



FEDERAL REGISTER

Vol. 77

Friday,

No. 126

June 29, 2012

Pages 38717–39142

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.

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, 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.

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.

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, July 10, 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. 126

Friday, June 29, 2012

Agriculture Department

See National Institute of Food and Agriculture

Alcohol and Tobacco Tax and Trade Bureau

PROPOSED RULES

Standards of Identity for Distilled Spirits:

Comment Period Extension, 38758–38759

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 38886–38888

Antitrust Division

NOTICES

Notices Pursuant to National Cooperative Research and Production Act of 1993:

3D PDF Consortium, Inc., 38831

DVD Copy Control Association, 38830–38831

Tizen Association, 38831

Pursuant to The National Cooperative Research and Production Act Of 1993:

Bluetooth Sig, Inc., 38831

Antitrust

See Antitrust Division

Army Department

See Engineers Corps

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

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

Bureau of Consumer Financial Protection

RULES

Equal Access to Justice Act Implementation Rule, 39117–39123

Rules of Practice for Adjudication Proceedings, 39058–39101

Rules Relating to Investigations, 39101–39112

State Official Notification, 39112–39117

Centers for Medicare & Medicaid Services

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 38836–38837

Meetings:

Medicare Program; Medicare Economic Index Technical Advisory Panel, 38837–38838

Coast Guard

RULES

Alternate Tonnage Threshold for Oil Spill Response Vessels, 38729–38731

Safety Zones:

Noble Discoverer, Outer Continental Shelf Drillship, Chukchi and/or Beaufort Seas, AK, 38718–38723

Sellwood Bridge Project, Willamette River, Portland, OR, 38723–38725

Commerce Department

See International Trade Administration

See National Institute of Standards and Technology
See National Oceanic and Atmospheric Administration

Committee for Purchase From People Who Are Blind or Severely Disabled

NOTICES

Procurement List; Additions and Deletions, 38775–38776

Commodity Futures Trading Commission

NOTICES

Reestablishment of the Agricultural Advisory Committee, 38776–38777

Consumer Product Safety Commission

PROPOSED RULES

Codification of Animal Testing Policy, 38751–38754

Hazardous Substances and Articles:

Revisions to Animal Testing Regulations, 38754–38758

Copyright Royalty Board

PROPOSED RULES

Determinations of Reasonable Rates and Terms for Noncommercial Broadcasting, 38759

Defense Acquisition Regulations System

RULES

Defense Federal Acquisition Regulation Supplements: Acquisition of Tents and Other Temporary Structures, 38734–38736

Applicability of Hexavalent Chromium Policy to Commercial Items, 39141–39142

New Qualifying Country—Czech Republic, 38736–38738

Only One Offer, 39126–39139

Shipping Instructions, 39140–39141

Updates to Wide Area WorkFlow, 38731–38734

Defense Department

See Defense Acquisition Regulations System

See Engineers Corps

See Navy Department

NOTICES

36(b)(1) Arms Sales, 38777–38779

Education Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 38784

Applications, Reports, and Other Records for the 2011–2012 Award Year:

Student Assistance General Provisions, Federal Supplemental Educational Opportunity Grant, etc., 38784–38789

Employment Standards Administration

See Wage and Hour Division

Energy Department

See Energy Efficiency and Renewable Energy Office

See Federal Energy Regulatory Commission

NOTICES

Availability of Draft Waste Incidental to Reprocessing Evaluation:
 Concentrator Feed Makeup Tank and Melter Feed Hold Tank; West Valley Demonstration Project, West Valley, NY, 38789–38790

Orders Granting Authority to Import and Export Natural Gas and Liquefied Natural Gas, etc.:
 Noble Americas Gas & Power Corp., 38790–38791

Energy Efficiency and Renewable Energy Office**PROPOSED RULES**

Energy Efficiency Program for Consumer Products:
 Energy Conservation Standards for Battery Chargers and External Power Supplies, 38743–38744

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 38791

Engineers Corps**NOTICES**

Environmental Impact Statements; Availability, etc.:
 Sacramento County, California, Corps Permit Application number SPK–2002–561, 38779–38780

Proposed Reduction in Hours of Operation at the Mississippi River Twin Cities Locks Located in Minneapolis, MN, 38780–38781

Environmental Protection Agency**RULES**

Approvals and Promulgations of Air Quality Implementation Plans:
 Indiana; Volatile Organic Compounds; Consumer Products, 38725–38729

