

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

**Regena Smith-Bernard,**  
Clearance Clerk.

[FR Doc. 2020-14170 Filed 6-30-20; 8:45 am]

BILLING CODE 4915-01-P

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36413]

### **MB Rail IB, LLC—Acquisition and Continuance in Control Exemption—Chesapeake & Indiana Railroad, Vermilion Valley Railroad, Camp Chase Rail, LLC, and Youngstown & Southeastern Railroad, LLC**

MB Rail IB, LLC (MB Rail), a noncarrier holding company, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to control four Class III railroads: Chesapeake & Indiana Railroad (CIR), Vermilion Valley Railroad (VVR), Camp Chase Rail, LLC (Camp Chase Rail), and Youngstown & Southeastern Railroad, LLC (YSR) (collectively, the Controlled Railroads).<sup>1</sup>

The verified notice states that MB Rail has established Camp Chase Rail and YSR as new noncarriers for the purpose of acquiring and operating the railroad assets currently owned by Camp Chase Railway Company, LLC (CCRY), and Youngstown & Southeastern Railroad Company (Y&S), respectively. The verified notice further states that Indiana Boxcar Corporation (IBC) currently owns and controls CIR, VVR, CCRY, and Y&S. According to MB Rail, it has entered into an agreement with IBC under which MB Rail will acquire from IBC all of the equity in CIR and VVR, and MB Rail's two newly formed non-carrier subsidiaries, Camp Chase Rail and YSR, will purchase and operate the rail lines and other assets of CCRY and Y&S, respectively.<sup>2</sup> Thus, MB Rail seeks to acquire control of CIR and VVR, and to continue in control of Camp Chase Rail and YSR when they become rail carriers upon acquiring the rail lines of CCRY and Y&S. MB Rail states that the proposed transaction will not impose any new interchange commitments.

This notice of exemption is related to two concurrently filed verified notices of exemption under which MB Rail's new subsidiaries, Camp Chase Rail and YSR, seek authority to purchase and

<sup>1</sup> On June 15, 2020, MB Rail also filed a motion for a protective order under 49 CFR 1104.14(b), which was granted on June 16, 2020.

<sup>2</sup> According to the verified notice, CIR's line is located in Indiana; VVR's line is located in Illinois and Indiana; Camp Chase Rail will operate over a line located in Ohio; and YSR will operate over a line located in Ohio and Pennsylvania.

operate the rail lines owned and operated by CCRY and Y&S, respectively. See *Camp Chase Rail—Acquis. & Operation Exemption—Camp Chase Ry.*, Docket No. FD 36414, and *Youngstown & Se. R.R., LLC—Acquis. & Operation Exemption—Youngstown & Se. R.R. Co.*, Docket No. FD 36415.

The verified notice states that: (1) The lines of the Controlled Railroads do not connect with each other; (2) the proposed transaction is not part of a series of anticipated transactions that would connect the Controlled Railroads; and (3) the proposed transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

The earliest this transaction may be consummated is July 15, 2020, the effective date of the exemption (30 days after the verified notice was filed).

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. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 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 effectiveness of the exemption. Petitions to stay must be filed no later than July 8, 2020 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36413, 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 MB Rail's representative, Charles H. Montange, Law Offices of Charles H. Montange, 426 NW 162nd Street, Seattle, WA 98177.

According to the verified notice, 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: June 25, 2020.

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

**Regena Smith-Bernard,**  
Clearance Clerk.

[FR Doc. 2020-14168 Filed 6-30-20; 8:45 am]

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## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36415]

### **Youngstown & Southeastern Railroad, LLC—Acquisition and Operation Exemption—Youngstown & Southeastern Railroad Company**

Youngstown & Southeastern Railroad, LLC (YSR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Youngstown & Southeastern Railroad Company (Y&S) and operate approximately 35.7 miles of rail line between milepost 0.0 in Youngstown, Ohio, and milepost 35.7 in Darlington, Pa. (the Line), together with Y&S's rights over three miles of contiguous track segments, including incidental trackage rights, running from east of milepost 0.0 and connecting the Line to interchanges with Norfolk Southern Railway Company (NSR) and CSX Transportation, Inc. (CSXT).<sup>1</sup>

YSR states that it is a newly established subsidiary of MB Rail IB, LLC (MB Rail), formed to acquire and operate the Line. The acquisition is part of a larger transaction between MB Rail and Indiana Boxcar Corporation (IBC) under which MB Rail will acquire all of the equity in two railroads currently owned by IBC; MB Rail's subsidiary YSR will acquire the Line and other assets of a third IBC railroad, Y&S; and another MB Rail subsidiary, Camp Chase Rail, LLC (Camp Chase Rail) will acquire a rail line and other assets of a fourth IBC railroad, Camp Chase Railway Company, LLC (CCRY).

