



# FEDERAL REGISTER

---

Vol. 76                      Friday,  
No. 131                     July 8, 2011

Pages 40215–40590

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



# Contents

Federal Register

Vol. 76, No. 131

Friday, July 8, 2011

## Agriculture Department

*See* Forest Service

## Army Department

### NOTICES

Privacy Act; Systems of Records, 40343–40345

## Blind or Severely Disabled, Committee for Purchase From People Who Are

*See* Committee for Purchase From People Who Are Blind or Severely Disabled

## Centers for Medicare & Medicaid Services

### PROPOSED RULES

Medicare Program:

Changes to End-Stage Renal Disease Prospective Payment System for CY 2012, etc., 40498–40550

### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40369–40371

## Children and Families Administration

### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40371–40374

## Coast Guard

### RULES

Drawbridge Operation Regulations:

Harlem River, New York City, NY, 40234–40237

Illinois Waterway, near Morris, IL, 40237

## Commerce Department

*See* International Trade Administration

*See* National Oceanic and Atmospheric Administration

*See* Patent and Trademark Office

### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40324

## Committee for Purchase From People Who Are Blind or Severely Disabled

### NOTICES

Procurement List; Additions and Deletions, 40341–40342

Procurement List; Proposed Additions and Deletions, 40342–40343

## Defense Department

*See* Army Department

*See* Navy Department

### NOTICES

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

Federal Acquisition Regulation; Buy American Act—Construction, 40367–40368

Federal Acquisition Regulation; Duty-Free Entry, 40367

Federal Acquisition Regulation; Environmentally Sound Products, 40368–40369

## Drug Enforcement Administration

### PROPOSED RULES

Denial of Petition to Reschedule Marijuana, 40552–40589

## Employment and Training Administration

### NOTICES

Affirmative Determinations Regarding Applications for Reconsideration:

Sony Music Holdings, Inc., et al., Pitman, NJ, 40400

Determinations Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance, 40400–40402

Negative Determinations on Reconsideration:

Matthews International Corp., Kingwood, WV, 40402–40403

Revised Determinations on Reconsideration:

Pisgah Yarn and Dyeing Company, Old Fort, NC, 40403

## Energy Department

*See* Federal Energy Regulatory Commission

*See* National Nuclear Security Administration

*See* Western Area Power Administration

### PROPOSED RULES

Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment:

Determination of Set-Top Boxes and Network Equipment as a Covered Consumer Product, 40285–40286

## Environmental Protection Agency

### RULES

Approvals and Disapprovals and Promulgations of Air Quality Implementation Plans:

Montana; Revisions to Administrative Rules of Montana – Air Quality, 40237–40242

Approvals and Promulgations of Air Quality

Implementation Plans:

Indiana; Modifications to Indiana Prevention of Significant Deterioration and Non-attainment New Source Review Rules, 40242–40246

Ohio; Control of Gasoline Volatility; Correction, 40246–40248

Approvals and Promulgations of Implementation Plans:

Connecticut, Maine, New Hampshire and Rhode Island; Infrastructure SIPs for 1997 8-Hour Ozone National Ambient Air Quality Standards, 40248–40258

Nebraska, 40258–40262

Determinations of Attainment, Approvals and

Promulgations of Air Quality Implementation Plans:

Indiana; Correction, 40262–40263

### PROPOSED RULES

Approvals and Promulgations of Air Quality

Implementation Plans:

Indiana; Modifications to Indiana Prevention of Significant Deterioration and Non-attainment New Source Review Rules, 40303

State Implementation Plans; Revisions:

California; South Coast Air Quality Management District, 40303–40306

### NOTICES

Environmental Impact Statements; Availability, etc.:

Weekly Receipt, 40354–40355

Meetings:

Science Advisory Board Panel for Review of Great Lakes Restoration Initiative Action Plan, 40355

