

radius of 955.0 feet, a distance of 390.76 feet to the Northeasterly 40 foot right of way as described in said Document Number 200009390; thence along said 40 foot right of way, North 46 degrees 05 minutes 15 seconds West along the line aforesaid, a distance of 288.78 feet to a point of curve; thence Northerly and continuing along said 40 foot right of way along a circular curve to the right having a radius of 260.00 feet, a distance of 351.96 feet to a point of tangent; thence continuing along said 40 foot right of way, North 31 degrees 28 minutes 25 seconds East along said tangent, a distance of 155.80 feet to the West 50 foot right of way per the plans aforesaid; thence Northeasterly along said 50 foot right of way on a non tangent circular curve to the right having a radius of 955.0 feet, a distance of 279.74 feet to the Northwesterly 40 foot right of way of the Indianapolis Road as described in the Document Number aforesaid, the chord of which bears North 14 degrees 47 minutes 42 seconds East, 278.74 feet; thence South 31 degrees 28 minutes 25 seconds West along said 40 foot right of way, a distance of 422.82 feet to a point of curve; thence Southerly and continuing on said 40 foot right of way along a circular curve to the left having a radius of 340.00 feet, a distance of 460.26 feet to a point of tangent; thence continuing along said 40 foot right of way South 46 degrees 05 minutes 15 seconds East, a distance of 580.05 feet to a point of curve; thence continuing along said 40 foot right of way on a circular curve to the left having a radius of 340.00 feet, a distance of 265.45 feet to the point of beginning, containing 2.5964 Acres of land, more or less.

Part of Parcel 6-4

Part of the North half of the Southeast Quarter of Section 6, Township 29 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the said southeast Quarter of Section 6, thence North 00 degrees 42 minutes 18 seconds West (bearing from Dalman Road Project INDOT STP-RS6602(4) and used for all subsequent bearings in this description) along the East line of the said Southeast Quarter of Section 6, said line being within the boundaries of the public highway known as Smith Road, a distance of 1326.91 feet to the Southeast corner of the said North half of the Southeast Quarter, thence South 88 degrees 59 minutes 17 seconds West (south 89 degrees 00 minutes 12 seconds West from Recorded Document #970038227 owner County of Allen, State of Indiana) along the South line of

the said North half of the Southeast Quarter a distance of 79.49 feet to the point of beginning, said point being on the Westerly right of way line of Smith Road relocated; thence continuing South 88 degrees 59 minutes 17 seconds West along the said South line of the North half of the Southeast Quarter a distance of 661.77 feet; thence North 00 degrees 42 minutes 18 seconds West and parallel with said East line of the Southeast Quarter a distance of 290.00 feet; thence North 88 degrees 59 minutes 17 seconds East and parallel with the said South line of the North half of the Southeast Quarter a distance of 518.05 feet to a point on the said Westerly right of way line of Smith Road relocated; thence South 35 degrees 31 minutes 41 seconds East along said right of way line a distance of 77.30 feet; thence South 27 degrees 48 minutes 13 seconds East along said Westerly right of way line a distance of 187.36 feet; thence South 14 degrees 16 minutes 14 seconds East along the said Westerly right of way line a distance of 60.67 feet to the point of beginning, containing 4.00 acres of land more or less.

Issued in Des Plaines, Illinois on August 24, 2004.

Philip M. Smithmeyer,

Manager, Chicago Airports District Office, FAA, Great Lakes Region.

[FR Doc. 04-20177 Filed 9-2-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Policy Statement No. ANE-2000-33.87-R3]

Policy for 14 CFR 33.87, Endurance Test

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of issuance; policy statement.

SUMMARY: The Federal Aviation Administration (FAA) announces the availability of policy for 14 CFR 33.87, Endurance test.

DATES: The FAA issued policy statement number ANE-2000-33.87-R3 on August 24, 2004.

FOR FURTHER INFORMATION CONTACT:

Karen Grant, FAA, Engine and Propeller Standards Staff, ANE-110, 12 New England Executive Park, Burlington, MA 01803; e-mail: karen.m.grant@faa.gov; telephone: (781) 238-7119; fax: (781) 238-7199. The policy statement is available on the Internet at the following address: <http://www.airweb.faa.gov/rgl>. If you do not have access to the Internet,

you may request a copy of the policy by contacting the individual listed in this section.

We have filed in the docket all comments we received, as well as a report summarizing each substantive public contact with FAA personnel concerning this policy. The docket is available for public inspection before and after the comment closing date. If you wish to review the docket in person, go to the above address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: The FAA published a notice in the **Federal Register** on February 25, 2003 (68 FR 8794) to announce the availability of the proposed policy and invite interested parties to comment.

