

# FEDERAL REGISTER

Vol. 78 Tuesday,

No. 10 January 15, 2013

Pages 2879-3310

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 <a href="https://www.ofr.gov">www.ofr.gov</a>.

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  ${\bf Federal\ Register.}$ 

**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
- 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. 78, No. 10

Tuesday, January 15, 2013

## **Administrative Conference of the United States**

Adoption of Recommendations, 2939-2945

#### **Agricultural Marketing Service**

#### PROPOSED RULES

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

Increased Assessment Rate, 2908-2910

#### NOTICES

United States Standards for Grades of Frozen Vegetables, 2946-2947

#### **Agriculture Department**

See Agricultural Marketing Service

See Forest Service

See Grain Inspection, Packers and Stockyards Administration

#### **NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 2945–2946

#### **Bureau of Consumer Financial Protection** NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 2961-2962

#### **Centers for Disease Control and Prevention** NOTICES

Meetings:

Community Preventive Services Task Force, 2996–2997

#### **Coast Guard**

#### PROPOSED RULES

Special Local Regulations:

West Palm Beach Triathlon Championship, Intracoastal Waterway, West Palm Beach, FL, 2916-2919

### **Commerce Department**

See Foreign-Trade Zones Board

See International Trade Administration

See National Institute of Standards and Technology

See National Oceanic and Atmospheric Administration

See Patent and Trademark Office

## **Commodity Futures Trading Commission**

#### NOTICES

Meetings; Sunshine Act, 2961

## **Community Living Administration**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 2997 Meetings:

President's Committee for People with Intellectual Disabilities, 2997-2998

## **Consumer Product Safety Commission**

Meetings; Sunshine Act, 2962

#### **Defense Department**

#### **RULES**

Federal Acquisition Regulations:

Nondisplacement of Qualified Workers under Service Contracts; Correction, 2893

#### **Education Department**

#### PROPOSED RULES

**Proposed Priorities:** 

National Institute on Disability and Rehabilitation Research Inclusive Cloud and Web Computing, 2919-2923

National Institute on Disability and Rehabilitation Research, Center on Knowledge Translation for Technology Transfer, 2923-2925

#### NOTICES

Applications for New Awards:

Children with Disabilities; Personnel Preparation in Special Education, Early Intervention, and Related Services, 2962-2971

Personnel Development to Improve Services and Results for Children with Disabilities; etc., 2971-2978

#### **Employment and Training Administration** NOTICES

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

Trade Activity Participant Report, 3029–3030

Amended Certifications Regarding Eligibility to Apply for Worker Adjustment Assistance:

Hewlett-Packard Co., Personal Printing Systems, Corvallis, OR, and Vancouver, WA, 3031

Novartis Pharmaceuticals Corp., Primary Care Business Unit (Sales) Division, et al., East Hanover, NJ, 3030 Meetings:

Native American Employment and Training Council, 3031

## **Energy Department**

See Federal Energy Regulatory Commission

## **Environmental Protection Agency**

#### **RULES**

Findings of Failure to Submit Complete State Implementation Plans, 2882–2892

National Ambient Air Quality Standards for Particulate Matter, 3086-3287

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

Distribution of Offsite Consequence Analysis Information under Clean Air Act, 2992-2993

Public Water System Supervision Program Approvals: Ohio, 2993

## **Farm Credit Administration**

#### RULES

Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs:

Farmer Mac Investment Management; Effective Date, 2879

### **Federal Aviation Administration**

RULES

Establishment of Class D and Class E Airspaces: Camp Guernsey, WY, 2879–2880

PROPOSED RULES

Airworthiness Directives:

GROB-Werke Airplanes, 2910-2912

Prohibition on Personal Use of Electronic Devices on the Flight Deck, 2912–2916

NOTICES

Petitions for Exemptions; Summaries of Petitions Received, 3068–3069

## **Federal Communications Commission**

PROPOSED RULES

Promoting Diversification of Ownership in the Broadcasting Services, 2925–2938

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 2993–2995

#### **Federal Deposit Insurance Corporation**

**NOTICES** 

Meetings; Sunshine Act, 2995

## Federal Emergency Management Agency NOTICES

Major Disaster Declarations:

Maryland; Amendment No. 4, 3023 Virginia; Amendment No. 1, 3022 Virginia; Amendment No. 2, 3023

## Federal Energy Regulatory Commission

RULES

Annual Update of Filing Fees, 2880–2881 NOTICES

Combined Filings, 2978-2981

Environmental Assessments; Availability, etc.:

Northwest Pipeline GP South Seattle Delivery Lateral Expansion Project, 2982

Filings:

