



Federal Register

10-29-08

Vol. 73 No. 210

Wednesday

Oct. 29, 2008

Pages 64179-64514



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.federalregister.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



Contents

Federal Register

Vol. 73, No. 210

Wednesday, October 29, 2008

Agriculture Department

See Food and Nutrition Service

See Forest Service

Alcohol and Tobacco Tax and Trade Bureau

RULES

Establishment of the Leona Valley Viticultural Area (2007R-281P), 64199–64202

PROPOSED RULES

Distilled Spirits Plant Regulations (2001R-194P);

Extension of Comment Period, 64287–64288

Proposed Expansions of the Russian River Valley and Northern Sonoma Viticultural Areas; Reopening of Comment Period, 64286–64287

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64397–64399

Appalachian States Low-Level Radioactive Waste Commission

NOTICES

Meetings:

Appalachian States Low-Level Radioactive Waste Commission; Annual Meeting, 64302

Centers for Disease Control and Prevention

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64336–64337

Children and Families Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64337–64338

Coast Guard

RULES

Extension of Compliance Date:

Captain of the Port Zones Buffalo, Duluth, Detroit, Lake Michigan, and Sault Ste. Marie, 64208

NOTICES

Meetings:

National Boating Safety Advisory Council, 64355–64356

Commerce Department

See Industry and Security Bureau

See International Trade Administration

See National Oceanic and Atmospheric Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64302

Defense Department

See Navy Department

NOTICES

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

Small Business Size Rerepresentation, 64308

Education Department

RULES

Title I—Improving the Academic Achievement of the Disadvantaged, 64436–64513

NOTICES

Agency Information Collection Activities; Proposals,

Submissions, and Approvals, 64308–64310

Teaching American History Grant Program:

Catalog of Federal Domestic Assistance (CFDA) Number 84.215X., 64310–64311

Employment and Training Administration

RULES

Apprenticeship Programs, Labor Standards for Registration,

Amendment of Regulations, 64402–64434

Energy Department

See Federal Energy Regulatory Commission

NOTICES

Meetings:

Environmental Management Site-Specific Advisory Board, Paducah, 64311–64312

Environmental Protection Agency

RULES

Approval and Promulgation of Air Quality Implementation

Plans:

Illinois, 64213–64215

Virginia; Movement of Richmond and Hampton Roads 8-Hour Ozone Areas from the Nonattainment Area List to the Maintenance Area List, 64210–64213

Carbaryl; Order Denying NRDC's Petition to Revoke

Tolerances, 64229–64246

Pesticide Management and Disposal; Standards for

Pesticide Containers and Containment, 64215–64228

Pesticide Tolerances:

Pyrimethanil, 64246–64252

Texas:

Final Authorization of Initiated Changes and

Incorporation by Reference of Hazardous Waste Management Program, 64252–64260

PROPOSED RULES

Approval and Promulgation of Air Quality Implementation

Plans:

Illinois, 64293

Virginia; Movement of Richmond and Hampton Roads 8-Hour Ozone Areas from the Nonattainment Area List to the Maintenance Area List, 64293–64294

Texas:

Final Authorization of State-initiated Changes and

Incorporation by Reference of State Hazardous Waste Management Program, 64294–64295

NOTICES

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

NESHAP for Coke Oven Batteries (Renewal), 64314–64316

NSPS for Metal Coil Surface Coating, 64316–64317

Carbaryl RED Amendment and Response to Petition to

Cancel Registrations; Availability, 64317–64318

Draft Toxicological Review of Tetrachloroethylene

(Perchloroethylene):

In Support of the Summary Information in the Integrated Risk Information System; Correction, 64318

Ethylene Oxide; Preliminary Determination to Terminate

Special Review, 64318–64320

Nicotine; Notice of Receipt of Request to Voluntarily Cancel a Pesticide Registration, 64320–64322
 Pesticide Product Registration:
 Conditional Approval, 64323–64324
 Pesticide Product Registration Approval, 64322–64323
 Pesticide Products; Registration Applications, 64324–64327
 Receipt of Requests for Amendments to Delete Uses in Certain Pesticide Registrations, 64327–64330
 Sulfluramid Registration Review Final Decision; Availability, 64330–64331
 Triclosan; Reregistration Eligibility Decision; Availability, 64331–64333

Equal Employment Opportunity Commission

NOTICES

SES Performance Review Board, 64333

Federal Aviation Administration

RULES

Airworthiness Directives:
 Bombardier Model CL 600 2C10 (Regional Jet Series 700 & 701) Series Airplanes and Model CL 600 2D24 (Regional Jet Series 900) Series Airplanes, 64191–64194
 Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments, 64194–64195

