

Issued in Washington, DC, on December 24, 2002.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

#### Dispositions of Petitions

*Docket No.:* FAA-2000-8176

*Petitioner:* Varig Engenharia e Manutenção S.A.

*Section of 14 CFR Affected:* 14 CFR 145.47(b)

*Description of Relief Sought/*

*Disposition:* To allow VARIG S.A. to use the calibration standards of the Instituto Nacional de Metrologia, Normalização e Qualidade Industrial instead of the calibration standards of the U.S. National Institute of Standards and Technology to test its inspection and test equipment. *Grant, 11/29/2002, Exemption No. 6552C*

*Docket No.:* FAA-2000-8178

*Petitioner:* Compoende Aeronáutica Ltda.

*Section of 14 CFR Affected:* 14 CFR 145.47(b)

*Description of Relief Sought/*

*Disposition:* To allow Compoende to use the calibration standards of the Instituto Nacional de Metrologia, Normalização e Qualidade Industrial in lieu of the calibration standards of the U.S. National Institute of Standards and Technology to test its inspection and test equipment. *Grant, 11/29/2002, Exemption No. 6550D*

*Docket No.:* FAA-2002-13021

*Petitioner:* Embraer Empresa Brasileira de Aeronáutica S.A.

*Section of 14 CFR Affected:* 14 CFR 25.901(c)

*Description of Relief Sought/*

*Disposition:* To allow type certification of the Model EMB-135BJ series airplanes with RR AE 3007A1E series engines and subsequent RR AE 3007A series engines without an exact showing of compliance with the requirements of § 25.901(c) as they relate to single failures resulting in uncontrollable high thrust conditions. *Grant, 12/12/2002, Exemption No. 7933*

[FR Doc. 02-33012 Filed 12-30-02; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

##### Surface Transportation Board

[STB Finance Docket No. 34289]

##### Chicago, Peoria & Western Railway Company—Acquisition Exemption—Rail Line of Corn Products International, Inc.

Chicago, Peoria & Western Railway Company (CPW), a noncarrier, has filed

a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 17 miles of railroad right-of-way and trackage, referred to as the Argo Facility trackage, at transloading and storage facilities owned by Corn Products International, Inc. (CPI) at Argo Facility, in Bedford Park and Summit, IL. CPI owns the Argo Facility trackage and currently performs switching over the subject tracks with its own train and crew, interchanging traffic at a rail yard connection with the Canadian National/Illinois Central at its west end, with the Indiana Harbor Belt Railroad at its northeast end, and with the Belt Railway Company of Chicago (BRC) at its southeast end. CPW, a subsidiary of CPI, states that the Argo Facility trackage would constitute its entire line of railroad<sup>1</sup> and that CPW would become the entity responsible for providing service to CPI over this trackage pursuant to an operating agreement entered into between CPW and CPI.

CPW certifies that its projected revenues will not exceed those that would qualify it as a Class III rail carrier.

CPW indicates that it expects to consummate the transaction on January 1, 2003.

If the 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 will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34289, must be filed with the Surface Transportation Board, 1925 K Street NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on David C. Dillon, Dillon & Nash, Ltd., 111 West Washington Street, Suite 719, Chicago, IL 60602.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: December 23, 2002.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 02-32934 Filed 12-30-02; 8:45 am]

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<sup>1</sup> CPW currently owns some 3,000 feet of trackage which provides the connection used by BRC to gain access to the Argo Facility trackage.

#### DEPARTMENT OF TRANSPORTATION

##### Surface Transportation Board

[STB Finance Docket No. 34286]

##### Fort Worth and Western Railroad Company, Inc.—Acquisition and Operation Exemption—Union Pacific Railroad Company

Fort Worth and Western Railroad Company, Inc. (FWWR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire and operate, through a supplemental lease agreement, approximately 6.92 miles of rail line from Union Pacific Railroad Company (UP). The rail line, known as the Everman Industrial Lead, extends from the clearance point near milepost 244.98 in UP's Ginnie Yard to the end of the line near milepost 251.90, including the Carter Industrial Park spur, in Fort Worth, TX. In addition, FWWR will acquire approximately .60 miles of non-exclusive incidental trackage rights accessing the Everman Industrial Lead over UP main lines, solely for the purpose of interchanging traffic between the parties through UP's Peach Yard in Fort Worth.<sup>1</sup> The incidental trackage rights extend: (1) From the connecting tracks of the northeast and southeast quadrant legs of the wye at Tower 55 off the Choctaw Subdivision in Fort Worth, to connections on both main lines on the Dallas Subdivision; and (2) from the crossover between mileposts 245.41 and 245.35 just west of Ginnie Yard, in order to access track in Ginnie Yard at milepost 245.2 to make a connection with the Everman Industrial Lead at milepost 244.98.

Because FWWR's projected annual revenues will exceed \$5 million, FWWR certified to the Board on December 6, 2002, that, on October 4, 2002, it had posted the required notice of intent to undertake the proposed transaction at the workplace of the employees on the affected line and had served a copy of the notice of intent on the national offices of all labor unions with employees on the rail line. *See* 49 CFR 1150.42(e). FWWR stated in its verified notice that the transaction was scheduled to be consummated on or after December 15, 2002.<sup>2</sup>

<sup>1</sup> The agreements supplement existing lease and trackage rights agreements between the parties involving UP's Peach Yard. *See Fort Worth and Western Railroad Company, Inc.—Acquisition and Operation Exemption—Union Pacific Railroad Company*, STB Finance Docket No. 34131 (STB served Nov. 15, 2001).

<sup>2</sup> Due to the timing of FWWR's certification to the Board, consummation under these circumstances would have had to be delayed until February 4, 2003 (60 days after FWWR's certification to the