



Federal Register

10-3-05

Vol. 70 No. 190

Monday

Oct. 3, 2005

Pages 57483-57724



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.

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, 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. 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.

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, October 25, 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. 190

Monday, October 3, 2005

Agriculture Department

See Animal and Plant Health Inspection Service

See Commodity Credit Corporation

See Cooperative State Research, Education, and Extension Service

See Grain Inspection, Packers and Stockyards Administration

See Rural Business-Cooperative Service

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57551

Alcohol, Tobacco, Firearms, and Explosives Bureau

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57622

Animal and Plant Health Inspection Service

RULES

Exportation and importation of animals and animal byproducts:

Horse import quarantine facilities; stall reservations, 57486–57487

Army Department

See Engineers Corps

Census Bureau

NOTICES

Meetings:

2010 Census Advisory Committee, 57554–57555

Professional Associations Census Advisory Committee, 57555

Centers for Disease Control and Prevention

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57599–57601

Grant and cooperative agreement awards:

Rural Center for AIDS/STD Prevention/Indiana University, 57601

Grants and cooperative agreements; availability, etc.:

Human immunodeficiency virus (HIV)—

Southern Sudan; support programs to reduce HIV impact; correction, 57601

Public safety and health protection:

Special Exposure Cohort at Iowa Army Ammunition Plant, IA; employee class designation, 57601–57602

Special Exposure Cohort at Y-12 facility, Oak Ridge, TN; employee class designation, 57602

Centers for Medicare & Medicaid Services

NOTICES

Privacy Act:

Systems of records, 57602–57607

Children and Families Administration

NOTICES

Grant and cooperative agreement awards:

National Association of Child Care Resource and Referral Agencies, 57607

Coast Guard

PROPOSED RULES

Drawbridge operations:

North Carolina, 57524–57526

NOTICES

Environmental statements; availability, etc.:

Integrated Anti-Swimmer System, 57612–57613

Meetings:

Recreational Boating Safety Strategic Planning Panel, 57613

Commerce Department

See Census Bureau

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

See Patent and Trademark Office

Commodity Credit Corporation

PROPOSED RULES

Loan and purchase programs:

Noninsured Crop Disaster Assistance Program; tropical regions, 57520–57523

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57551–57552

Commodity Futures Trading Commission

NOTICES

Meetings; Sunshine Act, 57569

Cooperative State Research, Education, and Extension Service

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57552–57553

Copyright Office, Library of Congress

PROPOSED RULES

Digital Millennium Copyright Act:

Circumvention of copyright protection systems for access control technologies; exemption to prohibition, 57526–57531

Customs and Border Protection Bureau

NOTICES

Customhouse broker license cancellation, suspension, etc.:

Action International, Inc., et al, 57613–57614

Aries International Import Services, et al., 57614

Pioneer International Customhouse, et al., 57614

Defense Department

See Engineers Corps

Drug Enforcement Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57622–57623

Education Department**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 57570

Meetings:

Institutional Quality and Integrity National Advisory Committee, 57570–57573

Employee Benefits Security Administration**NOTICES**

Meetings:

Employee Welfare and Pension Benefit Plans Advisory Council, 57624–57625

Employment Standards Administration

See Wage and Hour Division

Energy Department

See Federal Energy Regulatory Commission

Engineers Corps**NOTICES**

Environmental statements; notice of intent:

Lower Snake River Reservoirs, WA and ID; programmatic sediment management plan, 57569–57570

Environmental Protection Agency**RULES**

Air pollutants, hazardous; national emission standards: Secondary aluminum production; correction, 57513–57517

Air quality implementation plans; approval and promulgation; various States: New York, 57511–57513

PROPOSED RULES

Air pollutants, hazardous; national emission standards: Secondary aluminum production; correction, 57534–57536

Air programs; approval and promulgation; State plans for designated facilities and pollutants: Missouri, 57531–57534

NOTICES

Meetings:

Ozone Transport Commission, 57598
U.S. Government Representative to Commission for Environmental Cooperation—
National and Governmental Advisory Committees, 57598

Equal Employment Opportunity Commission**RULES**

Freedom of Information Act (FOIA):

Fee schedule; revision, 57510–57511

Federal Aviation Administration**RULES**

Airworthiness directives:

Airbus, 57493–57497
McDonnell Douglas, 57491–57493
Rolls-Royce Corp., 57487–57491

Class E airspace, 57497–57499

IFR altitudes, 57499–57504

Standard instrument approach procedures, 57504–57505

NOTICES

Advisory circulars; availability, etc.:

Aircraft engine high intensity radiated fields (HIRF) and lightning protection features; instructions for continued airworthiness, 57642

Agency information collection activities; proposals, submissions, and approvals, 57642

Federal Bureau of Investigation**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 57623

Federal Energy Regulatory Commission**NOTICES**

CenterPoint Energy - Mississippi River Transmission Corp., 57588–57589

Complaints filed:

Continental Resources, Inc., 57589

District of Columbia Public Service Commission, 57589–57590

Electric rate and corporate regulation combined filings, 57590–57592

Environmental statements; availability, etc.:

Alabama Electric Cooperative, Inc., 57592

Port Arthur LNG, L.P., et al.; meeting canceled, 57592

Southern California Edison Co. et al., 57592–57593

Hydroelectric applications, 57593–57596

Meetings:

Public Utility District No. 1 of Chelan County; technical conference, 57596–57597

Off-the-record communications, 57597

Practice and procedure:

Transmission providers; standards of conduct; non-statutory deadlines extension, 57597–57598

Applications, hearings, determinations, etc.:

Blue Canyon Windpower II LLC, 57573

California Independent System Operator Corp., 57573

Calpine Energy Services, LP, et al., 57573–57574

Colorado Interstate Gas Co., 57574

Columbia Gas Transmission Corp., 57574–57575

Columbia Gulf Transmission Co., 57575

Decker Energy International, Inc., et al., 57575–57576

Dominion Transmission, Inc., 57576–57577

Duke Energy Corp., 57577

Eastern Shore Natural Gas Co., 57577

Energy Department et al., 57577–57578

Energy Transfer Fuel LP, 57578

Entergy Services, Inc., 57578

Exelon Corp. et al., 57578–57579

Freebird Gas Storage, LLC, 57579

Guardian Pipeline, L.L.C., 57579–57580

Gulfstream Natural Gas System, L.L.C., 57580

J. P. Morgan Ventures Energy Corp., 57580

Midwestern Gas Transmission Co., 57581–57582

Midwest Independent Transmission System Operator, Inc., 57580–57581

New England Power Pool, 57582

Northwest Pipeline Corp., 57582

Oklahoma Municipal Power Authority, et al., 57582–57583

Portland General Electric Co. et al., 57583

Prime Energy LP, 57583–57584

Reliant Energy Services, Inc., 57584

San Diego Gas & Electric Co., 57584

Southern Company Services, Inc., 57584–57585

Stuyvesant et al., NY, 57585

Tennessee Gas Pipeline Co., 57585–57587

Transcontinental Gas Pipe Line Corp., 57587–57588

Viking Gas Transmission Co., 57588

Yaka Energy, LLC, 57588

Federal Motor Carrier Safety Administration**NOTICES**

Committees; establishment, renewal, termination, etc.:
Medical Review Board, 57642–57645

Federal Railroad Administration**NOTICES**

Exemption petitions, etc.
Eureka & Palisade Railroad, 57645

Federal Reserve System**NOTICES**

Meetings; Sunshine Act, 57598–57599

Federal Trade Commission**NOTICES**

Senior Executive Service Performance Review Board;
membership, 57599

Financial Management Service

See Fiscal Service

Fiscal Service**NOTICES**

Reports and guidance documents; availability, etc.:
Hurricane Katrina; Federal Emergency Management
Agency disaster assistance checks and Government
benefit checks; cashing and deposit guidance;
correction, 57651

