

interference was too insignificant to rise to the level of a violation of 14 C.F.R. § 91.11. The Administrator agrees that this behavior did not amount to a violation of Section 91.11.

*Interference with the captain not found.* The captain testified that he was told that Ms. Dorfman would not stow her luggage and sit down. The law judge found credible Ms. Dorfman's testimony that she never carries her own luggage because she has a bad back, and therefore, she could not have been the person who did not stow her luggage. The administrator sees no reason to disturb this credibility finding by the law judge.

*Violations of seat belt regulations not found.* The law judge held that there was no evidence that Ms. Dorfman stood for more than a moment during the climb out, and he found the evidence that she stood up in response to the instruction to remain seated not to be compelling. The law judge wrote that Ms. Dorfman's demeanor did not suggest that she would flout flight attendant instructions. The Administrator sees no reason to disturb this credibility decision.

Complainant's appeal is denied and the law judge's decision is affirmed.

### Commercial Reporting Services of the Administrator's Civil Penalty Decisions and Orders

1. *Commercial Publications:* The Administrator's decisions and orders in civil penalty cases are available in the following commercial publications:

*Civil Penalty Cases Digest Service*, published by Hawkins Publishing Company, Inc., P.O. Box 480, Mayo, MD, 21106, (410) 798-1677;

*Federal Aviation Decisions*, Clark Boardman Callaghan, a subsidiary of West Information Publishing Company, 50 Broad Street East, Rochester, NY 14694, 1-800-221-9428.

2. *CD-ROM.* The Administrator's orders and decisions are available on CD-ROM through Aeroflight Publications, P.O. Box 854, 433 Main Street, Gruver, TX 79040, (806) 733-2483.

3. *On-Line Services.* The Administrator's decisions and orders in civil penalty cases are available through the following on-line services:

- Westlaw (the Database ID is FTRAN-FAA).
- LEXIS [Transportation (TRANS) Library, FAA file.].
- Compuserve.
- FedWorld.

### Docket

The FAA Hearing Docket is located at FAA Headquarters, 800 Independence Avenue, SW, Room 926A, Washington, DC, 20591 (tel. no. 202-267-3641.) The clerk of the FAA Hearing Docket is Ms. Stephanie McClain. All documents that are required to be filed in civil penalty proceedings must be filed with the FAA Hearing Docket Clerk at the FAA Hearing Docket. (See 14 CFR 13.210.) Materials contained in the dockets of any case not containing sensitive security information (protected by 14 CFR Part 191) may be viewed at the FAA Hearing Docket.

In addition, materials filed in the FAA Hearing Docket in non-security cases in which the complaints were filed on or after December 1, 1997, are available for inspection at the Department of Transportation Docket, located at 400 7th Street, SW, Room PL-401, Washington, DC, 20590, (tel. no. 202-366-9329.) While the originals will be retained in the FAA Hearing Docket, the DOT Docket will scan copies of documents in non-security cases in which the complaint was filed after December 1, 1997, into their computer database. Individuals who have access to the Internet can view the materials in these dockets using the following Internet address: <http://dms.dot.gov>.

### FAA Offices

The Administrator's decisions and orders, indexes, and digests are available for public inspection and copying at the following location in FAA headquarters: FAA Hearing Docket, Federal Aviation Administration, 800 Independence Avenue, SW., Room 926A, Washington, DC 20591; (202) 267-3641.

These materials are also available at all FAA regional and center legal offices at the following locations:

Office of the Regional Counsel for the Aeronautical Center (AMC-7), Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169; (405) 954-3296.

Office of the Regional Counsel for the Alaskan Region (AAL-7), Alaskan Region Headquarters, 222 West 7th Avenue, Anchorage, AL 99513; (907) 271-5269.

Office of the Regional Counsel for the Central Region (ACE-7), Central Region Headquarters, 601 East 12th Street, Federal Building, Kansas City, MO 64106; (816) 426-5446.

Office of the Regional Counsel for the Eastern Region (AEA-7), Eastern Region Headquarters, JFK International Airport, Fitzgerald

Federal Building, Jamaica, NY 11430; (718) 553-3285.

Office of the Regional Counsel for the Great Lakes Region (AGL-7), Great Lakes Region Headquarters, O'Hare Lake Office Center, 2300 East Devon Avenue, Suite 419, Des Plaines, IL 60018; (847) 294-7085.

Office of the Regional Counsel for the New England Region (ANE-7), New England Region Headquarters, 12 New England Executive Park, Room 401, Burlington, MA 01803; (781) 238-7040.

Office of the Regional Counsel for the Northwest Mountain Region (ANM-7), Northwest Mountain Region Headquarters, 1601 Lind Avenue, SW, Renton, WA 98055; (425) 227-2007.

Office of the Regional Counsel for the Southern Region (ASO-7), Southern Region Headquarters, 1701 Columbia Avenue, College Park, GA 30337; (404) 305-5200.

Office of the Regional Counsel for the Southwest Region (ASW-7), Southwest Region Headquarters, 2601 Meacham Blvd., Fort Worth, TX 76137; (817) 222-5064.

Office of the Regional Counsel for the Technical Center (ACT-7), William J. Hughes Technical Center, Atlantic City International Airport, Atlantic City, NJ 0845; (609) 485-7088.

