last 6 years combined. Therefore, it is not proposed that the County of Mercer provide any additional funding, so as to secure the release of this acreage from federal obligations.

Any person may inspect the request by appointment at the FAA office address listed above.

Interested persons are invited to comment on the proposed lease. All comments will be considered by the FAA to the extent practicable.

<sup>1</sup> See *Paducah & Louisville Ry.—Trackage Rights Exemption—CSX Transp., Inc.*, FD 33763 (STB served June 23, 1999).

<sup>2</sup> On February 12, 2019, as required by 49 CFR 1180.6(a)(7)(ii), the unredacted version was filed under seal along with a motion for protective order. That motion is being addressed in a separate decision.