



Federal Register

9-28-07

Vol. 72 No. 188

Friday

Sept. 28, 2007

Pages 55011-55654



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: 72 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. 72, No. 188

Friday, September 28, 2007

Editorial Note: In the printed version of the **Federal Register** for Thursday, September 27, 2007, a technical error resulted in an incomplete listing of documents in the Table of Contents. A corrected Table of Contents appears after the Reader Aids section at the back of today's **Federal Register**.

Agency for Healthcare Research and Quality

NOTICES

Health Care Innovations Exchange; website initiative, 55214–55216

Reports and guidance documents; availability, etc.:
Update on Tobacco Use and Dependence; Public Health Service clinical practice guideline, 55216–55217

Agriculture Department

See Commodity Credit Corporation

See Farm Service Agency

See Food and Nutrition Service

See National Agricultural Library

See Rural Business-Cooperative Service

See Rural Housing Service

See Rural Utilities Service

Army Department

See Engineers Corps

NOTICES

Meetings:

Army Educational Advisory Committee, 55188

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

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

Bonneville Power Administration

NOTICES

Reports and guidance documents; availability, etc.:
Bonneville Purchasing Instructions and Bonneville Financial Assistance Instructions, 55193

Centers for Disease Control and Prevention

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 55217–55218

Centers for Medicare & Medicaid Services

RULES

Medicare:

Skilled nursing facilities; prospective payment system and consolidated billing; 2008 FY rates update; correction, 55085–55089

PROPOSED RULES

Medicaid:

Outpatient clinic and hospital facility services; definitions and payment limits, 55158–55166

Medicare:

Part B special enrollment period and Part A premium changes, 55152–55157

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 55218–55219

Clinical Laboratory Improvement Amendments programs:
Laboratories, licensed; exemptions—
Washington, 55219–55221

Medicaid:

State plan amendments, reconsideration; hearings—
Pennsylvania, 55221–55222

Medicare and Medicaid:

National accreditation organizations; recognition—
Indian Health Service, 55222–55224

Meetings:

Medicare—

Medicare Provider Feedback Group Town Hall, 55224–55225

Privacy Act; systems of records, 55225–55231

Program issuances and coverage decisions:

Quarterly listing, 55282–55621

Children and Families Administration

NOTICES

Grant and cooperative agreement awards:

OMNI Institute, Inc., 55231

Coast Guard

RULES

Transportation Worker Identification Credential Program;
maritime sector implementation:

Commercial driver's license; hazardous materials endorsement, 55043–55049

Commerce Department

See Economic Development Administration

See Industry and Security Bureau

See International Trade Administration

See National Oceanic and Atmospheric Administration

See Patent and Trademark Office

Committee for Purchase From People Who Are Blind or Severely Disabled

NOTICES

Procurement list; additions and deletions, 55173–55174

Committee for the Implementation of Textile Agreements

NOTICES

Textile and apparel categories:

Quota and visa requirements—

Andean Trade Promotion and Drug Eradication Act beneficiary countries; articles assembled from regional fabric; duty-and quota-free import limitations, 55177–55178

Sub-Saharan African countries; import limitations, 55178–55179

Commodity Credit Corporation

PROPOSED RULES

Program regulations:

Future farm programs; cash and share lease provisions, 55105–55108

Comptroller of the Currency

NOTICES

Reports and guidance documents; availability, etc.:

Garnishment of Exempt Federal Benefit Funds; proposed guidance, 55273–55276

Defense Department

See Army Department
 See Defense Information Systems Agency
 See Engineers Corps
 See Navy Department

RULES

Acquisition regulations:
 Acquisition planning and special contracting methods;
 CFR correction, 55090

NOTICES

Agency information collection activities; proposals,
 submissions, and approvals, 55179–55183
 Travel per diem rates; non-foreign overseas, 55183–55187

Defense Information Systems Agency**NOTICES**

Agency information collection activities; proposals,
 submissions, and approvals, 55188–55189

