



# FEDERAL REGISTER

---

Vol. 76                      Monday,  
No. 108                     June 6, 2011

Pages 32313–32850

OFFICE OF THE FEDERAL REGISTER



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see [www.ofr.gov](http://www.ofr.gov).

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge at [www.fdsys.gov](http://www.fdsys.gov), a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6:00 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, 1 (January 2, 1994) forward. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202-512-1800 or 866-512-1800 (toll free). E-mail, [gpo@custhelp.com](mailto:gpo@custhelp.com).

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Printing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see [bookstore.gpo.gov](http://bookstore.gpo.gov).

There are no restrictions on the republication of material appearing in the **Federal Register**.

**How To Cite This Publication:** Use the volume number and the page number. Example: 76 FR 12345.

**Postmaster:** Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington, DC 20402, along with the entire mailing label from the last issue received.

## SUBSCRIPTIONS AND COPIES

### PUBLIC

#### Subscriptions:

Paper or fiche 202-512-1800  
Assistance with public subscriptions 202-512-1806

**General online information** 202-512-1530; 1-888-293-6498

#### Single copies/back copies:

Paper or fiche 202-512-1800  
Assistance with public single copies 1-866-512-1800  
(Toll-Free)

### FEDERAL AGENCIES

#### Subscriptions:

Paper or fiche 202-741-6005  
Assistance with Federal agency subscriptions 202-741-6005

### FEDERAL REGISTER WORKSHOP

#### THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

**FOR:** Any person who uses the Federal Register and Code of Federal Regulations.

**WHO:** Sponsored by the Office of the Federal Register.

**WHAT:** Free public briefings (approximately 3 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

**WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

**WHEN:** Tuesday, June 14, 2011  
9 a.m.-12:30 p.m.

**WHERE:** Office of the Federal Register  
Conference Room, Suite 700  
800 North Capitol Street, NW.  
Washington, DC 20002

**RESERVATIONS:** (202) 741-6008



# Contents

Federal Register

Vol. 76, No. 108

Monday, June 6, 2011

## Agriculture Department

See Rural Business-Cooperative Service

See Rural Utilities Service

## Broadcasting Board of Governors

### NOTICES

Privacy Act; Systems of Records, 32355–32357

## Centers for Medicare & Medicaid Services

### RULES

Medicaid Programs:

Payment Adjustment for Provider Preventable Conditions Including Health Care Acquired Conditions, 32816–32838

### PROPOSED RULES

Medicare Program:

Five Year Review of Work Relative Value Units Under the Physician Fee Schedule, 32410–32813

## Coast Guard

### RULES

Limited Service Domestic Voyage Load Lines for River

Barges on Lake Michigan, 32323–32327

Regattas and Marine Parades:

Great Lakes Annual Marine Events, 32313

Safety Zones:

Chelsea St. Bridge Demolition, Chelsea River, Chelsea, MA, 32313–32316

## Commerce Department

See International Trade Administration

## Community Development Financial Institutions Fund

### NOTICES

New Markets Tax Credit Program; Allocation Availability, 32392–32403

## Comptroller of the Currency

### PROPOSED RULES

Office of Thrift Supervision Integration; Dodd-Frank Act Implementation; Correction, 32332

## Copyright Office, Library of Congress

### RULES

Gap in Termination Provisions, 32316–32321

## Defense Acquisition Regulations System

### RULES

Defense Federal Acquisition Regulation Supplements:

Agency Office of Inspector General, 32840–32841

Fire-Resistant Fiber for Production of Military Uniforms, 32843–32844

Foreign Acquisition Amendments, 32841–32843

### PROPOSED RULES

Defense Federal Acquisition Regulation Supplements:

Definition of Qualifying Country End Product, 32845–32846

Representation Relating to Compensation of Former DoD Officials, 32846–32849

## Defense Department

See Defense Acquisition Regulations System

See Navy Department

### PROPOSED RULES

Reducing Regulatory Burden; Retrospective Review Under E.O. 13563, 32330

### NOTICES

Meetings:

Advisory Council on Dependents Education, 32358

Defense Department Advisory Committee on Women in the Services, 32358–32359

## Election Assistance Commission

### NOTICES

Meetings; Sunshine Act, 32359–32360

## Environmental Protection Agency

### RULES

Approvals and Promulgations of Air Quality

Implementation Plans:

Pennsylvania; Revision to Inspection and Maintenance Program—Quality Assurance Protocol, etc., 32321–32323

### PROPOSED RULES

Approvals and Promulgations of Air Quality

Implementation Plans:

Pennsylvania; Revision to Inspection and Maintenance Program—Quality Assurance Protocol, etc., 32333

Approvals and Promulgations of State Implementation Plans:

Texas; Revisions to New Source Review; Permit Renewals, 32333–32340

### NOTICES

Proposed CERCLA Administrative De Minimis Settlements: Casmalia Disposal Site, 32360