Food and Drug Administration**RULES**

Public Health Security and Bioterrorism Preparedness and
Response Act of 2002; implementation:
Food facilities registration, 57505–57509

NOTICES

Food for human consumption:
Identity standards deviation; market testing permits—
Canada's Original ICEBERG Water Corp.; iceberg water,
57607

Meetings:

Center for Drug Evaluation and Research; drug safety
information communication strategies, 57607–57609

Reports and guidance documents; availability, etc.:

Collection of platelets by automated methods; industry
and FDA review staff guidance, 57609–57610

Harmonisation International Conference—

E2B(R) clinical safety data management; individual
case safety reports transmission; data elements,
57610–57611

Foreign-Trade Zones Board**NOTICES**

Applications, hearings, determinations, etc.:

California

Eastman Kodak Co.; x-ray film, color paper, digital
media, inkjet paper, entertainment imaging, and
health imaging storage and distribution facilities,
57555–57556

Georgia

Eastman Kodak Co.; x-ray film, color paper, digital
media, inkjet paper, entertainment imaging, and
health imaging storage and distribution facilities,
57556–57557

Texas, 57557–57558

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

Agency designation actions:
Minnesota, 57553–57554

Harry S. Truman Scholarship Foundation**NOTICES**

Meetings; Sunshine Act, 57599

Health and Human Services Department

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See Children and Families Administration

See Food and Drug Administration

Homeland Security Department

See Coast Guard

See Customs and Border Protection Bureau

NOTICES

Merchant Marine Act of 1920:

Waiver of compliance with navigation and inspection
laws, 57611–57612

Housing and Urban Development Department**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 57614–57616

Grants and cooperative agreements; availability, etc.:

Discretionary programs (SuperNOFA)

Housing Opportunities for Persons with AIDS Program;
deadline extension due to Hurricane Katrina,
57616–57617

Low income housing:

Housing assistance payments (Section 8)—

Housing Choice Voucher Program and Moderate
Rehabilitation Single Room Occupancy Program
(2006 FY); fair market rents, 57654–57714

Public and Indian housing:

Hurricane Katrina disaster areas; regulatory and
administrative waivers granted to assist recovery and
relief, 57716–57720

Indian Affairs Bureau**NOTICES**

Tribal-State Compacts approval; Class III (casino) gambling;
Thlopthlocco Tribal Town and Ponca Tribe, OK, 57617

Interior Department

See Indian Affairs Bureau

Internal Revenue Service**RULES**

Income taxes:

Stock held by foreign insurance companies, 57509–57510

PROPOSED RULES

Income taxes:

Partnerships with foreign partners; obligation to pay
withholding tax on taxable income; cross reference
Correction, 57523

International Trade Administration**NOTICES**

Antidumping:

Fresh garlic from—

China, 57561–57562

Frozen warmwater shrimp from—

Ecuador, 57562–57563

Antidumping and countervailing duties:

Administrative review requests, 57558–57559

Five year (sunset) reviews—
Initiation of reviews, 57559–57561
Cheese quota; foreign government subsidies; quarterly update, 57563–57564

International Trade Commission

NOTICES

Import investigations:
Gray portland cement and cement clinker from—
Japan and Mexico, 57617–57620
Optical disk controller chips and chipsets and products containing same, including DVD players and PC optical storage devices, 57620–57621

Judicial Conference of the United States

NOTICES

Meetings:
Judicial Conference Advisory Committee on—
Civil Procedure Rules, 57621–57622

Justice Department

See Alcohol, Tobacco, Firearms, and Explosives Bureau
See Drug Enforcement Administration
See Federal Bureau of Investigation
See Justice Programs Office

Justice Programs Office

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57623–57624

Labor Department

See Employee Benefits Security Administration
See Wage and Hour Division

Library of Congress

See Copyright Office, Library of Congress

National Highway Traffic Safety Administration

PROPOSED RULES

Motor vehicle safety standards:
Rearview mirrors—
Convex mirrors on commercial trucks and other vehicles; withdrawn, 57549–57550

