

FEDERAL REGISTER

Vol. 77 Monday,

No. 161 August 20, 2012

Pages 49991-50370

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. 161

Monday, August 20, 2012

Agriculture Department

See Forest Service

See National Agricultural Statistics Service

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50078

Architectural and Transportation Barriers Compliance Board

PROPOSED RULES

Americans with Disabilities Act Accessibility Guidelines for Transportation Vehicles, 50068–50069

Army Department

NOTICES

Intents to Grant Exclusive Licenses:

United States Patent No. 7,837,654 B2; Precision Sensing and Treatment Delivery Device for Promoting Healing in Living Tissue, 50089

Army Education Advisory Committee, 50089-50090 Update to the 26 September 2011 Military Freight Traffic Unified Rules Publication No. 1, 50090

Bureau of Consumer Financial Protection

RULES

Electronic Fund Transfers, Regulation E, 50244-50288

Centers for Medicare & Medicaid Services NOTICES

Medicaid Programs:

State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals (QIs) for FY 2012, 50109-50110

Medicare Program:

Request for Nominations for Members for Medicare Evidence Development and Coverage Advisory Committee, 50110-50112

Children and Families Administration NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50112

Coast Guard

RULES

Drawbridge Operations:

Grassy Sound Channel, Middle Township, NJ, 50016-

Willamette River, Portland, OR, 50017

Safety Zones:

Annual Events Requiring Safety Zones in Milwaukee Harbor, Milwaukee, WI, 50018-50019

Chicago Harbor, Navy Pier Southeast, Chicago, IL, 50017-50018

Cocoa Beach Air Show, Atlantic Ocean, Cocoa Beach, FL, 50019-50021

PROPOSED RULES

Safety Zones:

Embry-Riddle Wings and Waves, Atlantic Ocean, Daytona Beach, FL, 50062-50065

Jacksonville Sea and Sky Spectacular, Atlantic Ocean, Jacksonville Beach, FL, 50065-50068

Commerce Department

See International Trade Administration See National Oceanic and Atmospheric Administration **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50082–50084

Community Living Administration NOTICES

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

Developmental Disabilities Protection & Advocacy Program Statement of Goals and Priorities, 50112-50113

Defense Department

See Army Department See Navy Department

NOTICES

Meetings:

Reserve Forces Policy Board, 50087-50088 Threat Reduction Advisory Committee, 50088 Uniform Formulary Beneficiary Advisory Panel, 50088-50089

Drug Enforcement Administration

NOTICES

Importers of Controlled Substances; Applications: Cerilliant Corp., 50162

Clinical Supplies Management Inc., 50162 Lipomed, 50162

R & D Systems, Inc., 50162

SA INTL GMBH C/O., Sigma Aldrich Co. LLC, 50162

Importers of Controlled Substances; Registrations:

Almac Clinical Services, Inc., 50162–50163 Catalent Pharma Solutions, Inc., 50163

Research Triangle Institute, 50163

Manufacturers of Controlled Substances; Registrations: Cody Laboratories, Inc., 50163

Education Department

NOTICES

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

State Plan for Independent Living, 50090–50091 Privacy Act; Systems of Records, 50091-50092

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency RULES

Approval and Promulgation of Air Quality Implementation Plans:

Arkansas; Infrastructure Requirements for the 1997 Ozone NAAQS, etc., 50033-50038

National Oil and Hazardous Substances Pollution

Contingency Plan; National Priorities List:

Deletion of Hooker (Hyde Park) Superfund Site, 50038-50044

Deletion of W. R. Grace and Co., Inc./Wayne Interim Storage U.S. Department of Energy Superfund Site, 50044-50048

Revisions to California State Implementation Plan: San Joaquin Valley Unified Air Pollution Control District, 50021–50033

PROPOSED RULES

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List:

Deletion of Hooker (Hyde Park) Superfund Site, 50070–50071

Deletion of W. R. Grace and Co., Inc./Wayne Interim Storage U.S. Department of Energy Superfund Site, 50069–50070

Executive Office of the President

See Trade Representative, Office of United States

Export-Import Bank

NOTICES

Applications:

Final Commitment for a Long-Term Loan or Financial Guarantee in Excess of \$100 Million, 50102

Federal Aviation Administration

RULES

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures, 50012– 50016

PROPOSED RULES

Airworthiness Directives:

Cessna Aircraft Company Airplanes, 50054–50056

Meetings:

RTCA Special Committee 203, Unmanned Aircraft Systems, 50207

Federal Communications Commission RULES

Procedures to Govern the Use of Satellite Earth Stations on Board Vessels in the 5925–6425 MHz/3700–4200 MHz Bands and 14.0–14.5 GHz/11.7–12.2 GHz Bands, 50049–50053

Radio Broadcasting Services:

Westley, California, 50053

PROPOSED RULES

Petition for Reconsideration of Action in Rulemaking Proceeding, 50071

Federal Election Commission

NOTICES

Meetings; Sunshine Act, 50102

Federal Energy Regulatory Commission

Applications:

Duke Energy Carolinas, LLC, 50092-50093

Combined Filings, 50093-50097

Commission Staff Attendances, 50097-50098

Environmental Assessments; Availability, etc.:

Columbia Gas Transmission, LLC; Line MB Loop Extension Project, 50098–50100

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

APand G Holdings LLC, 50100

Meetings:

Coordination between Natural Gas and Electricity Markets, 50100–50101 Preliminary Permit Applications:

Natural Currents Energy Services, LLC, 50101

Requests under Blanket Authorization:

Cadeville Gas Storage LLC, 50101-50102

Federal Highway Administration NOTICES

Final Federal Agency Actions on Project I-5:

Glendale-Hugo Paving/Sexton Climbing Lane, Douglas and Josephine Counties, OR, 50207–50208

Proposed Renewed and Amended Memorandum of Understanding:

Assigning Environmental Responsibilities to the State of Alaska, 50208–50210

Federal Railroad Administration

PROPOSED RULES

Railroad Workplace Safety:

Roadway Worker Protection Miscellaneous Revisions, 50324–50370

Federal Reserve System

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50102–50106

Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 50106

Proposals to Engage in or to Acquire Companies Engaged in Permissible Nonbanking Activities, 50106

Federal Trade Commission

PROPOSED RULES

Guides for Jewelry, Precious Metals, and Pewter Industries, 50056–50057

Premerger Notification; Reporting and Waiting Period Requirements, 50057–50062

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50106–50109

Fish and Wildlife Service

PROPOSED RULES

Endangered and Threatened Wildlife and Plants:
Designation of Critical Habitat for Jaguar, 50214–50242
NOTICES

Endangered and Threatened Wildlife and Plants; Recovery Permit Application, 50152–50153

Environmental Impact Statements; Availability, etc.: Special Purpose Permit Application, Hawaii-Based Shallow-Set Longline Fishery; Finding of No Significant Impact, 50153–50154

Meetings:

Trinity Adaptive Management Working Group, 50155 Neal Smith National Wildlife Refuge: Jasper County, Iowa, 50155–50156

Food and Drug Administration

NOTICES

ASTM International-Food and Drug Administration Workshop:

Absorbable Medical Devices, Lessons Learned from Correlations of Bench Testing and Clinical Performance, 50113–50114

Modifications to the List of Recognized Standards, 50114–50121

Withdrawal of Approval of New Drug Applications: Hospira, Inc.; DEXTRAN 70, 50121

Foreign Assets Control Office

NOTICES

Unblocking Persons and Property:

One Individual Designated Pursuant to Executive Order 13573, 50210

Forest Service

NOTICES

Meetings:

Del Norte County Resource Advisory Committee, 50080 Eleven Point Resource Advisory Committee, 50081 Humboldt County, CA Resource Advisory Committee, 50082

North Gifford Pinchot Resource Advisory Committee, 50079

Northeast Oregon Forest Resource Advisory Committee, 50080

Prince of Wales Resource Advisory Committee, 50081 South Gifford Pinchot Resource Advisory Committee, 50078–50079

Superior Resource Advisory Committee, 50079–50080

Health and Human Services Department

See Centers for Medicare & Medicaid Services

See Children and Families Administration

See Community Living Administration

See Food and Drug Administration

See Indian Health Service

See National Institutes of Health

See Substance Abuse and Mental Health Services Administration

Homeland Security Department

See Coast Guard

See U.S. Customs and Border Protection

See U.S. Immigration and Customs Enforcement ${\bf NOTICES}$

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

Broad Stakeholder Survey, 50144–50145

Housing and Urban Development Department NOTICES

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

2013 American Housing Survey, 50151

Debt Resolution Program, 50150–50151

Moving to Work Demonstration, 50149-50150

Public Housing Operating Fund Program – Operating Budget and Related Form, 50151–50152

