



# FEDERAL REGISTER

---

Vol. 77

Tuesday,

No. 25

February 7, 2012

Pages 5987–6462

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: 77 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, March 13, 2012  
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. 77, No. 25

Tuesday, February 7, 2012

## **Agricultural Marketing Service**

### **NOTICES**

Funding Availabilities:

Inviting Applications for the Federal–State Marketing Improvement Program, 6055–6056

## **Agriculture Department**

*See* Agricultural Marketing Service

*See* Animal and Plant Health Inspection Service

## **Alcohol and Tobacco Tax and Trade Bureau**

### **PROPOSED RULES**

Revisions to Distilled Spirits Plant Operations Reports and Regulations:  
Comment Period Extension, 6038

## **Animal and Plant Health Inspection Service**

### **NOTICES**

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

Requirements for Recognizing the Animal Health Status of Foreign Regions, 6056–6057

## **Army Department**

### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6092–6093

## **Bureau of Consumer Financial Protection**

### **RULES**

Electronic Fund Transfers, 6194–6309

### **PROPOSED RULES**

Electronic Fund Transfers, 6310–6334

## **Centers for Medicare & Medicaid Services**

### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6123–6125

## **Children and Families Administration**

### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6126–6127

## **Coast Guard**

### **RULES**

Anchorage Regulations:

Newport, RI, 6010–6012

Drawbridge Operations:

Annisquam River and Blynman Canal, Gloucester, MA, 6012–6013

Cheesequake Creek, Morgan, NJ, 6013

Hutchinson River (Eastchester Creek), Bronx, NY, 6012

Safety Zones; Security Zones; Special Local Regulations; Drawbridge Operations; and Regulated Navigation Areas:

Quarterly Listings, 6007–6009

Security Zones:

Escorted Vessels on Lower Mississippi River, 6013–6016

### **PROPOSED RULES**

Drawbridge Operations:

Christina River, Wilmington, DE, 6042–6044

Special Local Regulations:

Savannah Tall Ships Challenge, Savannah River, Savannah, GA, 6039–6042

### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6132–6133

Sector Upper Mississippi River Area Maritime Security Committee; Vacancies, 6133–6134

## **Commerce Department**

*See* Foreign-Trade Zones Board

*See* International Trade Administration

*See* National Oceanic and Atmospheric Administration

### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6057

## **Commodity Futures Trading Commission**

### **RULES**

Protection of Cleared Swaps Customer Contracts and Collateral:

Conforming Amendments to the Commodity Broker Bankruptcy Provisions, 6336–6409

## **Defense Acquisition Regulations System**

### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6093–6094

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

Defense Acquisition Regulation System, 6094–6095

## **Defense Department**

*See* Army Department

*See* Defense Acquisition Regulations System

### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6089–6092

## **Education Department**

### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6095–6096

Applications for New Awards:

Indian Education Professional Development Grants Program, 6096–6101

## **Energy Department**

*See* Federal Energy Regulatory Commission

## **Environmental Protection Agency**

### **RULES**

Approvals and Promulgations of Implementation Plans:

Tennessee; Prevention of Significant Deterioration and Nonattainment New Source Review Rules; Nitrogen Oxides as a Precursor to Ozone, 6016–6019

### **PROPOSED RULES**

Approvals and Promulgations of Implementation Plans:

Oregon; Infrastructure Requirements for 1997 8-Hour Ozone National Ambient Air Quality Standards, 6044–6054

**NOTICES**

Final National Pollutant Discharge Elimination System:  
General Permit for Discharges from Concentrated Animal  
Feeding Operations in Oklahoma, 6112–6113

**Federal Aviation Administration****RULES**

Airworthiness Directives:

Aviation Communication & Surveillance Systems (ACSS)  
Traffic Alert and Collision Avoidance System (TCAS)  
Units, 6000–6003

Cessna Aircraft Company Airplanes, 6003–6005  
EADS CASA (Type Certificate Previously Held by  
Construcciones Aeronauticas, S.A.) Airplanes, 5998–  
6000

Eurocopter France Helicopters, 5991–5996  
The Boeing Company Airplanes, 5996–5997

Special Conditions:

Learjet Inc., Model LJ–200–1A10 Airplane, Pilot-  
compartment View through Hydrophobic Windshield  
Coatings in lieu of Windshield Wipers, 5990

**PROPOSED RULES**

Airworthiness Directives:

Airbus Airplanes, 6023–6026

Amendment of Class E Airspace:  
Boise, ID, 6026–6027

**Federal Communications Commission****NOTICES**

Meetings:

Advisory Committee on Diversity for Communications in  
the Digital Age, 6113

Video Programming and Accessibility Advisory  
Committee, 6113–6114

**Federal Deposit Insurance Corporation****NOTICES**

Terminations of Receivership:

Thunder Bank, Sylvan Grove, KS, 6114

**Federal Energy Regulatory Commission****NOTICES**

Combined Filings, 6101–6107

Filings:

Arcadia Gas Storage, LLC, 6107

Initial Market-Based Rate Filings Including Requests for  
Blanket Section 204 Authorization:

Accent Energy Midwest II LLC, 6108–6109

Bishop Hill Energy II LLC, 6109–6110

Bishop Hill Interconnection LLC, 6110

CPV Sentinel, LLC, 6107–6108

Essential Power, LLC, 6108

Mariposa Energy, LLC, 6109

Phillips 66 Co., 6109

Petitions:

Public Service Co. of Colorado, 6110–6111

Records Governing Off-the-Record Communications, 6111–  
6112

Staff Attendances:

North American Electric Reliability Corp., 6112

**Federal Highway Administration****NOTICES**

Buy America Waivers, 6169–6171

Final Federal Agency Actions on Proposed Highway in  
California, 6171

**Federal Labor Relations Authority****RULES**

Procedures of the Panel:

Impasses Arising Pursuant to Agency Determinations Not  
to Establish or to Terminate Flexible or Compressed  
Work Schedules, 5987–5989

**Federal Railroad Administration****PROPOSED RULES**

Training, Qualification, and Oversight for Safety-Related  
Railroad Employees, 6412–6461

**NOTICES**

Petitions for Waivers of Compliance, 6171–6172

**Federal Trade Commission****NOTICES**

Agency Information Collection Activities; Proposals,  
Submissions, and Approvals, 6114–6122

**Federal Transit Administration****NOTICES**

Funding Availabilities:

FY 2012 Discretionary Bus and Bus Facilities Program  
and National Research Program, 6172–6178

Funding Opportunities:

FY 2012 Bus and Bus Facilities Programs (State of Good  
Repair and Bus Livability Initiatives), etc., 6178–6190

**Fish and Wildlife Service****NOTICES**

Interpretation of Phrase “Significant Portion of Its Range”  
in Endangered Species Acts Definitions, etc.:

Draft Policy, 6138–6139

Permits:

Endangered Species; Receipt of Applications, 6139–6140

**Food and Drug Administration****NOTICES**

Meetings:

Submission of Extended Digital Electrocardiogram  
Waveform Data, 6127

**Foreign Assets Control Office****NOTICES**

Foreign Narcotics Kingpin Designation Act:  
Additional Designations, 6191

**Foreign-Trade Zones Board****NOTICES**

Approvals for Manufacturing Authority:

Baxter Healthcare Corp., Foreign-Trade Zone 22, Chicago,  
IL, 6057–6058

Expansion/Reorganization of Foreign-Trade Zones:  
Louisville, KY, 6058

Reorganizations and Expansions Under Alternative Site  
Framework:

Foreign-Trade Zone 272, Counties of Lehigh and  
Northampton, PA, 6058

Reorganizations Under Alternative Site Framework:

Foreign-Trade Zone 118, Ogdensburg, NY, 6058–6059

Foreign-Trade Zone 124, Gramercy, LA, 6059

Foreign-Trade Zone 275, Lansing, MI, 6059

Termination of Foreign-Trade Subzones:

Dundee, IL, 6059–6060

**General Services Administration****NOTICES**

Providing Refurbishment Services to Federal Agencies,  
6122

**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

**NOTICES**

## Meetings:

Presidential Advisory Council on HIV/AIDS, 6122–6123

**Homeland Security Department**

See Coast Guard  
 See U.S. Citizenship and Immigration Services  
 See U.S. Customs and Border Protection

**NOTICES**

Memorandums of Understanding with Department of Homeland Security:  
 Consultation Concerning Potential Vulnerabilities of Location of Proposed New Utilization Facilities, 6131–6132

**Housing and Urban Development Department****NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:  
 Data Collection for Full Housing Choice Voucher Program Administrative Fee Study, 6137–6138

**Interior Department**

See Fish and Wildlife Service  
 See Land Management Bureau  
 See Surface Mining Reclamation and Enforcement Office

**Internal Revenue Service****RULES**

Application for Recognition as a 501(c)(29) Organization, 6005–6007

**PROPOSED RULES**

Application for Recognition as a 501(c)(29) Organization, 6027–6028  
 Taxable Medical Devices, 6028–6038

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

Administrative Reviews; Results, Extensions, Amendments, etc.:

Hexametaphosphate from the People's Republic of China, 6060

Antidumping Duty Administrative Reviews; Results, Extensions, Amendments, etc.:

Citric Acid and Certain Citrate Salts from Canada, 6061–6064

Small Diameter Graphite Electrodes from the People's Republic of China, 6060–6061

## Meetings:

Environmental Technologies Trade Advisory Committee, 6064–6065

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

## Complaints:

Certain Ink Application Devices and Components Thereof and Methods of Using the Same; Correction, 6142–6143

