



# FEDERAL REGISTER

---

Vol. 77

Wednesday,

No. 239

December 12, 2012

Pages 73897–74102

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, February 12, 2013  
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. 239

Wednesday, December 12, 2012

## Agency for International Development

### NOTICES

Privacy Act; Systems of Records, 73973–73974

## Agricultural Marketing Service

### PROPOSED RULES

Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida:

Redistricting and Reapportionment of Grower Members, and Changing the Qualifications for Grower Membership on the Citrus Administrative Committee, 73961–73965

## Agriculture Department

See Agricultural Marketing Service

See Forest Service

## Centers for Disease Control and Prevention

### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 74017–74018

## Centers for Medicare & Medicaid Services

### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 74018–74019

Agency Information Collection Activities; Proposals, Submissions, and Approvals; Correction, 74019

## Children and Families Administration

### NOTICES

Privacy Act; Systems of Records, 74019–74021

## Coast Guard

### RULES

Regulated Navigation Areas:

S99 Alford Street Bridge Rehabilitation Project, Mystic River, MA, 73916–73919

### PROPOSED RULES

Drawbridge Operations:

Bear Creek, Dundalk, MD; Withdrawal, 73967–73968

## Commerce Department

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

## Comptroller of the Currency

### NOTICES

Meetings:

Mutual Savings Association Advisory Committee, 74052

## Education Department

### NOTICES

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

Annual Mandatory Collection of Elementary and Secondary Education Data for EDFacts, 73994–73995

Indian Education Professional Development Grants Program, GPRA and Service Payback, 73993–73994

Student Assistance General Provisions – Annual Fire Safety Report, 73994

Title I State Plan for Vocational Rehabilitation Services and Title VI–Part B Supplement for Supported Employment Services, 73995–73996

## Employee Benefits Security Administration

### PROPOSED RULES

Amendments to the Abandoned Plan Regulations, 74063–74097

### NOTICES

Prohibited Transaction Exemptions; Proposed Amendments:

Termination of Abandoned Individual Account Plans, 74056–74062

## Energy Department

See Federal Energy Regulatory Commission

### NOTICES

Environmental Assessments; Availability, etc.:

Recycling of Scrap Metals Originating from Radiological Areas, 73996–73997

## Environmental Protection Agency

### RULES

Approvals and Promulgations of Air Quality Implementation Plans:

West Virginia; 2002 Base Year Emissions Inventory for Charleston Nonattainment Area, etc., 73923–73924

West Virginia; 2002 Base Year Emissions Inventory for Parkersburg–Marietta, WV–OH Nonattainment Area, 73924–73926

Approvals and Promulgations of State Implementation Plans:

Wyoming; Regional Haze Rule Requirements for Mandatory Class I Areas, 73926–73934

Exemptions from the Requirement of a Tolerance:

*Bacillus subtilis* Strain QST 713 Variant Soil, etc., 73934–73937

Pesticide Tolerances:

Fenpyroximate, 73945–73951

Flubendiamide, 73940–73945

Pyriproxyfen, 73951–73956

Spirodiclofen, 73937–73940

### PROPOSED RULES

Reconsideration of Certain New Source and Startup/Shutdown Issues:

National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units, etc., 73968–73969

### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 73998–73999

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

NSPS for Phosphate Fertilizer Industry, 74000–74001

NSPS for Secondary Lead Smelters, 74001–74002

Regulations.gov Information Collection, 73999–74000

Technical Assistance Needs Assessments at Superfund Remedial or Removal Sites, 74002–74003

Availability:

Pesticides; Draft Guidance for Pesticide Registrants on Antimicrobial Pesticide Products with Mold-Related Label Claims, 74003–74004

**Meetings:**

- Human Studies Review Board, 74004–74006
- Proposed Administrative Cost Recovery Settlement under CERCLA:
  - Radiation—Former Air Capitol Dial Superfund Site, Sedgwick County, KS, 74006
- Recycling Plastics from Shredder Residue:
  - Polychlorinated Biphenyls (PCBs), 74006–74010

