



Federal Register

12-9-05

Vol. 70 No. 236

Friday

Dec. 9, 2005

Pages 73123-73346



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 |



Contents

Federal Register

Vol. 70, No. 236

Friday, December 9, 2005

Agricultural Marketing Service

RULES

Milk marketing orders:

Upper Midwest, 73126–73128

Oranges and grapefruit grown in—

Texas, 73123–73126

PROPOSED RULES

Pears grown in—

Oregon and Washington, 73167–73171

Agriculture Department

See Agricultural Marketing Service

See Rural Utilities Service

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 73194

Army Department

PROPOSED RULES

Law enforcement and criminal investigations:

Sexual assaults; law enforcement reporting, 73181–73183

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

Committees; establishment, renewal, termination, etc.:

Immunization Practices Advisory Committee, 73249

Centers for Medicare & Medicaid Services

See Inspector General Office, Health and Human Services Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 73249–73252

Civil Rights Commission

NOTICES

Meetings; Sunshine Act, 73196–73197

Commerce Department

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, 73195–73196

Comptroller of the Currency

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 73326–73327

Consumer Product Safety Commission

NOTICES

Settlement agreements:

SMC Marketing Corp., 73208–73210

Defense Department

See Army Department

RULES

Acquisition regulations:

Environment, occupational safety, and drug-free workplace, 73150–73151

Foreign acquisition, 73153–73156

Free trade agreements—

Australia and Morocco, 73152–73153

Socioeconomic programs, 73148–73150

Task and delivery order contracts; contract period, 73151–73152

PROPOSED RULES

Acquisition regulations:

Carbon, alloy, and armor steel plate restriction, 73189–73190

Required sources of supply, 73187–73189

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 73210–73211

Drug Enforcement Administration

NOTICES

Schedules of controlled substances; production quotas:

Schedules I and II—

2006 aggregate, 73269–73272

Education Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 73212

Grants and cooperative agreements; availability, etc.:

Special education and rehabilitative services—

National Institute on Disability and Rehabilitation

Research; correction, 73212–73214

Energy Department

See Federal Energy Regulatory Commission

NOTICES

Atomic energy agreements; subsequent arrangements, 73214

Natural gas exportation and importation:

Avista Energy, Inc., et al., 73214–73216

Environmental Protection Agency

RULES

Air programs; State authority delegations:

New Mexico, 73138–73148

PROPOSED RULES

Air programs; State authority delegations:

New Mexico, 73183

Air quality planning purposes; designation of areas:

South Dakota, 73183–73186

NOTICES

Environmental statements; availability, etc.:

Agency comment availability, 73232–73233

Agency weekly receipts, 73233–73234

Pesticide, food, and feed additive petitions:

Loveland Products, Inc., 73234–73236

Reports and guidance documents; availability, etc.:

Air quality criteria for oxides of nitrogen, 73236–73237

Quality assurance project plan for alternative asbestos

control method demonstration project, 73237–73238

Superfund; response and remedial actions, proposed settlements, etc.:

Solitron Devices Site, FL, et al.; correction, 73238

Toxic and hazardous substances control:
New chemicals; receipt and status information, 73238–73248

Federal Aviation Administration

RULES

Class D and E airspace, 73129–73132

Class E airspace, 73132–73135

PROPOSED RULES

Airworthiness directives:

Boeing, 73171–73173

Gulfstream, 73173–73175

NOTICES

Aircraft:

Aircraft registration requirements; authentication status, 73323

Federal Emergency Management Agency

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 73252–73254

Federal Energy Regulatory Commission

NOTICES

Complaints filed:

Duncan's Point Lot Owners Association, Inc., et al., 73221–73222

Electric rate and corporate regulation combined filings, 73222–73226

Environmental statements; availability, etc.:

Indian River Power Supply, LLC, 73226

Northeast Generation Co., 73226–73227

Environmental statements; notice of intent:

Colorado Interstate Gas Co., 73227–73228

Hydroelectric applications, 73228–73230

Meetings:

California Independent System Operator Corp.; technical conference, 73230

Electric reliability organization; procedures for establishment, approval, and enforcement of reliability standards; technical conference, 73230–73231

Off-the-record communications, 73231–73232

Rulemaking petitions:

Blanket construction certificates, 73232

Applications, hearings, determinations, etc.:

Boston Generating, LLC, et al., 73216

Colorado Interstate Gas Co., 73216

Craven County Wood Energy LP, 73217

East Tennessee Natural Gas, LLC, 73217

El Paso Natural Gas Co., 73217–73218

Iroquois Gas Transmission System, L.P., 73218

ISO New England Inc., 73218

J-W Pipeline Co., 73219

Northern Border Pipeline Co., 73219

Pine Prairie Energy Center, LLC, 73219–73220

PPL Montana, LLC, et al., 73220

Southern Natural Gas Co., 73220

Texas Eastern Transmission, LP, 73221

Viking Gas Transmission Co., 73221

Federal Housing Finance Board

NOTICES

Meetings; Sunshine Act, 73248

Federal Reserve System

RULES

Availability of Funds and Collection of Checks (Regulation CC):

Routing number guide to next-day availability checks and local checks; technical amendment, 73128–73129

NOTICES

Banks and bank holding companies:

Formations, acquisitions, and mergers, 73248

Permissible nonbanking activities, 73248

Fish and Wildlife Service

PROPOSED RULES

Endangered and threatened species:

Findings on petitions, etc.—

Nevada gray wolf, 73190–73193

NOTICES

Endangered and threatened species permit applications, 73255–73257

Food and Drug Administration

RULES

Animal drugs, feeds, and related products:

Miconazole nitrate cream, etc., 73137

Sulfadimethoxine soluble powder, 73136–73137

PROPOSED RULES

Human drugs:

Dandruff, seborrheic dermatitis, and psoriasis drug products (OTC); final monograph amendment, 73178–73181

NOTICES

Color additive petitions:

Food Ingredient Solutions, LLC, 73252

General Services Administration

NOTICES

Freight Management Program:

Transportation services provided for Global Supply Office; transaction fee, 73248–73249

Health and Human Services Department

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See Food and Drug Administration

See Inspector General Office, Health and Human Services Department

Homeland Security Department

See Federal Emergency Management Agency

See U.S. Citizenship and Immigration Services

Housing and Urban Development Department

NOTICES

Grants and cooperative agreements; availability, etc.:

Electronic grant applications submission; early registration through Grants.gov, 73332–73342

Homeless assistance; excess and surplus Federal properties, 73255

Indian Affairs Bureau

NOTICES

Meetings:

Tribal energy resources agreements; proposed regulations development, 73257–73258

Inspector General Office, Health and Human Services Department

PROPOSED RULES

Medicare and State healthcare programs; fraud and abuse:
New safe harbors and special fraud alerts, 73186–73187

Interior Department

See Fish and Wildlife Service

See Indian Affairs Bureau

See National Park Service

See Surface Mining Reclamation and Enforcement Office

Internal Revenue Service

NOTICES

Reports and guidance documents; availability, etc.:
Highway motor fuel use by trucks for non-transportation
uses, 73327

International Trade Administration

NOTICES

Antidumping:

Hot-rolled carbon steel flat products from—
Thailand, 73197–73205

Stainless steel plate in coils from—
Taiwan, 73205–73206

International Trade Commission

NOTICES

Import investigations:

Nand flash memory circuits and products containing
same, 73268

Meetings; Sunshine Act, 73268–73269

Justice Department

See Drug Enforcement Administration

Labor Department

NOTICES

Reports and guidance documents; availability, etc.:

Multiple employer welfare arrangements and certain
entities claiming exception, annual report; 2005 form
M-1 with electronic filing option, 73272–73309

National Aeronautics and Space Administration

NOTICES

Inventions, Government-owned; availability for licensing,
73309–73310

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

Exploration Partners, LLC, 73311

National Highway Traffic Safety Administration

NOTICES

Motor vehicle safety standards; exemption petitions, etc.:

Bridgestone Firestone North America Tire, LLC, 73323–
73324

Cooper Tire & Rubber Co., 73324–73325

Kumho Tire Co., 73325

National Oceanic and Atmospheric Administration

NOTICES

Grants and cooperative agreements; availability, etc.:

Environmental literacy projects, 73206–73208

National Park Service

NOTICES

Native American human remains, funerary objects;
inventory, repatriation, etc.:

American Museum of Natural History, New York, NY,
73258–73260

Defense Department, Naval Air Weapons Station, China
Lake, CA and Maturango Museum, Ridgecrest, CA,
73260–73261

Denver Museum of Nature & Science, CO; correction,
73261–73262

Fruitlands Museums, Harvard, MA, 73262

Interior Department, Indian Affairs Bureau, Washington,
DC and Indian Arts and Crafts Board, Southern
Plains Indian Museum, Anadarko, OK, 73262–73263

Interior Department, Yellowstone National Park,
Mammoth Hot Springs, WY, 73263–73264

