



Federal Register

5-7-08

Vol. 73 No. 89

Wednesday

May 7, 2008

Pages 25503-25960



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: U.S. Government Printing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; 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: 73 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 20, 2008
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. 73, No. 89

Wednesday, May 7, 2008

Agricultural Research Service

NOTICES

Intent to Grant Exclusive License, 25641

Agriculture Department

See Agricultural Research Service

See Animal and Plant Health Inspection Service

See Foreign Agricultural Service

See Forest Service

Animal and Plant Health Inspection Service

RULES

Foreign Quarantine Notices

CFR Correction, 25505

Army Department

See Engineers Corps

NOTICES

Notice of Intent to Prepare an Environmental Impact Statement:

Grow the Army Actions; Fort Carson, CO, 25686

Centers for Medicare & Medicaid Services

PROPOSED RULES

Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities for FY 2009, 25918–25960

NOTICES

Medicare Program:

Inpatient Psychiatric Facilities Prospective Payment System Payment Update for Rate Year Beginning July 1, 2008 (RY 2009), 25709–25749

Civil Rights Commission

NOTICES

Meetings:

Missouri Advisory Committee, 25644

Rhode Island Advisory Committee, 25644

Coast Guard

RULES

National Maritime Week Tugboat Races, 25508

Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector:

Hazardous Materials Endorsement for a Commercial Driver's License, 25562–25566

PROPOSED RULES

Safety Zone:

Red Bull Air Race, Detroit River, Detroit, MI, 25624–25627

NOTICES

Meetings:

Public Workshop on Marine Technology and Standards, 25756–25757

Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector:

Hazardous Materials Endorsement for a Commercial Driver's License, 25757–25758

Commerce Department

See Foreign-Trade Zones Board

See Industry and Security Bureau

See International Trade Administration

See National Institute of Standards and Technology

See National Oceanic and Atmospheric Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 25644–25645

Commodity Futures Trading Commission

NOTICES

Request for Public Comment:

Concept Release on the Appropriate Regulatory

Treatment of Event Contracts, 25669–25674

Defense Department

See Army Department

See Engineers Corps

NOTICES

36(b)(1) Arms Sales Notification, 25674–25684

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 25684–25686

Meetings:

Threat Reduction Advisory Committee Closed Meeting, 25686

Drug Enforcement Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 25769–25770

Education Department

NOTICES

Advanced Placement Incentive Program; Overview Information:

Inviting Applications for New Awards for Fiscal Year (FY 2008), 25688–25692

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 25693

Employment and Training Administration

NOTICES

Affirmative Determination Regarding Application for Reconsideration:

Norcal Pottery Products; Richmond, CA, 25772

Fraser Timber Limited Ashland, ME, 25772

Amended Certification Eligibility to Apply for Worker Adjustment Assistance, etc.:

Lanxess Sybron Chemicals, Inc.; Birmingham, NJ, 25772–25773

Eligibility Certification for Worker Adjustment Assistance, etc.:

Giant Merchandising, Inc. et al.; Rochester, MN, 25773

Negative Determination Regarding Application for Reconsideration:

Chase Home Finance LLC; Lexington, KY, 25773–25774

Richloom Home Fashions Division of Richloom Fabrics Corp.; Clinton, SC, 25773

Revised Determination on Reconsideration:

Parlex U.S.A., etc.; Marathon, MA, 25774

Termination of Investigation:

Brockway Mould, Inc., Brockport, PA, 25774–25775

Energy Department

See Energy Efficiency and Renewable Energy Office

See Federal Energy Regulatory Commission

NOTICES

Meetings:

Environmental Management Site-Specific Advisory Board, Hanford, 25693–25694

Energy Efficiency and Renewable Energy Office

NOTICES

Meetings:

State Energy Advisory Board, 25694

Engineers Corps

NOTICES

Environmental Impact Statements; Availability, etc.:
Rio del Oro Specific Plan Project, Rancho Cordova,
Sacramento County, CA, 25687–25688

Environmental Protection Agency

RULES

Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Interstate Transport of Pollution, 25516–25518

Chlorantraniliprole; Pesticide Tolerance, 25518–25524
Exemption from the Requirement of a Tolerance:

Bacillus Firmus Isolate (1582), 25524–25528

Pesticide Tolerances:

Pyridalyl, 25528–25533

Spirodiclofen, 25533–25539

NOTICES

Adequacy Status of Motor Vehicle Emissions Budgets:
Coachella Valley 8-hour Ozone Early Progress Plan for
Transportation Conformity Purposes; California,
25694

