



# Federal Register

---

5-13-05

Vol. 70 No. 92

Friday

May 13, 2005

Pages 25457-25752



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.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 e-mail 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, 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: 70 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, May 17, 2005  
9:00 a.m.-Noon

**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. 70, No. 92

Friday, May 13, 2005

## Agency for International Development

### RULES

Private voluntary organizations; registration, 25466–25470

## Agriculture Department

See Animal and Plant Health Inspection Service

See Forest Service

See Rural Business-Cooperative Service

### NOTICES

Committees; establishment, renewal, termination, etc.:

Roadless Area Conservation National Advisory

Committee, 25663

Specialty Crop Committee, 25521

## Animal and Plant Health Inspection Service

### NOTICES

Environmental statements; availability, etc.:

Rice plants genetically engineered to express lactoferrin; confined field tests and consideration for additional test site, 25521–25524

## Army Department

See Engineers Corps

### NOTICES

Meetings:

Armed Forces Epidemiological Board, 25551

## Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

## Blind or Severely Disabled, Committee for Purchase From People Who Are

See Committee for Purchase From People Who Are Blind or Severely Disabled

## Centers for Disease Control and Prevention

### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25572–25577

Meetings:

Disease, Disability, and Injury Prevention and Control Special Emphasis Panel, 25577

Organization, functions, and authority delegations:

Office of Chief Science Officer, 25578

## Centers for Medicare & Medicaid Services

### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25578–25595

## Coast Guard

### PROPOSED RULES

Ports and waterways safety; regulated navigation areas, safety zones, security zones, etc.:

Beverly Harbor, Beverly, MA, 25505–25507

Duluth Harbor, MN, 25514–25516

Humboldt Bay Bar Channel, CA, 25511–25514

Marblehead Harbor, Marblehead, MA, 25507–25509

Nahant Bay, Lynn, MA, 25509–25511

### NOTICES

Reports and guidance documents; availability, etc.:

Oil spill response plans; dispersant capabilities; Web site availability, 25595

## Commerce Department

See Economic Development Administration

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

## Committee for Purchase From People Who Are Blind or Severely Disabled

### NOTICES

Procurement list; additions and deletions, 25533–25536

## Defense Department

See Army Department

See Engineers Corps

See Navy Department

### NOTICES

Meetings:

Defense Base Closure and Realignment Commission; correction, 25550

Electron Devices Advisory Group, 25550–25551

## Drug Enforcement Administration

### RULES

Controlled substances; manufacturers, distributors, and dispensers; registration:

Long term care facilities; controlled substances surplus accumulation; prevention, 25462–25466

### PROPOSED RULES

Schedules of controlled substances:

Pregabalin; placement into Schedule V, 25502–25505

## Economic Development Administration

### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25536

## Education Department

### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25553

Grants and cooperative agreements; availability, etc.:

Postsecondary education—

Underground Railroad Educational and Cultural Program, 25553–25556

Vocational and adult education—

School Dropout Prevention Program, 25556–25559

## Employee Benefits Security Administration

### NOTICES

Employee benefit plans; individual exemptions:

BNP Paribas S.A. et al., 25601–25614

R.G.Daily Co., Inc., 25614–25616

## Employment Standards Administration

### NOTICES

Agency information collection activities; proposals, submissions, and approvals; correction, 25652

Minimum wages for Federal and federally-assisted construction; general wage determination decisions, 25616–25617

## Energy Department

See Federal Energy Regulatory Commission

**Engineers Corps****NOTICES**

Environmental statements; availability, etc.:

Columbia County, PA; Flood Damage Reduction Project, 25551–25552

Environmental statements; notice of intent:

Grand Calumet River and Indiana Harbor Canal, Lake County, IN; sediment management and restoration measures, 25552

Meetings:

Coastal Engineering Research Board, 25552–25553

**Environmental Protection Agency****RULES**

Air pollutants, hazardous; national emission standards:

Miscellaneous coating manufacturing, 25676–25683

Pharmaceuticals production, 25666–25670

Air quality implementation plans; approval and promulgation; various States:

District of Columbia, Maryland, and Virginia, 25688–25719

Washington, DC; metropolitan area, 25719–25724

**PROPOSED RULES**

Air pollutants, hazardous; national emission standards:

Miscellaneous coating manufacturing, 25684–25686

Pharmaceuticals production, 25671–25673

Air programs:

Stratospheric ozone protection—

Essential Class I ozone depleting substances; extension of global laboratory and analytical use exemption, 25726–25730