Azusa, CA, 2983

Pasadena, CA, 2983

Steuben Gas Storage Co., 2982-2983

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

Atlantic Coast Energy Corp., 2984

Silver Bear Power, LLC, 2984

Southard Energy Partners, LLC, 2983-2984

License Amendment Applications:

Antrim County, 2984–2985

License Transfer Applications:

Moretown Hydro Energy Co. to Ampersand Moretown Hydro, LLC, 2985–2986

License Variance Applications:

Northern Indiana Public Service Co., 2986–2987

Meetings; Sunshine Act, 2987-2988

Petitions for Declaratory Orders:

Badger Creek Ltd., 2988

Preliminary Permit Applications:

Juneau Hydropower, Inc., 2990

Monroe Hydro LLC, 2989

New England Hydropower Co., LLC, 2988–2989

PayneBridge, LLC, 2989–2990

Requests under Blanket Authorizations:

Bear Creek Storage Co., L.L.C., 2990-2991

Southern Natural Gas Co., L.L.C., 2991

**Technical Conferences:** 

Trailblazer Pipeline Co. LLC, 2991-2992

## Federal Financial Institutions Examination Council NOTICES

Meetings:

Appraisal Subcommittee, 2995-2996

## Federal Motor Carrier Safety Administration NOTICES

Qualifications of Drivers; Exemption Applications: Epilepsy and Seizure Disorders, 3069–3081

### **Federal Reserve System**

NOTICES

Changes in Bank Control:

Formations of, Acquisitions by, and Mergers of Bank Holding Companies; Correction, 2996

Federal Open Market Committee; Domestic Policy Directive of December 11–12, 2012, 2996

#### Fish and Wildlife Service

NOTICES

Draft Policy on Donations, Fundraising, and Solicitation, 3023-3024

Environmental Assessments; Availability, etc.:

Sam D. Hamilton Noxubee National Wildlife Refuge, MS, 3024–3025

St. Vincent National Wildlife Refuge, FL, 3025–3026 Establishment of Swan Valley, MT Conservation Area, 3026–3027

### Food and Drug Administration

RULES

Privacy Act, Exempt Record System; Withdrawal, 2892

Food and Drug Administration Modernization Act of 1997: Modifications to List of Recognized Standards, Recognition List Number 30, 2998–3005

Public Hearings:

Creating an Alternative Approval Pathway for Certain Drugs Intended to Address Unmet Medical Need, 3005–3008

#### **Foreign Assets Control Office**

**NOTICES** 

Foreign Narcotics Kingpin Designation Act; Additional Designations, 3083

### Foreign-Trade Zones Board

**NOTICES** 

Applications for Expansions and Expansions of Service Areas under Alternative Site Framework: Foreign-Trade Zone 3, San Francisco, CA, 2952

#### **Forest Service**

NOTICES

Environmental Impact Statements; Availability, etc.: Maverick Point Forest Health Project, Manti–La Sal National Forest, UT, 2947–2950

Meetings:

Forestry Research Advisory Council, 2950

### **General Services Administration**

**RULES** 

Federal Acquisition Regulations:

Nondisplacement of Qualified Workers under Service Contracts; Correction, 2893

#### Grain Inspection, Packers and Stockyards Administration NOTICES

Applications:

Indianapolis, IN, 2950

Proposed Posting and Posting of Stockyards, 2950–2952

#### **Health and Human Services Department**

See Centers for Disease Control and Prevention

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

#### **RULES**

Privacy Act, Exempt Record System; Withdrawal, 2892

#### **Health Resources and Services Administration** NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 3008-3009

#### **Homeland Security Department**

See Coast Guard

See Federal Emergency Management Agency NOTICES

Privacy Act; Systems of Records, 3015-3022

#### **Interior Department**

See Fish and Wildlife Service See Land Management Bureau See National Park Service

## **International Trade Administration**

NOTICES

Meetings:

Renewable Energy and Energy Efficiency Advisory Committee, 2952-2953

### **Justice Department**

NOTICES

Lodging of Consent Decrees under CERCLA, etc., 3029

### **Labor Department**

See Employment and Training Administration See Mine Safety and Health Administration

## Land Management Bureau

NOTICES

Temporary Closures of Public Lands: La Paz County, AZ, 3027-3028

#### Mine Safety and Health Administration NOTICES

Petitions for Modification of Applications of Existing Mandatory Safety Standards, 3032-3034

## **National Aeronautics and Space Administration**

Federal Acquisition Regulations:

Nondisplacement of Qualified Workers under Service Contracts; Correction, 2893

## **National Council on Disability**

NOTICES

Meetings; Sunshine Act, 3034

## **National Highway Traffic Safety Administration**

Exemptions from Federal Motor Vehicle Motor Theft Prevention Standard:

Toyota Motor North America, Inc., 3081–3083

#### National Institute of Standards and Technology **NOTICES**

National Cybersecurity Center of Excellence Secure Exchange of Electronic Health Information Demonstration Project, 2953-2954

### **National Institutes of Health**

**NOTICES** 

Meetings:

Center for Scientific Review, 3009-3011, 3013 National Institute of Allergy and Infectious Diseases, 3009, 3011

National Institute of Biomedical Imaging and Bioengineering, 3009

National Institute of Dental and Craniofacial Research, 3009

National Institute of Diabetes and Digestive and Kidney Diseases, 3012-3013

Office of Research Infrastructure Programs Special Emphasis Panel, 3011-3012

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

Endangered and Threatened Species:

Designation of Nonessential Experimental Population for Middle Columbia River Steelhead, etc., in the Deschutes River Basin, OR, 2893-2907

#### **NOTICES**

Meetings:

South Atlantic Fishery Management Council, 2954–2955 Permit Amendment Applications:

Marine Mammals; File Nos. 14451, 14353, and 13846, 2955-2956

Permit Applications:

Marine Mammals; File No. 17005, 2956-2957

Requests for Applications:

Flower Garden Banks National Marine Sanctuary Advisory Council, 2957

Special Use Permit Requirements:

Activities Conducted Within the National Marine Sanctuary System, 2957-2959

#### **National Park Service**

NOTICES

Environmental Impact Statements; Availability, etc.: General Management Plan, Blue Ridge Parkway, Virginia and North Carolina, 3028

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

Meetings; Sunshine Act, 3034

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

Facility Operating and Combined Licenses:

Applications and Amendments Involving Proposed No Significant Hazards Considerations, etc., 3034-3039 Japan Lessons-Learned Project Directorate Interim Staff Guidance:

Performing a Tsunami, Surge, or Seiche Hazard Assessment, 3039-3041

Meetings; Sunshine Act, 3041

#### **Patent and Trademark Office**

#### NOTICES

Preparation of Patent Applications, 2960-2961

## Pension Benefit Guaranty Corporation

Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits, 2881–2882

#### **Railroad Retirement Board**

#### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 3041–3042

## Securities and Exchange Commission NOTICES

Applications and Temporary Orders:

J.P. Morgan Securities LLC, et al., 3042–3044 Applications:

Exchange Traded Spreads Trust, et al., 3044–3051
Self-Regulatory Organizations; Proposed Rule Changes:
Chicago Board Options Exchange, Inc., 3065–3067
NASDAQ OMX BX, Inc., 3053–3055
NASDAQ Stock Market LLC, 3055–3058, 3060–3064
National Stock Exchange, Inc., 3058–3060
New York Stock Exchange LLC, 3064–3065
Options Clearing Corp., 3051–3052

#### **State Department**

#### NOTICES

Culturally Significant Objects Imported for Exhibition Determinations:

Looking East; Rubens's Encounter with Asia, 3067

#### Substance Abuse and Mental Health Services Administration

## NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 3013–3015

## Surface Transportation Board NOTICES

Release of Waybill Data, 3083

#### **Transportation Department**

See Federal Aviation Administration

See Federal Motor Carrier Safety Administration

See National Highway Traffic Safety Administration

See Surface Transportation Board

#### PROPOSED RULES

REGULATORY AGENDA

Semiannual Regulatory Agenda; Republication, 3290–3309

#### **NOTICES**

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits, 3067–3068

#### **Treasury Department**

See Foreign Assets Control Office See United States Mint

#### **United States Mint**

#### NOTICES

Revised Pricing for Five 2013 Products, 3083

#### Separate Parts In This Issue

#### Part II

Environmental Protection Agency, 3086-3287

#### Part III

Transportation Department, 3290-3309

#### **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.

7 CFR
<b>Proposed Rules:</b> 9052908
<b>12 CFR</b> 6522879
<b>14 CFR</b> 712879
<b>Proposed Rules:</b> 392910
1212912
<b>18 CFR</b> 3812880
<b>21 CFR</b> 212892
<b>29 CFR</b> 40222881
33 CFR
<b>Proposed Rules:</b> 1002916
34 CFR
Proposed Rules: Ch. III (2
documents)2919, 2923
<b>40 CFR</b> 503086
51
<b>45 CFR</b> 5b (2 documents)2892
47 CFR
Proposed Rules: 73 (2 documents)2925, 2934
48 CFR
1       2893         2       2893         22       2893         52       2893

**50 CFR** 223......2893