



Federal Register

1-21-10

Vol. 75 No. 13

Pages 3331-3614

Thursday

Jan. 21, 2010



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: 75 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. 75, No. 13

Thursday, January 21, 2010

Agricultural Marketing Service

RULES

Irish Potatoes Grown in Colorado:
Modification of the Handling Regulation, 3333–3335

Agriculture Department

See Agricultural Marketing Service
See Forest Service

Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

Children and Families Administration

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 3470–3471

Civil Rights Commission

NOTICES

Meetings:
Nebraska Advisory Committee, 3443
Meetings; Sunshine Act, 3443–3444

Coast Guard

RULES

Safety Zones:
Congress Street Bridge, Pequonnock River, Bridgeport,
CT, 3372–3375

Commerce Department

See International Trade Administration
See National Oceanic and Atmospheric Administration

Commodity Futures Trading Commission

RULES

Statements Of Policy:
Commission Guidance Concerning Rules of Practice
Relating to Reparations, 3371–3372

Consumer Product Safety Commission

RULES

Guidelines and Requirements for Mandatory Recall Notices,
3355–3371

Defense Department

NOTICES

Federal Advisory Committee; Military Leadership Diversity
Commission, 3448

Education Department

RULES

School Improvement Grants; American Recovery and
Reinvestment Act of 2009 (ARRA); Title I of the
Elementary and Secondary Education Act of 1965, as
Amended (ESEA), 3375–3383

NOTICES

Applications:
Excellence in Economic Education Program Fiscal Year
(FY) 2010 Competition, 3448–3449
Teaching American History Grant Program; New Awards
for Fiscal Year (FY) 2010, 3449–3454
List of Correspondence from April 1, 2009 through June 30,
2009, 3454

Energy Department

See Federal Energy Regulatory Commission

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 3454–3455
Meetings:
Environmental Management Site-Specific Advisory
Board, Oak Ridge Reservation, 3455

Environmental Protection Agency

RULES

Outer Continental Shelf Air Regulations Consistency
Updates:
Alaska, 3387–3394

PROPOSED RULES

Outer Continental Shelf Air Regulations Consistency
Updates:
Alaska, 3423–3424

NOTICES

Claims of Confidentiality of Certain Chemical Identities
Submitted under Section 8(e) of Toxic Substances
Control Act, 3462–3463
Cross-Media Electronic Reporting Rule State Authorized
Program Revision Approvals:
State of North Carolina, 3463–3464
Regional Project Waivers of Section 1605 (Buy American) of
2009 American Recovery and Reinvestment Act:
Gwinnett County Department of Water Resources,
Gwinnett County, GA, 3464–3465

Executive Office of the President

See Presidential Documents

Federal Aviation Administration

PROPOSED RULES

Airworthiness Directives:
Airbus Model A330–201, –202, –203, –223, –243, –301,
–302, etc, 3420–3423
British Aerospace Regional Aircraft Model HP.137
Jetstream Mk.1, Jetstream Series 200, Jetstream Series
3101, and Jetstream Model 3201 Airplanes, 3418–
3420

Federal Communications Commission

NOTICES

Meetings; Sunshine Act, 3465–3466

Federal Election Commission

NOTICES

Meetings; Sunshine Act, 3466

Federal Energy Regulatory Commission

NOTICES

Applications:
Union Electric Company dba Ameren/UE, 3455–3456
Combined Notice of Filings, 3456–3460
Environmental Impact Statements; Availability, etc.:
Indian River Power Supply, LLC, 3460–3461
Filings:
Denver City Energy Associates, 3461–3462
Empire Generating Co., LLC, 3461
Minnesota Energy Resources Corp., 3461

Federal Highway Administration**NOTICES**

Final Federal Agency Actions on Proposed Highway in California, 3522–3523

Federal Maritime Commission**NOTICES**

Agreement Filed, 3466–3467

Applicants:

Ocean Transportation Intermediary License, 3467

Reissuance:

Ocean Transportation Intermediary License, 3467

Revocations:

