

**ADDRESSES:** You may send comments identified by Docket Number FAA–2010–0496 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202–493–2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide.

Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, *etc.*). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mark Forseth, ANM–113, (425) 227–2796, Federal Aviation Administration, 1601 Lind Avenue, SW., Renton, WA 98057–3356, or Katherine Haley, (202) 493–5708, Office of Rulemaking (ARM–203), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on September 17, 2010.

**Dennis Pratte,**

*Acting Director, Office of Rulemaking.*

### Petition for Exemption

*Docket No.:* FAA–2010–0496.

*Petitioner:* The Boeing Company.

### Section of 14 CFR Affected

14 CFR part 25, Appendix K, § K25.1.4(a)(3).

### Description of Relief Sought

The comment period for the Summary of Petition Received published on September 1, 2010 (75 FR 53736) and closes on September 21, 2010. The FAA temporarily removed the petition from the docket due to proprietary content.

This notice reopens the comment period.

[FR Doc. 2010–23812 Filed 9–22–10; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. EP 290 (Sub-No. 5) (2010–4)]

#### Quarterly Rail Cost Adjustment Factor

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

**ACTION:** Approval of rail cost adjustment factor.

**SUMMARY:** The Board has approved the fourth quarter 2010 Rail Cost Adjustment Factor (RCAF) and cost index filed by the Association of American Railroads. The fourth quarter 2010 RCAF (Unadjusted) is 1.104. The fourth quarter 2010 RCAF (Adjusted) is 0.494. The fourth quarter 2010 RCAF–5 is 0.468.

**DATES:** *Effective Date:* October 1, 2010.

**FOR FURTHER INFORMATION CONTACT:** Pedro Ramirez, (202) 245–0333. Federal Information Relay Service (FIRS) for the hearing impaired: (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>. Copies of the decision may be purchased by contacting the office of Public Assistance, Governmental Affairs, and Compliance at (202) 245–0235. Assistance for the hearing impaired is available through FIRS at (800) 877–8339.

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

Decided: September 20, 2010.

By the Board, Chairman Elliot, Vice Chairman Mulvey, and Commissioner Nottingham.

**Kulunie L. Cannon,**

*Clearance Clerk.*

[FR Doc. 2010–23814 Filed 9–22–10; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent to Rule on Request to Release Airport Property at the Kearney Municipal Airport, Kearney, NE

**AGENCY:** Federal Aviation Administration, (FAA), DOT.

**ACTION:** Notice of Request to Release Airport Property.

**SUMMARY:** The FAA proposes to rule and invites public comment on the release of land at the Keamey Municipal Airport under the provisions of Section 125 of the Wendell H. Ford Aviation Investment Reform Act for the 21st Century (AIR 21).

**DATES:** Comments must be received on or before October 25, 2010.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Federal Aviation Administration, Central Region, Airports Division, 901 Locust, Kansas City, Missouri 64106–2325.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Michael J. Tye, City Attorney, City of Kearney, 1419 Central Avenue, P.O. Box 636, Kearney, NE. 68848–0636.

#### FOR FURTHER INFORMATION CONTACT:

Nicoletta Oliver, Airports Compliance Specialist, FAA, Central Region, 901 Locust, Kansas City, MO 64106–2325, (816) 329–2642. The request to release property may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the request to release property at the Kearney Municipal Airport under the provisions of AIR21.

On September 9, 2010, the FAA determined that the request to release property at the Kearney Municipal Airport, submitted by the City of Kearney, met the procedural requirements of the Federal Aviation Administration. The FAA will approve or disapprove the request, in whole or in part, no later than November 9, 2010.

*The following is a brief overview of the request:* The City of Kearney requests the release of approximately 7.09 acres of airport property, as well as structures located on this property. The land is currently not being used for aeronautical purposes. The purpose of this release is to sell the land to Delux Manufacturing Co. Inc. for use as a manufacturing facility.

Any person may inspect the request in person at the FAA office listed above