

**ADDRESSES:** An original and 10 copies of all pleadings referring to STB Finance Docket No. 34082 (Sub-No. 1) 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, a copy of all pleadings must be served on petitioner's representative Robert T. Opal, Esq., Union Pacific Railroad Company, 1416 Dodge Street, Room 830, Omaha, NE 68179.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600. (TDD for the hearing impaired: 1 (800) 877-8339.)

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dã 2 Dã Legal, Suite 405, 1925 K Street, NW., Washington, DC 20006. Telephone: (202) 293-7776. (Assistance for the hearing impaired is available through TDD services 1 (800) 877-8339.)

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

Decided: September 5, 2001.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 01-23021 Filed 9-13-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34074]

#### **RailAmerica, Inc., RailAmerica Transportation Corporation, and Otter Tail Valley Railroad Company—Corporate Family Transaction Exemption**

RailAmerica, Inc. (RailAmerica),<sup>1</sup> RailAmerica Transportation Corporation (RailAmerica Transportation), and Otter Tail Valley Railroad Company (OTVR), have jointly filed a verified notice of exemption. As part of a proposed corporate restructuring, the direct control of OTVR, a Class III rail carrier, will be transferred from Dakota Rail Inc. (Dakota) to RailAmerica Transportation, through the transfer of the stock of OTVR from Dakota to RailAmerica Transportation. See *RailAmerica, Inc.—Acquisition of Control Exemption—*

*Otter Tail Valley Company, Inc.*, STB Finance Docket No. 33138 (STB served Oct. 25, 1996) and *Dakota Rail, Inc.—Acquisition of Control Exemption—Otter Tail Valley Railroad Company, Inc.*, STB Finance Docket No. 33133 (STB served Oct. 25, 1996).<sup>2</sup>

The transaction was scheduled to be consummated on or shortly after August 24, 2001, the effective date of the exemption.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties stated that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family. The proposed transaction is a reorganization within the RailAmerica corporate family geared toward increasing equity and reducing long-term debt through asset rationalizations, sale/leasebacks and equity infusions.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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. 34074 must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Louis E. Gitomer, Ball Janik LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

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

Decided: September 6, 2001.

<sup>2</sup> Dakota directly controls and owns 100 percent of the stock of OTVR. OTVR is one of RailAmerica's subsidiaries, which operates 72 miles of railroad in Minnesota. RailAmerica Transportation is a wholly owned noncarrier subsidiary of RailAmerica and an affiliate of the 28 railroads based in the United States that are controlled by RailAmerica.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 01-23022 Filed 9-13-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

[Docket No. 929; ATF O 1130.13]

#### **Delegation Order—Delegation of the Director's Authorities**

To: All Bureau Supervisors.

1. *Purpose.* This order delegates certain authorities of the Director to subordinate ATF officers and prescribes the subordinate ATF officers with whom persons file documents which are not ATF forms.

2. *Cancellation.* ATF O 1100.96A, Delegation Order—Delegation to the Associate Director (Compliance Operations) of Authorities of the Director in 27 CFR part 18, Volatile Fruit-Flavor Concentrates, dated August 14, 1984, is canceled.

3. *Background.* Under current regulations, the Director has authority to take final action on matters relating to drawback on taxpaid distilled spirits used in manufacturing nonbeverage products and the production of volatile fruit-flavor concentrate. We have determined that certain of these authorities should, in the interest of efficiency, be delegated to a lower organizational level.

4. *Delegations.* Under the authority vested in the Director, Bureau of Alcohol, Tobacco and Firearms, by Treasury Order No. 120-1 (formerly 221), dated June 6, 1972, and by 26 CFR 301.7701-9, this ATF order delegates certain authorities to take final action prescribed in 27 CFR parts 17 and 18 to subordinate officials. Also, this ATF order prescribes the subordinate officials with whom applications, notices, and reports required by 27 CFR parts 17 and 18, which are not ATF forms, are filed. The following table identifies the regulatory sections, authorities and documents to be filed, and the authorized ATF officials. The authorities in the table may not be redelegated. An ATF organization chart showing the directorates involved in this delegation order has been attached.

5. *Questions.* If you have questions about this ATF order, contact the Regulations Division (202-927-8210).

