



# Federal Register

---

4-16-09

Vol. 74 No. 72

Thursday

Apr. 16, 2009

Pages 17587-17764



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](http://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](http://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](mailto: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](http://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, May 12, 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. 72

Thursday, April 16, 2009

### Agricultural Marketing Service

#### RULES

Irish Potatoes Grown in Colorado; Modification of the Handling Regulation (Area No. 2), 17589–17591  
Tomatoes Grown in Florida; Partial Exemption to the Minimum Grade Requirements, 17591–17593

### Agriculture Department

*See* Agricultural Marketing Service

#### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 17632

### Air Force Department

#### NOTICES

Privacy Act; Systems of Records, 17666

### Alcohol, Tobacco, Firearms, and Explosives Bureau

#### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 17688–17691

### Army Department

*See* Engineers Corps

#### NOTICES

Availability of Non-Exclusive, Exclusive License or Partially Exclusive Licensing of U.S. Patent:  
Assembled Hematin, Method for Forming Same and Method for Polymerizing Aromatic Monomers Using Same, 17665

### Centers for Medicare & Medicaid Services

#### NOTICES

Privacy Act; Systems of Records, 17672–17676

### Coast Guard

#### RULES

Safety Zones:

Sea World Spring Nights; Mission Bay, San Diego, CA, 17601–17603

#### PROPOSED RULES

Safety Zone:

Gwynn Island 4th of July Fireworks, Piankatank River, Gwynn Island, VA, 17625–17627

Safety Zones:

Red Bull Air Race, Detroit River, Detroit, MI, 17627–17630

### Commerce Department

*See* Foreign–Trade Zones Board

*See* International Trade Administration

*See* National Oceanic and Atmospheric Administration

*See* Patent and Trademark Office

### Consumer Product Safety Commission

#### NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 17636–17640

Provisional Acceptance of a Settlement Agreement and Order:

Bob's Stores Corp., 17655–17657

Bon-Ton Stores, Inc., 17652–17653

Brents–Riordan Co., LLC, 17653–17655

Concord Buying Group, Inc., d/b/a A.J. Wright, 17662–17664

Coolibar, Inc., 17641–17643

Forman Mills, Inc., 17650–17652

Kidz World, Inc., d/b/a High Energy USA, 17640–17641

Marshalls of MA, Inc., 17648–17650

Orioxi International Corp., 17647–17648

Outfitter Trading Company LLC, 17658–17660

Retco, Inc., 17657–17658

Seventy Two, Inc., 17643–17645

TJX Companies, Inc., d/b/a T.J. Maxx, 17660–17662

Urgent Gear, Inc., 17645–17647

### Defense Department

*See* Air Force Department

*See* Army Department

*See* Engineers Corps

#### NOTICES

Federal Acquisition Regulation:

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 17664

Privacy Act; Systems of Records, 17664–17665

### Employee Benefits Security Administration

#### NOTICES

Withdrawal of the Notice of Proposed Exemption:

Citation Box and Paper Co. Profit Sharing Plan and Retirement Trust (the Plan) Located in Chicago, IL, 17695

### Employment and Training Administration

#### RULES

Temporary Agricultural Employment of H–2A Aliens in the United States, 17597–17601

#### NOTICES

Affirmative Determination Regarding Application for Reconsideration:

MeadWestvaco, Corp., Consumer Office and Products Division, Enfield, CT, 17691

Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance:

Citation Corp., Currently Known as Compass Automotive Group Grand Rapids, Grand Rapids, MI, 17692–17693

Citation Corp., Currently Known as Compass Automotive Group, Grand Rapids Division, Lowell MI, 17691–17692

Delphi Corp., Corporate Headquarters and Product & Service Solutions Division, et al., Troy, MI, 17692

Ferro Corp., Inorganic Specialties Division, et al., Toccoa, GA, 17692

Kelsey Hayes Co., North American Braking and Suspension Division, Inc., Fenton, MI, 17694

Louisiana Pacific, Engineered Wood Products Division, New Limerick, ME, 17693–17694

Whirlpool Corp., Jackson Dishwashing Products Division, et al., Jackson, TN, 17693

Whirlpool Corp., Oxford Division, et al., Oxford, MS, 17694

## Meetings:

Native American Employment and Training Council,  
17695

**Engineers Corps****NOTICES**

## Meetings:

Public Scoping for the Missouri River Ecosystem  
Restoration Plan, Missouri River Basin, United  
States, 17665–17666

**Environmental Protection Agency****NOTICES**

Physiological Parameters Database for PBPK Modeling,  
17666–17667

**Equal Employment Opportunity Commission****NOTICES**

Meetings, 17667–17668

**Executive Office of the President**

See Presidential Documents

**Farm Credit Administration****PROPOSED RULES**

Organization; Eligibility and Scope of Financing, etc.,  
17612–17624

**Federal Aviation Administration****RULES**

## Airworthiness Directives:

Bell Helicopter Textron Canada Limited Model 206A  
Series, 206B Series, 206L Series, 407, and 427  
Helicopters, 17593–17595

**Federal Communications Commission****NOTICES**

Agency Information Collection Activities; Proposals,  
Submissions, and Approvals, 17668–17670

Nominations for Membership on the Communications  
Security, Reliability, and Interoperability Council,  
17670–17671

Technological Advisory Council; Nominations for  
Membership, 17671–17672

**Federal Railroad Administration****NOTICES**

Agency Information Collection Activities; Proposals,  
Submissions, and Approvals, 17762–17763

**Foreign–Trade Zones Board****NOTICES**

Foreign–Trade Zone 15 – Kansas City, MO Area:  
Application for Reorganization/Expansion, 17634–17635

**General Services Administration****NOTICES**

## Federal Acquisition Regulation:

Agency Information Collection Activities; Proposals,  
Submissions, and Approvals, 17664