PROPOSED RULES

Approvals and Promulgations of Air Quality Implementation Plans:
 Indiana; Volatile Organic Compounds; Consumer Products, 38761

National Ambient Air Quality Standards for Particulate Matter, 38890–39055

National Ambient Air Quality Standards for Particulate Matter; Correction, 38760–38761

NOTICES

Determinations:
 Massachusetts Marine Sanitation Device Standard, 38797–38799

Draft Toxicological Review of 1,2,3–, 1,2,4–, and 1,3,5–Trimethylbenzene:
 In Support of the Summary Information in the Integrated Risk Information System (IRIS), 38799–38801

Environmental Impacts Statements:
 Availability, 38801–38802

Meetings:
 Science Advisory Board Scientific and Technological Achievement Awards Committee, 38802

Proposed CERCLA Administrative Cost Recovery Settlement; Standex International Corporation, 38802–38803

Requests for Nominations:
 Great Lakes Advisory Board, 38803

Federal Aviation Administration**PROPOSED RULES**

Airworthiness Directives:
 Sikorsky Aircraft-Manufactured Model S–64F Helicopters, 38744–38747

Federal Communications Commission**PROPOSED RULES**

Radio Broadcasting Services:
 Pike Road, AL; Dismissal, 38761–38762

NOTICES

Mobility Fund Phase I Auction Updated Data For Auction 901, 38803–38804

Wireline Competition Bureau Seeks Comment on Model Design and Data Inputs for Phase, 38804–38816

Federal Deposit Insurance Corporation**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 38816

Federal Energy Regulatory Commission**NOTICES**

Combined Filings, 38791–38793

Complaints:
 Grand Valley Rural Power Lines, Inc., et al. v. Public Service Company of Colorado, 38793

Environmental Assessments; Availability, etc.:
 Northern Natural Gas Co.; A-Line Abandonment Project, 38793–38795

Petitions to Enforce Public Utility Regulatory Policies Act:
 Gerry E. Greenfield Jr. v. Benton County, WA, 38795

Preliminary Permit Applications:
 Dolores Water Conservancy District, 38795–38796

Revised Restricted Service Lists for Programmatic Agreements:
 Alabama Power Co., Holt Hydroelectric Project, 38796–38797

Georgia Power Co., Bartletts Ferry Hydroelectric Project, 38796

Federal Highway Administration**NOTICES**

Limitations on Claims for Judicial Reviews:
 Proposed Two New Ohio River Bridge Crossings in Kentucky and Indiana; Final Federal Agency Actions, 38881–38882

Federal Railroad Administration**NOTICES**

Environmental Impact Statements; Availability, etc.:
 Chicago, Illinois to St. Louis, Missouri High Speed Rail Corridor Program, 38882–38884

Federal Reserve System**NOTICES**

Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 38816–38817

Formations of, Acquisitions by, and Mergers of Savings and Loan Holding Companies, 38817

Fiscal Service**NOTICES**

Prompt Payment Interest Rate; Contract Disputes Act, 38888

Fish and Wildlife Service**PROPOSED RULES**

Endangered and Threatened Wildlife and Plants:
 5-Year Status Reviews of Seven Listed Species, 38762–38764

NOTICES

Environmental Impact Statements; Habitat Conservation Plans; Incidental Take Permits:
 Buckeye Wind Power Project, Champaign County, OH, 38819–38821

Food and Drug Administration**NOTICES**

Compliance Policy Guide Sec. 230.110—Registration of Blood Banks, Other Firms Collecting, Manufacturing, Preparing, or Processing Human Blood or Blood Products; Withdrawal, 38838

Health and Human Services Department

See Centers for Medicare & Medicaid Services

See Food and Drug Administration

See Health Resources and Services Administration

See National Institutes of Health

NOTICES

Designations of Class of Employees for Addition to Special Exposure Cohort:

Final Effect, 38834–38835

Final Effect of Designation of a Class of Employees for Addition to the Special Exposure Cohort, 38835–38836

Health Resources and Services Administration**NOTICES**

Lists of Designated Primary Medical Care, Mental Health, and Dental Health Professional Shortage Areas, 38838–38840

Homeland Security Department

See Coast Guard

Housing and Urban Development Department**NOTICES**

Federal Properties Suitable as Facilities to Assist Homeless, 38850–38851

Redelegations of Authority:

Deputy Assistant Secretaries in Office of Community Planning and Development, 38853–38856