Meetings:

Chartered Science Advisory Board, 25695

Total Coliform Rule Distribution System Advisory
Committee, 25695–25696

Receipt and Status Information:

Certain New Chemicals, 25696–25700

Triclosan Risk Assessment; Notice of Availability and Risk
Reduction Options, 25700–25702

Executive Office of the President

See Presidential Documents

Federal Aviation Administration

RULES

Crewmember and Dispatcher Training Programs, 25506–
25507

Establishment of Class E Airspace; Fort Kent, ME, 25506

PROPOSED RULES

Airworthiness Directives:

Boeing Model 747 100 Series Airplanes; Supplemental
Notice of Proposed Rulemaking; Reopening of
Comment Period, 25601–25606

Boeing Model 777-200 Series Airplanes, 25599–25601

Bombardier Model CL 600 2B19 (Regional Jet Series 100
& 440) Airplanes, 25612–25614

CFM International, S.A. CFM56 5B1/P Turbofan Engine
Airplane Series, 25597–25599

Empresa Brasileira de Aeronautica S.A. (EMBRAER)

Model EMB 135BJ Airplanes; Supplemental Notice of
Proposed Rulemaking; Reopening of Comment
Period, 25606–25609

Empresa Brasileira de Aeronautica S.A. (EMBRAER)

Model EMB 135ER, et al.; Supplemental Notice of
Proposed Rulemaking; Reopening of Comment
Period, 25609–25612

Federal Communications Commission

RULES

Ancillary Terrestrial Components in the 1.6/2.4 GHz Big
LEO Bands, 25591–25592

Hearing Aid-Compatible Mobile Handsets:

Petition of American National Standards Institute

Accredited Standards Committee C63 (EMC) ANSI
ASC C63, 25566–25591

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 25702–25704

Federal Emergency Management Agency

RULES

Final Flood Elevation Determinations, 25542–25562

PROPOSED RULES

Proposed Flood Elevation Determinations, 25633–25640

NOTICES

Major Disaster Declaration; Amendment:

Indiana, 25758

Missouri, 25758

Federal Energy Regulatory Commission

RULES

Market-Based Rates for Wholesale Sales of Electric Energy,
Capacity and Ancillary Services by Public Utilities,
25832–25916

Federal Highway Administration

NOTICES

Environmental Impact Statement: Mobile County, Alabama
Rescind Notice of Intent, 25823

Federal Maritime Commission

NOTICES

Agreements Filed, 25704

Meetings:

Federal Maritime Commission, 25704

Ocean Transportation Intermediary License

Correction, 25705

Ocean Transportation Intermediary License:

Applicants, 25705

Revocations, 25704–25705

Federal Railroad Administration

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 25823–25825

Federal Reserve System

RULES

Extensions of Credit by Federal Reserve Banks, 25505–
25506

PROPOSED RULES

Privacy Act Regulation, 25594–25597

NOTICES

Change in Bank Control Notices:

Acquisition of Shares of Bank or Bank Holding
Companies, 25705–25706

Federal Trade Commission

PROPOSED RULES

Prohibitions on Market Manipulation and False Information
in Subtitle B of the Energy Independence and Security
Act of 2007, 25614–25624

NOTICES

TALX, Inc.; Analysis of Proposed Consent Order to Aid
Public Comment, 25706–25708

Financial Management Service*See* Fiscal Service**Fiscal Service****NOTICES**

Surety Companies Acceptable on Federal Bonds:
Financial Casualty & Surety, Inc., 25826

Fish and Wildlife Service**NOTICES**

Proposed Low-Effect Safe Harbor Agreement:
Southwestern Willow Flycatcher for Landowners
Restoring, Enhancing, or Managing Riparian Habitats
in Washington, Iron, Garfield, Kane, Emery, Grand,
Wayne, 25764–25765

Receipt of 41 Applications for Incidental Take Permits for
Single Family and Duplex Residential Developments
on the Fort Morgan Peninsula, Baldwin County, AL,
25765–25766

Food and Drug Administration**RULES**

Certain Other Dosage Form New Animal Drugs;
Sevoflurane, 25507–25508

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 25749–25752

Guidance for Industry and Food and Drug Administration
Staff:
Administrative Procedures for CLIA Categorization;
Availability, 25752–25753