PROPOSED RULES

Airworthiness Directives:
 Aircraft Industries a.s. (Type Certificate G60EU, etc.) Model L 23 Super Blanik Sailplane, 64282–64284
 Boeing Model 727 Airplanes, 64284–64286

NOTICES

Meetings:
 Executive Committee of the Aviation Rulemaking Advisory Committee, 64394–64395

Federal Communications Commission

RULES

Carriage of Digital Television Broadcast Signals, 64260–64263

NOTICES

Meetings:
 Consumer Advisory Committee, 64333–64334

Federal Deposit Insurance Corporation

RULES

Temporary Liquidity Guarantee Program, 64179–64191

Federal Energy Regulatory Commission

NOTICES

Combined Notice of Filings, 64312–64314

Federal Maritime Commission

NOTICES

Agreements Filed, 64334–64335
 Ocean Transportation Intermediary License, 64335

Federal Railroad Administration

NOTICES

Application for Approval of Discontinuance or Modification of a Railroad Signal System, etc.:
 Canadian National Railway, 64395
 Petition for Special Approval of Alternate Standard:
 Long Island Railroad and Metro-North Railroad, 64395–64396

Federal Reserve System

NOTICES

Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies, 64335–64336
 Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 64336
 Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities, 64336

Fish and Wildlife Service

NOTICES

Endangered Species Recovery Permit Applications, 64360–64361
 Final Comprehensive Conservation Plan and Finding of No Significant Impact; Availability:
 Waccamaw National Wildlife Refuge, Georgetown, Horry, and Marion Counties, South Carolina, 64361–64363
 Pee Dee National Wildlife Refuge, Anson and Richmond Counties, NC, 64363

Food and Drug Administration

RULES

Food Additives Permitted in Feed and Drinking Water of Animals:
 Methyl Esters of Conjugated Linoleic Acid (Cis-9, Trans-11 and Trans-10, Cis-12-Octadecadienoic Acids), 64197–64199

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals
 Substantiation for Dietary Supplement Claims Made Under the Federal Food, Drug, and Cosmetic Act, 64338
 Waiver of In Vivo Demonstration of Bioequivalence of Animal Drugs, etc., 64338–64340
 Memorandum of Understanding:
 National Heart, Lung, and Blood Institute, a Part of the National Institutes of Health, 64340–64348
 U.S. Army Medical Research Institute of Infectious Diseases, 64348–64354

Food and Nutrition Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64301

Forest Service

PROPOSED RULES

Sale and Disposal of National Forest System Timber; Downpayment and Periodic Payments, 64288–64293

General Services Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Small Business Size Rerepresentation, 64308

Health and Human Services Department

See Centers for Disease Control and Prevention
See Children and Families Administration
See Food and Drug Administration
See Health Resources and Services Administration
See National Institutes of Health

Health Resources and Services Administration

NOTICES

Meetings:
 Council on Graduate Medical Education, 64354

Homeland Security Department

See Coast Guard

See U.S. Customs and Border Protection

PROPOSED RULES

Secure Handling of Ammonium Nitrate Program, 64280–64282

Housing and Urban Development Department**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Loan Guarantees for Indian Housing, 64360

Industry and Security Bureau**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64302–64303
Effectiveness of Licensing Procedures for Agricultural Commodities to Cuba, 64303

Interior Department

See Fish and Wildlife Service

See Land Management Bureau

See Minerals Management Service

See National Park Service

International Trade Administration**NOTICES**

Antidumping:

Hot-Rolled Carbon Steel Flat Products from Thailand, 64303–64304

Stainless Steel Butt-Weld Pipe Fittings from Taiwan, 64304–64305

Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Review, 64305–64307

NAFTA Panel Reviews:

Completion of Panel Review, 64307

Withdrawal of Application for Duty-Free Entry of Scientific Instruments, 64307

International Trade Commission**NOTICES**

Investigations:

Catheters, Consoles and Other Apparatus for Cryosurgery, 64369

Labor Department

See Employment and Training Administration

See Occupational Safety and Health Administration

Land Management Bureau**NOTICES**

Recreation & Public Purposes Act Classification:
Utah, 64363–64364

Recreation and Public Purposes Act Classification:
Utah, 64364–64366

Minerals Management Service**RULES**

Royalty Relief for Deepwater Outer Continental Shelf Oil and Gas Leases—Conforming Regulations to Court Decision, 64205–64206

National Aeronautics and Space Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Small Business Size Rerepresentation, 64308