Office of the Regional Counsel for the Western-Pacific Region (AWP-7), Western-Pacific Region Headquarters, 15000 Aviation Boulevard, Hawthorne, CA 90261; (310) 725-7100.

Issued in Washington, DC on January 5, 2000.

**James S. Dillman,**

*Assistant Chief Counsel for Litigation.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Transfer of Federally Assisted Land or Facility

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of intent to transfer Federally assisted land or facility.

**SUMMARY:** Section 5334(g) of the Federal Transit Laws, as codified, 49 U.S.C. § 5301, *et seq.*, permits the Administrator of the Federal Transit Administration (FTA) to authorize a recipient of FTA funds to transfer land or a facility to a public body for any public purpose with no further obligation to the Federal Government if,

among other things, no Federal agency is interested in acquiring the asset for Federal use. Accordingly, FTA is issuing this Notice to advise Federal agencies that the Bloomington Public Transportation Corporation intends to transfer a municipal transit facility, consisting of approximately 62,635 square feet of land situated within a light industrial district of Bloomington, Indiana, with frontage on East Miller Drive.

**EFFECTIVE DATE:** Any Federal agency interested in acquiring the land or facility must notify the FTA Region V Office of its interest by February 10, 2000.

**ADDRESSES:** Interested parties should notify the Regional Office by writing to Joel P. Ettinger, Regional Administrator, Federal Transit Administration, 200 West Adams, Suite 2410, Chicago, IL 60606.

**FOR FURTHER INFORMATION CONTACT:** Louise Carter, Director of Operations and Program Management at 312/353-2789.

**SUPPLEMENTARY INFORMATION:**

**Background**

49 U.S.C. 5334(g) provides guidance on the transfer of capital assets. Specifically, if a recipient of FTA assistance decides an asset acquired under this chapter at least in part with that assistance is no longer needed for the purpose for which it was acquired, the Secretary of Transportation may authorize the recipient to transfer the asset to a local governmental authority to be used for a public purpose with no further obligation to the Government. 49 U.S.C. 5334(g)(1).

**Determinations**

The Secretary may authorize a transfer for a public purpose other than mass transportation only if the Secretary decides:

(A) The asset will remain in public use for at least 5 years after the date the asset is transferred;

(B) There is no purpose eligible for assistance under this chapter for which the asset should be used;

(C) The overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the asset, after considering fair market value and other factors; and

(D) Through an appropriate screening or survey process, that there is no interest in acquiring the asset for Government use if the asset is a facility or land.

**Federal Interest in Acquiring Land or Facility**

This document implements the requirements of 49 U.S.C. 5334(g)(1)(D) of the Federal Transit Laws. Accordingly, FTA hereby provides notice of the availability of the land or facility further described below. Any Federal agency interested in acquiring the affected land or facility should promptly notify the FTA.

If no Federal agency is interested in acquiring the existing land or facility, FTA will make certain that the other requirements specified in 49 U.S.C. 5334(g)(1) (A) through (C) are met before permitting the asset to be transferred.

**Additional Description of Land or Facility**

The property is a municipal transit facility, consisting of approximately 62,635 square feet of land situated within a light industrial district of Bloomington, Indiana, with frontage on East Miller Drive. The Facility is a one-story steel and masonry warehouse/service garage building attached to a block wash bay on the north side of the main building. The interior of the office building consists of average trim, standard industrial grade carpeting and typical office fixtures. The building consists of a finished office area containing 2,575 square feet. The warehouse/service garage contains 7,931 square feet and the storage mezzanine area has 2,050 square feet. The north side of the office building has a drive-through wash bay containing 1,240 square feet; however, the equipment is inoperable and not repairable. The service area has radiant heaters, 5 drive-through bays and is insulated. The main parking area is located on the East Side of the building; there is also parking and drive area on the West Side of the building. The entire area has perimeter chain link fencing. There are outdoor lights and the asphalt is in average condition.

Issued on: January 5, 2000.

**Donald Gismondi,**

*Acting Regional Administrator.*

[FR Doc. 00-571 Filed 1-10-00; 8:45 am]

**BILLING CODE 4910-57-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[STB Finance Docket No. 33839]

**Dallas Area Rapid Transit—Acquisition and Operation Exemption—Line of Union Pacific Railroad Co.**

Dallas Area Rapid Transit (DART), a political subdivision of the State of Texas, has filed a notice of exemption under 49 CFR 1150.41 to acquire by purchase a rail line of Union Pacific Railroad Company (UP) extending between approximately milepost 747.25 and approximately milepost 746.25, a distance of approximately 1 route mile in Rowlett, TX (line).<sup>1</sup>

The earliest the transaction could be consummated was December 27, 1999, the effective date of the exemption (7 days after the 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 does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33839, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Kevin M. Sheys, Esq., Oppenheimer Wolff Donnelly & Bayh LLP, 1350 Eye Street, NW, Suite 200, Washington, DC 20005.

Board decisions and notices are available on our website at “WWW.STB.DOT.GOV.”

Decided: January 4, 2000.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 00-527 Filed 1-10-00; 8:45 am]

**BILLING CODE 4915-00-P**

<sup>1</sup> DART states that it will grant trackage rights to UP (or UP's designee) on the line and that freight railroad operations on the line will be conducted by UP (or UP's designee) pursuant to the trackage rights. According to DART, UP (or UP's designee) will seek the Board's approval for the trackage rights in a separate filing.