please write to: U.S Department of State; Office of Global Information Systems, A/GIS; Room 4534, 2201 C St. NW, Washington, DC 20520. If email, please address the email to the Senior Agency Official for Privacy, Eric F. Stein, at *Privacy@state.gov.* Please write ''Email Archive Management Records, State-01'' on the envelope or the subject line of your email.

FOR FURTHER INFORMATION CONTACT: Eric F. Stein, Senior Agency Official for Privacy; U.S. Department of State; Office of Global Information Services, A/GIS; Room 4534, 2201 C St. NW, Washington, DC 20520 or by calling on (202) 485–2051.

SUPPLEMENTARY INFORMATION: Email Archive Management Records, State-01 must be rescinded because the characteristics of the system as it exists do not render the eRecords Archive a system of records within the meaning of 5 U.S.C. 552a. The millions of emails, diplomatic cables, and other files that the system ingests are not ''records'' as defined by section 552a(a)(4), as they are not grouped by personal identifier and are not records ''about'' the individuals incidentally mentioned in the files. eRecords is not a ''system of records'' as defined by section 552a(a)(5) because it (1) does not index files by personal identifier and (2) is not used to retrieve data by using a personal identifier. Information collected incidentally through eRecords is included in other ''systems of records.''

SYSTEM NAME AND NUMBER:

Email Archive Management Records, State-01.

HISTORY:

Email Archive Management Records, State-01, was previously published at 85 FR 13482.

Eric F. Stein,

Deputy Assistant Secretary, Global Information Services (A/GIS), U.S. Department of State.

[FR Doc. 2023–14351 Filed 7–6–23; 8:45 am]

BILLING CODE 4710–24–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36706]

BLPI RR L.L.C.—Acquisition and Operation Exemption—Palouse River & Coulee City Railroad L.L.C.

BLPI L.L.C. (BLPI), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 43.74 miles of rail line owned by Palouse River & Coulee City Railroad L.L.C. (PCC), extending from milepost 3.32 (Washington-Idaho state line) to milepost 47.06 at Bovill, Idaho, in Latah County, Idaho (the Line).

According to the verified notice, BLPI and PCC entered into a Purchase and Sale Agreement on April 24, 2023, under which BLPI would acquire the Line.[1] The verified notice indicates that BLPI intends to lease the Line to a third-party operator for the purposes of rail service, but BLPI will function as the operator of the Line if it were to so choose.

BLPI certifies that the proposed transaction does not involve a provision or agreement that would limit future interchange with a third-party connecting carrier. BLPI also certifies that the projected annual revenues resulting from the transaction will not exceed $5 million and will not result in the creation of a Class I or Class II carrier.

The earliest this transaction may be consummated is July 22, 2023, the effective date of the exemption (30 days after the verified notice of exemption 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 14, 2023 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36706, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on BLPI's representative, John K. Fiorilla, Dyer & Peterson PC, 605 Main Street, Suite 104, Riverton, NJ 08077–1440.

According to BLPI, this action is categorically excluded from environmental reporting requirements 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.*

Decided: June 30, 2023.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Eden Besera,

Clearance Clerk.

[FR Doc. 2023–14337 Filed 7–6–23; 8:45 am]

BILLING CODE 4915–01–P

[1] The eastern portion of the Line, between milepost 21.0 and milepost 47.0, was authorized for abandonment in *Palouse River & Coulee City Railroad—Abandonment Exemption—in Latah County, Idaho,* AB 570 (Sub-No. 1X) (STB served Oct. 6, 2000). BLPI's verified notice here states that, based on the Board's records, an interim trail use negotiating period for that portion expired without agreement and PCC did not consummate abandonment; BLPI therefore asserts that the eastern portion of the Line remains subject to the Board's jurisdiction and available to be acquired.

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2023–0013]

Hours of Service of Drivers: Application for Exemption; Matthew Killmer

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition; denial of application for exemption.

SUMMARY: FMCSA announces its decision to deny the application from Matthew Killmer requesting an exemption from the hours-of-service (HOS) regulations to allow him to split his sleeper berth time into two 5-hour periods. The applicant indicates that the exemption would enable him to be a more alert and well rested commercial motor vehicle (CMV) operator and allow him to find a safe place to park his vehicle. FMCSA analyzed the application and public comments and determined that the exemption is not likely to achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Clemente, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; FMCSA; 202–366–2722 or *richard.clemente@dot.gov.* If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Viewing Comments and Documents

To view comments, go to *www.regulations.gov,* insert the docket number ''FMCSA–2023–0013'' in the keyword box, and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, and click ''View Related Comments.''

To view documents mentioned in this notice as being available in the docket, go to *www.regulations.gov,* insert the

docket number ''FMCSA–2023–0013'' in the keyword box, click ''Search,'' and chose the document to review.

If you do not have access to the internet, you may view the docket by visiting Dockets Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely maintain a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305(a)). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2). The exemption may be renewed (49 CFR 381.300(b)).

