



Federal Register

8-20-09

Vol. 74 No. 160

Thursday

Aug. 20, 2009

Pages 42025-42168



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: 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, September 15, 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. 160

Thursday, August 20, 2009

Agency for Healthcare Research and Quality

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42077–42079

Meetings:

AHRQ National Advisory Council for Healthcare Research and Quality Subcommittee, etc., 42079–42080

Agency for International Development

NOTICES

Bureau for Democracy, Conflict and Humanitarian Assistance:

Office of Food for Peace; Announcement of Food for Peace Draft Title II Proposal Guidance and Program Policies (Fiscal Year 2010), 42049–42050

Agriculture Department

See Food and Nutrition Service

See Food Safety and Inspection Service

Air Force Department

NOTICES

Air Force Services Contract Inventory Pursuant to Section 807 of the National Defense Authorization Act (FY 2008); Availability, 42055

Antitrust Division

NOTICES

Proposed Final Judgment and Competitive Impact Statement:

United States v. Sapa Holding AB and Indalex Holdings Finance, Inc., 42112–42123

Centers for Disease Control and Prevention

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42076–42077

Coast Guard

RULES

Security and Safety Zone:

Cruise Ship Protection, Elliott Bay and Pier-91, Seattle, WA, 42026–42028

PROPOSED RULES

Drawbridge Operation Regulation:

Gulf Intracoastal Waterway (Algiers Alternate Route), Belle Chasse, LA, 42037–42038

Commerce Department

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

Commodity Futures Trading Commission

NOTICES

Determination:

Carbon Financial Instrument Contract Offered for Trading on the Chicago Climate Exchange, Inc., etc., 42052–42055

Defense Department

See Air Force Department

PROPOSED RULES

Federal Acquisition Regulation:

FAR Case 2008–020, Contract Closeout, 42044–42046

Education Department

NOTICES

Applications for New Awards for Fiscal Year (FY) 2010: Research and Development Center on Digital Images and Graphic Content in Accessible Instructional Materials, 42055–42061

Election Assistance Commission

NOTICES

Meetings; Sunshine Act, 42061

Employment Standards Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42124–42125

Energy Department

See Federal Energy Regulatory Commission

NOTICES

Charter Reestablishment:

High Energy Physics Advisory Panel, 42061

Environmental Protection Agency

PROPOSED RULES

Approval and Promulgation of Air Quality Implementation Plans:

Maryland; Clean Air Interstate Rule, 42038–42043

NOTICES

Clean Water Act Section 303(d):

Availability of 12 Total Maximum Daily Loads (TMDL) in Louisiana, 42068–42069

Availability of List Decisions, 42069

Draft Toxicological Review of Ethyl Tertiary Butyl Ether:

Support of the Summary Information in the Integrated Risk Information System (IRIS), 42069–42070

Final Affirmative Determination:

Virginia Commonwealth Prohibition on Discharges of Vessel Sewage, 42070–42073

Nominations:

Gulf of Mexico Program Citizens Advisory Committee, 42073–42074

Equal Employment Opportunity Commission

RULES

Government in the Sunshine Act Regulations, 42025

Federal Bureau of Investigation

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42111–42112

Federal Communications Commission

PROPOSED RULES

Television Broadcasting Services:

New Orleans, LA, 42043

Federal Energy Regulatory Commission**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42061–42062

Applications:

Public Utility District No. 1 Chelan County, 42062–42063
Combined Notice of Filings, 42063–42067

Filings:

Bonneville Power Administration, 42068
Pasadena, CA, 42067–42068

Federal Highway Administration**NOTICES**

Limitations on Claims for Judicial Review of Actions by FHWA and Other Federal Agencies:
Final Federal Agency Actions on Proposed Highway in Ohio, 42144–42145

Federal Reserve System**NOTICES**

Change in Bank Control Notices, Acquisition of Shares of Bank or Bank Holding Companies, 42074
Change in Bank Control Notices, Acquisition of Shares of Bank or Bank Holding Companies; Correction, 42074
Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 42074–42075

Fish and Wildlife Service**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42091–42092
Proposed Low Effect Habitat Conservation Plan:
Pahrump Valley General Store Shopping Center Nye County, NV, 42110–42111

Food and Drug Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42076, 42077

Meetings:

Educating the Public About Removal of Essential-Use Designation for Epinephrine; Public Workshop, 42080–42081

Food and Nutrition Service**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42047–42048

Food Safety and Inspection Service**NOTICES**

Meetings:

Codex Alimentarius Commission; Codex Committee on Nutrition and Foods for Special Dietary Uses, 42048–42049

Foreign-Trade Zones Board**NOTICES**

Foreign-Trade Zone 149:
Port Freeport, TX; Amendment of Application, 42050
Reorganization/Expansion of Foreign-Trade Zone 26:
Atlanta, GA, 42052

General Services Administration**PROPOSED RULES**

Federal Acquisition Regulation:
FAR Case 2008–020, Contract Closeout, 42044–42046

Health and Human Services Department

See Agency for Healthcare Research and Quality
See Centers for Disease Control and Prevention
See Food and Drug Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42075–42076

Homeland Security Department

See Coast Guard

See Transportation Security Administration
See U.S. Citizenship and Immigration Services
See U.S. Customs and Border Protection

Interior Department

See Fish and Wildlife Service
See Land Management Bureau
See National Park Service
See Reclamation Bureau