National Institute for Literacy**NOTICES**

Meetings:

National Institute for Literacy Advisory Board, 64369–64370

National Institutes of Health**NOTICES**

Meetings:

National Heart, Lung, and Blood Institute, 64354–64355
National Institute of Allergy and Infectious Diseases, 64355

National Oceanic and Atmospheric Administration**RULES**

Endangered and Threatened Species; Conservation of Threatened Elkhorn and Staghorn Corals, 64264–64279

PROPOSED RULES

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic:

Amendments to the Spiny Lobster Fishery Management Plans for the Caribbean and Gulf of Mexico and South Atlantic, 64295–64300

NOTICES

Atlantic Highly Migratory Species; Atlantic Shark Management Measures, 64307–64308

National Park Service**NOTICES**

Intent to Repatriate Cultural Items:

U.S. Department of the Interior, National Park Service, Intermountain Region, Santa Fe, NM; Correction, 64366–64367

Inventory Completion:

U.S. Department of the Interior, Bureau of Indian Affairs, Washington, DC, and New York State Museum, Albany, NY, 64367

U.S. Department of the Interior, Bureau of Indian Affairs, Washington, DC, and Northwest Museum of Arts; Culture, Spokane, WA, 64368–64369

U.S. Department of the Interior, U.S. Fish and Wildlife Service, Region 7, Anchorage, AK, 64367–64368

Navy Department**RULES**

Payments of Amounts due Mentally Incompetent Members of the Naval Service, 64206–64207

Nuclear Regulatory Commission**NOTICES**

Facility Operating Licenses:

Florida Power Corp.; Withdrawal of Application, 64370

Occupational Safety and Health Administration**RULES**

Electrical Standard; Clarifications; Corrections, 64202–64205

Personnel Management Office**RULES**

Veterans' Preference, 64179

Pipeline and Hazardous Materials Safety Administration**NOTICES**

Delays in Processing of Special Permits Applications, 64396–64397

Postal Regulatory Commission**NOTICES**

Parcel Return Service (Contract 1), 64370–64371

Securities and Exchange Commission**NOTICES**

Applications:

The Reserve Fund, 64372

Filings:

Consolidated Tape Association Plan and Consolidated Quotation Plan; Amendments, 64372–64373

Meetings; Sunshine Act, 64373–64374

Orders of Suspension of Trading:

Hat Trick Beverage, Inc., 64374

Self-Regulatory Organizations; Proposed Rule Changes:

Financial Industry Regulatory Authority, Inc., 64374–64376

NASDAQ Stock Market LLC, 64377–64379

New York Stock Exchange LLC, 64379–64392

The New York Stock Exchange LLC, 64392–64394

Social Security Administration**RULES**

Technical Amendments to Definition of Persons Closely Approaching Retirement Age, 64195–64197

Transportation Department

See Federal Aviation Administration

See Federal Railroad Administration

See Pipeline and Hazardous Materials Safety Administration

NOTICES

Applications of Prescott Support Co., Inc. for Certificate Authority, 64394

Treasury Department

See Alcohol and Tobacco Tax and Trade Bureau

NOTICES

Survey of U.S. Ownership of Foreign Securities (as of December 31, 2008), 64397

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

Importer Self-Assessment Product Safety Pilot, 64356–64358

Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds on Customs Duties, 64358–64360

Veterans Affairs Department**RULES**

Posttraumatic Stress Disorder, 64208–64210

Separate Parts In This Issue**Part II**

Labor Department, Employment and Training Administration, 64402–64434

Part III

Education Department, 64436–64513

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.

5 CFR	
211	64179
6 CFR	
Proposed Rules:	
Ch. 1	64280
12 CFR	
370	64179
14 CFR	
39	64191
97	64194
Proposed Rules:	
39 (2 documents)	64282, 64284
20 CFR	
404	64195
416	64195
21 CFR	
573	64197
27 CFR	
9	64199
Proposed Rules:	
9	64286
19	64287
29 CFR	
29	64402
1910	64202
30 CFR	
203	64205
260	64205
32 CFR	
726	64206
33 CFR	
105	64208
34 CFR	
200	64436
36 CFR	
Proposed Rules:	
223	64288
38 CFR	
3	64208
40 CFR	
52 (2 documents)	64210, 64213
152	64215
156	64215
165	64215
180 (2 documents)	64229, 64246
271	64252
272	64252
Proposed Rules:	
52 (2 documents)	64293
271	64294
272	64294
47 CFR	
76	64260
50 CFR	
223	64264
Proposed Rules:	
622	64295
640	64295