Modification to 2008 National Pollutant Discharge Elimination System:  
 General Permit for Stormwater Discharges Associated with Construction Activities, 40355–40359  
 Product Cancellation Order for Certain Pesticide Registrations, 40359–40365

### Executive Office of the President

See Presidential Documents

### Federal Aviation Administration

#### RULES

Airworthiness Directives:

Rolls-Royce plc RB211–524 Series Turbofan Engines, 40217–40219

Turbomeca S.A. ARRIEL 2B and 2B1 Turboshaft Engines, 40222–40223

Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engine, 40219–40222

#### PROPOSED RULES

Airworthiness Directives:

Boeing Co. Model MD 90–30 Airplanes, 40288–40291

Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–505 Airplanes, 40286–40288

Learjet Inc. Model 45 Airplanes, 40291–40293

Amendment of Class D and Modification of Class E

Airspace:

Grand Junction, CO, 40293–40295

Amendments of Class E Airspaces:

Tonopah, NV, 40295–40296

#### NOTICES

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

Dealer's Aircraft Registration Certificate Application, 40420

### Federal Communications Commission

#### RULES

Commercial Availability of Navigation Devices:

Compatibility between Cable Systems and Consumer Electronics Equipment, 40263–40280

### Federal Deposit Insurance Corporation

#### NOTICES

Meetings; Sunshine Act, 40365

### Federal Energy Regulatory Commission

#### NOTICES

Combined Filings, 40345–40352

### Federal Maritime Commission

#### NOTICES

Meetings; Sunshine Act, 40365

### Federal Motor Carrier Safety Administration

#### PROPOSED RULES

Harmonizing Schedule I Drug Requirements, 40306–40320

#### NOTICES

Pilot Program on the North American Free Trade

Agreement Long-Haul Trucking Provisions, 40420–40439

Qualification of Drivers; Exemption Applications; Diabetes Mellitus, 40439–40443

Qualification of Drivers; Exemption Applications; Vision, 40443–40447

### Federal Railroad Administration

#### PROPOSED RULES

Risk Reduction Program, 40320–40321

### Federal Reserve System

#### NOTICES

Changes in Bank Control:

Acquisitions of Shares of a Bank or Bank Holding Company, 40365–40366

Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 40366

Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies, etc., 40366

### Federal Transit Administration

#### NOTICES

Proposed Buy America Waiver to Allow Bidder to Certify Compliance, 40447–40448

### Fish and Wildlife Service

#### NOTICES

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

Monitoring Recovered Species After Delisting—American Peregrine Falcon, 40389–40390

### Food and Drug Administration

#### RULES

Oral Dosage Form New Animal Drugs; Change of Sponsor, 40229

#### NOTICES

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

Applications for Approval to Market a New Drug; Postmarketing Reports; etc., 40374–40375

Class II Special Controls Guidance Document, Labeling for Natural Rubber Latex Condoms, 40377–40378

Draft Guidance for Industry on User Fee Waivers, Reductions, and Refunds for Drug and Biological Products, 40375–40376

Electronic Records; Electronic Signatures, 40378–40379

Exports; Notification and Recordkeeping Requirements, 40376–40377

### Forest Service

#### NOTICES

Environmental Impact Statements; Availability, etc.:

Mt. Hood Meadows Ski Resort Parking Improvements, 40322–40324

Meetings:

Ravalli County Resource Advisory Committee, 40324

### General Services Administration

#### NOTICES

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

Federal Acquisition Regulation; Buy American Act—Construction, 40367–40368

Federal Acquisition Regulation; Duty-Free Entry, 40367

Federal Acquisition Regulation; Environmentally Sound Products, 40368–40369

### Health and Human Services Department

See Centers for Medicare & Medicaid Services

See Children and Families Administration

See Food and Drug Administration

See National Institutes of Health

#### RULES

Administrative Simplification:

Adoption of Operating Rules for Eligibility for Health Plan and Health Care Claim Status Transactions, 40458–40496

