

	Percent
Non-Profit Organizations without Credit Available Elsewhere .....	2.500

The number assigned to this disaster for physical damage is 157128 and for economic injury is 157130.

(Catalog of Federal Domestic Assistance Number 59008)

**James Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2018–22119 Filed 10–10–18; 8:45 am]

**BILLING CODE 8025–01–P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #15622 and #15623; California Disaster Number CA–00288]

**Presidential Declaration Amendment of a Major Disaster for the State of California**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 2.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of California (FEMA–4382–DR), dated 08/04/2018.

*Incident:* Wildfires and High Winds.

*Incident Period:* 07/23/2018 through 09/19/2018.

**DATES:** Issued on 10/01/2018.

*Physical Loan Application Deadline Date:* 10/03/2018.

*Economic Injury (EIDL) Loan Application Deadline Date:* 05/06/2019.

**ADDRESS:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the State of California, dated 08/04/2018, is hereby amended to establish the incident period for this disaster as beginning 07/23/2018 and continuing through 09/19/2018.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**James Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2018–22109 Filed 10–10–18; 8:45 am]

**BILLING CODE 8025–01–P**

**SOCIAL SECURITY ADMINISTRATION**

[Docket No. SSA–2018–0052]

**Privacy Act of 1974; System of Records**

**AGENCY:** Deputy Commissioner for Communications, Social Security Administration (SSA).

**ACTION:** Rescindment of a system of records notice.

**SUMMARY:** In accordance with the Privacy Act, we are issuing public notice of our intent to discontinue an existing system of records notice entitled, Optical System for Correspondence Analysis and Response, last published on January 11, 2006.

**DATES:** Comments must be received no later than November 13, 2018. This rescindment will be effective upon publication in today's **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Tristin Dorsey, Government Information Specialist, Privacy Implementation Division, Office of Privacy and Disclosure, Office of the General Counsel, Social Security Administration, Room G–401 West High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, telephone: (410) 965–2950, email: [tristin.dorsey@ssa.gov](mailto:tristin.dorsey@ssa.gov).

**SUPPLEMENTARY INFORMATION:** SSA is discontinuing the system of records 60–0002, entitled OSCAR, which was created to aid in the control of internal and external correspondence received in agency offices through various processing steps and management information regarding the correspondence process. The records will be combined and managed through an existing system of records currently titled, Assignment and Correspondence Tracking (ACT) System (60–0001), last published in full at 71 FR 1800 (January 11, 2006). SSA will rely upon the ACT system to manage internal and external correspondence and assignments received from members of the public, media, White House, Congress, and other federal agencies.

**SYSTEM NAME AND NUMBER**

Optical System for Correspondence Analysis and Response (OSCAR), 60–0002.

**HISTORY:**

71 FR 1801 (Jan. 11, 2006), Optical System for Correspondence Analysis and Response.

72 FR 69723 (Dec. 10, 2007), Optical System for Correspondence Analysis and Response.

Dated: October 2, 2018.

**Mary Ann Zimmerman,**

*Acting Executive Director, Office of Privacy and Disclosure, Office of the General Counsel.*

[FR Doc. 2018–22035 Filed 10–10–18; 8:45 am]

**BILLING CODE P**

**SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36227]

**David L. Durbano—Continuance in Control Exemption—Washington Eastern Railroad, LLC**

David L. Durbano (Durbano), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Washington Eastern Railroad, LLC (WERR), upon WERR's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in *Washington Eastern Railroad, LLC—Change in Operator Exemption—Eastern Washington Gateway Railroad Company*, Docket No. FD 36226. In that proceeding, WERR seeks an exemption under 49 CFR 1150.31 to assume operations over approximately 107.8 miles of track extending between milepost 1.0 near Cheney, Wash., and the end of the track at milepost 108.8 in Coulee City, Wash. (CW Branch), and over approximately 5.9 miles of track that connects with the CW Branch at Geiger Junction near Medical Lake, Wash. (Geiger Spur).

The earliest this transaction may be consummated is October 25, 2018, the effective date of the exemption (30 days after the verified notice was filed). Durbano states that he intends to consummate the transaction on or after the effective date of the transaction established by the Board in Docket No. FD 36226, which is also October 25, 2018.

Durbano will continue in control of WERR upon WERR's becoming a Class III rail carrier, while remaining in control of six other Class III carriers: Texas & Eastern Railroad, LLC, Wyoming and Colorado Railroad Company, Inc., Southwestern Railroad, Inc., Cimarron Valley Railroad, L.C., Clarkdale Arizona Central Railroad, L.C., and Saratoga Railroad, LLC.