Foreign Agricultural Service**NOTICES**

Privacy Act; Systems of Records, 25641–25642

Foreign Assets Control Office**NOTICES**

Additional Designation of Individuals and Entities Pursuant
to Executive Order 12978, 25826–25828

Foreign-Trade Zones Board**NOTICES**

Foreign-Trade Zone 26 Atlanta, GA; Withdrawal of
Application for Subzone Status:
Kia Motors Manufacturing Georgia, Inc. (Motor Vehicles),
25645

Foreign-Trade Zone 38 Spartanburg County, SC; Request for
Manufacturing Authority:
ZF Lemforder Corp., 25645

Trade Zone 14, Little Rock, Arkansas:
Application for Subzone Status; Husqvarna Outdoor
Products Inc.; (Outdoor Power Products
Manufacturing); Nashville, Arkansas, 25645–25646

Zone 14, Little Rock, Arkansas Application for Subzone
Status Husqvarna Outdoor Products Inc.; (Outdoor
Power Products Manufacturing), De Queen, Arkansas,
25646–25647

Forest Service**NOTICES**

Intent to Prepare an Environmental Impact Statement
Tongass National Forest, AK, 25642–25644

General Services Administration**RULES**

Federal Travel Regulation; Relocation Income Tax
Allowance Tax Tables-2008 Update, 25539–25542

Health and Human Services Department

See Centers for Medicare & Medicaid Services
See Food and Drug Administration
See National Institutes of Health

Homeland Security Department

See Coast Guard
See Federal Emergency Management Agency
See Transportation Security Administration
See U.S. Citizenship and Immigration Services

RULES

Homeland Security Acquisition Regulation (HSAR);
Definitions of Words and Terms
CFR correction, 25592

NOTICES

Meetings:
Project 25 Compliance Assessment Program Governing
Board, 25756

Housing and Urban Development Department**NOTICES**

Funding Awards for 2007 Fiscal Year:
Healthy Homes and Lead Hazard Control Grant Programs,
25762–25763

Meetings:
Manufactured Housing Consensus Committee, 25763–
25764

Indian Affairs Bureau**NOTICES**

Final Agency Determination to Take Land into Trust:
Land Acquisitions; Federated Indians of Graton
Rancheria, California, 25766–25768

Industry and Security Bureau**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 25647–25648

Kabba & Amir Investments, Inc. d.b.a. International Freight
Forwarders; Toronto, ON, Canada, 25648–25649

Recommended Decision and Order:
Kabba & Amir Investments, Inc., d.b.a. International
Freight Forwarders, 25649–25653

Interior Department

See Fish and Wildlife Service
See Indian Affairs Bureau
See Land Management Bureau

Internal Revenue Service**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 25828–25829

International Trade Administration**NOTICES**

Antidumping:
Ball Bearings and Parts Thereof from Germany, 25663–
25664

Preliminary Results of Antidumping Duty Administrative
Reviews and Intent to Rescind Reviews in Part:
Ball Bearings and Parts Thereof from France, Germany,
Italy, Japan, and the United Kingdom, 25654–25663

Rescission of Countervailing Duty Administrative Review:
Certain Cut-to-Length Carbon-Quality Steel Plate from the
Republic of Korea, 25664–25665

International Trade Commission**NOTICES**

Investigations:

Certain Ink Cartridges and Components Thereof, 25768–25769

Justice Department

See Drug Enforcement Administration

See National Institute of Corrections

Labor Department

See Employment and Training Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 25771–25772

Land Management Bureau**NOTICES**

Realty Action; Noncompetitive Lease of Public Land; Grand County, Utah; Re-issuance, 25768

Library of Congress**PROPOSED RULES**

Definition of Cable System, 25627–25633

Millennium Challenge Corporation**NOTICES**

January 1, 2008-March 31, 2008 Quarterly Report, 25775–25783

National Aeronautics and Space Administration**NOTICES**

Meetings:

Advisory Council; Science Committee; Earth Science Subcommittee, 25783
Aerospace Safety Advisory Panel, 25783

National Institute of Corrections**NOTICES**

Meetings:

National Institute of Corrections Advisory Board, 25771

National Institute of Standards and Technology**NOTICES**

Meetings:

Malcolm Baldrige National Quality Award Board of Overseers, 25665

National Institutes of Health**NOTICES**

Meetings:

Blue Ribbon Panel, 25753–25754
National Cancer Institute, 25754
Scientific Advisory Committee on Alternative Toxicological Methods, 25754–25755