Luther College Anthropology Lab, Decorah, IA, 73264–
73265

New York State Museum, Albany, NY, 73265–73266

San Diego Museum of Man, San Diego, CA, 73266

University of Alaska Museum, Fairbanks, AK, 73266–
73267

Nuclear Regulatory Commission

NOTICES

Environmental statements; availability, etc.:

Entergy Operations, Inc., 73311–73312

Meetings:

Nuclear Waste Advisory Committee, 73312–73313

Applications, hearings, determinations, etc.:

General Electric Co., 73311

Pension Benefit Guaranty Corporation

RULES

Single-employer plans:

Mortality assumptions, interest rate structure, etc.
Correction, 73330

Pipeline and Hazardous Materials Safety Administration

RULES

Hazardous materials:

Hazardous materials safety and security regulations;
terminology, definitions, and requirements;
statutorily mandated revisions, 73156–73166

Railroad Retirement Board

PROPOSED RULES

Railroad Retirement Act and Railroad Unemployment
Insurance Act:

Reconsideration and appeals; video teleconferencing,
73175–73176

Railroad Unemployment Insurance Act:

Sickness benefits paid; electronic notification by railroad
employers of settlements and final judgments,
73176–73178

Rural Utilities Service

NOTICES

Environmental statements; availability, etc.:

Great River Energy, 73194–73195

Securities and Exchange Commission

RULES

Investment companies and securities:

Vaccines and bioterror countermeasures sales to Federal
government; accounting guidance; interpretative
release, 73344–73345

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 73313–73315
Investment Company Act of 1940:
Firsthand Funds and Firsthand Capital Management, Inc., 73315–73317
Self-regulatory organizations; proposed rule changes:
American Stock Exchange LLC, 73317
Chicago Board Options Exchange, Inc., 73317–73319

Social Security Administration**RULES**

Service of process; service of summonses and complaints in litigation cases, 73135–73136

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 73319–73320
Service of process; service of summonses and complaints in litigation cases; office names and addresses, 73320–73323

Surface Mining Reclamation and Enforcement Office**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 73267

Transportation Department

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

Treasury Department

See Comptroller of the Currency
See Internal Revenue Service

NOTICES

Meetings:
Financial Literacy and Education Commission, 73326

U.S. Citizenship and Immigration Services**NOTICES**

Immigration:
Direct Mail Program—
Permanent residence registration or status adjustment, employment authorization, and travel document applications; filing address; correction, 73254–73255

Veterans Affairs Department**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 73327–73329

Separate Parts In This Issue**Part II**

Housing and Urban Development Department, 73332–73342

Part III

Securities and Exchange Commission, 73344–73345

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 | 172.....73156 |
| 906.....73123 | 173.....73156 |
| 1030.....73126 | 174.....73156 |
| Proposed Rules: | 175.....73156 |
| 927.....73167 | 176.....73156 |
| 12 CFR | 177.....73156 |
| 229.....73128 | 178.....73156 |
| 14 CFR | 180.....73156 |
| 71 (4 documents)73129, 73131, 73132, 73134 | 50 CFR |
| Proposed Rules: | Proposed Rules: |
| 39 (2 documents)73171, 73173 | 17.....73190 |
| 17 CFR | |
| 231.....73344 | |
| 241.....73344 | |
| 271.....73344 | |
| 20 CFR | |
| 423.....73135 | |
| Proposed Rules: | |
| 260.....73175 | |
| 320.....73175 | |
| 341.....73176 | |
| 21 CFR | |
| 520.....73136 | |
| 524.....73137 | |
| Proposed Rules: | |
| 310.....73178 | |
| 358.....73178 | |
| 29 CFR | |
| 4044.....73330 | |
| 32 CFR | |
| Proposed Rules: | |
| 635.....73181 | |
| 40 CFR | |
| 60.....73138 | |
| 61.....73138 | |
| 63.....73138 | |
| Proposed Rules: | |
| 61.....73183 | |
| 63.....73183 | |
| 81.....73183 | |
| 42 CFR | |
| Proposed Rules: | |
| 1001.....73186 | |
| 48 CFR | |
| 205.....73148 | |
| 211.....73150 | |
| 216.....73151 | |
| 217.....73151 | |
| 223.....73150 | |
| 225 (2 documents)73152, 73153 | |
| 226.....73148 | |
| 252 (4 documents)73148, 73150, 73152, 73153 | |
| Proposed Rules: | |
| Ch. 2.....73187 | |
| 208.....73187 | |
| 225.....73189 | |
| 252 (2 documents)73187, 73189 | |
| 253.....73187 | |
| 49 CFR | |
| 105.....73156 | |
| 106.....73156 | |
| 107.....73156 | |
| 110.....73156 | |
| 171.....73156 | |