**Homeland Security Department***See* Coast Guard*See* U.S. Citizenship and Immigration Services**Housing and Urban Development Department****NOTICES**

Federal Property Suitable as Facilities to Assist the Homeless, 40386–40388

**Interior Department***See* Fish and Wildlife Service*See* Land Management Bureau**NOTICES**

Establishment of Commission on Indian Trust Administration and Reform, 40388–40389

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

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40449–40451

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

Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Reviews: Diamond Sawblades and Parts Thereof from the Republic of Korea, 40324–40325

Preliminary Results of Antidumping Duty Administrative Review:

Polyethylene Terephthalate Film, Sheet, and Strip from the Republic of Korea, 40325–40329

Preliminary Results of Antidumping Duty Administrative Reviews, and Intent to Revoke Order in Part: Certain Polyester Staple Fiber from the People's Republic of China, 40329–40336

**Justice Department***See* Drug Enforcement Administration*See* Juvenile Justice and Delinquency Prevention Office*See* Prisons Bureau**NOTICES**

Lodging of Consent Decrees, 40393–40394

**Juvenile Justice and Delinquency Prevention Office****NOTICES**

Final Plan for Fiscal Year 2011, 40394–40400

**Labor Department***See* Employment and Training Administration**Land Management Bureau****NOTICES**

Environmental Impact Statements; Availability, etc.: Pattern Energy Group Ocotillo Express Wind Energy Project, Imperial County, CA, 40390–40391

Final Supplementary Rules on Public Lands in Idaho, 40391–40393

**National Aeronautics and Space Administration****RULES**

Major System Acquisition; Earned Value Management, 40280–40281

**NOTICES**Agency Information Collection Activities; Proposals, Submissions, and Approvals: Federal Acquisition Regulation; Buy American Act—Construction, 40367–40368  
Federal Acquisition Regulation; Duty-Free Entry, 40367

Federal Acquisition Regulation; Environmentally Sound Products, 40368–40369

**National Archives and Records Administration****PROPOSED RULES**

Declassification of National Security Information, 40296–40302

**National Institutes of Health****NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Study Logistic Formative Research Methodology Studies for National Children's Study, 40379–40381

Government-Owned Inventions; Availability for Licensing, 40381–40384

**Meetings:**

National Center for Research Resources, 40384–40385

National Center on Minority Health and Health Disparities, 40384

National Institute of Arthritis and Musculoskeletal and Skin Diseases, 40385

**National Nuclear Security Administration****NOTICES**

Environmental Impact Statements; Availability, etc.: Los Alamos National Laboratory, Los Alamos, NM; Amended Record of Decision, 40352–40354

**National Oceanic and Atmospheric Administration****NOTICES**

Availability of Seats for the Florida Keys National Marine Sanctuary Advisory Council, 40336

Fisheries of the Exclusive Economic Zone Off Alaska:

Prohibited Species Donation Program, 40336–40338

Marine Mammals; Photography Permit No. 16360, 40338

National Estuarine Research Reserve System, 40338–40339

**Navy Department****RULES**

Certifications and Exemptions under the International Regulations for Preventing Collisions at Sea, 1972, 40233–40234

**NOTICES**

Surplus Land at a Military Installation Designated for Disposal:

Naval Station Pascagoula, MS, 40345

**Nuclear Regulatory Commission****PROPOSED RULES**

Draft NRC Regulatory Issue Summary Regulation of Military Operational Radium-226, 40282–40285

**NOTICES**

Applications Regarding Proposed Corporate Mergers: R.E. Ginna Nuclear Power Plant, LLC et al., 40403–40406

**Meetings:**

Advisory Committee On Reactor Safeguards Plant Operations and Fire Protection Subcommittee, 40406

Requests for Action, 40406

**Patent and Trademark Office****NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Patent Prosecution Highway Program, 40339–40341