III. Background

Current Regulatory Requirements

FMCSA's hours-of-service (HOS) regulations in 49 CFR part 395 limit the time CMV drivers may drive and also require certain off-duty periods to ensure that individuals stay awake and alert while driving. The HOS regulations in 49 CFR 395.3(a)(1) prohibit an individual from continuing to drive after 11 hours driving. Further, under 49 CFR 395.3(a)(2) drivers may not drive after a period of 14 consecutive hours on duty until they have been off duty for a minimum of 10 consecutive hours, or the equivalent of at least 10 consecutive hours off duty. Section 395.1(g)(1)(ii) allows a driver using the sleeper berth exception to accumulate the equivalent of at least 10 consecutive hours off duty by taking a combination of either two periods of sleeper-berth time or a combination of off-duty time and sleeper-berth time (in both cases totaling 10 hours) if: (1) neither rest period is shorter than 2 hours; (2) one rest period is at least 7 consecutive hours long; and (3) driving time before and after each rest period, when added together does not exceed 11 hours driving and does not violate the 14-hour duty-period limit.

Applicant's Request

Matthew Killmer requests an exemption from certain restrictions imposed by 49 CFR 395.1(g)(1)(ii) on the use of the sleeper berth to accumulate the required off-duty time under 49 CFR 395.3(a)(1). Section 395.1(g)(1)(ii), as described above, allows a driver operating a CMV equipped with a sleeper berth to obtain the required 10 hours of rest in two periods. In particular, the applicant requests that he, and other drivers who so request, be allowed to shorten the required 7-consecutive-hour sleeper-berth period to 5 hours, paired with another 5-hour sleeper-berth period, to accumulate the required 10 hours of rest.

IV. Method To Ensure an Equivalent or Greater Level of Safety

The applicant believes that the exemption, if granted, would result in increased driver turnover at rest areas/safe havens, which would allow more drivers to utilize available parking spaces to get adequate rest. He states that the percentage of drivers with proper rest would increase creating a more alert and responsive driver population and reducing sleep-related crashes/incidents. The applicant further adds that this would allow drivers to better utilize their available time when accounting for delays due to inclement weather or detention time at a shipper's facility.

V. Public Comments

On February 23, 2023, FMCSA published Matthew Killmer's application and requested public comment (88 FR 11504). The Agency received 279 comments, nearly all filed by individuals/owner-operators and small trucking companies. Comments supporting the application numbered 222, while 11 opposed the exemption and another 46 offered no position either for or against the request, but instead offered general comments on the current HOS regulations. Joint comments in opposition were filed by the Truck Safety Coalition (TSC), Citizens for Reliable and Safe Highways (CRASH), and Parents Against Tired Truckers (PATT). These three organizations stated that the law requires any exemption request to include ''proven measures to ensure that an equal or greater level of safety will result from the granting of the exemption. . . . The applicant fails to propose any rigorous, evidence-based measures that would satisfy this statutory requirement.'' They added: ''the reason that the current sleeper berth requirement exists is due to the fact that FMCSA found that splitting time in the sleeper berth in too short of increments prevents obtaining reasonable sleep that is necessary to perform a safety-sensitive function.''

Other themes in opposition included: (1) there is not enough data available from the June 1, 2020, HOS rule changes to support a 5/5 sleeper berth split provision; (2) additional ''flexibility'' is not necessary with the current HOS regulations; (3) better driver training is needed; and (4) the increased numbers of CMV crashes/incidents.

A number of filers supporting the exemption argued that a 6/4 sleeper-berth split: (1) would provide a better opportunity for drivers to find safe parking and to stay more alert; (2) would provide a better opportunity for managing a driver's down time; (3) would enable drivers to be more rested; and (4) could be combined with additional ideas for ''pausing'' the 14-hour ''driving window.''

Those with no position either for or against the exemption had general complaints about the HOS rules, with including: (1) the Agency again needs to amend/revise the HOS rules; (2) accidents/incidents are caused by driver carelessness not [HOS] laws; (3) let drivers decide when they are tired; (4) support for a 24-hour restart instead of the current 34-hour restart; and (5) the Agency should grant exemptions to companies with better Pre-Employment Screening Program (PSP) scores.

VI. FMCSA Safety Analysis and Decision

FMCSA has evaluated Matthew Killmer's application and public comments and denies the exemption request. The applicant failed to establish that he would likely maintain a level of safety equivalent to, or greater than, the level achieved without the exemption.

In 2020, in its most recent HOS rulemaking, the Agency modified the split sleeper-berth provisions to provide more flexibility for drivers and settled on the current rule which requires at least one longer period of at least 7 hours in the sleeper berth (85 FR 33396). During the rulemaking process,

in considering other split modifications, the Agency stated:

> [T]here is no clear evidence—to say nothing of a scientific consensus—that a 6-hour (or shorter) sleeper-berth period is long enough to prevent cumulative fatigue. That is especially obvious since drivers cannot be expected to fall asleep immediately. The 7-hour period adopted in this final rule allows enough time for drivers to relax, de-compress, and obtain more than 6 hours of sleep. Having examined a wide range of sleep and fatigue studies, which fail to converge on a single result, the Agency has concluded that the proposed 7/3 split is both scientifically reasonable and responsive to the needs of the driver population for greater flexibility.

