



Federal Register

2-4-09

Vol. 74 No. 22

Pages 5983-6116

Wednesday

Feb. 4, 2009



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Tuesday 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: 74 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, February 24, 2009
9:00 a.m.–12:30 p.m.

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. 74, No. 22

Wednesday, February 4, 2009

Centers for Disease Control and Prevention

NOTICES

Meetings:

- Correction; Disease, Disability, and Injury Prevention and Control Special Emphasis Panel; Autism Therapy, etc., 6041
- Task Force on Community Preventive Services, 6041–6042

Children and Families Administration

NOTICES

- Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6042

Coast Guard

RULES

Drawbridge Operation Regulations:

- Atlantic Intracoastal Waterway (AIWW), Elizabeth River, Southern Branch, VA, Maintenance, 5986–5987
- Upper Mississippi River, Dubuque, IA, 5983–5984
- Upper Mississippi River, Keokuk, IA, Activity Identifier; Repair and Maintenance, 5984
- Willamette River, Portland, OR, Schedule Change, 5984–5986
- Gasco Regulated Navigation Area, Willamette River, Portland, OR, 5987–5989
- McCormick & Baxter Regulated Navigation Area, Willamette River, Portland, OR, 5989–5991

NOTICES

- Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6044–6046

Commerce Department

- See Foreign–Trade Zones Board*
- See International Trade Administration*
- See National Oceanic and Atmospheric Administration*

NOTICES

- Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6012

Drug Enforcement Administration

NOTICES

Denial of Application:

- Ladapo O. Shyngle, M.D., 6056–6059

Registration Revocations:

- Foothills Family Pharmacy (Boulder) and Foothills Family Pharmacy (Lafayette), 6059–6060

Employee Benefits Security Administration

PROPOSED RULES

- Investment Advice–Participants and Beneficiaries, 6007–6008

Energy Department

- See Federal Energy Regulatory Commission*

NOTICES

Meetings:

- Biological and Environmental Research Advisory Committee, 6017–6018
- Hydrogen and Fuel Cell Technical Advisory Committee (HTAC), 6018

Environmental Protection Agency

RULES

- Final Authorization of State Hazardous Waste Management Program Revision:
 - Oklahoma, 5994–6001
- Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions, 5991–5994

PROPOSED RULES

- Final Authorization of State Hazardous Waste Management Program Revisions:
 - Oklahoma, 6010
- Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions, 6008–6010

NOTICES

Consent Decree:

- Environmental Integrity Project, et al. v. Johnson, 6028–6031
- Pesticide Experimental Use Permit; Receipt of Amendment/Extension Application; Comment Request, 6031–6032
- Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as Amended:
 - Atlas Iron and Metal Site, 6032
- Request for Nominations of Experts for EPA Science Advisory Board; Scientific and Technological Achievement Awards Committee, 6033–6034
- Underground Injection Control Program; Hazardous Waste Injection Restrictions:
 - Petition for Exemption – Class I Hazardous Waste Injection; ExxonMobil Environmental Services Co., Pasadena, TX, 6034

Executive Office of the President

- See Presidential Documents*

Export–Import Bank

NOTICES

- Economic Impact Policy, 6034

Farm Credit Administration

NOTICES

- Meetings; Sunshine Act, 6034

Federal Communications Commission

RULES

- Radio Broadcasting Services:
 - Various Locations, 6001–6002

NOTICES

- Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6034–6035
- Meetings; Sunshine Act, 6035–6036

Federal Emergency Management Agency

NOTICES

- Emergency Declarations:
 - New York, 6046

Federal Energy Regulatory Commission

NOTICES

- Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6018–6020

Combined Notice of Filings, 6020–6025
 Environmental Impact Statements; Availability, etc.:
 Heavenly Valley, L.P., 6025–6026
 Filings:
 American Electric Power Service Corp., 6027
 Dynegy Midwest Generation, Inc., 6027
 East Kentucky Power Cooperative, Inc., 6027–6028
 National Register Of Historic Places:
 Broken Bow, OK, 6028
 Technical Conference:
 El Paso Natural Gas Co., 6028
 Teleconference; FERC Staff Attendance:
 California Independent System Operator Corp., 6028