Economic Development Administration**NOTICES**

Senior Executive Service Performance Review Board;
 membership, 55174–55175

Education Department**RULES**

Postsecondary education:
 Federal Perkins Loan Program, Federal Family Education
 Loan Program, and William D. Ford Federal Direct
 Loan Program—
 Discharge of student loan indebtedness for survivors of
 victims of the September 11, 2001, terrorist attacks,
 55049–55055

NOTICES

Meetings:
 Reading First Advisory Committee, 55191
 Special education and rehabilitative services:
 Individuals with Disabilities Education Act (IDEA)—
 Correspondence; quarterly list, 55191–55192

Election Assistance Commission**NOTICES**

Meetings; Sunshine Act, 55192

Employee Benefits Security Administration**NOTICES**

Meetings:
 Employee Welfare and Pension Benefit Plans Advisory
 Council, 55251

Employment and Training Administration**NOTICES**

Adjustment assistance; applications, determinations, etc.:
 C-Tech Industries, 55251–55252
 EGS Electrical Group, 55252
 Faradyne Motors, 55252–55253
 Hartmann, Inc., 55253
 Schnadig Corp., 55253
 Syroco, Inc., 55253–55254

Energy Department

See Bonneville Power Administration
 See Energy Information Administration
 See Federal Energy Regulatory Commission

Energy Information Administration**NOTICES**

Agency information collection activities; proposals,
 submissions, and approvals, 55193–55194

Engineers Corps**NOTICES**

Meetings:
 Inland Waterways Users Board, 55189

Environmental Protection Agency**RULES**

Air quality implementation plans; approval and
 promulgation; various States:
 Louisiana, 55064–55068
 Grants and other Federal assistance:
 United States-Mexico Border Program and Alaska Rural
 and Native Villages Program, 55058–55064
 Pesticides; tolerances in food, animal feeds, and raw
 agricultural commodities:
 Florasulam, 55073–55078
 Quinclorac, 55068–55073
 Tembotrione, et al., 55078–55085
 Water pollution control:
 Mercury monitoring systems; relative accuracy test
 audits; correction, 55278–55279

NOTICES

Agency information collection activities; proposals,
 submissions, and approvals, 55197–55199
 Air pollution control:
 Citizen suits; proposed settlements—
 Sierra Club, 55199–55200
 Environmental statements; availability, etc.:
 Agency comment availability, 55200–55201
 Agency weekly receipts, 55201
 Meetings:
 Scientific Counselors Board, 55201–55202
 Pesticide, food, and feed additive petitions:
 Interregional Research Project (No. 4) et al., 55204–55207
 Pesticide programs:
 Risk assessment—
 Busan 77, 55202–55204
 Reports and guidance documents; availability, etc.:
 Integrated Science Assessment for Sulfur Oxides Health
 Criteria; First External Review Draft, 55207–55208

Farm Service Agency**RULES**

Program regulations:
 Servicing of water and waste loans and grant programs,
 55011–55019

PROPOSED RULES

Program regulations:
 Future farm programs; cash and share lease provisions,
 55105–55108

Federal Aviation Administration**RULES**

Airmen:
 Certification services and approvals performed outside
 the U.S.; fees, 55021–55022

PROPOSED RULES

Airworthiness directives:
 Airbus, 55108–55111, 55124–55126
 ATR, 55113–55116
 BAE Systems (Operations) Ltd., 55122–55124
 Boeing, 55118–55120
 McCauley Propeller Systems, 55120–55122
 McDonnell Douglas, 55111–55113
 Saab, 55116–55118

NOTICES

Aeronautical land-use assurance; waivers:
 Manchester Airport, NH, 55270–55271

Environmental statements; notice of intent:
Arlington Municipal Airport, VA; property release, 55271

Federal Communications Commission

RULES

Organization, functions, and authority delegations:
Rules and regulations; CFR correction, 55089

NOTICES

Common carrier services:
Wireless telecommunications services—
800 MHz band; rebanding by National Public Safety
Planning Advisory Committee licensees;
supplemental procedures and guidance, 55208–
55211