**Land Management Bureau****NOTICES**

Filing of Plats of Survey:  
 Nevada, 6141

## Meetings:

Utahs Resource Advisory Council, 6141

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

## Petitions:

Spartan Motors Chassis, Inc.; Decision of Inconsequential Noncompliance, 6190

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

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6128

## Meetings:

National Cancer Institute, 6130

National Institute of Diabetes, Digestive and Kidney Diseases, 6129–6131

National Institute of General Medical Sciences, 6128–6129

National Institute on Aging, 6129

**National Oceanic and Atmospheric Administration****RULES**

## Western Pacific Fisheries:

2012 Annual Catch Limits and Accountability Measures, 6019–6021

**NOTICES**

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

Cook Inlet Beluga Whale Economic Survey, 6065

Interpretation of Phrase “Significant Portion of Its Range” in Endangered Species Acts Definitions, etc.:

Draft Policy, 6138–6139

Takes of Marine Mammals Incidental to Specified Activities:

Marine Geophysical Survey in the Commonwealth of the Northern Mariana Islands, 6065–6080

Taking and Importing Marine Mammals:

U.S. Navy Training in the Southern California Range Complex, 6084–6086

U.S. Navy's Atlantic Fleet Active Sonar Training, 6080–6084

Taking Marine Mammals Incidental to Space Vehicle and Test Flight Activities:

Vandenberg Air Force Base, CA, 6086–6089

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

## Meetings:

Committee on Equal Opportunities in Science and Engineering, 6143

**National Transportation Safety Board****NOTICES**

FY 2010 Service Contract Inventory Analysis and FY 2011 Service Contract Inventory; Availability, 6143

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

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6143–6144

Facility Operating Licenses:

Applications and Amendments Involving No Significant Hazards Considerations, 6144–6150

Meetings; Sunshine Act, 6150–6151

Memorandums of Understanding with Department of Homeland Security:  
 Consultation Concerning Potential Vulnerabilities of Location of Proposed New Utilization Facilities, 6131–6132

#### **Personnel Management Office**

##### **PROPOSED RULES**

Excepted Service:

Appointment of Persons with Intellectual Disabilities, Severe Physical Disabilities and Psychiatric Disabilities, 6022–6023

#### **Securities and Exchange Commission**

##### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6151–6152

Applications:

Henderson Global Funds, et al., 6152–6156

Rand Capital Corp., et al., 6156–6160

Meetings; Sunshine Act, 6160

Self-Regulatory Organizations; Proposed Rule Changes:

C2 Options Exchange, Inc., 6166–6167

Financial Industry Regulatory Authority, Inc., 6161–6162

NASDAQ OMX PHLX LLC, 6160–6164

The NASDAQ Stock Market LLC, 6164–6165

#### **State Department**

##### **NOTICES**

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

Application for Immigrant Visa and Alien Registration, 6167

English Language Evaluation Surveys, 6168

Culturally Significant Objects Imported for Exhibition Determinations:

John Chamberlain – Choices, 6168–6169

Defense Trade Advisory Group; Membership, 6169

#### **Surface Mining Reclamation and Enforcement Office**

##### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6141–6142

#### **Transportation Department**

*See* Federal Aviation Administration

*See* Federal Highway Administration

*See* Federal Railroad Administration

*See* Federal Transit Administration

*See* National Highway Traffic Safety Administration

#### **Treasury Department**

*See* Alcohol and Tobacco Tax and Trade Bureau

*See* Foreign Assets Control Office

*See* Internal Revenue Service

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

##### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6134–6135

#### **U.S. Customs and Border Protection**

##### **NOTICES**

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

Application for Extension of Bond for Temporary Importation, 6136–6137

Cargo Manifest/Declaration, Stow Plan, Container Status Messages and Importer Security Filing, 6135–6136

Guam–CNMI Visa Waiver Agreement, 6137

---

#### **Separate Parts In This Issue**

##### **Part II**

Bureau of Consumer Financial Protection, 6194–6334

##### **Part III**

Commodity Futures Trading Commission, 6336–6409

##### **Part IV**

Transportation Department, Federal Railroad Administration, 6412–6461

---

#### **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.

**5 CFR**

2471 .....5987  
2472 .....5987

**Proposed Rules:**

213 .....6022

**12 CFR**

1005 .....6194

**Proposed Rules:**

1005 .....6310

**14 CFR**

25 .....5990  
39 (6 documents) ...5991, 5994,  
5996, 5998, 6000, 6003

**Proposed Rules:**

39 .....6023  
71 .....6026

**17 CFR**

22 .....6336  
190 .....6336

**26 CFR**

1 .....6005

**Proposed Rules:**

1 .....6027  
48 .....6028

**27 CFR****Proposed Rules:**

19 .....6038

**33 CFR**

100 .....6007  
110 .....6010  
117 (4 documents) .....6007,  
6012, 6013  
147 .....6007  
165 (2 documents) .....6007,  
6013

**Proposed Rules:**

100 .....6039  
117 .....6042

**40 CFR**

52 .....6016

**Proposed Rules:**

52 .....6044

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

214 .....6412  
232 .....6412  
243 .....6412

**50 CFR**

665 .....6019