## Executive Office of the President

See Management and Budget Office

## Farm Credit Administration

### NOTICES

Meetings; Sunshine Act, 32360

## Federal Communications Commission

### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 32360–32361

## Federal Deposit Insurance Corporation

### NOTICES

Updated Listing of Financial Institutions in Liquidation, 32361

## Federal Emergency Management Agency

### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Integrated Public Alert and Warning Systems Inventory, 32367–32368

Emergency and Related Determinations:

Mississippi, 32368–32369

Tennessee, 32369

Emergency Declarations:

North Dakota; Amendment No. 4, 32369–32370

**Major Disaster Declarations:**

Arkansas; Amendment No. 4, 32371  
 Kentucky; Amendment No. 7, 32370  
 Kentucky; Amendment No. 8, 32370  
 Minnesota; Amendment No. 1, 32372  
 Minnesota; Amendment No. 2, 32371–32372  
 Tennessee; Amendment No. 1, 32371  
 Tennessee; Amendment No. 2, 32370–32371

**Federal Motor Carrier Safety Administration****RULES**

## Regulatory Guidance:

Designation of Steerable Rear Axle Operators (Tillermen)  
 as Drivers of Commercial Motor Vehicles, 32327–  
 32329

**NOTICES**

Agency Information Collection Activities; Proposals,  
 Submissions, and Approvals:  
 Hours of Service of Drivers Regulations, 32388–32390  
 Meetings:  
 Motor Carrier Safety Advisory Committee, 32390–32391

**Federal Railroad Administration****NOTICES**

Meetings:  
 Northeast Corridor Safety Committee, 32391

**Federal Reserve System****NOTICES**

Changes in Bank Control:  
 Acquisitions of Shares of a Bank or Bank Holding  
 Company, 32361–32362  
 Formations of, Acquisitions by, and Mergers of Bank  
 Holding Companies, 32362

**Food and Drug Administration****PROPOSED RULES**

Filings of Food Additive Petitions; Animal Use:  
 BASF Corp.; Methyl Esters of Conjugated Linoleic Acid;  
 Silicon Dioxide, 32332–32333

**NOTICES**

Agency Information Collection Activities; Proposals,  
 Submissions, and Approvals:  
 Reports and Records Under Prescription Drug Marketing  
 Act of 1987, 32362–32364  
 Collaboration in Regulatory Science and Capacity To  
 Advance Global Access to Safe Vaccines and  
 Biologicals, 32364–32366  
 Determination That Product Was Not Withdrawn From Sale  
 for Reasons of Safety or Effectiveness:  
 ORLAAM (Levomethadyl Acetate Hydrochloride) Oral  
 Solution, 10 Milligrams/Milliliter, 32366–32367  
 Draft Guidance for Industry; Availability:  
 Financial Disclosure by Clinical Investigators; Correction,  
 32367

**General Services Administration****PROPOSED RULES**

Federal Travel Regulations:  
 Temporary Duty Travel Allowances (Taxes); Relocation  
 Allowances (Taxes), 32340–32354

**Health and Human Services Department**

See Centers for Medicare & Medicaid Services  
 See Food and Drug Administration

**PROPOSED RULES**

Reducing Regulatory Burden; Retrospective Review under  
 Executive Order 13563, 32330–32331

**Homeland Security Department**

See Coast Guard  
 See Federal Emergency Management Agency

**PROPOSED RULES**

Retrospective Review under E.O. 13563:  
 Preliminary Plan, 32331–32332

**Internal Revenue Service****NOTICES**

Agency Information Collection Activities; Proposals,  
 Submissions, and Approvals, 32403–32408

**International Trade Administration****NOTICES**

Extension of Time Limit for Preliminary Results of  
 Antidumping Duty Administrative Review:  
 Freshwater Crawfish Tail Meat From the People's  
 Republic of China, 32357–32358

**International Trade Commission****NOTICES**

Complaints, 32372–32373  
 Investigations:  
 Certain Electronic Devices Having a Digital Television  
 Receiver and Components Thereof, 32373–32374

**Labor Department**

See Occupational Safety and Health Administration

**Library of Congress**

See Copyright Office, Library of Congress

**Management and Budget Office****NOTICES**

Agency Information Collection Activities; Proposals,  
 Submissions, and Approvals:  
 Partnership Fund for Program Integrity Innovation Pilot  
 Idea Template, 32375–32377  
 Audits of States, Local Governments, and Non-Profit  
 Organizations:  
 OMB Circular A–133 Compliance Supplement, 32377–  
 32378

**National Highway Traffic Safety Administration****NOTICES**

Petitions for Decision that Nonconforming Vehicles  
 Manufactured for the Mexican Market Are Eligible for  
 Importation:  
 2007 Dodge Durango Multipurpose Passenger, 32391–  
 32392

**National Science Foundation****NOTICES**

Agency Information Collection Activities; Proposals,  
 Submissions, and Approvals, 32378–32379

**Navy Department****NOTICES**

Privacy Act; Systems of Records, 32359

**Nuclear Regulatory Commission****NOTICES**

Agency Information Collection Activities; Proposals,  
 Submissions, and Approvals, 32379–32380