Ocean Transportation Intermediary License, 3467–3468

Federal Reserve System**NOTICES**

Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies, 3466

Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 3466

Federal Trade Commission**NOTICES**

Revised Jurisdictional Thresholds for Section 7A of the Clayton Act, 3468

Revised Jurisdictional Thresholds for Section 8 of the Clayton Act, 3469

Fish and Wildlife Service**RULES**

Migratory Bird Permits:

Changes in the Regulations Governing Falconry; Correction, 3395

PROPOSED RULES

Endangered and Threatened Wildlife and Plants:

12-Month Finding on a Petition To Remove the Marbled Murrelet from the List of Endangered and Threatened Wildlife, 3424–3434

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 3483

Environmental Impact Statements; Availability, etc.:

Carolina Sandhills National Wildlife Refuge, Chesterfield and Marlboro Counties, SC, 3484–3486

Food and Drug Administration**NOTICES**

International Conference on Harmonisation:

Guidance on M3(R2) Nonclinical Safety Studies for the Conduct of Human Clinical Trials and Marketing Authorization for Pharmaceuticals; Availability, 3471–3472

Foreign Assets Control Office**NOTICES**

Additional Designation of Entities and Individuals Pursuant to Executive Order 12978, 3523–3525

Forest Service**NOTICES**

Environmental Impact Statements; Availability, etc.:

Tahoe National Forest, California, Tahoe National Forest Motorized Travel Management, 3442–3443

Meetings:

Recreation Subcommittee of the Sierra Front–Northwestern Great Basin, etc., 3487–3488

Health and Human Services Department

See Children and Families Administration

See Food and Drug Administration

See National Institutes of Health

NOTICES

Final Effect of Designation of a Class of Employees for Addition to the Special Exposure Cohort, 3469–3470

Homeland Security Department

See Coast Guard

See U.S. Citizenship and Immigration Services

Housing and Urban Development Department**NOTICES**

HUD Multifamily Rental Project Closing Documents:

Proposed Revisions and Updates and Notice of Information Collection, 3544–3591

Mortgagee Review Board:

Administrative Actions, 3479–3483

Interior Department

See Fish and Wildlife Service

See Land Management Bureau

See National Park Service

International Trade Administration**NOTICES**

Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review:

Purified Carboxymethylcellulose from Finland, 3444

Initiation of Antidumping Duty Changed-Circumstances Review:

Ball Bearings and Parts Thereof from Germany, 3444–3445

Preliminary Intent to Rescind New Shipper Review:

Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam, 3446–3448

International Trade Commission**NOTICES**

Investigations:

U.S.–Trans-Pacific Partnership Free Trade Agreement; Advice on Probable Economic Effect, etc., 3489–3490

Justice Department

See Parole Commission

Land Management Bureau**NOTICES**

Meetings:

Eastern Montana Resource Advisory Council, 3489

Recreation Subcommittee of the Sierra Front–Northwestern Great Basin, etc., 3487–3488

National Foundation on the Arts and the Humanities**NOTICES**

Meetings:

Humanities Panels, 3491–3492

National Institutes of Health**NOTICES**

Meetings:

Center for Scientific Review, 3473–3474

National Institute of Allergy and Infectious Diseases, 3472

National Institute of Diabetes and Digestive and Kidney Diseases, 3472–3473

National Institute of Environmental Health Sciences, 3474–3475

National Institute of Neurological Disorders and Stroke,
3475–3476
National Institute on Aging, 3476
National Institute on Deafness and Other Communication
Disorders, 3474

National Oceanic and Atmospheric Administration

RULES

Fisheries in Western Pacific:
Pelagic Fisheries; Vessel Identification Requirements,
3416–3417
International Fisheries:
Western and Central Pacific Fisheries for Highly
Migratory Species, etc., 3335–3355
U.S. Naval Surface Warfare Center Panama City Division
Mission Activities:
Taking and Importing Marine Mammals, 3395–3416