**Presidential Documents****PROCLAMATIONS**

Special Observances:  
26th Amendment; 40th Anniversary (Proc. 8691), 40215–40216

**Prisons Bureau****RULES**

Psychiatric Evaluation and Treatment, 40229–40233

**Securities and Exchange Commission****RULES**

Extension of Temporary Exemptions for Eligible Credit Default Swaps, 40223–40229

**NOTICES**

Applications:  
Sterling Capital Funds and Sterling Capital Management LLC, 40407–40409  
Self-Regulatory Organizations; Proposed Rule Changes: Financial Industry Regulatory Authority, Inc., 40412–40413  
NASDAQ OMX PHLX LLC, 40415–40419  
National Securities Clearing Corp., 40409–40410  
New York Stock Exchange LLC, 40413–40415  
NYSE Amex LLC, 40410–40412

**State Department****NOTICES**

Culturally Significant Objects Imported for Exhibition Determinations:  
Prints and the Pursuit of Knowledge in Early Modern Europe, 40419

**Surface Transportation Board****NOTICES**

2010 Tax Information for Use in the Revenue Shortfall Allocation Method, 40448–40449

**Transportation Department**

See Federal Aviation Administration  
See Federal Motor Carrier Safety Administration  
See Federal Railroad Administration  
See Federal Transit Administration  
See Surface Transportation Board

**Treasury Department**

See Internal Revenue Service

**U.S. Citizenship and Immigration Services****NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40385–40386

**Veterans Affairs Department****NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:  
Application for Ordinary Life Insurance, 40451–40452  
Application for VA Education Benefits, 40453–40454  
Certificate Showing Residence and Heirs of Deceased Veteran or Beneficiary, 40454–40455  
Insurance Deduction Authorization (For Deduction from Benefit Payments), 40453  
Report of Treatment by Attending Physician, 40452  
Request for a Certificate of Eligibility, 40451  
Request for Supplemental Information on Medical and Nonmedical Applications, 40455–40456  
VA MATIC Authorization, 40452–40453  
Veterans Mortgage Life Insurance – Change of Address Statement, 40451  
Veterans Mortgage Life Insurance Inquiry, 40455  
VSO Access to VHA Electronic Health Records, 40454

**Western Area Power Administration****NOTICES**

Environmental Impact Statements; Availability, etc.:  
Crowned Ridge Wind Energy Center Project, Codrington and Grant Counties, SD; Cancellation, 40354

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

Health and Human Services Department, 40458–40496

**Part III**

Health and Human Services Department, Centers for Medicare & Medicaid Services, 40498–40550

**Part IV**

Justice Department, Drug Enforcement Administration, 40552–40589

**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.

**3 CFR****Proclamations:**

8691 .....40215

**10 CFR****Proposed Rules:**

30 .....40282

150 .....40282

430 .....40285

**14 CFR**

39 (3 documents) .....40217,

40219, 40222

**Proposed Rules:**

39 (3 documents) .....40286,

40288, 40291

71 (2 documents) .....40293,

40295

**17 CFR**

230 .....40223

240 .....40223

260 .....40223

**21 CFR**

520 .....40229

**Proposed Rules:**

Ch. II .....40552

**28 CFR**

549 .....40229

**32 CFR**

706 .....40233

**33 CFR**

117 (2 documents) .....40234,

40237

**36 CFR****Proposed Rules:**

1260 .....40296

**40 CFR**

52 (6 documents) .....40237,

40242, 40246, 40248, 40258,

40262

**Proposed Rules:**

52 (2 documents) .....40303

**42 CFR****Proposed Rules:**

413 .....40498

414 .....40498

**45 CFR**

160 .....40458

162 .....40458

**47 CFR**

15 .....40263

76 .....40263

**48 CFR**

1834 .....40280

**49 CFR****Proposed Rules:**

Ch. II .....40320

382 .....40306

391 .....40306