National Oceanic and Atmospheric Administration**RULES**

Fisheries Off West Coast States

CFR Correction, 25592–25593

NOTICES

Atlantic Highly Migratory Species; Atlantic Shark Management Measures, 25665–25667

Federal Consistency Appeals by Weavers Cove Energy, LLC, and Mill River Pipeline, LLC., 25667–25668

File No. 1614-01; Endangered Species, 25668

Receipt of Application for Amendment:

File No. 540-1811; Marine Mammals, 25668–25669

National Science Foundation**NOTICES**

Meetings:

Advisory Committee for International Science and Engineering (25104); Arlington, VA, 25783–25784
Proposal Review; Arlington, VA, 25784

Pipeline and Hazardous Materials Safety Administration**NOTICES**

Re-Opening of Comment Period:

Petition for Rulemaking; Classification of Polyurethane Foam and Certain Finished Products, 25825–25826

Postal Service**RULES**

General Information on Postal Service, 25508–25509
New Address Requirements for Automation, Presorted, and Carrier Route Flat-Size Mail, 25509–25516

Presidential Documents**PROCLAMATIONS***Special observances:*

National Charter Schools Week (Proc. 8251), 25503–25504

Public Debt Bureau

See Fiscal Service

Securities and Exchange Commission**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 25784–25789

Application:

Fidelity Rutland Square Trust, et al., 25789–25793
RBB Fund, Inc. and Abundance Technologies, Inc., 25794

Order Making Fiscal Year 2009 Annual Fee Rates

Adjustments, 25795–25805

Self-Regulatory Organizations; Proposed Rule Changes:

American Stock Exchange LLC, 25805–25809
Boston Stock Exchange, Inc., 25809–25811
Chicago Board Options Exchange, Inc., 25811–25815
Municipal Securities Rulemaking Board, 25815–25816
New York Stock Exchange LLC, 25816–25818
NYSE Arca, Inc., 25818–25821

Suspension of Trading Order:

Health Professionals, Inc., 25821

Social Security Administration**RULES**

Privacy and Disclosure of Official Records and Information, 25507

State Department**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 25821–25822

Delegation of Authority:

To Submit Certain Non-proliferation Reports to the Congress, 25822

Transportation Department

See Federal Aviation Administration

See Federal Highway Administration

See Federal Railroad Administration

See Pipeline and Hazardous Materials Safety Administration

NOTICES

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits:
Filed Under Subpart B, (Week Ending March 14, 2008),
25822

Aviation Proceedings:

March 14, 2008; Agreements filed the week ending,
25822–25823

Transportation Security Administration**RULES**

Transportation Worker Identification Credential (TWIC)
Implementation in the Maritime Sector:
Hazardous Materials Endorsement for a Commercial
Driver's License, 25562–25566

Treasury Department

See Fiscal Service

See Foreign Assets Control Office

See Internal Revenue Service

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

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 25758–25762

Separate Parts In This Issue**Part II**

Energy Department, Federal Energy Regulatory
Commission, 25832–25916

Part III

Health and Human Services Department, Centers for
Medicare & Medicaid Services, 25918–25960

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	50 CFR
Proclamations:	660.....25592
8251.....25503	
7 CFR	
319.....25505	
12 CFR	
201.....25505	
Proposed Rules:	
261a.....25594	
14 CFR	
71.....25506	
121.....25506	
Proposed Rules:	
39 (6 documents)25597, 25599, 25601, 25606, 25609, 25612	
16 CFR	
Proposed Rules:	
317.....25614	
18 CFR	
35.....25832	
20 CFR	
401.....25507	
402.....25507	
21 CFR	
529.....25507	
33 CFR	
100.....25508	
101.....25562	
104.....25562	
105.....25562	
106.....25562	
Proposed Rules:	
165.....25624	
37 CFR	
Proposed Rules:	
201.....25627	
39 CFR	
111 (2 documents)25508, 25509	
40 CFR	
52.....25516	
180 (4 documents)25518, 25524, 25528, 25533	
41 CFR	
302-17.....25539	
42 CFR	
Proposed Rules:	
413.....25918	
44 CFR	
67 (2 documents)25542, 25560	
Proposed Rules:	
67.....25633	
46 CFR	
10.....25562	
12.....25562	
15.....25562	
47 CFR	
0.....25566	
20.....25566	
25.....25591	
68.....25566	
48 CFR	
3002.....25592	
49 CFR	
1572.....25562	