

in through rates and services and may, “[i]n cases involving a challenge to a through rate . . . permit the dismissal of one party without jeopardizing the complainant’s right to proceed against the remaining joint defendants and to forego reparations from the settling carrier.” (Joint Mot. 16, Dec. 1, 2025.)

Movants request that the Board: (1) prescribe the rate methodologies and maximum R/VC ratios that have been agreed to for the radioactive materials and rail services that are the subject of the agreement; and (2) dismiss CSX as a defendant in these proceedings, extinguish CSX’s liability for reparations in all matters arising out of these proceedings, and relieve CSX from any further requirement to participate in these proceedings (except in response to a properly issued subpoena under the Board’s rules). (Joint Mot. 3–4, 19, Dec. 1, 2025.) Furthermore, the Government requests that the Board retain jurisdiction over these proceedings and continue to hold them in abeyance pending further settlement negotiations. (*Id.* at 4.)

Discussion and Conclusions

As the Movants note, the CSX Settlement Agreement is substantially similar to the UP Agreement or the subsequent agreements the agency approved involving BNSF and NSR. (See Joint Mot. 3, Dec. 1, 2025.) Like those agreements, the CSX Settlement Agreement concerns rate and service obligations that apply to the Government’s movement of radioactive materials over the lines of a major Class I rail carrier and resolves decades-old, difficult, and complex issues related to those obligations. It appears to satisfy fully Movants’ basic needs as they apply to the movement of radioactive materials by rail, giving them the flexibility they seek, the ability to accommodate changing needs and technologies, and the opportunity to move to a more collaborative business partnership with respect to the transportation of traffic covered by the Agreement.

Wherever possible, the Board’s longstanding policy is to encourage the private resolution of disputes through voluntary negotiations among all interested parties. The CSX Settlement Agreement is the result of arm’s-length negotiations over an extended period of time. Under the circumstances, there is no reason for the Board to withhold its approval. Indeed, consistent with the RTP, the Agreement promotes 49 U.S.C. 10101 by minimizing the need for Federal regulatory control, promoting an efficient rail transportation system, helping to ensure the development and

continuation of a sound rail transportation system, and fostering sound economic conditions in transportation. §§ 10101(2)–(5). Other aspects of the RTP would not be adversely affected.

Consistent with Movants’ requests, the Board: (1) approves the proposed Agreement; (2) prescribes the Agreement’s rate update methodologies, maximum R/VC ratios, and rates; (3) dismisses CSX as a defendant in these proceedings; (4) extinguishes all of CSX’s liability (including that of its predecessors and subsidiaries) for reparations; and (5) relieves CSX from any further requirement to participate in these proceedings, except in response to a properly issued subpoena under the Board’s rules.

Finally, the March 2, 2026 **Federal Register** notice required the Government to file a list of remaining defendants in these proceedings to inform the Board of the status. The Government’s April 16, 2026 letter provided that information and indicated that there were a number of remaining railroads with whom the Government had yet to reach a transportation agreement. The Government stated that it intended to reach out, on an individual basis, to a discrete number of railroads to explore the possibility of additional agreements related to these proceedings. (Gov’t Ltr. 1, Apr. 16, 2026; *see id.*, Attach. 1 & 2.) Accordingly, the Board will keep these dockets open consistent with the Government’s request that the proceedings continue to be held in abeyance pending further settlement negotiations.

It is ordered:

1. The Agreement is approved.
2. The rate update methodologies and rates set forth in the Agreement are prescribed as the maximum reasonable rates as between the signatories.
3. CSX’s liability (including that of its predecessors and subsidiaries) for reparations is extinguished.
4. CSX is dismissed as a party to these proceedings and relieved from any further requirement to participate in these proceedings, except in response to a properly issued subpoena under the Board’s rules.
5. Notice will be published in the **Federal Register**.
6. This decision is effective on August 5, 2026.

Decided: July 31, 2026.

By the Board, Board Members Fuchs, Hedlund, Kloster, and Schultz.

Zantori Dickerson,

Clearance Clerk.

[FR Doc. 2026–15897 Filed 8–4–26; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–1193]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V BUCKET LIST

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor’s vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before September 4, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–1193 by any one of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Search the above DOT Docket Number and follow the instructions for submitting comments.

- **Mail or Hand Delivery:** Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All

comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR-620, Washington, DC 20590. Telephone: (202) 366-5400. Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.¹

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at <https://www.regulations.gov>. Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional

documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at <https://www.regulations.gov>, keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to SmallVessels@dot.gov. Include in the email subject heading "Contains Confidential Commercial Information" or "Contains CCI" and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a).)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026-15895 Filed 8-4-26; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2026-1190]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V AREAREA

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before September 4, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2026-1190 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Search the above DOT Docket Number and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted

¹ The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.