PROPOSED RULES

Fisheries of Northeastern United States:
Northeast Skate Complex Fishery; Amendment 3, 3434–
3441

NOTICES

Availability of Seats:
Florida Keys National Marine Sanctuary Advisory
Council, 3444

National Park Service

NOTICES

Availability of Draft Site Progress Report to World Heritage
Committee, Yellowstone National Park, 3483–3484
Environmental Impact Statements; Availability, etc.:
Susquehanna to Roseland 500kV Transmission Line,
Delaware Water Gap National Recreation Area, etc.,
3486–3487
Meetings:
Acadia National Park Advisory Commission, 3488
Flight 93 Advisory Commission, 3488
National Park Service Alaska Region Subsistence
Resource Commission (SRC) Program, 3488–3489

National Science Foundation

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 3492
Meetings:
Proposal Review Panel for Physics, 3493

Nuclear Regulatory Commission

NOTICES

Acceptance for Docketing of the Application:
Opportunity For Hearing For Facility Operating License
Nos. DPR 80 and DPR 82, et al., 3493–3497
Facility Operating Licenses:
Entergy Nuclear Operations, Inc., etc., 3497–3501
Meetings:
Advisory Committee on Reactor Safeguards (ACRS),
3501–3502

Parole Commission

NOTICES

Meetings; Sunshine Act, 3490–3491

Postal Regulatory Commission

RULES

New Postal Products, 3383–3387

Presidential Documents

EXECUTIVE ORDERS

Haiti, Humanitarian Assistance; Activation of Armed Forces
Reserve Members (EO 13529), 3331

Securities and Exchange Commission

PROPOSED RULES

Concept Release on Equity Market Structure, 3594–3614

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 3503
Self-Regulatory Organizations; Proposed Rule Changes:
Chicago Board Options Exchange, Inc., 3511–3513
International Securities Exchange, LLC, 3508–3509
NASDAQ OMX BX, Inc., 3503–3506
NASDAQ Stock Market LLC, 3513–3515
NYSE Amex LLC, 3506–3507
One Chicago, LLC, 3515–3516
Public Company Accounting Oversight Board, 3509–3511

Sentencing Commission, United States

See United States Sentencing Commission

Small Business Administration

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 3502
Exemption Request Under Section 312 of the Small
Business Act, Conflicts of Interest:
KLH Capital LP, 3502–3503

State Department

NOTICES

Invitations For Recommendations:
U.S. Authors and Reviewers to Fifth Assessment Report
of Intergovernmental Panel on Climate Change,
3516–3517

Surface Transportation Board

NOTICES

Temporary Trackage Rights Exemption:
Union Pacific Railroad Co., BNSF Railway Co., 3523

Transportation Department

See Federal Aviation Administration

See Federal Highway Administration

See Surface Transportation Board

NOTICES

Small Business Transportation Resource Center Program;
Funding Availability, 3517–3522

Treasury Department

See Foreign Assets Control Office

U.S. Citizenship and Immigration Services

NOTICES

Designation of Haiti for Temporary Protected Status, 3476–
3479

United States Sentencing Commission

NOTICES

Sentencing Guidelines for United States Courts, 3525–3539

Veterans Affairs Department

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 3539–3542

Meetings:

Rehabilitation Research and Development Service
Scientific Merit Review Board, 3542

Separate Parts In This Issue**Part II**

Housing and Urban Development Department, 3544–3591

Part III

Securities and Exchange Commission, 3594–3614

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:**

13529.....3331

7 CFR

948.....3333

14 CFR**Proposed Rules:**

39 (2 documents)3418, 3420

15 CFR

902.....3335

16 CFR

1115.....3355

17 CFR

12.....3371

Proposed Rules:

242.....3594

33 CFR

165.....3372

34 CFR

Ch. II.....3375

39 CFR

3020.....3383

40 CFR

55 (2 documents)3387, 3392

Proposed Rules:

55.....3423

50 CFR

21.....3395

22.....3395

218.....3395

300.....3335

665.....3416

Proposed Rules:

17.....3424

648.....3434