Federal Highway Administration

NOTICES

Final Federal Agency Actions on Proposed Highway Project
 in California, 6080–6081
 Final Federal Agency Actions on the US Highway 12 in
 Sauk County, Wisconsin, 6081–6082

Federal Maritime Commission

NOTICES

Agreements Filed:
 MOL / ELJSA Vessel Sharing Agreement, 6036
 Ocean Transportation Intermediary License:
 Applicants, 6036–6037
 Reissuances, 6037
 Revocations, 6037–6038

Federal Railroad Administration

NOTICES

Petition for Waiver of Compliance, 6082–6083

Federal Reserve System

NOTICES

Formations of, Acquisitions by, and Mergers of Bank
 Holding Companies, 6038
 Meetings; Sunshine Act, 6038

Fish and Wildlife Service

NOTICES

Receipt of Applications for Permit, 6049–6050
 Tehachapi Uplands Multiple Species Habitat Conservation
 Plan:
 Availability and Receipt of Application, 6050–6052
 Teleconference:
 Sport Fishing and Boating Partnership Council, 6052–
 6053
 Tensas River National Wildlife Refuge, Franklin, Madison,
 and Tensas Parishes, LA:
 Availability; Draft Comprehensive Conservation Plan and
 Environmental Assessment; Request for Comments,
 6053–6055

Foreign Assets Control Office

NOTICES

Designation of Additional Individuals and Entities
 (Pursuant to Executive Order 13382), 6085

Foreign–Trade Zones Board

NOTICES

Request for Manufacturing Authority:
 Foreign–Trade Zone 79 – Tampa, FL; Tampa Bay
 Shipbuilding and Repair Co. (Shipbuilding), 6012–
 6013

General Services Administration

NOTICES

Privacy Act; Systems of Records, 6038–6041

Health and Human Services Department

See Centers for Disease Control and Prevention
See Children and Families Administration
See National Institutes of Health

NOTICES

Meetings:
 Advisory Committee on Minority Health, 6041

Homeland Security Department

See Coast Guard
See Federal Emergency Management Agency
See U.S. Immigration and Customs Enforcement

NOTICES

Meetings:
 DHS Data Privacy and Integrity Advisory Committee,
 6043–6044

Housing and Urban Development Department

NOTICES

Agency Information Collection Activities; Proposals,
 Submissions, and Approvals:
 Funding Availability for the Hispanic Serving Institutions
 Assisting Communities (HSIAC) Program, 6047–6048
 Federal Property Suitable as Facilities to Assist the
 Homeless, 6048
 Multifamily Housing Procedures for Projects Affected by
 Presidentially–Declared Disasters, 6048–6049
 Telecommunications Services in Multifamily Housing
 Projects, 6049

Interior Department

See Fish and Wildlife Service

International Trade Administration

NOTICES

Antidumping or Countervailing Duty Orders, Findings, or
 Suspended Investigations:
 Opportunity to Request Administrative Review, 6013–
 6014
 Antidumping:
 Certain Polyester Staple Fiber from the Republic of
 Korea, 6014–6015
 Frozen Fish Fillets from the Socialist Republic of
 Vietnam, 6015
 Export Trade Certificate of Review, 6015–6016
 North American Free–Trade Agreement, Article 1904:
 NAFTA Panel Reviews; Request for Panel Review, 6016

International Trade Commission

NOTICES

Investigations:
 Certain Power Supplies, 6055–6056

Justice Department

See Drug Enforcement Administration

NOTICES

Consent Decree:
 United States v. Citibank Global Market Holdings, Inc.,
 6056

Labor Department

See Employee Benefits Security Administration

Maritime Administration**NOTICES**

Requested Administrative Waiver of the Coastwise Trade Laws, 6083–6084

National Credit Union Administration**PROPOSED RULES**

Corporate Credit Unions, 6004–6007

National Highway Traffic Safety Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6084

National Institutes of Health**NOTICES**

Meetings:

- Center for Scientific Review, 6042
- National Institute of Dental and Craniofacial Research Special Emphasis Panel, etc., 6043
- National Institute of Environmental Health Sciences, 6042–6043

National Oceanic and Atmospheric Administration**PROPOSED RULES**

Receipt of a Petition for Rulemaking to Implement the Provisions of the Marine Mammal Protection Act for Swordfish Imports, 6010–6011