Background

The FAA was asked to consider a 2-minute gas temperature overshoot limit approval within the 5-minute steady state gas temperature limit associated with the takeoff power or thrust rating established under § 33.7, for certain engine operating conditions. This policy provides additional guidance to establish a uniform approach for Aircraft Certification Offices (ACOs) to evaluate and approve up to a 2-minute gas temperature overshoot limit caused by thermal mismatch of engine hardware. This policy does not create any new requirements.

Authority: 49 U.S.C. 106(g), 40113, 44701-44702, 44704.

Issued in Burlington, Massachusetts, on August 24, 2004.

Robert Guyotte,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 04-20176 Filed 9-2-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-862X]

Twin State Railroad Company— Abandonment Exemption—in Caledonia and Essex Counties, VT

The Twin State Railroad Company (TSRR) has filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon approximately 20 route miles of rail line between milepost 0.057 in St. Johnsbury and Railroad Engineering Station 5503 at River Road (Town Road) in Lunenburg (Gilman), in Caledonia and

Essex Counties, VT.¹ The line traverses United States Postal Service ZIP Codes 05819, 05824, and 05906.

TSRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on October 6, 2004, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29 must be filed by September 13,

2004. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 23, 2004, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to TSRR's representative: David H. Anderson, Esq., 288 Littleton Road, Suite 21, Westford, MA 01886.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

TSRR has filed an environmental report which addresses the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by September 10, 2004. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. (Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.) Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), TSRR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by TSRR's filing of a notice of consummation by September 3, 2005, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: August 27, 2004. By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 04-20034 Filed 9-2-04; 8:45 am]

BILLING CODE 4915-01-P

ACTION: Notice.

This notice announces, pursuant to section 10(A)(2) of the Federal Advisory Committee Act (FACA) (Public Law 72-363; 5 U.S.C. app. 2), a meeting of the BTS Advisory Council on Transportation Statistics (ACTS). The meeting will be held on September 27, 2004, from 10 a.m. to 4 p.m. The meeting will take place at the U.S. Department of Transportation, 400 Seventh Street, SW., Washington DC, on the 3rd Floor, in Conference Room 3200 of the Nassif Building.

The ACTS, established under section 6007 of Public Law 102-240, Intermodal Surface Transportation Efficiency Act of 1991, December 18, 1991, and chartered on June 19, 1995, was created to advise the Director of BTS on transportation statistics and analyses, including whether or not the statistics and analysis disseminated by the BTS are of high quality and are based upon the best available objective information.

The following is a summary of the meeting's agenda: (1) Introductions and Opening Remarks; (2) Program Update; (3) General Discussion of the Research and Innovative Technology Administration (RITA) proposal; (4) Review of BTS response to TRB Special Report 277 (Measuring Personal Travel and Goods Movement); (5) Commodity Flow Survey; (6) National Household Travel Survey; (7) Update on BTS' Indexes; (8) General Discussion; and (9) Public Comments and Closing Remarks.

Since access to the DOT building is controlled, all persons who plan to attend the meeting must notify Ms. Phyllis Seville, the Committee Management Officer at (202) 366-9510 prior to September 24, 2004. Individuals attending the meeting must report to the SW Lobby of the Nassif Building for admission to the building. Attendance is open to the public, but limited space is available. With the approval of the Chair, members of the public may present oral statements at the meeting. Non-committee members wishing to present oral statements or obtain information should also contact Ms. Seville.

Questions about the agenda or written comments may be submitted by U.S. Mail to: U.S. Department of Transportation, BTS, Attention: Robert A. Monniere, Room 3103, 400 Seventh St., SW., Washington, DC 20590 or faxed to (202) 366-3640. BTS requests that written comments be submitted prior to the meeting.

Persons with a disability requiring special services, such as an interpreter for the hearing impaired, should contact Ms. Seville at (202) 366-9510 at least

¹ The subject line is a portion of TSRR's line that extends between St. Johnsbury, VT, and Whitefield, NH (TSRR line). TSRR notes that related to this matter is a line of railroad that is owned by the State of Vermont and was operated by Lamoille Valley Railroad Company (LVRC) that extends between Swanton, VT, and St. Johnsbury, VT (LVRC line). The TSRR line and the LVRC line connected at St. Johnsbury and comprised a continuous corridor from Swanton to Whitefield. The LVRC line was recently authorized for abandonment. See *Lamoille Valley Railroad Company—Abandonment and Discontinuance of Trackage Rights Exemption—in Caledonia, Washington, Orleans, Lamoille, and Franklin Counties, VT*, STB Docket No. AB-444 (Sub-No. 1X) (STB served Jan. 16, 2004).

² The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

³ Each OFA must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

DEPARTMENT OF TRANSPORTATION

Bureau of Transportation Statistics

Advisory Council on Transportation Statistics; Notice of Meeting

AGENCY: Bureau of Transportation Statistics (BTS), DOT.