**Occupational Safety and Health Administration****NOTICES**

## Meetings:

National Advisory Committee on Occupational Safety and Health, 32374–32375

**Office of Management and Budget**

See Management and Budget Office

**Rural Business-Cooperative Service****NOTICES**

## Funds Availability:

Biorefinery Assistance Program, 32355

**Rural Utilities Service****NOTICES**

## Funds Availability:

Biorefinery Assistance Program, 32355

**Securities and Exchange Commission****NOTICES**

Agency Information Collection Activities; Proposals,

Submissions, and Approvals, 32380–32381

Self-Regulatory Organizations; Proposed Rule Changes:

International Securities Exchange, LLC, 32382–32383

NASDAQ OMX BX, 32383–32385

NASDAQ OMX PHLX LLC, 32385–32387

**Small Business Administration****NOTICES**

## Disaster Declarations:

Kentucky; Amendment 2, 32387

Kentucky; Amendment 4, 32387–32388

Minnesota; Amendment 1, 32388

Tennessee; Amendment 1, 32387

**State Department****NOTICES**

Determination and Waiver Relating to Assistance for the Independent States of the Former Soviet Union, 32388

Waiver of Restriction on Assistance to Central Government of Dominican Republic, 32388

**Transportation Department**

See Federal Motor Carrier Safety Administration

See Federal Railroad Administration

See National Highway Traffic Safety Administration

**Treasury Department**

See Community Development Financial Institutions Fund

See Comptroller of the Currency

See Internal Revenue Service

**Separate Parts In This Issue****Part II**

Health and Human Services Department, Centers for Medicare & Medicaid Services, 32410–32813

**Part III**

Health and Human Services Department, Centers for Medicare & Medicaid Services, 32816–32838

**Part IV**

Defense Department, Defense Acquisition Regulations System, 32840–32849

**Reader Aids**

Consult the Reader Aids section at the end of this page for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

**CFR PARTS AFFECTED IN THIS ISSUE**

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

<b>2 CFR</b>	V .....	32330
<b>Proposed Rules:</b>	414 .....	32410
Ch. XI .....		32330
<b>5 CFR</b>	<b>44 CFR</b>	
<b>Proposed Rules:</b>	<b>Proposed Rules:</b>	
Ch. XLV .....	Ch. I .....	32331
Ch. XXVI .....		
	<b>45 CFR</b>	
<b>6 CFR</b>	<b>Proposed Rules:</b>	
<b>Proposed Rules:</b>	Ch. II .....	32330
Ch. I .....	III .....	32330
	IV .....	32330
<b>8 CFR</b>	X .....	32330
<b>Proposed Rules:</b>	XIII .....	32330
Ch. I .....		
	<b>46 CFR</b>	
<b>12 CFR</b>	45 .....	32323
<b>Proposed Rules:</b>	<b>Proposed Rules:</b>	
4 .....	Ch. I .....	32331
5 .....	III .....	32331
7 .....		
8 .....	<b>48 CFR</b>	
28 .....	203 .....	32840
34 .....	225 (2 documents) .....	32841,
		32843
<b>19 CFR</b>	252 (2 documents) .....	32840,
<b>Proposed Rules:</b>		32841
Ch. I .....	<b>Proposed Rules:</b>	
	Ch. 1 .....	32330
<b>21 CFR</b>	2 .....	32330
<b>Proposed Rules:</b>	52 .....	32330
Ch. I .....	54 .....	32330
573 .....	203 .....	32846
	204 .....	32846
<b>25 CFR</b>	252 (2 documents) .....	32845,
<b>Proposed Rules:</b>		32846
Ch. V .....		
	<b>49 CFR</b>	
<b>32 CFR</b>	383 .....	32327
<b>Proposed Rules:</b>	390 .....	32327
Ch. I .....	<b>Proposed Rules:</b>	
Ch. V .....	Ch. XII .....	32331
Ch. VI .....		
Ch. VII .....		
Ch. XII .....		
	<b>33 CFR</b>	
<b>33 CFR</b>	100 .....	32313
100 .....	165 .....	32313
165 .....	<b>Proposed Rules:</b>	
<b>Proposed Rules:</b>	Ch. I .....	32331
Ch. I .....	Ch. II .....	32330
<b>36 CFR</b>		
<b>Proposed Rules:</b>		
Ch. III .....		32330
<b>37 CFR</b>		
201 .....		32316
<b>40 CFR</b>		
52 .....		32321
<b>Proposed Rules:</b>		
Ch. VII .....		32330
52 (2 documents) .....		32333
<b>41 CFR</b>		
<b>Proposed Rules:</b>		
301-11 .....		32340
302-2 .....		32340
302-3 .....		32340
302-17 .....		32340
<b>42 CFR</b>		
434 .....		32816
438 .....		32816
447 .....		32816
<b>Proposed Rules:</b>		
Ch. I .....		32330