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6016–6017
NOAA to Transfer Ownership of John N. Cobb to Seattle Maritime Academy, 6017

Nuclear Regulatory Commission**RULES**

List of Approved Spent Fuel Storage Casks:
MAGNASTOR Addition; Confirmation of Effective Date, 5983

NOTICES

Application for Renewal:
Florida Power Corp.; Crystal River Unit 3 Nuclear Generating Plant, 6060
Environmental Assessment; Availability, etc.:
Signum Biosciences, Inc.; Monmouth Junction, NJ, 6060–6062
Environmental Assessment; Availability, etc.:
Seiko Corp. of America's, Mahwah, NJ, 6062–6063
Hearing:
AMERENUE; Callaway Plant Unit 2, 6064–6067

Pension Benefit Guaranty Corporation**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6067–6068

Personnel Management Office**PROPOSED RULES**

Prevailing Rate Systems:
Redefinition of the Fresno and Stockton, CA, Appropriated Fund Federal Wage System Wage Areas, 6003–6004

Presidential Documents**EXECUTIVE ORDERS**

Government Agencies and Employees:
Contract Employees; Nondisplacement of Qualified Workers (EO 13495), 6103–6106

Contract Employees; Notification of Rights Under Federal Labor Laws (EO 13496), 6107–6111
Contracts; Economical and Efficient Administration (EO 13494), 6099–6102

Regulatory Planning and Review; Revocation of Previous Executive Orders (EO 13497), 6113

ADMINISTRATIVE ORDERS

Gaza Strip; Unexpected Urgent Refugee and Migration Needs (Presidential Determination)
No. 2009–15 of January 27, 2009, 6115

Public Health Service

See Centers for Disease Control and Prevention
See National Institutes of Health

Securities and Exchange Commission**NOTICES**

Meetings; Sunshine Act, 6068
Order of Suspension of Trading:
Global 1 Investment Holdings Corp., 6068–6069
Self-Regulatory Organizations; Proposed Rule Changes:
NASDAQ OMX BX, Inc., 6069–6073
New York Stock Exchange LLC, 6073–6077
NYSE Alternext US LLC, 6077–6079

Small Business Administration**NOTICES**

Meetings:
National Small Business Development Advisory Board, 6080

Social Security Administration**NOTICES**

Maximum Dollar Limit in the Fee Agreement Process, 6080

State Department**NOTICES**

Culturally Significant Objects Imported for Exhibition Determinations:
Brucke; The Birth of Expressionism (1905–1913), 6080

Surface Transportation Board**NOTICES**

Simplified Standards for Rail Rate Cases—Taxes in Revenue Shortfall Allocation Method; Correction, 6084

Thrift Supervision Office**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6086–6097

Transportation Department

See Federal Highway Administration
See Federal Railroad Administration
See Maritime Administration
See National Highway Traffic Safety Administration
See Surface Transportation Board

Treasury Department

See Foreign Assets Control Office
See Thrift Supervision Office

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6084–6085

U.S. Immigration and Customs Enforcement**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6047

Separate Parts In This Issue**Part II**Presidential Documents, 6099–6113, 6115

Reader Aids

Consult the Reader Aids section at the end of this page 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**Executive Orders:**

13201 (revoked by 13496).....	6107
13204 (revoked by 13495).....	6103
13258 (revoked by 13497).....	6113
13422 (revoked by 13497).....	6113
13494.....	6101
13495.....	6103
13496.....	6107
13497.....	6113

Administrative Orders:

Presidential Determinations: No. 2009-15 of January 27, 2009	6115
---	------

5 CFR**Proposed Rules:**

532.....	6003
----------	------

10 CFR

72.....	5983
---------	------

12 CFR**Proposed Rules:**

704.....	6004
----------	------

29 CFR**Proposed Rules:**

2550.....	6007
-----------	------

33 CFR

117 (4 documents)	5983, 5984, 5986
165 (2 documents)	5987, 5989

40 CFR

6.....	5991
271.....	5994

Proposed Rules:

6.....	6008
271.....	6010

47 CFR

73.....	6001
---------	------

50 CFR**Proposed Rules:**

216.....	6010
----------	------