**Bradley A. Buckles,**  
Director.

<sup>1</sup> RailAmerica is a noncarrier, which at time of filing, indirectly controlled 28 Class III railroads operating in 23 states.

Regulatory section	Officer(s) authorized to act or receive document
§ 17.3(a) .....	Chief, Regulations Division. If the alternate method does not affect an ATF approved formula, or import or export recordkeeping, Chief, National Revenue Center (NRC) may act upon the same alternate method that has been approved by the Chief, Regulations Division.
§ 17.3(b) .....	Chief, Regulations Division, or Chief, NRC.
§ 17.3(c) .....	Chief, Regulations Division. If the alternate method does not affect an ATF approved formula, or import or export recordkeeping, Chief, National Revenue Center (NRC) may act upon the same alternate method that has been approved by the Chief, Regulations Division.
§ 17.6 .....	Chief, Regulations Division, Unit Supervisor, NRC, or Chief, Nonbeverage Products Section.
§ 17.54 .....	Specialist or Clerk, NRC.
§ 17.55 .....	Inspector, Special Agent, or Specialist.
§ 17.101 .....	For persons filing in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.107 .....	For approval of bonds in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.108(c) .....	Area Supervisor, Chief, Puerto Rico Operations, or Unit Supervisor, NRC.
§ 17.111 .....	For bonds in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.112 .....	For bonds in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.113 .....	For bonds in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.114 .....	For bonds in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.121(d) .....	Inspector, Special Agent, Specialist, or Chemist, Alcohol and Tobacco Laboratory.
§ 17.122 .....	Chemist, Nonbeverage Products Section.
§ 17.125(a) and (b) .....	For persons filing in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.131 .....	Chemist, Nonbeverage Products Section.
§ 17.134 .....	Chemist, Nonbeverage Products Section.
§ 17.141 .....	For persons filing in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.142(a) .....	For persons filing in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC, with whom a claim is filed, and Section Chief, NRC, to take final action on claims of more than \$5,000, or Unit Supervisor, NRC, to take final action on claims of \$5,000 or less.
§ 17.143 .....	For persons filing in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.147(a) .....	For persons filing in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.161 .....	Inspector, Special Agent, Specialist, or Chemist, Alcohol and Tobacco Laboratory.
§ 17.166(c) .....	Director of Industry Operations.
§ 17.167(b) .....	Area Supervisor or Chief, Puerto Rico Operations.
§ 17.168(a) .....	For persons filing in Puerto Rico, Chief, Puerto Rico Operations; otherwise, Unit Supervisor, NRC.
§ 17.170 .....	Director of Industry Operations.
§ 17.171 .....	Inspector, Special Agent, Specialist, or Chemist, Alcohol and Tobacco Laboratory.
§ 17.182 .....	Inspector, Special Agent, Specialist, or Chemist, Alcohol and Tobacco Laboratory.
§ 17.183(a) .....	Area Supervisor or Chief, Puerto Rico Operations, for filing notice and to impose specific conditions for destruction. Inspector, Special Agent, Specialist, or Chemist, Alcohol and Tobacco Laboratory to witness destruction.
§ 17.183(b) .....	Chemist, Nonbeverage Products Section, to approve proposed material. Director of Industry Operations to approve method of destruction.
§ 18.13 .....	Chief, Regulations Division.
§ 18.14(a) .....	Director of Industry Operations.
§ 18.14(b) .....	Area Supervisor.
§ 18.15 .....	Inspector, Special Agent, or Specialist.
§ 18.16(a) .....	Chief, Regulations Branch.
§ 18.17 .....	Inspector, Special Agent, or Specialist.
§ 18.19 .....	Inspector, Special Agent, or Specialist.
§ 18.22(b) .....	Unit Supervisor, NRC.
§ 18.24 .....	Section Chief, NRC.
§ 18.27(a)(1) .....	Area Supervisor or Unit Supervisor, NRC.
§ 18.27(a)(2), (3) and (4) .....	Area Supervisor.
§ 18.39 .....	Unit Supervisor, NRC.
§ 18.40 .....	Unit Supervisor, NRC.
§ 18.41 .....	Area Supervisor.
§ 18.52(b) .....	Chemist, Nonbeverage Products Section.
§ 18.61(a) and (b) .....	Inspector, Special Agent, or Specialist.

ATF O 1130.13

## ATF Organization