Federal Deposit Insurance Corporation

NOTICES

Reports and guidance documents; availability, etc.:
Garnishment of Exempt Federal Benefit Funds; proposed
guidance, 55273–55276

Federal Emergency Management Agency

RULES

Flood insurance; communities eligible for sale:
Boundary changes, governmental reorganization, etc.;
effect on community eligibility; CFR correction,
55089

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 55233–55240

Federal Energy Regulatory Commission

NOTICES

Environmental statements; availability, etc.:
Sacramento Municipal Utility District and Pacific Gas &
Electric Co., 55194
Transwestern Pipeline Company, LLC, 55194–55196
Off-the record communications, 55196–55197

Federal Motor Carrier Safety Administration

RULES

Motor carrier safety standards:
Civil penalties; inflation adjustment, 55100–55102
Motor carrier, broker, freight forwarder, and hazardous
materials proceedings; practice rules—
Penalty schedules; violations of notices and orders;
CFR correction, 55100

Federal Reserve System

RULES

Equal Credit Opportunity (Regulation B):
Agency addresses update, 55020
Unfair or Deceptive Acts or Practices (Regulation AA):
Bank addresses update, 55020–55021

NOTICES

Reports and guidance documents; availability, etc.:
Garnishment of Exempt Federal Benefit Funds; proposed
guidance, 55273–55276

Federal Trade Commission

NOTICES

Prohibited trade practices:
Ingenix, Inc., 55211–55212
Milliman, Inc., 55212–55214

Federal Transit Administration

RULES

Buy America requirements; end product analysis and
waiver procedures
Correction, 55102–55103

NOTICES

Reports and guidance documents; availability, etc.:
Capital Investment Program; circular, 55624–55627
Grants Management Requirements; circular, 55629–55630
Metropolitan Planning and State Planning Research
Program Grants; program guidance, 55627–55628
Third Party Contracting Guidance; program guidance;
circular, 55630–55635

Food and Nutrition Service

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 55172

General Services Administration

RULES

Acquisition regulations:
Acquisition planning and special contracting methods;
CFR correction, 55090

Geological Survey

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 55242

Health and Human Services Department

See Agency for Healthcare Research and Quality
See Centers for Disease Control and Prevention
See Centers for Medicare & Medicaid Services
See Children and Families Administration
See National Institutes of Health
See Substance Abuse and Mental Health Services
Administration

NOTICES

Special Exposure Cohort; employee class designations:
Ames Laboratory, IA, 55214
Hanford Engineer Works, WA, 55214

Homeland Security Department

See Coast Guard
See Federal Emergency Management Agency
See Transportation Security Administration
See U.S. Customs and Border Protection

NOTICES

Senior Executive Service Performance Review Board;
membership, 55232–55233

Housing and Urban Development Department

RULES

Mortgage and loan insurance programs:
Housing Counseling Program; establishment, 55638–
55654

NOTICES

Grants and cooperative agreements; availability, etc.:
Homeless assistance; excess and surplus Federal
properties, 55240–55242

Indian Affairs Bureau

NOTICES

Liquor and tobacco sale or distribution ordinance:
Colorado River Tribe Reservation, AZ, 55242–55244

Industry and Security Bureau**NOTICES**

Meetings:

- Materials Processing Equipment Technical Advisory Committee, 55175
- Materials Technical Advisory Committee, 55175–55176

Interior Department

- See Geological Survey
- See Indian Affairs Bureau
- See Land Management Bureau
- See Reclamation Bureau

Internal Revenue Service**PROPOSED RULES**

Income taxes:

- Consolidated returns; intercompany obligations, 55139–55152
- S Corporation securities; guidance under AJCA of 2004 and GOZA of 2005, 55132–55139

International Trade Administration**NOTICES**

Antidumping:

- Polyester staple fiber from—
 - Korea, 55176
 - Sodium hexametaphosphate from—
 - China, 55176–55177

Tariff rate quotas:

- Cotton shirting fabrics, 55177

International Trade Commission**NOTICES**

Antidumping:

- Glycine from—
 - Various countries, 55247–55248

Import investigations:

- Raw flexible magnets from—
 - China and Taiwan, 55248–55249
- Sucralose, sweeteners containing sucralose, and related intermediate compounds, 55249–55250
- Voltage regulators, components, and products containing same, 55250–55251

Meetings; Sunshine Act, 55251

Labor Department

- See Employee Benefits Security Administration
- See Employment and Training Administration

Land Management Bureau**NOTICES**

Environmental statements; availability, etc.:

- Kobuk-Seward Peninsula, AK; resource management plan, 55244–55246

National Aeronautics and Space Administration**RULES**

Acquisition regulations:

- Acquisition planning and special contracting methods; CFR correction, 55090
- Solicitation provisions and contract clauses; CFR correction, 55089–55090

National Agricultural Library**NOTICES**

- Agency information collection activities; proposals, submissions, and approvals, 55172–55173

National Credit Union Administration**NOTICES**

Reports and guidance documents; availability, etc.:

- Garnishment of Exempt Federal Benefit Funds; proposed guidance, 55273–55276

National Institutes of Health**NOTICES**

- Agency information collection activities; proposals, submissions, and approvals, 55231

National Oceanic and Atmospheric Administration**RULES**

Fishery conservation and management:

- Alaska; fisheries of Exclusive Economic Zone—
 - Pollock, 55104
- Caribbean, Gulf, and South Atlantic fisheries—
 - Snapper-grouper, 55103–55104

PROPOSED RULES

Fishery conservation and management:

- Northeastern United States fisheries—
 - Summer flounder, 55166–55169
- West Coast States and Western Pacific fisheries—
 - Coastal pelagic species, 55170–55171

Navy Department**NOTICES**

- Agency information collection activities; proposals, submissions, and approvals, 55189–55191

Nuclear Regulatory Commission**RULES**

Practice and procedure:

- Domestic licensing proceedings—
 - Small entity size standards revision; annual fees, 55019–55020

NOTICES

Environmental statements; availability, etc.:

- Entergy Nuclear Operations, Inc., 55254–55255

Patent and Trademark Office**RULES**

Patent cases:

- Fee revisions (2007 FY)
 - Correction, 55055

Pipeline and Hazardous Materials Safety Administration**RULES**

Hazardous materials:

- International transport standards and regulations use; authorization requirements
 - Correction, 55090–55091

Hazardous materials transportation:

- Compressed oxygen, other oxidizing gases, and chemical oxygen generators on aircraft, 55091–55100

Postal Service**RULES**

Domestic Mail Manual:

- First-class mail and standard mail; new address quality standards, 55055–55058

Reclamation Bureau**NOTICES**

Environmental statements; availability, etc.:

- Madera Irrigation District; Water Supply Project, CA, 55246

Rural Business-Cooperative Service**RULES**

Program regulations:

 Servicing of water and waste loans and grant programs,
 55011–55019

Rural Housing Service**RULES**

Program regulations:

 Servicing of water and waste loans and grant programs,
 55011–55019

Rural Utilities Service**RULES**

Program regulations:

 Servicing of water and waste loans and grant programs,
 55011–55019

Securities and Exchange Commission**RULES**

Securities and investment advisers:

 Principal trades with certain advisory clients; temporary
 rule, 55022–55042

PROPOSED RULES

Investment advisers:

 Broker-dealers; Interpretive rule provisions, 55126–55132

NOTICES

Agency information collection activities; proposals,
 submissions, and approvals, 55255

Investment Company Act of 1940:

 ProShares Trust et al., 55257–55258

 WisdomTree Investments, Inc., et al, 55255–55257

Securities Exchange Act:

 A.M. Best Co., Inc.; order granting registration as a
 nationally recognized statistical rating organization,
 55258–55259

 DBRS Ltd.; order granting registration as a nationally
 recognized statistical rating organization, 55259

 Fitch, Inc.; order granting registration as a nationally
 recognized statistical rating organization, 55258