**Health and Human Services Department**

See Centers for Medicare & Medicaid Services

See Indian Health Service

See Indian Health Service

See National Institutes of Health

**Homeland Security Department**

See Coast Guard

See U.S. Citizenship and Immigration Services

**Housing and Urban Development Department****NOTICES**

HUD's Fiscal Year (FY) 2009 Notice of Funding Availability  
(NOFA) Policy Requirements, etc., 17685–17686

**Indian Affairs Bureau****NOTICES**

Bureau of Indian Education; Request for nominations of  
members, 17686–17687

## Meetings:

Advisory Board of Exceptional Children, 17687–17688

**Indian Health Service****NOTICES**

Tribal Management Grant Program, 17676–17684

**Interior Department**

See Indian Affairs Bureau

**International Trade Administration****NOTICES**

## Antidumping:

Polyethylene Retail Carrier Bags From Malaysia,  
Thailand, and the People's Republic of China, 17633

**Justice Department**

See Alcohol, Tobacco, Firearms, and Explosives Bureau

See Justice Programs Office

**NOTICES**

## Consent Decree:

United States, et al. v. INVISTA, S.á r.l, 17688

**Justice Programs Office****NOTICES**

Agency Information Collection Activities; Proposals,  
Submissions, and Approvals, 17690

**Labor Department**

See Employee Benefits Security Administration

See Employment and Training Administration

See Veterans Employment and Training Service

**National Aeronautics and Space Administration****NOTICES**

## Federal Acquisition Regulation:

Agency Information Collection Activities; Proposals,  
Submissions, and Approvals, 17664

**National Credit Union Administration****NOTICES**

Meetings; Sunshine Act, 17695–17696

**National Institutes of Health****NOTICES**

## Meetings:

Eunice Kennedy Shriver National Institute of Child  
Health and Human Development, 17672

National Institute of Allergy and Infectious Diseases,  
17672

**National Oceanic and Atmospheric Administration****RULES**

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

Reef Fish Fishery of the Gulf of Mexico (Amendment  
30B), 17603–17611

**PROPOSED RULES**

Identification and Certification of Nations Whose Fishing Vessels Are Engaged in Illegal, Unreported, or Unregulated Fishing, etc., 17630–17631

**NOTICES**

Endangered Species:

File No. 10027; Application for Permit Modification, 17633–17634

File No. 1549–01; Issuance of Permit Modification, 17634

Marine Mammals:

File No. 10001617; Application for Amendment, 17635–17636

**National Transportation Safety Board****NOTICES**

Meetings; Sunshine Act, 17696

**Nuclear Regulatory Commission****NOTICES**

Draft NUREG–1536, Revision 1A:

Standard Review Plan for Spent Fuel Dry Storage Systems at a General License Facility, 17696

**Patent and Trademark Office****NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 17632–17633

**Postal Regulatory Commission****NOTICES**

Mail Classification Changes, 17696–17697

**Presidential Documents****ADMINISTRATIVE ORDERS**

Palestine Liberation Organization; Waiver of Statutory Provisions (Presidential Determination)  
No. 2009–17 of April 9, 2009, 17587

**Securities and Exchange Commission****RULES**

Adoption of Updated EDGAR Filer Manual, 17595–17597

**NOTICES**

Order of Suspension of Trading:

Poseidis, Inc., 17698

Roundtable on Oversight of Credit Rating Agencies, 17698–17699

Self-Regulatory Organizations; Proposed Rule Changes:

Financial Industry Regulatory Authority, Inc., 17705–17706; 17709–17716

NASDAQ OMX BX, Inc., 17701–17702

New York Stock Exchange LLC, 17702–17705

NYSE Amex LLC, 17699–17701, 17708–17709

One Chicago, LLC, 17706–17708

**Small Business Administration****NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 17697

Disaster Declarations:

Texas, 17697–17698

**State Department****NOTICES**

Bureau of Educational and Cultural Affairs (ECA) Request for Grant Proposals (RFGP):

Competition B – Professional, Cultural, and Youth One-time Grants Program, 17716–17726

Congressionally Mandated – One-time Grants Program for Academic Programs – Competition A, 17726–17734

Bureau of Educational and Cultural Affairs (ECA) Request for Grant Proposals:

International Visitor Leadership Program Assistance Awards, 17734–17741

U.S.–French Teachers-in-Training Program, 17755–17761

Visual Arts Initiative Program, 17749–17755

Youth Ambassadors Program with South America and Mexico, 17741–17749

Culturally Significant Objects Imported for Exhibition Determinations:

African and Oceanic Art from the Barbier–Mueller Museum, Geneva: A Legacy of Collecting, 17761–17762

William Holman Hunt and the Pre-Raphaelite Vision, 17761

**Transportation Department**

See Federal Aviation Administration

See Federal Railroad Administration

**Treasury Department****NOTICES**

Call for Redemption of 12-1/2 Percent Treasury Bonds (2009–14), 17763

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

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 17684–17685

**Veterans Employment and Training Service****NOTICES**

Meetings:

Advisory Committee on Veterans' Employment, Training and Employer Outreach, 17694–17695

**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****Administrative Orders:**

## Presidential

Determinations: No.

2009-17 of April 9,

2009 .....17587

**7 CFR**

948 .....17589

966 .....17591

**12 CFR****Proposed Rules:**

611 .....17612

613 .....17612

615 .....17612

619 .....17612

620 .....17612

**14 CFR**

39 .....17593

**17 CFR**

232 .....17595

**20 CFR**

655 .....17597

**33 CFR**

165 .....17601

**Proposed Rules:**

165 (2 documents) .....17625,

17627

**50 CFR**

622 .....17603

**Proposed Rules:**

300 .....17630