Directors and Deputy Directors of Community Planning and Development in Field Offices, 38851–38853

Terminations of Direct Endorsement Approvals:

Credit Watch Termination Initiative, 38817–38818

Terminations of Origination Approval Agreements:

Credit Watch Termination Initiative, 38818–38819

Indian Affairs Bureau**NOTICES**

Environmental Impact Statements; Availability, etc.:

Menominee Indian Tribe of Wisconsin's Proposed Fee-To-Trust Transfer and Casino-Hotel Project, Kenosha, WI, 38821–38822

Interior Department

See Fish and Wildlife Service

See Indian Affairs Bureau

See Land Management Bureau

See National Park Service

International Trade Administration**NOTICES**

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

International Client Life-cycle Multi-Purpose Forms, 38766–38767

Scope Rulings, 38767–38768

International Trade Commission**NOTICES**

Antidumping Duty Orders; Five-year Reviews, etc.:

Clad Steel Plate from Japan, 38825–38826

Final Initial Determinations:

Certain Wireless Communication Devices, Portable Music and Data Processing Devices, Computers, etc., 38826–38829

Investigations:

Certain Electronic Imaging Devices, 38829–38830

Justice Department

See Antitrust Division

NOTICES

Lodgings of Amendments to Consent Decrees under the Clean Air Act, 38830

Labor Department

See Wage and Hour Division

NOTICES

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

Longshore and Harbor Workers Compensation Act Administration, 38832

Marine Terminals and Longshoring Standards, 38832–38833

Funding Opportunities:

Job Accommodation Network, 38833–38834

Land Management Bureau**NOTICES**

Availability:

Record of Decision for KRoad Moapa Solar Facility, 38822–38823

Environmental Impact Statements; Availability, etc.:

Proposed California Desert Conservation Area Plan

Amendment, Kern County, California, 38823–38824

Meetings:

Front Range Resource Advisory Council, 38824

Library of Congress

See Copyright Royalty Board

National Institute of Food and Agriculture**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 38765–38766

National Institute of Standards and Technology**NOTICES**

Meetings:

97th Annual National Conference on Weights and Measures, 38769–38770

Smart Grid Advisory Committee, 38768–38769

Notice of Consortium on “nSoft Consortium”, 38770–38771

Prospective Grants of Exclusive Patent Licenses, 38771–38772

National Institutes of Health**NOTICES**

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

National Institute of Child Health and Human Development; Child Health Disparities Substudy for the National Children's Study, 38840–38842

National Institute of Nursing Research (NINR) Summer Genetics Institute Alumni Survey, 38840

PHS Applications and Pre-award Reporting

Requirements, 38842–38843

Post-Award Reporting Requirements Including New Research Performance Progress Report Collection, 38843–38844

Consensus Development Conference:

Diagnosing Gestational Diabetes Mellitus, 38844–38845

Meetings:

Center for Scientific Review, 38846–38849

National Heart, Lung, and Blood Institute, 38849–38850

National Institute of Allergy and Infectious Diseases, 38848

National Institute of Arthritis and Musculoskeletal and Skin Diseases, 38847

National Institute of Biomedical Imaging and

Bioengineering, 38845

National Institute of General Medical Sciences, 38846

National Institute of Mental Health, 38847–38848

National Library of Medicine, 38848–38849

Scientific Management Review Board, 38845–38846

National Oceanic and Atmospheric Administration**RULES****Fisheries of the Northeastern United States:**

Northeast Multispecies Fishery; Exempted Fishery for Southern New England Skate Bait Trawl Fishery, 38738–38741

NOTICES**Atlantic Highly Migratory Species:**

Electronic Dealer Reporting System Workshop, 38772–38773

Meetings:

North Pacific Fishery Management Council, 38773–38774

Permits:

Marine Mammals; File No. 16193, 38774–38775

Schedules for Atlantic Shark Identification Workshops and

Protected Species Safe Handling, Release, and Identification Workshops; Correction, 38775

National Park Service**NOTICES**

Environmental Impact Statements; Availability, etc.:

Winter Use Plan, Yellowstone National Park, 38824–38825

National Science Foundation**NOTICES**

Antarctic Conservation Act Permit Applications, 38834

Meetings:

Advisory Committee for Innovation Corps, 38834

Permits Issued Under the Antarctic Conservation Act, 38834

Navy Department**NOTICES**

Environmental Impact Statements; Availability, etc.:

Naval Base Coronado Coastal Campus; Public Scoping Meetings, 38781–38782

Privacy Act; Systems of Records, 38782–38784

Nuclear Regulatory Commission**PROPOSED RULES**

Non-Power Reactor License Renewals, 38742–38743

NOTICES

An Approach for Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis, 38856–38857

Design, Inspection, and Testing Criteria for Air Filtration and Adsorption Units of Normal Atmosphere Cleanup Systems in Light-Water-Cooled Nuclear Power Plants, 38857–38858

Governors Designees Receiving:

Transportation of Certain Shipments of Nuclear Waste and Spent Fuel, 38859–38864

Postal Service**PROPOSED RULES**

New Pallet Preparation Standards for Periodicals, 38759–38760

NOTICES

Product Change – First-Class Package Service Negotiated Service Agreement, 38864

Public Debt Bureau

See Fiscal Service

Securities and Exchange Commission**NOTICES**

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

Rule 17a–11, 38864–38865

Rule 17a–6, 38866

Rule 17Ad–4(b) & (c), 38865

Self-Regulatory Organizations; Proposed Rule Changes:

Financial Industry Regulatory Authority, Inc., 38866–38869

International Securities Exchange, LLC, 38869–38871

NYSE Arca, Inc., 38877–38880

The NASDAQ Stock Market LLC, 38871–38877

Social Security Administration**NOTICES**

Privacy Act; Systems of Records, 38880–38881

Special Inspector General for Afghanistan Reconstruction**RULES**

Supplemental Standards of Ethical Conduct:

Employees of Special Inspector General for Afghanistan Reconstruction, 38717

State Department**NOTICES**

Culturally Significant Objects Imported for Exhibition Determinations:

Regarding Warhol: Sixty Artists, Fifty Years, 38881

Surface Transportation Board**NOTICES**

Acquisition and Operation Exemptions:

Sisseton Milbank Railroad Co.; SLA Property

Management Limited Partnership and Sisseton Milbank Railroad, Inc, 38884

Wyoming Connect Railroad LLC, Union Pacific Railroad Co., 38884

Asset Acquisitions:

Professional Transportation, Inc. – CUSA ES, LLC and CUSA CSS, LLC, 38884–38885

Lease and Operation Exemptions:

Midwest Rail, LLC d/b/a Toledo, Lake Erie and Western Railway; Norfolk Southern Railway Co., 38885–38886

Transportation Department

See Federal Aviation Administration

See Federal Highway Administration

See Federal Railroad Administration

See Surface Transportation Board

PROPOSED RULES

Reports by Air Carriers on Incidents Involving Animals During Air Transport, 38747–38751

Treasury Department

See Alcohol and Tobacco Tax and Trade Bureau

See Fiscal Service

Wage and Hour Division

RULES

Updating Regulations Issued Under the Fair Labor Standards Act; CFR Correction, 38717–38718

Separate Parts In This Issue

Part II

Environmental Protection Agency, 38890–39055

Part III

Bureau of Consumer Financial Protection, 39058–39123

Part IV

Defense Department, Defense Acquisition Regulations System, 39126–39142

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	252 (6 documents)	38731,
9303	38717	38734, 38736, 39126, 39140,
		39141
10 CFR		
Proposed Rules:		50 CFR
50	38742	648
430	38743	17
		38762
12 CFR		
1071	39117	
1080	39101	
1081	39058	
1082	39112	
14 CFR		
Proposed Rules:		
39	38744	
234	38747	
235	38747	
16 CFR		
Proposed Rules:		
1500 (2 documents)	38751,	
	38754	
27 CFR		
Proposed Rules:		
5	38758	
29 CFR		
531	38717	
553	38717	
33 CFR		
147	38718	
165	38723	
37 CFR		
Proposed Rules:		
381	38759	
39 CFR		
Proposed Rules:		
111	38759	
40 CFR		
52	38725	
Proposed Rules:		
50 (2 documents)	38760,	
	38890	
51 (2 documents)	38760,	
	38890	
52 (3 documents)	38760,	
	38761	
53 (2 documents)	38760,	
	38890	
58 (2 documents)	38760,	
	38890	
46 CFR		
126	38729	
47 CFR		
Proposed Rules:		
73	38761	
48 CFR		
205	39126	
208	39126	
212 (3 documents)	39126,	
	39140, 39141	
214	39126	
215	39126	
216	39126	
218	38731	
225 (2 documents)	38734,	
	38736	
232	38731	
242	39140	
244	39141	
247	39140	