Indian Affairs Bureau

NOTICES

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

Water Delivery and Electric Service Data for Operation of Irrigation and Power Projects and Systems, 50156– 50157

Indian Health Service

See Indian Health Service

NOTICES

Funding Opportunities:

National Indian Health Outreach and Education Cooperative Agreement; Office of Direct Service and Contracting Tribes, 50128–50137

National Indian Health Outreach and Education Program; Office of Direct Service and Contracting Tribes, 50121–50128

Interior Department

See Fish and Wildlife Service

See Indian Affairs Bureau

See Land Management Bureau

See National Park Service

Internal Revenue Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50210–50212

International Trade Administration

NOTICES

Scope Rulings, 50084-50085

International Trade Commission

NOTICES

Countervailing Duty and Antidumping Investigations: Steel Wire Garment Hangers from Taiwan and Vietnam, 50160–50162

Justice Department

See Drug Enforcement Administration

Labor Department

See Mine Safety and Health Administration See Occupational Safety and Health Administration

Land Management Bureau

NOTICES

Meetings:

Eastern Washington Resource Advisory Council, 50157

Mine Safety and Health Administration NOTICES

Affirmative Decisions on Petitions for Modification Granted in Whole or in Part, 50163–50165

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

Escape and Evacuation Plans for Surface Coal Mines, Surface Facilities and Surface Work Areas, etc., 50165–50166

Petitions for Modification of Application of Existing Mandatory Safety Standards, 50166–50172

National Agricultural Statistics Service NOTICES

Opportunity to Submit Content Request for the 2013 Census of Aquaculture, 50082

National Highway Traffic Safety Administration PROPOSED RULES

Petition for Approval of Alternate Odometer Disclosure Requirements, 50071–50077

National Institutes of Health

NOTICE

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50138–50139 Meetings:

Center for Scientific Review, 50139

National Human Genome Research Institute, 50140 National Institute of Allergy and Infectious Diseases, 50139

National Institute of Dental and Craniofacial Research,

National Institute on Minority Health and Health Disparities, 50139–50140

National Oceanic and Atmospheric Administration

Taking and Importing Marine Mammals:

Incidental to Navy Operations of Surveillance Towed Array Sensor System Low Frequency Active Sonar, 50290–50322

NOTICES

National Estuarine Research Reserve Management Plan: Rookery Bay, FL, and Kachemak Bay, AL, 50085 Permits:

Marine Mammals; File No. 16109, 50086

Marine Mammals; File No. 16160, 50085-50086

Taking and Importing of Marine Mammals:

Yellowfin Tuna by Government of Spain, 50086-50087

National Park Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50157–50160 National Register of Historic Places:

Pending Nominations and Related Actions, 50160

National Science Foundation

NOTICES

Meetings:

Biological Sciences Advisory Committee, 50174 Permits Issued under Antarctic Conservation Act, 50174

Navy Department

NOTICES

Meetings:

U.S. Naval Academy Board of Visitors, 50090

Occupational Safety and Health Administration NOTICES

Meetings:

Performance-based Regulatory Models in the U.S. Oil and Gas Industry, Offshore and Onshore, 50172–50174

Office of United States Trade Representative

See Trade Representative, Office of United States

Personnel Management Office NOTICES

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

Combined Federal Campaign Applications, 50174–50175 Questionnaire for Public Trust Positions and

Supplemental Questionnaire for Selected Positions, 50175–50184

Securities and Exchange Commission

RULES

Retail Foreign Exchange Transactions, 50016 NOTICES

Applications:

LoCorr Fund Management, LLC and LoCorr Investment Trust, 50185–50187

Miami International Securities Exchange, LLC, 50184–50185

Meetings:

Advisory Committee on Small and Emerging Companies, 50187

Self-Regulatory Organizations; Proposed Rule Changes:

BATS Exchange, Inc., 50199–50204

BATS Y-Exchange, Inc., 50193-50198

Fixed Income Clearing Corp., 50198-50199

NASDAQ OMX PHLX LLC, 50187-50189

NASDAQ Stock Market LLC, 50191–50193

NYSE Arca, Inc., 50189–50191

Suspension of Trading Orders:

Star Entertainment Group, Inc., 50204

Small Business Administration

RULES

Small Business Size Standards:

Adoption of 2012 North American Industry Classification System for Size Standards, 49991–50012

NOTICES

Disaster Declarations:

Colorado; Amendment 1, 50204

Social Security Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50204–50205

State Department

NOTICES

Re-Delegations by Under Secretary for Management to the Comptroller:

Authorities Relating to Administration of Federal Advisory Committee Act, 50205–50206

Statistical Reporting Service

See National Agricultural Statistics Service

Substance Abuse and Mental Health Services Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50140–50144 Meetings:

Center for Mental Health Services; Amendment, 50144 Center for Substance Abuse Treatment National Advisory Council, 50144

Trade Representative, Office of United States NOTICES

Public Hearings:

China Compliance with World Trade Organization Commitments, 50206–50207

Transportation Department

See Federal Aviation Administration See Federal Highway Administration

See Federal Railroad Administration

See National Highway Traffic Safety Administration

Treasury Department

See Foreign Assets Control Office See Internal Revenue Service

U.S. Customs and Border Protection NOTICES

Approval of Saybolt LP, as a commercial gauger, 50145

U.S. Immigration and Customs Enforcement NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 50145–50149

Separate Parts In This Issue

Part II

Interior Department, Fish and Wildlife Service, 50214–50242

Part III

Bureau of Consumer Financial Protection, 50244-50288

Part IV

Commerce Department, National Oceanic and Atmospheric Administration, 50290–50322

Part V

Transportation Department, Federal Railroad Administration, 50324–50370

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.

12 CFR 1005	50244
13 CFR	50244
121	49991
14 CFR 97 (2 documents)	50010
97 (2 documents)	50014
Proposed Rules:	
39	50054
16 CFR	
Proposed Rules:	
23	50056
801	50057
17 CFR 240	E0016
	30016
33 CFR	50010
117 (2 documents)	50016,
165 (4 documents)	50017
165 (4 documents)	50017,
	18, 50019
Proposed Rules:	
165 (2 documents)	50062,
	50065
36 CFR	
	50068
Proposed Rules: 1192	50068
Proposed Rules: 1192	
Proposed Rules: 1192 40 CFR 52 (2 documents)	50021,
Proposed Rules: 1192 40 CFR 52 (2 documents)	50021,
Proposed Rules: 1192 40 CFR 52 (2 documents)	50021,
Proposed Rules: 1192	50021,
Proposed Rules: 1192 40 CFR 52 (2 documents) 81	50021, 50033 50033
Proposed Rules: 1192 40 CFR 52 (2 documents) 81 300 (2 documents) Proposed Rules:	50021, 50033 50033 50038, 50044
Proposed Rules: 1192 40 CFR 52 (2 documents) 81	50021, 50033 50033 50038, 50044
Proposed Rules: 1192	50021, 50033 50033 50038, 50044
Proposed Rules: 1192	50021, 50033 50033 50038, 50044 50069, 50070
Proposed Rules: 1192	50021, 50033 50033 50038, 50044 50069, 50070
Proposed Rules: 1192	50021, 50033 50033 50038, 50044 50069, 50070
Proposed Rules: 1192	50021, 50033 50038, 50044 50069, 50070 50049 50053
Proposed Rules: 1192	50021, 50033 50033 50038, 50044 50069, 50070 50049 50053
Proposed Rules: 1192	50021, 50033 50033 50038, 50044 50069, 50070 50049 50053
Proposed Rules: 1192	50021, 50033 50033 50038, 50044 50069, 50070 50049 50053
Proposed Rules: 1192	50021, 50033 50038, 50044 50069, 50070 50049 50053 50071
Proposed Rules: 1192	50021, 50033 50038, 50044 50069, 50070 50053 50071
Proposed Rules: 1192	50021, 50033 50038, 50044 50069, 50070 50053 50071
Proposed Rules: 1192	50021, 50033 50038, 50044 50069, 50070 50049 50071 50071
Proposed Rules: 1192	50021, 50033 50038, 50044 50069, 50070 50049 50071 50071

17.....50214