



# Federal Register

---

8-18-04

Vol. 69 No. 159

Wednesday

Aug. 18, 2004

Pages 51155-51354



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](http://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.gpoaccess.gov/nara](http://www.gpoaccess.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](mailto: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 \$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: 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](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: 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. 159

Wednesday, August 18, 2004

### Agency for Healthcare Research and Quality

#### NOTICES

Ambulatory Consumer Assessment of Health Plans (ACAHPS) instrument; volunteer testing sites request, 51312–51314

### Agricultural Marketing Service

#### NOTICES

Grants and cooperative agreements; availability, etc.:  
Organic Certification Cost-Share Program, 51229

### Agriculture Department

*See* Agricultural Marketing Service  
*See* Food Safety and Inspection Service  
*See* Forest Service

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51227–51229

### Antitrust Division

#### NOTICES

Competitive impact statements and proposed consent judgments:  
SBC Communications Inc. et al., 51327–51328  
National cooperative research notifications:  
Dialkyl Project, 51328  
Joint Venture Under ATP Award No. 70NANB4H3027, 51328  
Nustart Energy Development, LLC, 51328–51329  
Semiconductor Test Consortium, Inc., 51329  
Telemanagement Forum, 51329–51330  
VSI Alliance, 51330–51331

### Armed Forces Retirement Home

#### NOTICES

Environmental statements; notice of intent:  
Armed Forces Retirement Home, Washington, DC; master development plan, 51231–51232

### Army Department

#### NOTICES

Privacy Act:  
Systems of records, 51271–51280

### Centers for Disease Control and Prevention

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51314–51315

### Children and Families Administration

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51315–51316

### Coast Guard

#### RULES

Maritime security:  
Dangerous cargo definitions and notification of arrival electronic submission options, 51176–51181

### Commerce Department

*See* Industry and Security Bureau

*See* National Institute of Standards and Technology  
*See* National Oceanic and Atmospheric Administration  
*See* Patent and Trademark Office

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51232

### Committee for the Implementation of Textile Agreements

#### NOTICES

Textile and apparel categories:  
Caribbean Basin Trade Partnership Act; short supply requests—  
Woven 100 percent cotton napped fabrics, 51269–51270

### Commodity Futures Trading Commission

#### NOTICES

Meetings; Sunshine Act, 51270

### Customs and Border Protection Bureau

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51317

### Defense Department

*See* Army Department

*See* Navy Department

#### NOTICES

Meetings:  
Defense Acquisition University Board of Visitors, 51270  
Defense Policy Board Advisory Committee, 51270

### Delaware River Basin Commission

#### NOTICES

Meetings and hearings, 51280–51282

### Drug Enforcement Administration

#### NOTICES

*Applications, hearings, determinations, etc.:*  
Mallinckrodt, Inc., 51331

### Employment and Training Administration

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51331–51332

### Environmental Protection Agency

#### RULES

Air pollutants, hazardous; national emission standards:  
Stationary combustion turbines, 51184–51188  
Air quality implementation plans; approval and promulgation; various States:  
Minnesota, 51181–51184

#### PROPOSED RULES

Air quality implementation plans; approval and promulgation; various States:  
Minnesota, 51215–51217

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51282–51284

Meetings:

National Drinking Water Advisory Council, 51284–51285

Science Advisory Board, 51285–51286  
 Pesticide, food, and feed additive petitions:  
 Interregional Research Project (No. 4), 51298–51301  
 Monsanto Co., 51301–51312  
 Pesticide registration, cancellation, etc.:  
 Eaton Jt & Co. Inc. et al., 51286–51298

#### Executive Office of the President

See Presidential Documents

#### Federal Aviation Administration

##### RULES

Air carrier certification and operations:

Light-sport aircraft  
 Correction, 51162

##### PROPOSED RULES

Airworthiness directives:

Ostmecklenburgische Flugzeugbau GmbH, 51206–51208  
 Pratt & Whitney, 51198–51205

##### NOTICES

Aeronautical land-use assurance; waivers:

Fernandina Beach Municipal Airport, FL, 51346

Reports and guidance documents; availability, etc.:

Small Airplane Directorate policy statements—  
 Pitot heat indication systems, 51346

#### Federal Motor Carrier Safety Administration

##### NOTICES

Motor carrier safety standards:

Driver qualifications—  
 Aure, Rondal M., et al.; vision requirement exemption  
 applications, 51346–51348

