



Federal Register

2-10-04

Vol. 69 No. 27

Tuesday

Feb. 10, 2004

Pages 6139-6524



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, www.archives.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 as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.access.gpo.gov/nara, available through GPO Access, 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 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via email at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$699, or \$764 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 \$264. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is \$10.00 for each issue, or \$10.00 for each group of pages as actually bound; or \$2.00 for each issue in microfiche form. All prices include regular domestic postage and handling. International customers please add 40% for foreign handling. 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: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, 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: 69 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

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to <http://listserv.access.gpo.gov> and select:

Online mailing list archives

FEDREGTOC-L

Join or leave the list

Then follow the instructions.

What's NEW!

Regulations.gov, the award-winning Federal eRulemaking Portal

Regulations.gov is the one-stop U.S. Government web site that makes it easy to participate in the regulatory process.

Try this fast and reliable resource to find all rules published in the **Federal Register** that are currently open for public comment. Submit comments to agencies by filling out a simple web form, or use available email addresses and web sites.

The Regulations.gov e-democracy initiative is brought to you by NARA, GPO, EPA and their eRulemaking partners.

Visit the web site at: <http://www.regulations.gov>



Contents

Federal Register

Vol. 69, No. 27

Tuesday, February 10, 2004

Agriculture Department

See Commodity Credit Corporation

See Cooperative State Research, Education, and Extension Service

See Forest Service

See Rural Utilities Service

NOTICES

Committees; establishment, renewal, termination, etc.:

National Agricultural Research, Extension, Education, and Economics Advisory Board, 6244

Antitrust Division

NOTICES

Competitive impact statements and proposed consent judgments:

First Data Corp. and Concord EFS, Inc., 6325–6339

Army Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 6271–6272

Patent licenses; non-exclusive, exclusive, or partially exclusive:

Camouflage pattern for sheet material, 6272

Senior Executive Service:

Performance Review Board; membership, 6272–6273

Centers for Disease Control and Prevention

NOTICES

Grants and cooperative agreements; availability, etc.:

Human immunodeficiency virus (HIV)—

Africa and Caribbean; blood transfusion services; rapid strengthening, 6296

Coast Guard

RULES

Outer Continental Shelf activities:

Gulf of Mexico; safety zone, 6146–6147

Ports and waterways safety:

Chesapeake Bay, VA—

Hampton Roads, Elizabeth River, VA; security zone, 6158–6160

Eagle Island, Cape Fear River, NC; security zone, 6148–6150

Schuylkill River, PA; Limerick Generating Station; security zone, 6152–6154

St. Croix, VI; HOVESNA refinery facility; security zone, 6150–6152

Susquehanna River, PA—

Peach Bottom Atomic Power Station; security zone, 6154–6156

Three Mile Island Generating Station; security zone, 6156–6158

PROPOSED RULES

Ports and waterways safety:

Coast Guard Station Fire Island, NY; safety zone, 6221–6223

Lake Washington, Seattle, WA; safety zone, 6219–6221

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 6317–6318

Meetings:

Chemical Transportation Advisory Committee, 6318–6319

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 Technology Administration

Commodity Credit Corporation

PROPOSED RULES

Loan and purchase programs:

Warehouses for interest commodity storage; approval standards, 6201

Commodity Futures Trading Commission

RULES

Commodity Exchange Act:

Customer funds investment, 6140–6146

Cooperative State Research, Education, and Extension Service

NOTICES

Reports and guidance documents; availability, etc.:

Agricultural research and extension formula funds; State work plans; guidelines, 6244–6248

Corporation for National and Community Service

RULES

Grants:

Innovative and Special Demonstration Programs and National Service Fellowships; application procedures, selection criteria, etc.; electronic availability, 6181

PROPOSED RULES

Foster Grandparent Program; amendments, 6227–6228

Retired Senior Volunteer Program; amendments, 6228–6229

Senior Companion Program; amendments, 6225–6227

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 6270–6271

Customs and Border Protection Bureau

NOTICES

Trade name recordation applications:

DISPALCA, 6319

Defense Department

See Army Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 6271

Meetings:

Threat Reduction Advisory Committee, 6271

Education Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 6273

Employment and Training Administration

NOTICES

Adjustment assistance:

Cascada de Mexico, Inc., 6339

Cascade West Sportswear, Inc., 6339
 Solon Manufacturing Co., 6339
 Weyerhaeuser Co., 6340
 Unemployment compensation for ex-servicemembers:
 Renumeration schedules, 6340

Employment Standards Administration

NOTICES

Agency information collection activities; proposals,
 submissions, and approvals, 6340–6341

Energy Department

See Federal Energy Regulatory Commission

NOTICES

Meetings:

Environmental Management Site-Specific Advisory
 Board—
 Fernald Site, OH, 6273–6274

Environmental Protection Agency

RULES

Air quality implementation plans; approval and
 promulgation; various States:
 West Virginia, 6160–6164

PROPOSED RULES

Air quality implementation plans; approval and
 promulgation; various States:
 West Virginia, 6223–6224

NOTICES

Air pollution control:

Federal operating permit approvals—
 Clearwater Forest Industries et al., 6282–6283

Grants and cooperative agreements; availability, etc.:
 National Brownfields Assessment, Revolving Loan Fund,
 and Cleanup Grants, 6283–6284

Wetland Program Development Grants; guidelines, 6284–
 6289

Water pollution control:

National Pollutant Discharge Elimination System—
 Delaware; program revision, 6289–6290

Federal Aviation Administration

RULES

Air carrier certification and operations:

Airports serving scheduled air carrier operations in
 aircraft with 10-30 seats; certification requirements,
 6379–6436

Airworthiness directives:

Bombardier, 6139–6140

PROPOSED RULES

Air carrier certification and operations:

National air tour safety standards; meeting, 6218–6219

Airmen certification:

Flight simulation device; initial and continuing
 qualification and use requirements, 6216–6218

Airworthiness directives:

Eurocopter Deutschland GmbH, 6214–6216

NOTICES

Exemption petitions; summary and disposition, 6365–6366

Grants and cooperative agreements; availability, etc.:

Passenger Facility Charge Program—

Airport ground access projects; funding eligibility
 policy, 6366–6371

Federal Communications Commission

RULES

Common carrier services:

Federal-State Joint Board on Universal Service—
 Schools and libraries; universal service support
 mechanism, 6181–6192

Radio stations; table of assignments:

Kansas, 6193

Texas, 6194

Utah and Idaho, 6192

Virginia, 6194–6195

Virgin Islands, 6193–6194

West Virginia, 6192–6193

PROPOSED RULES

Common carrier services:

Federal-State Joint Board on Universal Service—
 Schools and libraries; universal service support
 mechanism, 6229–6238

Digital television stations; table of assignments:

Kansas, 6238–6239

New Mexico, 6238

Radio stations; table of assignments:

Alabama, 6239–6240

New Mexico, 6239

NOTICES

Committees; establishment, renewal, termination, etc.:

Federal-State Joint Conference on Advanced
 Telecommunications Services, 6290–6291

Federal Emergency Management Agency

RULES

Flood elevation determinations:

North Carolina, 6172–6179

Various States, 6165–6172, 6179–6180

PROPOSED RULES

Flood elevation determinations:

North Carolina, 6224–6225

NOTICES

Disaster and emergency areas:

California, 6319

Federal Energy Regulatory Commission

NOTICES

Electric rate and corporate regulation filings, 6279–6281

Meetings:

Compensation for generating units; technical conference,
 6281–6282

Applications, hearings, determinations, etc.:

ANR Pipeline Co., et al., 6274

Dominion Transmission, Inc., 6274

Eastern Shore Natural Gas Co., 6275

Gas Transmission Northwest Corp., 6275

Gulfstream Natural Gas System, L.L.C., 6275

Northern Natural Gas Co., 6276

Northwest Pipeline Corp., 6276

Panhandle Eastern Pipe Line Co., L.L.C., 6276–6277

Sound Energy Solutions, 6277–6278

Southern California Edison Co., 6274

Southern LNG Inc., 6278–6279

Southwest Gas Storage Co., 6279

Texas Gas Transmission, L.L.C., 6279

Federal Reserve System

NOTICES

Banks and bank holding companies:

Formations, acquisitions, and mergers, 6291–6292

Federal Open Market Committee:

Domestic policy directives, 6292

Reports and guidance documents; availability, etc.:
 Payments system risk; policy statements—
 Foreign banking organizations; daylight overdraft
 capacity; modifications, 6292–6296