This transaction is related to two concurrently filed verified notices of exemption: *MB Rail IB, LLC—Acquisition & Continuance in Control Exemption—Chesapeake & Indiana Railroad, Vermilion Valley Railroad, Camp Chase Rail, & Youngstown & Southeastern Railroad*, Docket No. FD 36413, in which MB Rail seeks, among other things, to continue in control of YSR upon YSR's becoming a Class III

<sup>1</sup> According to the verified notice, Y&S acquired the Line and rights over the contiguous track segments from Mule Sidetracks, LLC (MSLLC). See *Youngstown & Se. R.R.—Acquis. & Operation Exemption—Mule Sidetracks, LLC*, FD 36342 (STB served Aug. 30, 2019). YSR states that the rights are found in various agreements, described in the verified notice, under which MSLLC had succeeded to the interests of the Line's previous owner, Columbiana County Port Authority.

rail carrier; and *Camp Chase Rail—Acquisition & Operation Exemption—Camp Chase Railway*, Docket No. FD 36414, in which Camp Chase Rail seeks to acquire the rail line of CCRY.

YSR 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. YSR also certifies that the proposed acquisition and operation of the Line do 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 July 15, 2020, the effective date of the exemption (30 days after the verified notice 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 July 8, 2020 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36415, 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 YSR's representative, Charles H. Montange, Law Offices of Charles H. Montange, 426 NW 162nd Street, Seattle, WA 98177.

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

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

Decided: June 25, 2020.

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

**Kenyatta Clay,**  
Clearance Clerk.

[FR Doc. 2020-14144 Filed 6-30-20; 8:45 am]

**BILLING CODE 4915-01-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Implementation of the USMCA Tariff Rate Quota for Imports of Sugar Containing Products of Canada

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** The tariff rate quota (TRQ) for sugar containing products (SCPs) of

Canada established by the United States-Mexico-Canada Agreement (USMCA or the Agreement) will be administered using export certificates.

**DATES:** The changes made by this notice are applicable as of July 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** Erin Nicholson, Office of Agricultural Affairs, at [erin.h.nicholson@ustr.eop.gov](mailto:erin.h.nicholson@ustr.eop.gov) or at (202) 395-9419.

**SUPPLEMENTARY INFORMATION:** On June 12, 2017 (82 FR 23699), the President announced his intention to commence negotiations with Canada and Mexico to modernize the North American Free Trade Agreement (NAFTA). On November 30, 2018, the Governments of the United States, Mexico, and Canada (the Parties) signed the protocol replacing NAFTA with the USMCA. On December 10, 2019, the Parties signed the protocol of amendment to the USMCA. On January 29, 2020, the President signed into law the United States-Mexico-Canada Agreement Implementation Act (Pub. L. 116-113) (Implementation Act), through which Congress approved the USMCA.

Section 103(c)(4) of the Implementation Act authorizes the President to take necessary actions to implement the TRQs in the Schedule of the United States to Annex 2-B of the Agreement, to ensure the orderly marketing of commodities in the United States. Under a TRQ, the United States applies a tariff rate, known as the "in-quota tariff rate," to imports of a product up to a particular amount, known as the "in-quota quantity," and a different higher tariff rate, known as the "over-quota tariff rate," to imports of the product in excess of that amount.

The Schedule of the United States to Annex 2-B of the Agreement establishes a TRQ for imports of SCPs from Canada, as set forth in paragraph 15 of Appendix 2. Canada has notified the Office of the United States Trade Representative (USTR) that it intends to require export certificates for the exportation of SCPs under the TRQ for these products.

Consistent with paragraph 15(c) of Appendix 2, the United States will administer the TRQ for SCPs through a certificate system substantially similar to that described in 15 CFR 2015.3.

Beginning July 1, 2020, and in any subsequent calendar year unless USTR issues a determination that export certificates will not be required for that year, consistent with 15 CFR 2015.3, no SCP that is the product of Canada will be permitted entry under the in-quota tariff rate established for imports of SCPs from Canada, unless at the time of entry the person entering the SCP makes a declaration to U.S. Customs and

Border Protection (CBP), in the form and manner prescribed by CBP, that a valid export certificate is in effect for the SCP. The Government of Canada will issue the export certificates. A certificate that meets the requirements of 15 CFR 2015.3(b), will authorize entry into the United States, subject to the applicable in-quota quantity, at the in-quota tariff rate established under the Agreement.

**Daniel Watson,**

*Acting Assistant U.S. Trade Representative for the Western Hemisphere, Office of the United States Trade Representative.*

[FR Doc. 2020-14172 Filed 6-30-20; 8:45 am]

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Additional Tariff-Rate Quota Volume for Refined Sugar From Canada Under the USMCA

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** The calendar year 2020 in-quota quantity of the tariff-rate quota (TRQ) for imported refined sugar from Canada is increasing pursuant to the United States-Mexico-Canada Agreement (USMCA or Agreement) and the April 3, 2020 announcement by the U.S. Secretary of Agriculture (Secretary) to permit, at in-quota tariff rates, imports of refined sugar, other than specialty sugar, above the quantities made available at those rates pursuant to U.S. commitments under the World Trade Organization (WTO) Agreement and other trade agreements.

**DATES:** The changes made by this notice are applicable as of July 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** Erin Nicholson, Office of Agricultural Affairs, at [erin.h.nicholson@ustr.eop.gov](mailto:erin.h.nicholson@ustr.eop.gov) or at (202) 395-9419.

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