

FOR FURTHER INFORMATION CONTACT:

Philip Cannon, Program Manager,
Atlanta Airports District Office, 1701
Columbia Avenue, Suite 2-260, College
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Scott L. Seritt,

Manager, Atlanta Airports District Office,
Southern Region.

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BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 34248]

**Dallas, Garland & Northeastern
Railroad, Inc.—Trackage Rights
Exemption—Dallas Area Rapid Transit**

Dallas, Garland & Northeastern
Railroad, Inc. (DGNO), has agreed to
acquire by assignment from Union
Pacific Railroad Company exclusive
trackage rights over Dallas Area Rapid
Transit's (DART) Elam Branch line
between approximately milepost 308.80
near Elam, TX, and approximately
milepost 314.84 near Briggs, TX, a total
distance of approximately 6.04 miles.¹

The transaction was scheduled to be
consummated on or shortly after August
30, 2002, the effective date of the
exemption (7 days after the exemption
was filed).

The purpose of the trackage rights is
to enable DGNO to provide freight rail
service on DART's rail line.

As a condition to this exemption, any
employees affected by the trackage
rights will be protected by the
conditions imposed in *Norfolk and
Western Ry. Co.—Trackage Rights—BN*,
354 I.C.C. 605 (1978), as modified in
*Mendocino Coast Ry., Inc.—Lease and
Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR
1180.2(d)(7). If it 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 transaction.

An original and 10 copies of all
pleadings, referring to STB Finance
Docket No. 34248, must be filed with
the Surface Transportation Board, 1925
K Street, NW., Washington, DC 20423-
0001. In addition, one copy of each

¹ An unredacted version of the Trackage Rights Agreement, as required by 49 CFR 1180.6(a)(7)(ii), was concurrently filed under seal along with the motion for a protective order. That motion was granted and a protective order was issued in a decision served on September 5, 2002.

pleading must be served on Gary
Laakso, Vice President Regulatory
Counsel, 5300 Broken Sound Blvd.,
NW., 2nd Floor, Boca Raton, FL 44487.

Board decisions and notices are
available on our Web site at
“www.stb.dot.gov.”

Decided: September 5, 2002.

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

Vernon A. Williams,

Secretary.

[FR Doc. 02-23093 Filed 9-11-02; 8:45 am]

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DEPARTMENT OF THE TREASURY**Customs Service**

**Fees for Customs Services at User Fee
Airports**

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: This document advises the
public of an increase in the fees charged
user fee airports by Customs for
providing Customs services at these
designated facilities. These fees are
based on actual costs incurred by
Customs in purchasing equipment and
providing training and one Customs
inspector on a full-time basis, and, thus,
merely represent reimbursement to
Customs for services rendered. The fees
to be increased are the initial fee
charged for a user fee airport's first year
after it signs a Memorandum of
Agreement with Customs to become a
user fee airport, and the annual fee
thereafter charged user fee airports.

EFFECTIVE DATE: The new fees will be
effective October 1, 2002, and will be
reflected in quarterly, user fee airport
billings issued on or after that date.

FOR FURTHER INFORMATION CONTACT:
Cynthia Sargent, Budget Division, Office
of Finance (202) 927-0609.

SUPPLEMENTARY INFORMATION:**Background**

Section 236 of the Trade and Tariff
Act of 1984 (Pub. L. 98-573, 98 Stat.
2992) (codified at 19 U.S.C. 58b), as
amended, authorizes the Secretary of
the Treasury to make Customs services
available at certain specified airports
and at any other airport, seaport, or
other facility designated by the
Secretary pursuant to specified criteria,
and to charge a fee for providing such
services. (The list of user fee airports
is found at § 122.15 of the Customs
Regulations (19 CFR 122.15).) The fee
that is charged is in an amount equal to
the expenses incurred by the Secretary

in providing Customs services at the
designated facility, which includes
purchasing equipment and providing
training and inspectional services, *i.e.*,
the salary and expenses of individuals
employed by the Secretary to provide
the Customs services. The fees being
raised are the initial fee charged a user
fee airport after it signs a Memorandum
of Agreement with Customs so that it
can begin operations (currently set at
\$118,000), and the annual fee
subsequently charged so that user fee
airports can continue to offer Customs
services at their facilities (currently set
at \$88,500). The notice announcing the
current user fee rates was published in
the **Federal Register** (66 FR 48739) on
September 21, 2001. The user fees
charged a user fee airport are typically
set forth in a Memorandum of
Agreement between the user fee facility
and Customs. While the amount of these
fees are agreed to be at flat rates, they
are periodically adjustable, as costs and
circumstances change.

Adjustment of User Fee Airport Fees

Customs has determined that, in order
for the user fee to fully reimburse
Customs for expenses incurred in
providing requested services, the initial
fee must be increased from \$118,000 to
\$129,125, and the recurring annual fee
subsequently charged must be increased
from \$88,500 to \$115,400. Since
inception, Headquarters has
administered the program through the
assignment of resources on a part time
basis. The Headquarters' costs have
been included in the fees. The program
has experienced significant growth and,
consequently, related costs for
providing Headquarters' administrative
services have increased to a level
necessary for Customs to dedicate a
permanent resource at Headquarters to
manage and administer the program on
a full time basis. The added resource
will enable Customs to more adequately
and efficiently manage the program. The
increase in the recurring annual fee
covers the increased costs. The new fees
will be effective October 1, 2002, and
will be reflected in quarterly, user fee
airport billings issued on or after that
date.

Dated: September 6, 2002.

Carol A. Dunham,

Acting Assistant Commissioner, Office of
Finance.

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