

Issued in Washington, DC on February 17, 2005.

**Noble N. Bowie,**

*Associate Administrator for Planning, Evaluation, and Budget.*

[FR Doc. 05-3617 Filed 2-24-05; 8:45 am]

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By the Board, Chairman Nober, Vice Chairman Buttrey, and Commissioner Mulvey.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 05-3673 Filed 2-24-05; 8:45 am]

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Decided: February 16, 2005.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 05-3554 Filed 2-24-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 290 (Sub-No. 4)]

#### Railroad Cost Recovery Procedures—Productivity Adjustment

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Revision to proposed adoption of a Railroad Cost Recovery Procedures productivity adjustment.

**SUMMARY:** The Surface Transportation Board proposes to adopt 1.029 (2.9%) as the measure of average change in railroad productivity for the 1999–2003 (5-year) period. This proposal is a revision to the proposal published on February 2, 2005, at 70 FR 5509–10. The current value of 2.2% was developed for the 1998 to 2002 period.

**DATES:** Comments on the revised proposal are due February 25, 2005. *Effective Date:* The proposed productivity adjustment is effective March 31, 2005.

**ADDRESSES:** Send comments (an original and 10 copies) referring to STB Ex Parte No. 290 (Sub-No. 4) to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** H. Jeff Warren, (202) 565-1533. Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.

#### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision, which is available on our Web site <http://www.stb.dot.gov>. To purchase a copy of the full decision, write to, e-mail or call the Board's contractor, ASAP Document Solutions; 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail [asapdc@verizon.net](mailto:asapdc@verizon.net); phone (202) 306-4004. (Assistance for the hearing impaired is available through FIRS: 1-800-877-8339.)

This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: February 18, 2005.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34663]

#### BNSF Railway Company—Temporary Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company (UP) has agreed to grant limited temporary overhead trackage rights to BNSF Railway Company (BNSF) over UP's line between Valley Junction, IL, at UP milepost 0.00 and Rockview Junction, MO, at UP milepost 131.3, a distance of approximately 131.3 miles.

The transaction was scheduled to be consummated on February 14, 2005, and the temporary trackage rights are intended to expire on May 13, 2005. The purpose of the temporary trackage rights is to allow BNSF to bridge its train service while its main lines are out of service due to programmed track, roadbed, and structural maintenance.

As a condition to this exemption, any employee affected by the acquisition of the temporary 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), and any employee affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line R. Co.—Abandonment-Goshen*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). 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. 34663, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Michael E. Roper, 2500 Lou Menk Drive, PO Box 961039, Fort Worth, TX 76161-0039.

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

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

February 17, 2005.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before March 28, 2005.

#### Alcohol and Tobacco Tax and Trade Bureau (TTB)

*OMB Number:* 1513-0062.

*Form Number:* TTB REC 5150/1.

*Type of Review:* Extension.

*Title:* Usual and Customary Business Records Relating to Denatured Spirits.

*Description:* Denatured Spirits are used for nonbeverage industrial purposes in the manufacture of personal household products. Records ensure spirits accountability. Tax revenue and public safety are protected.

*Respondents:* Business of other for-profit, State, Local or Tribal Government.

*Estimated Number of Recordkeepers:* 3,111.

*Estimated Burden Hours Per Recordkeeper:* 0 hours.

*Frequency of Response:* On occasion.

*Estimated Total Recordkeeping Burden:* 1 hour.

*OMB Number:* 1513-0069.

*Form Number:* TTB REC 5210/6.

*Type of Review:* Extension.

*Title:* Tobacco Products Manufacturers—Supporting Records for Removals for the Use of the United States.

*Description:* Used by tobacco products manufacturers to record removals of tobacco products for use of the United States. Used by TTB to verify that