Fish and Wildlife Service

PROPOSED RULES

Endangered and threatened species:
 Findings on petitions, etc.—
 Desert cymopterus, 6240–6243

NOTICES

Endangered and threatened species permit applications,
 6320–6321

Food and Drug Administration

NOTICES

Memorandums of understanding:
 Virginia Polytechnic Institute and State University and
 FDA; sabbaticals, postdoctoral fellowships, student
 internships; collaboration, 6296–6307
 Reports and guidance documents; availability, etc.:
 Medical products and health conditions; information
 improvement, 6308–6309
 Over-the-counter drug monograph system—
 Time and extent applications, 6309–6310

Foreign-Trade Zones Board

NOTICES

Applications, hearings, determinations, etc.:
 California, 6252
 Georgia
 Inflation Systems, Inc.; automotive airbag inflator
 manufacturing facilities, 6252
 Washington
 Inflation Systems, Inc.; automotive airbag inflator and
 propellant manufacturing plant, 6252

Forest Service

NOTICES

Agency information collection activities; proposals,
 submissions, and approvals, 6248–6249
 Environmental statements; notice of intent:
 Beaverhead-Deerlodge National Forest, MT, 6249–6250
 Meetings:
 National Tree-Marking Paint Committee, 6250
 Southwest Oregon Province Advisory Committee, 6250–
 6251

Health and Human Services Department

See Centers for Disease Control and Prevention
See Food and Drug Administration
See Indian Health Service
See National Institutes of Health

Homeland Security Department

See Coast Guard
See Customs and Border Protection Bureau
See Federal Emergency Management Agency

Housing and Urban Development Department

NOTICES

Agency information collection activities; proposals,
 submissions, and approvals, 6320

Indian Affairs Bureau

PROPOSED RULES

Trust management reform:
 Residential and business leases on trust and restricted
 land, 6499–6524

NOTICES

Law enforcement in Indian country:
 Law enforcement services policies; BIA arrangements
 with other parties, 6321–6322

Indian Health Service

NOTICES

Grants and cooperative agreements; availability, etc.:
 Health Professions Educational Loans Repayment
 Program, 6310–6312

Interior Department

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

Internal Revenue Service

NOTICES

Agency information collection activities; proposals,
 submissions, and approvals, 6374–6376

International Trade Administration

NOTICES

Antidumping:
 Brake rotors from—
 China, 6253
 Cut-to-length carbon steel plate from—
 Ukraine, 6253–6254
 Oil country tubular goods from—
 Mexico, 6254–6255
 Pasta from—
 Italy, 6255–6258
 Petroleum wax candles from—
 China, 6258–6259
 Stainless steel sheet and strip in coils from—
 Germany, 6262–6264
 Mexico, 6259–6262

International Trade Commission

NOTICES

Meetings; Sunshine Act, 6325

Justice Department

See Antitrust Division

Labor Department

See Employment and Training Administration
See Employment Standards Administration

Land Management Bureau

NOTICES

Meetings:
 Resource Advisory Committees—
 Eugene District, 6322
 Public land orders:
 Alaska, 6322–6323
 Realty actions; sales, leases, etc.:
 California, 6323–6324
 Nevada, 6324
 Oregon, 6324–6325

National Highway Traffic Safety Administration

NOTICES

Motor vehicle safety standards:
 Nonconforming vehicles—
 Importation eligibility; determinations, 6371–6372

National Institute of Standards and Technology**NOTICES**

Information processing standards, Federal:

Security categorization of Federal information and information systems, 6264–6266

Voluntary product standards:

American Petroleum Institute; standards development, 6266–6268

National Institutes of Health**NOTICES**

Inventions, Government-owned; availability for licensing, 6312–6313

Meetings:

National Institute of Allergy and Infectious Diseases, 6314

National Institute of Diabetes and Digestive and Kidney Diseases, 6313–6314

Scientific Review Center, 6314–6317

National Oceanic and Atmospheric Administration**RULES**

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—American Fisheries Act; implementation; expiration date removed, 6198–6199

Sablefish, 6199–6200

NOTICES

Meetings:

Pacific Fishery Management Council, 6268

Western Pacific Fishery Management Council, 6268–6269

Nuclear Regulatory Commission**RULES**

Radioactive material; packaging and transportation:

International Atomic Energy Agency transportation safety standards (TS-R-1) and other transportation safety amendments; compatibility

Correction, 6139

NOTICES

Meetings; Sunshine Act, 6341–6342

Personnel Management Office**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 6342

Research and Special Programs Administration**RULES**

Hazardous materials:

Transportation—

Security requirements, 6195–6198

Rural Utilities Service**NOTICES**

Grants and cooperative agreements; availability, etc.:

Household water well systems financing, 6251

Securities and Exchange Commission**PROPOSED RULES**

Securities:

Mutual funds and other securities; point of sales disclosure and transaction confirmation requirements, 6437–6498

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 6342–6343

Self-regulatory organizations; proposed rule changes:

American Stock Exchange LLC, 6345–6348

Boston Stock Exchange, Inc., 6348–6351

Chicago Board Options Exchange, Inc., 6352–6353

Chicago Stock Exchange, Inc., 6353–6354

New York Stock Exchange, Inc., 6354–6356

Pacific Exchange, Inc., 6356–6357

Philadelphia Stock Exchange, Inc., 6357–6364

Applications, hearings, determinations, etc.:

FTTW Funds, Inc., et al., 6343–6344

State Department**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 6364

Art objects; importation for exhibition:

Nicholas and Alexandra: At Home with the Last Tsar and his Family, 6364

Meetings:

Overseas Security Advisory Council, 6364–6365

Surface Transportation Board**NOTICES**

Railroad services abandonment:

Hennepin County Regional Railroad Authority, 6372–6373

Pennsylvania Lines LLC and Norfolk Southern Railway Co., 6373

Technology Administration**NOTICES**

Senior Executive Service:

Performance Review Board; membership, 6269–6270

Thrift Supervision Office**PROPOSED RULES**

Assessments and fees, 6201–6214

Transportation Department

See Federal Aviation Administration

See National Highway Traffic Safety Administration

See Research and Special Programs Administration

See Surface Transportation Board

NOTICES

Reports and guidance documents; availability, etc.:

Greening the Government Through Federal Fleet and Transportation Efficiency; alternative fuel vehicle report, 6365

Treasury Department

See Internal Revenue Service

See Thrift Supervision Office

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 6373–6374

Veterans Affairs Department**PROPOSED RULES**

Adjudication; pensions, compensation, dependency, etc.:

Testimony certified or under oath; withdrawn, 6223

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 6376–6377

Meetings:

Vocational Rehabilitation and Employment Task Force, 6377

Separate Parts In This Issue

Part II

Transportation Department, Federal Aviation
Administration, 6379–6436

Part III

Securities and Exchange Commission, 6437–6498

Part IV

Interior Department, Indian Affairs Bureau, 6499–6524

Reader Aids

Consult the Reader Aids section at the end of this issue 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	171.....6195
Proposed Rules:	176.....6195
1423.....6201	177.....6195
10 CFR	50 CFR
71.....6139	679 (2 documents)6198,
12 CFR	6199
Proposed Rules:	Proposed Rules:
502.....6201	17.....6240
14 CFR	
39.....6139	
121.....6380	
139.....6380	
Proposed Rules:	
39.....6214	
60.....6216	
61.....6218	
91.....6218	
119.....6218	
121 (2 documents)6216,	
6218	
135.....6218	
136.....6218	
17 CFR	
1.....6140	
Proposed Rules:	
239.....6438	
240.....6438	
274.....6438	
25 CFR	
Proposed Rules:	
162.....6500	
33 CFR	
147.....6146	
165 (6 documents)6148,	
6150, 6152, 6154, 6156,	
6158	
Proposed Rules:	
165 (2 documents)6219,	
6221	
38 CFR	
Proposed Rules:	
3.....6223	
40 CFR	
52.....6160	
Proposed Rules:	
52.....6223	
44 CFR	
65 (3 documents) ...6165, 6166,	
6170	
67 (2 documents)6172, 6179	
Proposed Rules:	
67.....6224	
45 CFR	
2531.....6181	
2533.....6181	
Proposed Rules:	
2551.....6225	
2552.....6227	
2553.....6228	
47 CFR	
54.....6181	
73 (6 documents) ...6192, 6193,	
6194	
Proposed Rules:	
54.....6229	
73 (4 documents)6238, 6239	
49 CFR	
107.....6195	