Internal Revenue Service**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42154–42167
Members of Senior Executive Service Performance Review Boards, 42167

International Trade Administration**NOTICES**

Antidumping:

Frozen Warmwater Shrimp from Vietnam, 42050–42051

Justice Department

See Antitrust Division
See Federal Bureau of Investigation

NOTICES

Consent Decree:

United States v. Magellan Ammonia Pipeline et al., 42111

Labor Department

See Employment Standards Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42123–42124

Land Management Bureau**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42090–42091
Environmental Impact Statements; Availability, etc.:
Four Federal Coal Lease by Applications, Wyoming, 42092–42094
Invitation to Participate In Coal Exploration License:
Utah, 42109
Meetings:
Central Montana Resource Advisory Council, 42110
State of Arizona Resource Advisory Council, 42109–42110

National Aeronautics and Space Administration**PROPOSED RULES**

Federal Acquisition Regulation:

FAR Case 2008–020, Contract Closeout, 42044–42046

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42125

National Highway Traffic Safety Administration**NOTICES**

Grant of Application for a Temporary Exemption:
Beall Corp., 42142–42144

National Oceanic and Atmospheric Administration**NOTICES**

Marine Mammals:
File No. 10137–01, 42051–42052

National Park Service**NOTICES**

Inventory Completion:

- Alaska State Office of History and Archaeology, Anchorage, AK and Alutiiq Museum and Archaeological Repository, Kodiak, AK, 42096–42097
- Alaska State Office, Bureau of Land Management, Anchorage, AK; Alutiiq Museum and Archaeological Repository, Kodiak, AK; and University of Wisconsin Anthropology Department Curation Facility, Madison, WI, 42102–42103
- Chemung Valley History Museum, Elmira, NY, 42097–42098
- Colorado College, Colorado Springs, CO; Correction, 42105–42106
- Department of Anthropology Museum at the University of California, Davis, Davis, CA, 42107–42109
- Fernbank Museum of Natural History, Atlanta, GA, 42098–42100
- Museum of Anthropology, University of Michigan, Ann Arbor, MI, 42094–42095
- New York University College of Dentistry, New York, NY, 42105–42107
- Public Museum, Grand Rapids, MI, 42096, 42103–42104, 42107
- U.S. Department of Agriculture, Forest Service, Daniel Boone National Forest, Winchester, KY, 42095–42096
- U.S. Department of Defense, Army Corps of Engineers, Walla Walla District, WA and Museum of Anthropology, Washington State University, Pullman, WA, 42100–42102
- U.S. Department of the Interior, Bureau of Indian Affairs, Washington, DC and New York University College of Dentistry, New York, NY, 42104–42105

National Science Foundation**NOTICES**

Responsible Conduct of Research, 42126–42128

Nuclear Regulatory Commission**NOTICES**

Draft Regulatory Guides:

Granting Extension of Comment Period, 42128–42129

Environmental Impact Statements; Availability, etc.:

Third Party Ion Exchange Resin Power Resources, Inc., Glenrock, WY, 42129–42130

Meetings:

Advisory Committee on Reactor Safeguards (ACRS), 42130–42131

Advisory Committee on Reactor Safeguards; Materials, Metallurgy, and Reactor Fuels Subcommittee, 42131
Subcommittee on Planning and Procedures, 42131

Proposed Model Safety Evaluation:

Plant-Specific Adoption of Technical Specification Task Force Traveler–501, Revision 1, ‘Relocate Stored Fuel Oil and Lube Oil Volume Values to Licensee Control’, 42131–42138

Presidio Trust**RULES**

Legal Process:

Testimony by Employees and Production of Records, 42028–42032

NOTICES

Proposed Trial Use Limits and Request for Comments, 42138

Reclamation Bureau**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42089–42090

Securities and Exchange Commission**PROPOSED RULES**

Amendments to Regulation SHO, 42033–42037

NOTICES

Meetings; Sunshine Act, 42139

Order of Suspension of Trading:

Magnum Resources Inc., et. al., 42139

Self-Regulatory Organizations; Proposed Rule Changes:

Chicago Board Options Exchange, Inc., 42139–42140

Small Business Administration**NOTICES**

Meetings:

National Small Business Development Center Advisory Board, 42138–42139

State Department**NOTICES**

Culturally Significant Objects Imported for Exhibition

Determinations:

Horace Walpoles Strawberry Hill, 42141

Susquehanna River Basin Commission**NOTICES**

Meetings:

Public Hearing and Commission, 42141–42142

Transportation Department

See Federal Highway Administration

See National Highway Traffic Safety Administration

See Transportation Security Administration

Transportation Security Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42082, 42086–42087

Treasury Department

See Internal Revenue Service

NOTICES

Community Development Financial Institutions Fund, 42145–42154

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

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 42082–42086

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

Cancellation of Customs Broker Licenses, 42087

Cancellation of Customs Broker Licenses Due to Death of the License Holder, 42087

Issuance of Final Determination Concerning Multifunctional Machines, 42087–42089

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.

17 CFR**Proposed Rules:**

242.....42033

29 CFR

1612.....42025

33 CFR

165.....42026

Proposed Rules:

117.....42037

36 CFR

1012.....42028

40 CFR**Proposed Rules:**

52.....42038

47 CFR**Proposed Rules:**

73.....42043

48 CFR**Proposed Rules:**

4.....42044

42.....42044

52.....42044