**Executive Office of the President**

*See* Presidential Documents

**Export-Import Bank****NOTICES****Applications:**

- Final Commitment for Long-Term Loan or Financial Guarantee in Excess of 100 million Dollars, 74010

**Farm Credit Administration****NOTICES**

Meetings; Sunshine Act, 74010

**Federal Aviation Administration****RULES****Airworthiness Directives:**

- Agusta S.p.A. Helicopters, 73906–73908
- Bombardier, Inc. Airplanes, 73902–73906
- The Boeing Company Airplanes, 73897–73902, 73908–73910

Flightcrew Member Duty and Rest Requirements, 73911–73912

**Federal Communications Commission****RULES**

Facilitating the Use of Microwave for Wireless Backhaul and Other Uses, etc.; Correction, 73956–73957

**PROPOSED RULES**

Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, 73969

**NOTICES**

Proposed Changes to FCC Forms and Accompanying Instructions, 74010–74013

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

Combined Filings, 73997–73998

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

Buy America Waivers, 74048–74050

**Federal Maritime Commission****NOTICES**

Agreements Filed, 74013

**Federal Retirement Thrift Investment Board****NOTICES**

Meetings; Sunshine Act, 74013

**Federal Trade Commission****RULES**

Used Motor Vehicle Trade Regulations, 73912–73916

**NOTICES**

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules, 74013–74016

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

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 74050–74051

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

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

- Experimental Study; Disease Information in Branded Promotional Material, 74021

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

Denial of Manufacturing Authority; New Evidence:
 

- Toho Tenax America, Inc., Foreign Trade Zone 148, Knoxville, TN, 73978

Reorganizations under Alternative Site Framework:
 

- Foreign-Trade Zone 93, Raleigh/Durham, NC, 73978–73979

**Forest Service****NOTICES**

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

- Arapaho–Roosevelt National Forest Visitor Surveys for Recreation Transportation System Alternatives Study, 73974–73975
- National Visitor Use Monitoring, 73975–73976

 Environmental Impact Statements; Availability, etc.:
 

- Crooked River Valley Rehabilitation Project, Nez Perce–Clearwater National Forests, ID, 73976–73978

**Health and Human Services Department**

*See* Centers for Disease Control and Prevention

*See* Centers for Medicare & Medicaid Services

*See* Children and Families Administration

*See* Food and Drug Administration

**NOTICES****Meetings:**

Presidential Advisory Council on HIV/AIDS, 74016–74017

**Homeland Security Department**

*See* Coast Guard

*See* U.S. Customs and Border Protection

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

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

- Emergency Solutions Grant Data Record Keeping Requirements, 74024
- Ginnie Mae Mortgage-Backed Securities Guide, Revision 1, 74022–74024

**Indian Affairs Bureau****NOTICES**

Federated Indians of Graton Rancheria—Liquor Control Statute, 74025–74027

**Inter-American Foundation****NOTICES**

Meetings; Sunshine Act, 74024–74025

**Interior Department**

*See* Indian Affairs Bureau

*See* National Park Service

See Surface Mining Reclamation and Enforcement Office

### Internal Revenue Service

#### PROPOSED RULES

Allocation of Costs Under the Simplified Methods; Hearing, 73965

### International Trade Administration

#### NOTICES

Antidumping Duty Administrative Reviews; Results, Extensions, Amendments, etc.:  
Fresh Garlic from the People's Republic of China, 73980–73982

Magnesium Metal from Russian Federation, 73979–73980

Antidumping Duty Investigations; Results, Extensions, Amendments, etc.:

Silica Bricks and Shapes from the People's Republic of China, 73982–73986

### International Trade Commission

#### NOTICES

Terminations of Investigations:

Certain Integrated Circuit Packages Provided with Multiple Heat-Conducting Paths and Products Containing Same, 74027

### Judicial Conference of the United States

#### NOTICES

Hearings:

Advisory Committee on Rules of Criminal Procedure; Cancellation, 74028

Judicial Conference of the United States Advisory Committee on Rules of Evidence; Cancellation, 74028

### Labor Department

See Employee Benefits Security Administration

### National Archives and Records Administration

#### NOTICES

Records Schedules; Availability, etc., 74028–74029

### National Oceanic and Atmospheric Administration

#### RULES

Fisheries of the Northeastern United States:

Atlantic Sea Scallop Fishery; Closure of Elephant Trunk Area, 73957–73960

#### PROPOSED RULES

International Fisheries:

Pacific Tuna Fisheries; Fishing Restrictions in the Eastern Pacific Ocean, 73969–73972

#### NOTICES

Marine Mammals Permits, 73986–73987

Meetings:

Pacific Fishery Management Council, 73987–73988

Permits:

Marine Mammals; File No. 17152, 73988

Takes of Marine Mammals Incidental to Specified Activities:

Seabird and Pinniped Research Activities in Central California, 2012–2013, 73989–73993

### National Park Service

#### RULES

Special Regulations:

Areas of National Park System, Yellowstone National Park, 73919–73923

#### NOTICES

Environmental Impact Statements; Availability, etc.:  
Winter Use Plan, Yellowstone National Park, ID, MT, and WY, 74027

### Nuclear Regulatory Commission

#### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 74029–74030

Exemptions for Enhancements to Emergency Preparedness: Pacific Gas and Electric Co., Humboldt Bay Power Plant, Unit 3, 74030–74032

### Postal Regulatory Commission

#### NOTICES

International Mail Contracts, 74032–74033

Standard Mail Pricing, 74033

### Presidential Documents

#### EXECUTIVE ORDERS

Committees; Establishment, Renewal, Termination, etc.:

Prevention, Health Promotion, and Integrative and Public Health Advisory Group; Reestablishment (EO 13631), 74099–74101

### Public Debt Bureau

#### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 74053

### Securities and Exchange Commission

#### NOTICES

Self-Regulatory Organizations; Proposed Rule Changes:

Chicago Board Options Exchange, Inc., 74041–74042

NASDAQ OMX PHLX LLC, 74037–74041

NASDAQ Stock Market LLC, 74042–74043

New York Stock Exchange LLC, 74034–74037

Options Clearing Corp., 74043–74044

### State Department

#### NOTICES

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

2013 Trafficking in Persons Report, 74045–74048

Statement of Consent, Issuance of U.S. Passport to Minor under Age 16, 74044–74045

Culturally Significant Objects Imported for Exhibition Determinations:

Connecting Collections; Collecting Connections, 50 Years of Pre-Columbian Art at Dumbarton Oaks, 74048

Meetings:

Foreign Affairs Policy Board, 74048

### Surface Mining Reclamation and Enforcement Office

#### PROPOSED RULES

Montana Regulatory Program, 73965–73966

Utah Regulatory Program, 73966–73967

### Transportation Department

See Federal Aviation Administration

See Federal Highway Administration

See Federal Transit Administration

### Treasury Department

See Comptroller of the Currency

See Internal Revenue Service

See Public Debt Bureau

**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 74051–74052

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

Customs Broker Licenses; Cancellations, 74022

---

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

Labor Department, Employee Benefits Security Administration, 74056–74097

**Part III**

Presidential Documents, 74099–74101

---

**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:**

13631 (See EO 13544  
of 6/10/10, continued  
by EO 13591).....74101

**7 CFR****Proposed Rules:**

905.....73961

**14 CFR**

39 (4 documents) .....73897,  
73902, 73906, 73908  
117 .....73911  
119 .....73911  
121 .....73911

**16 CFR**

455.....73912

**26 CFR****Proposed Rules:**

1.....73965

**29 CFR****Proposed Rules:**

2520 .....74063  
2550 .....74063  
2578 .....74063

**30 CFR****Proposed Rules:**

926 .....73965  
944 .....73966

**33 CFR**

165 .....73916

**Proposed Rules:**

117 .....73967

**36 CFR**

7 .....73919

**40 CFR**

52 (3 documents) .....73923,  
73924, 73926  
180 (5 documents) .....73934,  
73937, 73940, 73945, 73951

**Proposed Rules:**

60 .....73968  
63 .....73968

**47 CFR**

101 .....73956

**Proposed Rules:**

1 .....73969  
27 .....73969  
73 .....73969

**50 CFR**

648 .....73957

**Proposed Rules:**

300 .....73969