

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.

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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).¹

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.

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¹ 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.