Although a large number of commenters supported Mr. Killmer's request, they did not provide any evidence to demonstrate that the exemption was likely to provide a level of safety equivalent to the current regulatory requirements. The Agency acknowledges the commenters' concerns relating to truck parking; however, those concerns are not a valid basis for evaluating the application, as the Agency must base its decision on the requirement for an equivalent level of safety.

For the above reasons, the exemption application is denied.

Earl Stanley Adams Jr.,

Deputy Administrator.

[FR Doc. 2023–14303 Filed 7–6–23; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2020–0133]

Decommissioning and Disposition of the National Historic Landmark Vessel N.S. Savannah; Establishment of the Peer Review Group; and Schedule of PRG Meetings

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: In accordance with the National Historic Preservation Act (NHPA) and its implementing regulations, the Maritime Administration (MARAD) has developed and executed a Programmatic Agreement (PA) among the U.S. Department of Transportation, MARAD, the U.S. Nuclear Regulatory Commission (NRC), the Advisory Council on Historic Preservation (ACHP), and the Maryland State Historic Preservation Officer (SHPO) for the Decommissioning and Disposition of the Nuclear Ship Savannah (NSS). The PA executed on March 17, 2023, outlines the process for the decommissioning and disposition of the NSS. The PA is available for review on the MARAD docket located at *www.regulations.gov* under docket id ''MARAD–2020–0133.'' Stipulation II of the PA establishes a Peer Review Group (PRG) and affords the public an opportunity to participate in PRG activities, including attending meetings and reviewing draft deliverables developed as part of the PA. MARAD encourages public participation and is providing the preliminary PRG meeting schedule for 2023 and 2024 in the **DATES** section below.

DATES: The PRG plans to meet every two months on the third Tuesday of the month from 2:30–4:00 p.m. Eastern Time. The preliminary meeting schedule for 2023 through 2024 is as follows:

- *2023:* July 18, September 19, November 21
- *2024:* January 16, March 19, May 21, July 16, September 17, November 19

ADDRESSES: PRG meetings will be hosted onboard the NSS with remote access available to participate online. The NSS is located at Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21124.

FOR FURTHER INFORMATION CONTACT: Erhard W. Koehler, (202) 680–2066 or via email at *marad.history@dot.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question. You will receive a reply during normal business hours. You may send mail to N.S. Savannah/Savannah Technical Staff, Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21224, ATTN: Erhard Koehler.

SUPPLEMENTARY INFORMATION:

Background

Built in 1959, NSS is the world's first nuclear-powered merchant ship and served as a signature element of President Eisenhower's Atoms for Peace program. While in service, NSS demonstrated the peaceful use of atomic power and explored the feasibility of nuclear-powered merchant vessels. The vessel was retired from active service in 1970. It was designated as a National Historic Landmark (NHL) in 1991. NSS is currently part of MARAD's National Defense Reserve Fleet (NDRF) in retention status. Additional information regarding the vessel is available at *https://www.maritime.dot.gov/nssavannah.*

The NSS nuclear power plant is licensed by the NRC. MARAD is decommissioning the nuclear power plant, which will result in the termination of the NRC license. The license termination will lead to MARAD's disposition of the NSS. Because the decommissioning and disposition of the NSS is an Undertaking under Section 106 of the NHPA, MARAD initiated consultation in 2018 with the Maryland SHPO, the ACHP, the NRC, the National Park Service (NPS) and other consulting parties. Given the complexities of the Undertaking, including the yet undetermined disposition of the NSS, the parties agreed to develop a PA to guide the execution of the Undertaking.

Section 106 requires that federal agencies consider views of the public regarding their Undertakings; therefore, in 2020, MARAD established a Federal docket at *https://www.regulations.gov/docket/MARAD-2020-0133* to provide public notice about the NSS Undertaking. The federal docket was also used in 2021 to solicit public comments on the future uses of the NSS. Moving forward, this same docket will be used as a resource to take in public comment, share information, and post agency actions.

On March 17, 2023, the PA among the U.S. Department of Transportation, MARAD, the NRC, the ACHP, and the Maryland SHPO for the Decommissioning and Disposition of the NSS was executed. The PA stipulates a deliberative process by which MARAD will consider the disposition of the NSS. This process requires MARAD to make an affirmative, good-faith effort to preserve the NSS. The PA also establishes the PRG in Stipulation II. The PRG is the mechanism for continuing consultation during the effective period of the PA and its members consist of the signatories and concurring parties to the PA, as well as other consulting parties, all of whom are recognized subject matter experts across various relevant fields and disciplines. The PRG members will provide individual input and guidance to MARAD, rather than building towards consensus group advice regarding the implementation of stipulations in the PA. PRG members and members of the public are invited to provide input by attending bi-monthly meetings and reviewing and commenting on deliverables developed as part of the PA.