Durbano certifies that: (1) The rail lines to be operated by WERR do not

connect with any other railroads in the Durbano corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect these rail lines with each other or with any other railroad in the Durbano corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here because all of the carriers involved are Class III carriers.

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 no later than October 18, 2018 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36227, must be filed with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on William A. Mullins, Baker & Miller PLLC, 2401 Pennsylvania Ave. NW, Suite 300, Washington, DC 20037.

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Decided: October 5, 2018.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2018-22171 Filed 10-10-18; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36225]

### **Fortress Investment Group LLC— Continuance in Control Exemption— Central Maine & Quebec Railway US Inc., Ohio River Partners Shareholder LLC, and DesertXpress Enterprises, LLC**

Fortress Investment Group LLC (Fortress) has filed a verified notice of

exemption pursuant to 49 CFR 1180.2(d)(2) for the benefit of Brightline Holdings LLC (Brightline) and Fortress Transportation and Infrastructure Investors LLC, which are managed by affiliates of Fortress, to continue in control of DesertXpress Enterprises, LLC (DXE)<sup>1</sup> following the acquisition of DXE by Brightline.

According to Fortress, on September 17, 2018, Brightline, DXE, and Benny's HoldCo, LLC, entered into a Membership Interest Purchase Agreement (Purchase Agreement)<sup>2</sup> pursuant to which Brightline will acquire 100% of the member interests of DXE. Upon consummation of the transaction contemplated by the Purchase Agreement, Brightline, a noncarrier, will control DXE. Brightline currently controls Brightline Trains LLC (Brightline Trains) which operates express passenger rail service between Miami, Fla., and West Palm Beach, Fla.<sup>3</sup> Fortress asserts that Brightline can assist DXE in bringing its planned high-speed passenger rail system between Las Vegas and Victorville to fruition.

The parties intend to consummate the proposed control transaction as soon as practicable after the exemption becomes effective (30 days after the verified notice was filed) and the satisfaction of all other conditions precedent to closing set forth in the Purchase Agreement.

Fortress states that two other rail carriers subject to the Board's jurisdiction, Central Maine & Quebec Railway US Inc. (CMQR) and Ohio River Partners Shareholder LLC (ORPS), are currently managed by affiliates of Fortress. CMQR, a Class III carrier, operates approximately 244 miles of rail lines in the States of Maine and Vermont. ORPS, a Class III carrier, operates a 12.2-mile rail line between milepost 60.5 at or near Powhatan Point,

<sup>1</sup> In *DesertXpress Enterprises—Construction & Operation Exemption—in Victorville, Cal. & Las Vegas, Nev. (DesertXpress)*, FD 35544 (STB served Oct. 25, 2011), the Board authorized DXE to construct and operate a high-speed passenger rail line between Victorville, Cal., and Las Vegas, Nev. (DXE Line). Fortress states that DXE has been engaged in development and planning for the DXE Line, including obtaining certain federal and state permits, acquiring rights-of-way, and pursuing financing for the project.

<sup>2</sup> Fortress submitted a redacted copy of the Purchase Agreement with its verified notice of exemption. It also submitted an unredacted copy under seal along with a motion for protective order pursuant to 49 CFR 1104.14(b). That motion will be addressed in a separate decision.

<sup>3</sup> Brightline Trains formerly was known as All Aboard Florida-Operations LLC. Citing *All Aboard Florida-Operations LLC—Construction & Operation Exemption—in Miami, Fla., & Orlando, Fla.*, FD 35680 (STB served Dec. 21, 2012), Fortress states that Brightline Trains is not a rail carrier subject to the Board's jurisdiction.

Ohio, and milepost 72.2 at or near Hannibal, Ohio.

Fortress represents that: (1) None of the rail lines of CMQR, ORPS, or DXE connect with the lines of any other United States railroad that is owned or controlled by Fortress; (2) the transaction is not part of a series of anticipated transactions that would connect the DXE Line with the lines of any other rail carrier owned or controlled by Fortress, any affiliate of Fortress, or any investment fund or entity managed by an affiliate of Fortress; and (3) CMQR, ORPS, and DXE are not Class I carriers.<sup>4</sup> Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here because all the carriers involved are Class III carriers.<sup>5</sup>

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. Petitions for stay must be filed no later than October 18, 2018 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36225, must be filed with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Terence M. Hynes, Sidley Austin LLP, 1501 K Street NW, Washington, DC 20005.

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

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

Decided: October 5, 2018.

<sup>4</sup> Fortress states that CMQR and ORPS are Class III carriers. In *DesertXpress*, slip op. at 2, the Board noted that DXE anticipated that its operating revenues would qualify it as a Class I carrier; presently, however, according to Fortress, DXE has not commenced operations and does not have any operating employees or revenues. See Notice 6.

<sup>5</sup> See n. 4, above.