#### Federal Reserve System

##### NOTICES

Banks and bank holding companies:

Formations, acquisitions, and mergers, 51312

#### Fish and Wildlife Service

##### PROPOSED RULES

Endangered and threatened species:

Findings on petitions, etc.—  
 Black-tailed prairie dog, 51217–51226

##### NOTICES

Environmental statements; availability, etc.:

Tazewell County, VA; Certus, Inc. chemical spill natural  
 resource damage assessment, 51319–51320

#### Food and Drug Administration

##### RULES

Animal drugs, feeds, and related products:

Bacitracin methylene disalicylate and chlortetracycline,  
 51172–51173

Carbadox and oxytetracycline, 51173

Firocoxib, 51171–51172

Presubmission conferences, 51162–51171

Ractopamine, 51173–51175

##### NOTICES

Meetings:

Medical Devices Advisory Committee, 51316–51317

#### Food Safety and Inspection Service

##### PROPOSED RULES

Meat and poultry inspection:

Foreign inspection system supervisory visits to certified  
 foreign establishments; frequency, 51194–51196

#### Forest Service

##### NOTICES

Environmental statements; notice of intent:

Tongass National Forest, AK, 51229–51231

Meetings:

Resource Advisory Committees —  
 Sanders County, 51231

#### Health and Human Services Department

See Agency for Healthcare Research and Quality

See Centers for Disease Control and Prevention

See Children and Families Administration

See Food and Drug Administration

#### Homeland Security Department

See Coast Guard

See Customs and Border Protection Bureau

#### Housing and Urban Development Department

##### NOTICES

Agency information collection activities; proposals,  
 submissions, and approvals, 51317–51318

Grants and cooperative agreements; availability, etc.:

Discretionary programs (SuperNOFA); correction, 51318–  
 51319

#### Industry and Security Bureau

##### NOTICES

Export privileges, actions affecting:

Aura Ltd., 51232–51233

Zlatko Brkic, 51233–51234

#### Interior Department

See Fish and Wildlife Service

See Land Management Bureau

See Minerals Management Service

See Reclamation Bureau

##### NOTICES

Committees; establishment, renewal, termination, etc.:

Carrizo Plain National Monument Advisory Committee,  
 51319

#### Internal Revenue Service

##### RULES

Income taxes:

Investment adjustments; treatment of loss carryovers from  
 separate return limitation years; section 1502  
 guidance, 51175–51176

##### PROPOSED RULES

Income taxes:

Corporate reorganizations; asset and stock transfers,  
 51209–51212

Investment adjustments; treatment of loss carryovers from  
 separate return limitation years; section 1502  
 guidance; cross-reference, 51208–51209

##### NOTICES

Meetings:

Taxpayer Advocacy Panels, 51349

#### Justice Department

See Antitrust Division

See Drug Enforcement Administration

See Prisons Bureau

##### NOTICES

Pollution control; consent judgments:

Cambridge, OH, 51324

Kaiser Aluminum Corp. et al., 51324–51325

Los Angeles, CA, 51325

Mobil Exploration and Producing U.S. Inc., 51325–51326  
San Bernardino Municipal Water Department et al.,  
51326

Stone Container Corp., 51326

**Superfund program:**

Bankruptcy settlement agreements—

BII Liquidation, Inc., 51327

Franklin Environmental Services, Inc, 51327

**Labor Department**

See Employment and Training Administration

**Land Management Bureau**

**NOTICES**

Public land orders:

Nevada, 51320

Wyoming, 51320–51321

**Minerals Management Service**

**NOTICES**

Agency information collection activities; proposals,  
submissions, and approvals, 51321–51323

**National Aeronautics and Space Administration**

**NOTICES**

Meetings:

Advisory Councils

Minority Business Resource Advisory Committee,  
51332

**National Archives and Records Administration**

**NOTICES**

Agency records schedules; availability, 51333–51334

**National Highway Traffic Safety Administration**

**RULES**

Motor vehicle safety standards:

Glazing materials—

Low-speed vehicles, etc.; effective compliance date  
delay, 51188–51191

**National Institute of Standards and Technology**

**NOTICES**

Committees; establishment, renewal, termination, etc.:

Information Security and Privacy Advisory Board, 51235

Meetings:

Advanced Technology Visiting Committee, 51235–51236

Malcolm Bardrige National Quality Award—

Panel of judges, 51236

**National Oceanic and Atmospheric Administration**

**RULES**

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—

Atka mackerel, 51191–51193

Northeastern United States fisheries—

Georges Bank yellowtail flounder, 51191

**NOTICES**

Fishery conservation and management:

Magnuson-Stevens Act provisions—

Bering Sea/Aleutian Islands king and tanner crabs;  
fishing capacity reduction, 51236–51266

Meetings:

Shrimp industry issues and options, 51267

Permits:

Endangered and threatened species, 51267

**Navy Department**

**NOTICES**

Meetings:

Naval Academy, Board of Visitors, 51280

**Nuclear Regulatory Commission**

**NOTICES**

Reports and guidance documents; availability, etc.:

Agency Strategic Plan (2004-2009 FY), 51336–51337

*Applications, hearings, determinations, etc.:*

Nuclear Management Co., LLC, 51334–51336

**Patent and Trademark Office**

**NOTICES**

Agency information collection activities; proposals,  
submissions, and approvals, 51267–51269

**Presidential Documents**

**PROCLAMATION**

Special observances:

National Airborne Day (Proc. 7805), 51351–51353

**Prisons Bureau**

**PROPOSED RULES**

Community programs and release:

Community confinement, 51213–51215

**Reclamation Bureau**

**NOTICES**

Environmental statements; notice of intent:

Agua Fria Linear Recharge Project, AZ, 51323–51324

**Research and Special Programs Administration**

**NOTICES**

Pipeline safety:

Advisory bulletins—

Underground pipeline facilities; unauthorized  
excavations and installation of third-party data  
acquisition devices, 51348–51349

**Securities and Exchange Commission**

**NOTICES**

Agency information collection activities; proposals,  
submissions, and approvals, 51337–51339

Self-regulatory organizations; proposed rule changes:

American Stock Exchange LLC, 51339–51340

Depository Trust Co., 51341

National Association of Securities Dealers, Inc., 51341–  
51342

Options Clearing Corp., 51343–51344

**Small Business Administration**

**NOTICES**

Disaster loan areas:

Kansas, 51344

Louisiana, 51344

Michigan, 51344

New York, 51344

South Carolina, 51345

**State Department**

**NOTICES**

Art objects; importation for exhibition:

Gerard Ter Borch, 51345

**Substance Abuse and Mental Health Services Administration****NOTICES**

## Meetings:

Substance Abuse Treatment Center National Advisory Council[**Editorial Note:** This document, published at 69 FR 50206 in the **Federal Register** of Friday, August 13, 2004, was incorrectly identified in that issue's Table of Contents.]

**Textile Agreements Implementation Committee**

See Committee for the Implementation of Textile Agreements

**Thrift Supervision Office****RULES**

Community Reinvestment Act; implementation:  
Small savings association; definition, 51155–51161

**Transportation Department**

See Federal Aviation Administration

See Federal Motor Carrier Safety Administration

See National Highway Traffic Safety Administration

See Research and Special Programs Administration

**NOTICES**

## Aviation proceedings:

Agreements filed; weekly receipts, 51345  
Certificates of public convenience and necessity and foreign air carrier permits; weekly applications, 51345–51346

**Treasury Department**

See Internal Revenue Service

See Thrift Supervision Office

**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 51349

**Utah Reclamation Mitigation and Conservation Commission****NOTICES**

Environmental statements; availability, etc.:  
Diamond Fork Canyon Group-Site Campground, UT, 51350

---

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

Executive Office of the President, Presidential Documents, 51351–51353

---

**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.

**3 CFR****Proclamations:**

7805.....51353

**9 CFR****Proposed Rules:**

327.....51194

381.....51194

**12 CFR**

563e.....51155

**14 CFR**

91.....51162

**Proposed Rules:**

39 (5 documents) .....51196,

51198, 51200, 51203, 51206

**21 CFR**

514.....51162

520.....51171

558 (3 documents) .....51172,

51173

**26 CFR**

1.....51175

**Proposed Rules:**

1 (2 documents) .....51208,

51209

**28 CFR****Proposed Rules:**

570.....51213

**33 CFR**

104.....51176

105.....51176

160.....51176

**40 CFR**

52.....51181

63.....51184

**Proposed Rules:**

52.....51215

**49 CFR**

571.....51188

**50 CFR**

648.....51191

679.....51191

**Proposed Rules:**

17.....51217