



FEDERAL REGISTER

Vol. 78

Thursday,

No. 26

February 7, 2013

Pages 8957–9306

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, 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. 26

Thursday, February 7, 2013

Agency for Healthcare Research and Quality

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 9051–9054

Agricultural Marketing Service

PROPOSED RULES

Milk in the Northeast and Other Marketing Areas: Final Decision on Amendments to Marketing Agreements and Orders and Termination of a Portion of the Proceeding, 9248–9279

Agriculture Department

See Agricultural Marketing Service

See Animal and Plant Health Inspection Service

See Forest Service

Air Force Department

NOTICES

Acceptance of Group Applications and Department of Defense Directives: U.S. and Foreign Employees of Air America, Inc., 9038

Animal and Plant Health Inspection Service

RULES

Importation of Fresh Bananas from Philippines into Continental United States, 8957–8960

Texas (Splenic) Fever in Cattle, 8960–8961

PROPOSED RULES

Interstate Movement of Sharwil Avocados from Hawaii, 8987–8992

NOTICES

Import Authorizations:

Litchi, Longan, and Rambutan Fruit from Philippines into Continental United States, 9027

Proposed Action Plans; Availability, etc.:

Swine Brucellosis and Pseudorabies, 9028–9029

Antitrust Division

NOTICES

Standards Related to National Cooperative Research and Production Act:

Institute of Electrical and Electronics Engineers, 9069–9070

Antitrust

See Antitrust Division

Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

Centers for Disease Control and Prevention

NOTICES

Issuances of Final Guidance Publications, 9054

Meetings:

Disease, Disability, and Injury Prevention and Control Special Emphasis Panel, 9055

National Center for Health Statistics, Classifications and Public Health Data Standards, 9055–9056

National Institute for Occupational Safety and Health Respiratory Protection for Healthcare Workers, 9054–9055

Centers for Medicare & Medicaid Services

PROPOSED RULES

Medicare and Medicaid Programs:

Part II – Regulatory Provisions to Promote Program Efficiency, Transparency, and Burden Reduction, 9216–9245

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 9056

Medicare Program:

Request for Information on Use of Clinical Quality Measures Reported under Physician Quality Reporting System, etc., 9057–9060

Commerce Department

See Economic Analysis Bureau

See Economic Development Administration

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

See National Telecommunications and Information Administration

Defense Department

See Air Force Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 9036–9037

Meetings:

Uniform Formulary Beneficiary Advisory Panel, 9037–9038

Economic Analysis Bureau

NOTICES

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

Annual Survey of U.S. Direct Investment Abroad, 9032

Economic Development Administration

NOTICES

Petitions by Firms for Determinations of Eligibility to

Apply for Trade Adjustment Assistance, 9032–9033

Energy Department

See Energy Efficiency and Renewable Energy Office

PROPOSED RULES

Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment:

Proposed Determination of Commercial and Industrial Compressors as Covered Equipment, 8998–8999

Energy Conservation Program:

Test Procedures for Residential Clothes Dryers, 8992–8998

NOTICES

Meetings:

Electricity Advisory Committee Meeting, 9038–9039

Energy Efficiency and Renewable Energy Office

NOTICES

Petitions for Waivers:

BSH Corp., Residential Dishwasher Test Procedure, 9039–9042

Requests for Information:

Commercial Building Energy Asset Score, 9042–9044

Environmental Protection Agency**RULES**

Commercial and Industrial Solid Waste Incineration Units:

Non-Hazardous Secondary Materials That Are Solid Waste, 9112–9213

PROPOSED RULES

Air Quality Implementation Plans; Approvals and Promulgations:

Massachusetts; Revisions to Fossil Fuel Utilization and Source Registration Regulations, etc., 9016–9020

Regulation of Fuels and Fuel Additives:

2013 Renewable Fuel Standards, 9282–9306

NOTICES

Adequacy Status of Motor Vehicle Emission Budgets:

Metropolitan Washington DC Area (DC–MD–VA) 1997 8-Hour Ozone Non-Attainment Area's 2009 Attainment Plan, etc., 9044–9045

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 9045

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

NSPS for Ammonium Sulfate Manufacturing Plants, 9046–9047

Willingness to Pay Survey for Chesapeake Bay Total Maximum Daily Load; Instrument, Pre-Test, and Implementation, 9045–9046

Public Water System Supervision Program Revision Approvals:

Texas; Tentative Approval, 9047–9048

Equal Employment Opportunity Commission**NOTICES**

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

Elementary–Secondary Staff Information Report, 9048–9049

Elementary–Secondary Staff Information Report; Cancellation of Hearing, 9048

Federal Aviation Administration**RULES**

Establishments of Class E Airspace:

Kasigluk, AK, 8962–8963

Special Conditions:

Embraer S.A., Model EMB–550 Airplane; Hydrophobic Coatings in Lieu of Windshield Wipers, 8961–8962

PROPOSED RULES

Airworthiness Directives:

Dowty Propellers Propellers, 9005–9007

Engine Alliance Turbofan Engines, 9003–9005

Hamilton Sundstrand Corporation Propellers, 9001–9003

The Boeing Company Airplanes, 8999–9001

Turbomeca S.A. Turboshift Engines, 9007–9009

VOR Federal Airways; Amendments:

V–595, Oregon, 9009–9010

NOTICES

Intents to Rule on Requests to Release Airport Properties:

Dallas/Fort Worth International Airport, DFW Airport, TX, 9105

Federal Communications Commission**PROPOSED RULES**

Wireline Competition Bureau Seeks Further Comment on Specific Issues Related to Implementation of Remote Areas Fund, 9020–9024

Federal Deposit Insurance Corporation**NOTICES**

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

Processing Deposit Insurance Claims, 9049–9050

Federal Financial Institutions Examination Council**NOTICES**

Meetings:

Appraisal Subcommittee, 9050–9051

Federal Highway Administration**RULES**

Environmental Impact and Related Procedures, 8964–8984

Federal Maritime Commission**NOTICES**

Investigation Orders and Hearings:

United Logistics (LAX) Inc., Possible Violations of Shipping Act of 1984, 9051

Federal Railroad Administration**NOTICES**

Applications:

Approval of Discontinuance or Modification of Railroad Signal System, 9106

Petitions for Waivers of Compliance, 9106–9108

Federal Reserve System**NOTICES**

Proposals to Engage in or to Acquire Companies Engaged in Permissible Nonbanking Activities, 9051

Federal Transit Administration**RULES**

Environmental Impact and Related Procedures, 8964–8984

Fish and Wildlife Service**NOTICES**

Endangered and Threatened Wildlife and Plants:

Enhancement of Survival Permit Application; Draft Greater Sage-Grouse Umbrella Candidate Conservation Agreement, etc., 9066–9067

Receipt of Applications for Endangered Species Permits, 9067–9068

Food and Drug Administration**PROPOSED RULES**

Dental Devices:

Reclassification of Temporary Mandibular Condyle Prosthesis, 9010–9015

NOTICES

Requests for Nominations:

Voting Members on Public Advisory Panels or Committees, 9060–9063

Foreign-Trade Zones Board**NOTICES**

Applications for Manufacturing Authority:

Firth Rixson, Inc. d/b/a Firth Rixson Monroe, Foreign-Trade Zone 141, Rochester, NY, 9033

Forest Service**NOTICES**

Environmental Impact Statements; Availability, etc.:

Clear Creek Integrated Restoration Project, Nez Perce–Clearwater National Forests, ID, 9029–9031

Proposed New Fee Sites, 9031

Health and Human Services Department

See Agency for Healthcare Research and Quality
See Centers for Disease Control and Prevention
See Centers for Medicare & Medicaid Services
See Food and Drug Administration
See National Institutes of Health

Healthcare Research and Quality Agency

See Agency for Healthcare Research and Quality

Homeland Security Department**PROPOSED RULES**

Standards to Prevent, Detect, and Respond to Sexual Abuse
and Assault in Confinement Facilities:
Extension of Comment Period, 8987

Indian Affairs Bureau**PROPOSED RULES**

Osage Negotiated Rulemaking Committee Meetings, 9015–
9016

Interior Department

See Fish and Wildlife Service
See Indian Affairs Bureau
See Land Management Bureau

NOTICES

Meetings:

Secretarial Commission on Indian Trust Administration
and Reform; Correction, 9066

International Trade Administration**NOTICES**

Antidumping Duty Administrative Reviews; Results,
Extensions, Amendments, etc.:
Certain Oil Country Tubular Goods from the People's
Republic of China, 9033
Sunset Reviews of Antidumping Duty Orders; Results,
Extensions, Amendments, etc.:
Silicomanganese from India, Kazakhstan, and Venezuela,
9034–9035

Justice Department

See Antitrust Division
See Justice Programs Office

Justice Programs Office**NOTICES**

Meetings:

Federal Advisory Committee on Juvenile Justice;
Webinar, 9070
National Motor Vehicle Title Information System Federal
Advisory Committee, 9070

Labor Department

See Occupational Safety and Health Administration

Land Management Bureau**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 9068–9069

National Aeronautics and Space Administration**RULES**

Privacy Act – NASA Regulations; Correction, 8963–8964

National Archives and Records Administration**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 9070–9071

National Foundation on the Arts and the Humanities**NOTICES**

National Endowment for Humanities FY 2012 Service
Contract Inventory; Availability, 9071

National Institutes of Health**NOTICES**

Meetings:

Center for Scientific Review, 9064–9065
National Institute of Biomedical Imaging and
Bioengineering, 9066
National Institute of Diabetes and Digestive and Kidney
Diseases, 9063–9064
National Institute on Drug Abuse, 9065–9066
Office of the Director, 9064

National Labor Relations Board**NOTICES**

Meetings; Sunshine Act, 9071

National Oceanic and Atmospheric Administration**RULES**

Fisheries of the Exclusive Economic Zone Off Alaska:
Pollock in Statistical Area 620 in Gulf of Alaska, 8985–
8986

PROPOSED RULES

Sea Turtle Conservation:

Shrimp Trawling Requirements; Withdrawal, 9024–9026

National Science Foundation**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
National Science Foundation Proposal/Award
Information—Grant Proposal Guide, 9071–9072
Antarctic Conservation Act Permit Applications, 9072–9073
Meetings:
Business and Operations Advisory Committee, 9073
Meetings; Sunshine Act, 9073

**National Telecommunications and Information
Administration****NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
State Broadband Data and Development Grant Program,
9035–9036

Occupational Safety and Health Administration**RULES**

Cranes and Derricks in Construction:

Revising Exemption for Digger Derricks; Withdrawal,
8985

Pension Benefit Guaranty Corporation**RULES**

Benefits Payable in Terminated Single-Employer Plans;
Interest Assumptions for Paying Benefits, 8985

Securities and Exchange Commission**NOTICES**

Self-Regulatory Organizations; Proposed Rule Changes:

Chicago Board Options Exchange, Inc., 9076–9078
Chicago Stock Exchange, Inc., 9092–9094
EDGA Exchange, Inc., 9073–9076
EDGX Exchange, Inc., 9086–9088
Financial Industry Regulatory Authority, Inc., 9083–9086

ICE Clear Europe Ltd., 9088–9090
Miami International Securities Exchange LLC, 9098–9100
NASDAQ OMX BX Inc., 9100–9102
NASDAQ Stock Market LLC, 9090–9092
National Stock Exchange, Inc., 9078–9081, 9094–9098
NYSE Arca, Inc., 9081–9083

Social Security Administration**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 9102–9105

State Department**NOTICES**

Meetings:

Advisory Committee on Historical Diplomatic
Documentation, 9105

Surface Transportation Board**NOTICES**

Abandonment Exemptions:

Rusk County Rural Rail District in Rusk County, TX,
9108

Transportation Department

See Federal Aviation Administration

See Federal Highway Administration

See Federal Railroad Administration

See Federal Transit Administration

See Surface Transportation Board

Veterans Affairs Department**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Conduct Point-of-Care Research Questionnaire, 9108–
9109

Separate Parts In This Issue**Part II**

Environmental Protection Agency, 9112–9213

Part III

Health and Human Services Department, Centers for
Medicare & Medicaid Services, 9216–9245

Part IV

Agriculture Department, Agricultural Marketing Service,
9248–9279

Part V

Environmental Protection Agency, 9282–9306

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.

6 CFR**Proposed Rules:**

1158987

7 CFR

3198957

Proposed Rules:

3188987

10009248

9 CFR

728960

10 CFR**Proposed Rules:**

4308992

4318998

14 CFR

258961

718962

12128963

Proposed Rules:39 (5 documents) ...8999, 9001,
9003, 9005, 9007

719009

21 CFR**Proposed Rules:**

8729010

23 CFR

7718964

25 CFR**Proposed Rules:**

2269015

29 CFR

19268985

40228985

40 CFR

609112

2419112

Proposed Rules:

529016

809282

42 CFR**Proposed Rules:**

4169216

4429216

4829216

4839216

4859216

4869216

4889216

4919216

4939216

47 CFR**Proposed Rules:**

549020

49 CFR

6228964

50 CFR

6798985

Proposed Rules:

2239024