 Japan Credit Rating Agency, Ltd.; order granting
 registration as a nationally recognized statistical
 rating organization, 55259

 Moodys Investors Service, Inc.; order granting registration
 as a nationally recognized statistical rating
 organization, 55259

 Rating and Investment Information, Inc.; order granting
 registration as a nationally recognized statistical
 rating organization, 55259–55260

 Standard & Poor's Ratings Services; order granting
 registration as a nationally recognized statistical
 rating organization, 55260

Self-regulatory organizations; proposed rule changes:

 American Stock Exchange LLC, 55260–55264

 Chicago Board Options Exchange, Inc., 55264–55265

 International Securities Exchange, LLC, 55266–55270

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

Organization, functions, and authority delegations:

 Office of Applied Studies, 55232

Surface Transportation Board**NOTICES**

Applications; exemptions, renewals, etc.

 Norfolk Southern Railway Co. and CSX Transportation,
 Inc., 55271–55272

Railroad operation, acquisition, construction, etc.:

 Lackawaxen-Honesdale Shippers Association, 55272

Textile Agreements Implementation Committee

See Committee for the Implementation of Textile Agreements

Thrift Supervision Office**NOTICES**

Reports and guidance documents; availability, etc.:

 Garnishment of Exempt Federal Benefit Funds; proposed
 guidance, 55273–55276

Transportation Department

See Federal Aviation Administration

See Federal Motor Carrier Safety Administration

See Federal Transit Administration

See Pipeline and Hazardous Materials Safety Administration

See Surface Transportation Board

Transportation Security Administration**RULES**

Transportation Worker Identification Credential Program;
 maritime sector implementation:

 Commercial driver's license; hazardous materials
 endorsement, 55043–55049

Treasury Department

See Comptroller of the Currency

See Internal Revenue Service

See Thrift Supervision Office

NOTICES

Agency information collection activities; proposals,
 submissions, and approvals, 55272

Meetings:

 Auditing Profession Advisory Committee, 55272–55273

U.S. Customs and Border Protection**NOTICES**

Tariff classification standards:

 Unisex footwear; correction, 55279

Veterans Affairs Department**NOTICES**

Medical benefits:

 Medical care or services; reasonable charges; 2008 FY
 update, 55276–55277

Separate Parts In This Issue**Part II**

Health and Human Services Department, Centers for
 Medicare & Medicaid Services, 55282–55621

Part III

Transportation Department, Federal Transit Administration,
 55624–55635

Part IV

Housing and Urban Development Department, 55638–55654

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](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	1807.....55090
1782.....55011	1817.....55090
1951.....55011	49 CFR
1955.....55011	171.....55090
1956.....55011	173.....55091
Proposed Rules:	175.....55091
718.....55105	178.....55091
1412.....55105	386 (2 documents)55100
1427.....55105	661.....55102
10 CFR	1572.....55043
2.....55019	50 CFR
171.....55019	622.....55103
12 CFR	679.....55104
202.....55020	Proposed Rules:
227.....55020	648.....55166
14 CFR	660.....55170
61.....55021	
63.....55021	
65.....55021	
187.....55021	
Proposed Rules:	
39 (8 documents)55108, 55111, 55113, 55116, 55118, 55120, 55122, 55124	
17 CFR	
275.....55022	
Proposed Rules:	
275.....55126	
24 CFR	
214.....55638	
26 CFR	
Proposed Rules:	
1 (2 documents)55132, 55139	
33 CFR	
101.....55043	
105.....55043	
106.....55043	
34 CFR	
674.....55049	
682.....55049	
685.....55049	
37 CFR	
1.....55055	
39 CFR	
111.....55055	
40 CFR	
30.....55058	
31.....55058	
52.....55064	
60.....55278	
75.....55278	
97.....55064	
180 (3 documents)55068, 55073, 55078	
42 CFR	
409.....55085	
Proposed Rules:	
406.....55152	
407.....55152	
408.....55152	
440.....55158	
447.....55158	
44 CFR	
64.....55089	
47 CFR	
0.....55089	
48 CFR	
52.....55089	