

FEDERAL REGISTER

Vol. 77 Tuesday,

No. 142 July 24, 2012

Pages 43149-43486

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
Assistance with public single copies
202–512–1800
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:

- 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
- 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, September 11, 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. 142

Tuesday, July 24, 2012

Advisory Council on Historic Preservation

See Historic Preservation, Advisory Council

Agriculture Department

See Food and Nutrition Service

See Food Safety and Inspection Service

See Forest Service

See Rural Utilities Service

NOTICES

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

Development of Nutrition Education Messages and Products for General Public, 43228–43229

Alcohol, Tobacco, Firearms, and Explosives Bureau NOTICES

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

Voluntary Magazine Questionnaire for Agencies/Entities Who Store Explosives, 43366–43367

Centers for Disease Control and Prevention NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43285–43288

Centers for Medicare & Medicaid Services NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43288–43290

Children's Health Insurance Program:

Final Allotments to States, District of Columbia, and U.S. Territories and Commonwealths for Fiscal Year 2012, 43290–43301

Medicaid Program:

Disproportionate Share Hospital Allotments and Institutions for Mental Diseases Disproportionate Share Hospital Limits for FYs 2010, 2011, etc., 43301–43329

State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals for FY 2012, 43329–43334

Coast Guard

RULES

Drawbridge Operations:

Lafourche Bayou, LA, 43165–43167

Willamette River, Portland, OR, 43164–43165 Safety Zones:

Electric Zoo Fireworks, East River, Randall's Island, NY, 43167–43170

Special Local Regulations:

Battle on the Bay Powerboat Race Atlantic Ocean, Fire Island, NY, 43158–43161

San Francisco Bay Navy Fleetweek Parade of Ships and Blue Angels Demonstration, 43161–43164

Commerce Department

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

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43236

Commodity Futures Trading Commission

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

Exemptive Order Regarding Compliance with Certain Swap Regulations, 43271–43274

Meetings; Sunshine Act, 43274–43275

Community Development Financial Institutions Fund NOTICES

Funding Availabilities:

Applications for CY 2012 Allocation Round of New Markets Tax Credit Program, 43418–43428

Community Living Administration NOTICES

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

Financial Status Reporting Form for State Councils on Developmental Disabilities, 43335

Defense Acquisition Regulations System RULES

Defense Federal Acquisition Regulation Supplement: Contracting with the Canadian Commercial Corporation, 43470–43473

Technical Amendments, 43470

PROPOSED RULES

Defense Federal Acquisition Regulation Supplement: Ownership of Offeror, 43477–43479

Specialty Metals—Definition of Produce, 43474–43477

Defense Department

See Defense Acquisition Regulations System See Navy Department

Education Department

NOTICES

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

Federal Student Aid; William D. Ford Federal Direct Loan Program General Forbearance Request, 43276– 43277

Needs Assessment, Workplan, and Evaluation Guide for the Technical Assistance and Continuing Education Program, 43276

Applications for New Awards:

Innovative Approaches to Literacy Program; Correction, 43277

Employment and Training Administration NOTICES

Amended Certifications Regarding Eligibility to Apply for Worker Adjustment Assistance:

AISS/Sterling Infosystems, Independence and Fairlawn, OH, 43367–43368

Alumax Mill Products, Inc. D/B/A Alcoa Mill Products Texarkana, Nash, TX, 43369

Joerns Healthcare, LLC, Stevens Point, WI, 43368 LexisNexis, et al., Miamisburg, OH and Albany, NY, 43369

Navistar Truck Development and Technology Center, et al., Fort Wayne, IN, 43368–43369

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency PROPOSED RULES

Approvals and Promulgations of Implementation Plans: North Carolina; 110(a)(1) and (2) Infrastructure Requirements for 1997 Annual and 2006 Fine

Particulate Matter National Ambient Air Quality Standards, 43196–43205

Approvals, Disapprovals and Promulgations of Implementation Plans:

Wyoming; Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze, 43205–43206

Limited Approvals and Disapprovals of Air Quality Implementation Plans:

Nevada; Clark County; Stationary Source Permits, 43206–43216

NOTICES

Issuance of Final Air Permits:

BHP Billiton Petroleum, Inc., Murphy Exploration and Production Co., and Eni US Operating Co., Inc., 43281–43282

Executive Office of the President

See Presidential Documents See Trade Representative, Office of United States

Export-Import Bank

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43282–43283

Federal Aviation Administration

PROPOSED RULES

Airworthiness Directives:

Bombardier, Inc. Airplanes, 43176–43178 The Boeing Company Airplanes, 43178–43181

Establishment of Class E Airspace:

Coaldale, NV, 43181-43182

Modification of Class E Airspace:

Wolf Point, MT, 43183-43184

Federal Communications Commission

PROPOSED RULES

Radio Broadcasting Services:

Randsburg, CA, 43216

Federal Deposit Insurance Corporation

RULES

Corporate Debt Securities:

Permissible Investments for Federal and State Savings Associations, 43151–43155

Final Guidance; Availability, etc.:

Due Diligence Requirements for Savings Associations in Determining Whether a Corporate Debt Security is Eligible for Investment, 43155–43157

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43283–43284

Federal Energy Regulatory Commission PROPOSED RULES

Allocation of Capacity on New Merchant Transmission Projects and New Cost-Based, Participant-Funded Transmission Projects:

Priority Rights to New Participant-Funded Transmission; Policy Statement, 43184–43189 Regional Reliability Standard PRC-006-SERC-01 – Automatic Underfrequency Load Shedding Requirements, 43190-43196

NOTICES

Applications:

Tennessee Gas Pipeline Company, LLC, 43277–43278 Combined Filings, 43278–43280

Meetings:

Eagle Crest Energy Eagle Mountain Pumped Storage Hydroelectric Project, 43280

Technical Conferences:

Coordination Between Natural Gas and Electricity Markets, 43280–43281

Federal Motor Carrier Safety Administration NOTICES

Qualifications of Drivers; Exemption Applications; Diabetes Mellitus, 43417–43418

Federal Reserve System

NOTICES

Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 43284–43285

Proposals to Engage in or to Acquire Companies Engaged in Permissible Nonbanking Activities, 43285

Fiscal Service

NOTICES

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

Minority Bank Deposit Program Certification Form for Admission, 43428–43429

Fish and Wildlife Service

RULES

Endangered and Threatened Wildlife and Plants: Captive-Bred Wildlife Registration Applications, 43170– 43175

Listing Foreign Bird Species in Peru and Bolivia as Endangered Throughout Their Range, 43434–43467 PROPOSED RULES

Endangered and Threatened Wildlife and Plants:

90-Day Finding on Petition to List Sonoran talussnail as Endangered or Threatened, 43218–43222

Designation of Critical Habitat for Tidewater Goby, 43222–43227

NOTICES

Endangered and Threatened Wildlife and Plants: Incidental Take Permit; Proposed Low-Effect Habitat Conservation Plan; Marion County Utilities, Marion County, FL, 43349–43350

Environmental Assessments; Availability, etc.:

San Diego Unified School District Jonas Salk Elementary School Project in San Diego, CA, 43350–43352

Food and Drug Administration

NOTICES

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

Labeling of Certain Beers Subject to the Labeling Jurisdiction of the Food and Drug Administration, 4335–43337

Drugs for Human Use; Drug Efficacy Study Implementation: Certain Prescription Drugs Offered for Various Indications; Opportunity to Affirm Outstanding Hearing Request, 43337–43342

Food and Nutrition Service

NOTICES

Child and Adult Care Food Program:

National Average Payment Rates, Day Care Home Food Service Payment Rates, etc., 43229–43231

Food Distribution Program:

Value of Donated Foods from July 1, 2012 through June 30, 2013, 43231–43232

National School Lunch, Special Milk, and School Breakfast Programs:

National Average Payments/Maximum Reimbursement Rates, 43232–43234

Food Safety and Inspection Service

NOTICES

Meetings:

Codex Alimentarius Commission Committee on Fresh Fruits and Vegetables, 43234–43236

Foreign Assets Control Office

NOTICES

Unblocking of Designated Individuals and Entities, 43429

Forest Service

NOTICES

Meetings:

North Central Idaho Resource Advisory Committee, 43236

Health and Human Services Department

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See Community Living Administration

See Food and Drug Administration

See Health Resources and Services Administration

See National Institutes of Health

See Substance Abuse and Mental Health Services Administration

Health Resources and Services Administration NOTICES

Public Health Service Act Section 340B Registration Period, 43342–43343

Historic Preservation, Advisory Council NOTICES

Meetings, 43344-43345

Homeland Security Department

See Coast Guard

See U.S. Citizenship and Immigration Services

Housing and Urban Development Department NOTICES

Federally Mandated Exclusions from Income, 43347–43349

Indian Affairs Bureau

NOTICES

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

Tribal Self-Governance Program, 43353

Interior Department

See Fish and Wildlife Service

See Indian Affairs Bureau

See Land Management Bureau

See National Indian Gaming Commission

See National Park Service

See Ocean Energy Management Bureau See Office of Natural Resources Revenue

Internal Revenue Service

RULES

Disregarded Entities and Indoor Tanning Services Excise Tax:

Correction, 43157-43158

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43429–43430

Justice Department

See Alcohol, Tobacco, Firearms, and Explosives Bureau NOTICES

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

School Crime Supplement to National Crime Victimization Survey, 43365–43366

Labor Department

See Employment and Training Administration
See Occupational Safety and Health Administration
NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Youthbuild Site Visit Protocols, 43367

Land Management Bureau

NOTICES

Meetings:

Twin Falls District Resource Advisory Council, ID, 43353–43354

Legal Services Corporation

NOTICES

Meetings; Sunshine Act, 43371-43373

National Highway Traffic Safety Administration PROPOSED RULES

Denial of Motor Vehicle Defect Petition and Petition for Hearing, 43216–43218

National Indian Gaming Commission PROPOSED RULES

Minimum Internal Control Standards and Technical Standards, 43196

National Institute of Standards and Technology NOTICES

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

Summer Undergraduate Research Fellowship Program Student Applicant Information, 43236–43237 Meetings:

Malcolm Baldrige National Quality Award Panel of Judges, 43237

Public Workshops:

Genome in a Bottle Consortium; Work Plan Review, 43237–43238

National Institutes of Health

NOTICES

Meetings:

Eunice Kennedy Shriver National Institute of Child Health and Human Development, 43344 National Heart, Lung, and Blood Institute, 43343 National Institute of Diabetes and Digestive and Kidney Diseases, 43344 National Institute of Neurological Disorders and Stroke, 43343

National Oceanic and Atmospheric Administration NOTICES

Takes of Marine Mammals Incidental to Specified Activities:

Navy Training Conducted at the Silver Strand Training Complex, San Diego Bay, 43238–43259

Pile Driving for Honolulu Seawater Air Conditioning Project, 43259–43270

Taking and Importing Marine Mammals:

Coastal Commercial Fireworks Displays at Monterey Bay National Marine Sanctuary, CA, 43270–43271

National Park Service

NOTICES

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

Submission of Offers in Response to Concession Opportunities, 43354

National Register of Historic Places:

Pending Nominations and Related Actions, 43354-43355

National Science Foundation

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43373–43374

Navy Department

NOTICES

Environmental Impact Statements; Availability, etc.: Naval Air Station Key West Airfield Operations, FL, 43275–43276

Nuclear Regulatory Commission

NOTICES

Biweekly Notice; Facility Operating Licenses and Combined Licenses:

Applications and Amendments Involving No Significant Hazards Considerations, 43374–43382

Exemptions:

Millstone Power Station Unit 2, 43382–43405 Final Standard Review Plans:

Guidance for Evaluation of Diversity and Defense-in-Depth in Digital Computer-Based Instrumentation and Control Systems, 43405–43406

Meetings; Sunshine Act, 43406

Occupational Safety and Health Administration NOTICES

Applications for Expansion of Recognition: TUV Rheinland of North America, Inc., 43370–43371

Ocean Energy Management Bureau

Proposed Sales of Outer Continental Shelf Oil and Gas: Lease Sale 229 in Western Planning Area in Gulf of Mexico, 43355

Office of Natural Resources Revenue NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43355–43365

Office of United States Trade Representative

See Trade Representative, Office of United States

Presidential Documents

EXECUTIVE ORDERS

Somalia; National Emergency, Additional Steps to Address (EO 13620), 43481–43485

Public Debt Bureau

See Fiscal Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 43430–43431

Rural Utilities Service

RULES

Water and Waste Disposal Loans and Grants, 43149-43151

Securities and Exchange Commission

NOTICES

Meetings; Sunshine Act, 43406–43407 Self-Regulatory Organizations; Proposed Rule Changes: NYSE Arca, Inc., 43408–43410 Options Clearing Corp., 43407–43408

Small Business Administration

NOTICES

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

8(a) Business Development Program, 43410–43411

Disaster Declarations: Georgia, 43411–43412

Major Disaster Declarations:

Florida; Amendment 2, 43412 Florida; Amendment 4, 43412

State Department

NOTICES

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

Iraqi Citizens and Nationals Employed by Federal Contractors and Grantees, 43412–43413

Imposition of Nonproliferation Measures on Five Syrian Entities, 43413–43414

Statutory Debarments under Arms Export Control Act and International Traffic in Arms Regulations, 43414–43416

Substance Abuse and Mental Health Services Administration

NOTICES

Meetings:

Center for Substance Abuse Prevention, 43344

Trade Representative, Office of United States NOTICES

Meetings:

Industry Trade Advisory Committee on Small and Minority Business, 43416

Transportation Department

See Federal Aviation Administration See Federal Motor Carrier Safety Administration See National Highway Traffic Safety Administration NOTICES

Applications for Commuter Authority:

Star Marianas Air, Inc., 43416

Meetings:

ITS Industry Forum on Connected Vehicles; Moving from Research Towards Implementation, 43416–43417

Treasury Department

See Community Development Financial Institutions Fund

See Fiscal Service

See Foreign Assets Control Office

See Internal Revenue Service

See Public Debt Bureau

U.S. Citizenship and Immigration Services NOTICES

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

Application for Permission to Reapply for Admission into United States after Deportation or Removal, 43346– 43347

Application for Posthumous Citizenship, 43346 Sponsor's Notice of Change of Address, 43345–43346

Separate Parts In This Issue

Part I

Interior Department, Fish and Wildlife Service, 43434–43467

Part III

Defense Department, Defense Acquisition Regulations System, 43470–43479

Part IV

Presidential Documents, 43481-43485

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
Executive Orders: 1362043483
7 CFR
177743149
12 CFR
362 (2 documents)43151, 43155
43133
Proposed Rules:
39 (2 documents)43176,
43178
71 (2 documents)43181,
18 CFR
Proposed Rules:
243184
3543184 4043190
25 CFR
Proposed Rules:
54343196
54743196
26 CFR 30143157
33 CFR
100 (2 documents)43158,
43161 117 (2 documents)43164,
/2165
16543167
40 CFR
Proposed Rules: 52 (3 documents)43196,
43205, 43206
47 CFR
Proposed Rules:
7343216
48 CFR 21543470
22543470
252 (2 documents)43470
Proposed Rules: 20443477
21243477
252 (2 documents)43474,
43477 49 CFR
Proposed Rules:
55243216
55743216
50 CFR 17 (2 documents)43170
Proposed Rules:
17 (2 documents)43218,
43222

43222