NOTICES

Motor vehicle safety standards; exemption petitions, etc.:
Michelin North America, Inc., 57645–57646

National Oceanic and Atmospheric Administration

RULES

Fishery conservation and management:
Alaska; fisheries of Exclusive Economic Zone—
Pacific ocean perch, 57518–57519
Northeastern United States fisheries—
Emergency closure due to presence of toxin causing paralytic shellfish poisoning, 57517–57518

NOTICES

Endangered and threatened species:
Anadromous fish take—
Oregon Department of Fish and Wildlife; Lower Columbia River coho salmon, 57564–57565
Marine mammals:
Southern resident killer whales; conservation plan, 57565
Meetings:
South Atlantic Fishery Management Council, 57566
Permits:
Marine mammals, 57566

Neighborhood Reinvestment Corporation

NOTICES

Meetings; Sunshine Act, 57625

Nuclear Regulatory Commission

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57625–57626
Environmental statements; availability, etc.:
Kerr McGee Cimarron Corp., 57627–57628
Environmental statements; notice of intent:
Nuclear power plant operating license renewal; review process, 57628–57629
Applications, hearings, determinations, etc.:
Pacific Gas & Electric Co., 57626–57627

Pacific Northwest Electric Power and Conservation Planning Council

NOTICES

Columbia River Basin Fish and Wildlife Program:
Subbasin plan amendments, 57629–57630

Patent and Trademark Office

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57567–57569

Peace Corps

NOTICES

Privacy Act:
Systems of records; correction, 57630

Pipeline and Hazardous Materials Safety Administration

PROPOSED RULES

Pipeline safety:
Gas gathering line definition; alternative definition for onshore lines, 57536–57549

Postal Rate Commission

NOTICES

Negotiated service agreements:
Bank One Corp., 57630–57631

Public Debt Bureau

See Fiscal Service

Rural Business-Cooperative Service

RULES

Guaranteed loanmaking:
Business and Industry Guaranteed Loan Program; annual renewal fee, 57483–57486

Securities and Exchange Commission

NOTICES

Meetings:
Smaller Public Companies Advisory Committee, 57631–57632
Self-regulatory organizations; proposed rule changes:
American Stock Exchange LLC, 57632–57635
Depository Trust Co., 57635–57636
National Association of Securities Dealers, Inc., 57636–57640

State Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57640–57641

Transportation Department

See Federal Aviation Administration
See Federal Motor Carrier Safety Administration
See Federal Railroad Administration
See National Highway Traffic Safety Administration
See Pipeline and Hazardous Materials Safety Administration

NOTICES

Aviation proceedings:
Agreements filed; weekly receipts, 57641
Certificates of public convenience and necessity and foreign air carrier permits; weekly applications, 57641–57642

Treasury Department

See Fiscal Service
See Internal Revenue Service

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 57646–57648
Meetings:
Federal Tax Reform, President's Advisory Panel, 57648

Veterans Affairs Department**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 57648–57650

Wage and Hour Division**RULES**

Fair Labor Standards Act:
Industries in American Samoa; minimum wage rates, 57722–57724

Separate Parts In This Issue**Part II**

Housing and Urban Development Department, 57654–57714

Part III

Housing and Urban Development Department, 57716–57720

Part IV

Labor Department, Wage and Hour Division, 57722–57724

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

427957483
428757483

Proposed Rules:

143757520

9 CFR

9357486

14 CFR

39 (3 documents)57487,
57491, 57493

71 (2 documents)57497,
57498

9557499

9757504

21 CFR

157505

2057505

26 CFR

157509

Proposed Rules:

157523

30157523

29 CFR

69757722

161057510

33 CFR**Proposed Rules:**

11757524

37 CFR**Proposed Rules:**

20157526

40 CFR

5257511

6357513

Proposed Rules:

5257531

6257531

6357534

49 CFR**Proposed Rules:**

19257536

57157549

50 CFR

64857517

67957518