Air quality implementation plans; approval and promulgation; various States:

Oklahoma, 25516–25520

Water supply:

National primary drinking water regulations—

Aircraft public water systems; regulations development; meeting, 25520

**NOTICES**

Committees; establishment, renewal, termination, etc.:

Detection and Quantitation Approaches and Uses in Clean Water Act Programs Federal Advisory Committee, 25565

Environmental statements; availability, etc.:

Agency statements—

Comment availability, 25565–25567

Weekly receipts, 25567

Toxic and hazardous substances control:

New chemicals—

Receipt and status information, 25567–25571

**Executive Office of the President**

See Presidential Documents

See Trade Representative, Office of United States

**Federal Deposit Insurance Corporation****NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 25571–25572

**Federal Election Commission****NOTICES**

Meetings; Sunshine Act, 25572

**Federal Emergency Management Agency****NOTICES**

Disaster and emergency areas:

Maine, 25595

New Hampshire, 25595–25596

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

Electric rate and corporate regulation filings, 25559–25565

**Federal Reserve System****NOTICES**

Banks and bank holding companies:

Formations, acquisitions, and mergers, 25572

**Food and Drug Administration****RULES**

Public Health Security and Bioterrorism Preparedness and Response Act of 2002; implementation:

Food for human or animal consumption—

Manufacturing, processing, packing, transportation, distribution, etc.; records establishment and maintenance; public meetings, 25461–25462

**PROPOSED RULES**

Food for human consumption:

Food labeling—

Dietary noncariogenic carbohydrate sweeteners and dental caries; health claims, 25496–25502

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

*Applications, hearings, determinations, etc.:*

Texas, 25536–25537

**Forest Service****RULES**

Special areas:

Inventoried roadless area management; State petitions, 25654–25662

**NOTICES**

Environmental statements; notice of intent:

Cibola National Forest, NM, 25524–25525

Tongass National Forest, AK, 25525–25527

**Health and Human Services Department**

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See Food and Drug Administration

**Homeland Security Department**

See Coast Guard

See Federal Emergency Management Agency

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

Grants and cooperative agreements; availability, etc.:

Homeless assistance; excess and surplus Federal properties, 25596

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

Land acquisitions into trust:

Match-E-Be-Nash-E-Wish Band of Pottawatomi Indians of Michigan, 25596–25597

**Interior Department**

See Indian Affairs Bureau

See National Park Service

See Surface Mining Reclamation and Enforcement Office

**Internal Revenue Service****NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 25647–25651

**International Trade Administration****NOTICES**

## Antidumping:

Antifriction bearings and parts from—  
Various countries, 25538–25545

Brake rotors from—

China, 25545–25547

Hot-rolled carbon steel flat products from—

Romania, 25547–25548

## Antidumping and countervailing duties:

Five year (sunset) reviews—

Initiation of reviews, 25537–25538

Preliminary and final results; time limits extension,  
25537

**International Trade Commission****NOTICES**

## Import investigations:

Cut-to-length-quality steel plate from—

Various countries, 25599–25601

Tadalafil or any salt or solvate and products containing  
same, 25601

**Justice Department**

See Drug Enforcement Administration

**Labor Department**

See Employee Benefits Security Administration

See Employment Standards Administration

**Legal Services Corporation****NOTICES**

Meetings; Sunshine Act, 25617

**National Aeronautics and Space Administration****NOTICES**

## Meetings:

Aeronautical Technologies Strategic Roadmap Committee;  
canceled, 25617–25618

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

## Meetings:

Arts Advisory Panel, 25618

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

## Marine mammals:

Commercial fishing operations; incidental taking—  
Atlantic Large Whale Take Reduction Plan, 25492–  
25495

**NOTICES**

## Marine mammals:

Taking and importation—

Ecuador; yellowfin tuna harvested in Eastern Tropical  
Pacific; affirmative finding, 25549

El Salvador; yellowfin tuna harvested in Eastern  
Tropical Pacific; affirmative finding, 25548–25549

## Privacy Act:

Systems of records, 25549–25550

**National Park Service****NOTICES**

Boundary establishment, descriptions, etc.:

Virgin Islands National Park, VI, 25597

Environmental statements; availability, etc.:

Capitol Reef National Park, UT; Burr Trail road  
modifications, 25597–25598

Environmental statements; notice of intent:

Virginia Key Beach Park, FL, 25598

Meetings:

National Park Subsistence Resource Commission, 25598–  
25599

Realty actions; sales, leases, etc.:

Appalachian National Scenic Trail, VA, 25599

**National Science Foundation****NOTICES**

Meetings; Sunshine Act, 25618–25619

**Navy Department****RULES**

Privacy Act; implementation, 25492

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

Reports and guidance documents; availability, etc.:

Post-fire safe-shutdown circuit regulatory requirements,  
25622–25628

*Applications, hearings, determinations, etc.:*

Nuclear Management Co., LLC, 25619–25622

**Occupational Safety and Health Review Commission****RULES**

Practice and procedure:

Practice before Commission; procedural rules; revisions  
Correction, 25652

**Office of United States Trade Representative**

See Trade Representative, Office of United States

**Pension Benefit Guaranty Corporation****RULES**

Single-employer plans:

Allocation of assets—

Interest assumptions for valuing and paying benefits,  
25470–25472

**NOTICES**

Multi-employer plans:

Interest rates and assumptions, 25628–25629

**Personnel Management Office****RULES**

Federal Workforce Flexibility Act of 2004; implementation:

Recruitment, relocation, and retention incentives;  
supervisory differentials; and extended assignment  
incentives, 25732–25752

**Presidential Documents****PROCLAMATIONS**

*Special observances:*

National Hurricane Preparedness Week (Proc. 7899),  
25459–25460

**ADMINISTRATIVE ORDERS**

Migration and Refugee Assistance Act of 1962; availability  
of funds (Presidential Determination)

No. 2005-23 of April 29, 2005, 25457

**Rural Business-Cooperative Service****NOTICES**

Agency information collection activities; proposals,  
submissions, and approvals, 25527–25528

Grants and cooperative agreements; availability, etc.:

Rural Cooperative Development Program, 25528–25533

**Securities and Exchange Commission****NOTICES**

Meetings; Sunshine Act, 25629

## Self-regulatory organizations; proposed rule changes:

American Stock Exchange LLC, 25629–25630  
 Depository Trust Co., 25630–25631  
 International Securities Exchange LLC, 25631–25634  
 National Securities Clearing Corp., 25634–25637  
 New York Stock Exchange, Inc., 25637–25639  
 Pacific Exchange, Inc., 25640–25641  
 Philadelphia Stock Exchange, Inc., 25641–25643

**Social Security Administration****NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 25643–25644

**State Department****NOTICES**

## Meetings:

Shipping Coordinating Committee, 25644–25645

**Surface Mining Reclamation and Enforcement Office****RULES**

Permanent program and abandoned mine land reclamation plan submissions:  
 Pennsylvania, 25472–25491

**Surface Transportation Board****NOTICES**

## Railroad services abandonment:

Atlantic & Western Railway, L.P., 25646–25647

**Trade Representative, Office of United States****NOTICES**

## Reports and guidance documents; availability, etc.:

Intellectual property rights and market access;  
 identification of countries that deny adequate protection, 25645–25646

**Transportation Department**

See Surface Transportation Board

**Treasury Department**

See Internal Revenue Service

See United States Mint

**United States Mint****NOTICES**

Committees; establishment, renewal, termination, etc.:

Citizens Coinage Advisory Committee, 25651

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

Agriculture Department, 25654–25663

**Part III**

Environmental Protection Agency, 25666–25673

**Part IV**

Environmental Protection Agency, 25676–25686

**Part V**

Environmental Protection Agency, 25688–25724

**Part VI**

Environmental Protection Agency, 25726–25730

**Part VII**

Personnel Management Office, 25732–25752

**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:**

7899.....25459

**Administrative Orders:**

## Presidential

## Determinations:

No. 2005-23 of April

29, 2005.....25457

**5 CFR**

530.....25732

575.....25732

**21 CFR**

1.....25461

1300.....25462

1301.....25462

1304.....25462

1307.....25462

**Proposed Rules:**

101.....25496

1308.....25502

**22 CFR**

203.....25466

**29 CFR**

2200.....25652

4022.....25470

4044.....25470

**30 CFR**

938.....25472

**32 CFR**

701.....25492

**33 CFR****Proposed Rules:**

165 (5 documents) .....25505,

25507, 25509, 25511, 25514

**36 CFR**

294.....25654

**40 CFR**

52 (2 documents) .....25688,

25719

63 (2 documents) .....25666,

25676

**Proposed Rules:**

52.....25516

63 (2 documents) .....25671,

25684

82.....25726

141.....25520

**50 CFR**

229.....25492