



Federal Register

9-8-10

Vol. 75 No. 173

Wednesday

Sept. 8, 2010

Pages 54461-54758



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

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 14, 2010
9 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. 75, No. 173

Wednesday, September 8, 2010

Agricultural Marketing Service

NOTICES

Funding Availabilities; Applications, etc.:

2010 National Organic Certification Cost-Share Program, 54590–54591

Agricultural Management Assistance Organic Certification Cost-Share Program, 54591–54592

Agriculture Department

See Agricultural Marketing Service

See Animal and Plant Health Inspection Service

See Food and Nutrition Service

See Forest Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 54586–54588

Animal and Plant Health Inspection Service

RULES

Additions of Rust-Resistant Varieties:

Black Stem Rust, 54461–54462

NOTICES

Environmental Assessments; Availability, etc.:

Field Testing Foot-and-Mouth Disease Vaccine, Live Adenovirus Vector, 54589–54590

Updates of Quarantined Areas:

Pale Cyst Nematode, 54592–54593

Antitrust Division

NOTICES

1993 National Cooperative Research and Production Act:

Cable Television Laboratories, Inc., 54651

Interchangeable Virtual Instruments Foundation, Inc., 54652

National Center for Manufacturing Sciences, Inc., 54652

National Warheads and Energetics Consortium, 54652–54653

Architectural and Transportation Barriers Compliance Board

PROPOSED RULES

Americans with Disabilities Act (ADA) Accessibility

Guidelines for Transportation Vehicles:

Public Hearings, 54543

Civil Rights Commission

NOTICES

Meetings:

Hawaii Advisory Committee, 54593

Commerce Department

See Foreign–Trade Zones Board

See Industry and Security Bureau

See International Trade Administration

See National Oceanic and Atmospheric Administration

Defense Acquisition Regulations System

RULES

Defense Federal Acquisition Regulation Supplements:

Acquisition Strategies to Ensure Competition throughout the Life Cycle of Major Defense Acquisition Programs, 54524

Additional Requirements Applicable to Multiyear

Contracts. (DFARS Case 2008–D023), 54526

Government Rights in the Design of DoD Vessels, 54527

Guidance on Personal Services, 54524–54526

Payment of Costs Prior to Definitization—Definition of Contract Action, 54526–54527

Defense Department

See Defense Acquisition Regulations System

PROPOSED RULES

Federal Acquisition Regulation:

Clarification of Standard Form 26—Award/Contract, 54560–54561

Drug Enforcement Administration

NOTICES

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

Application for Import Quota for Ephedrine,

Pseudoephedrine, and Phenylpropanolamine, 54653

Application for Permit to Import Controlled Substances for Domestic and/or Scientific Purposes, 54653–54654

Employee Benefits Security Administration

PROPOSED RULES

Prohibited Transaction Exemption Procedures; Employee

Benefit Plans; Correction, 54542

Employment and Training Administration

NOTICES

Announcement of Career Videos for America's Job Seekers

Challenge:

Correction, 54655

Requests for Certification of Compliance:

Rural Industrialization Loan and Grant Program, 54655–54656

Energy Department

See Federal Energy Regulatory Commission

NOTICES

Meetings:

Environmental Management Site-Specific Advisory Board; Paducah, 54600–54601

Environmental Protection Agency

RULES

Approval and Promulgation of Air Quality Implementation Plans:

Maryland; Withdrawal of Direct Final Rule, 54497

Ocean Dumping:

Guam Ocean Dredged Material Disposal Site Designation, 54497–54508

NOTICES

Agency Decisions and State and Federal Agency Crisis Declarations:

Pesticide Emergency Exemptions, 54622–54626

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 54626–54627

Best Management Practices for Unused Pharmaceuticals at Health Care Facilities, 54627

ICLUS v1.3 Users Manual:

ArcGIS Tools and Datasets for Modeling U.S. Housing Density Growth; Availability, 54627–54628

Meetings:

Science Advisory Board Polycyclic Aromatic Hydrocarbon (PAH) Mixtures Review Panel; Public Teleconference, 54628–54629

Pesticide Petitions:

Residues of Pesticide Chemicals in or on Various Commodities, 54629–54631

Proposed Approvals of Central Characterization Project's Transuranic Waste Characterization Program:

Hanford Site, 54631–54634

Executive Office of the President

See Presidential Documents

Federal Aviation Administration**RULES****Airworthiness Directives:**

Bombardier–Rotax GmbH 912 F Series and 912 S Series Reciprocating Engines, 54462–54464

PROPOSED RULES**Airworthiness Directives:**

Airbus Model A330–200 and –300 and A340–200 and –300 Series Airplanes, 54536–54540

NOTICES**Noise Exposure Maps:**

Brownsville South Padre Island International Airport; Brownsville, TX, 54695–54696

Federal Communications Commission**RULES**

Amendment of the Commissions Rules Governing Hearing Aid-Compatible Mobile Handsets, 54508–54524

PROPOSED RULES

Amendment of the Commissions Rules Governing Hearing Aid-Compatible Mobile Handsets, 54546–54560

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 54634–54636

Federal Energy Regulatory Commission**NOTICES****Applications:**

Lower South Fork LLC, 54601–54602

Combined Filings, 54602–54618

Complaints:

Californians for Renewable Energy, Inc. v Pacific Gas and Electric Company, et al., 54618–54619

Declarations of Intention and Soliciting Comments,

Protests, and Motions to Intervene:

Vagabond Ranch; Application, 54619

Environmental Assessments; Availability, etc.:

Green Island Power Authority, 54620–54621

Greenwood County, SC, 54620

Northern California Power Agency, 54620

Restricted Service List for Properties Included in National Register of Historic Places:

Lockhart Power Co., Pacolet Hydroelectric Project, 54621

Revised Form No. 552 for e-Filing; Availability, 54621–54622

Federal Railroad Administration**NOTICES****Environmental Impact Statements; Availability, etc.:**

DesertXpress High-Speed Passenger Rail Project, 54694–54695

Federal Reserve System**NOTICES**

Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 54636

Fish and Wildlife Service**PROPOSED RULES**

Appendix III of Convention on International Trade in Endangered Species of Wild Fauna and Flora:

Inclusion of Hellbender, Including Eastern Hellbender and Ozark Hellbender, 54579–54585

Endangered and Threatened Wildlife and Plants:

List Ozark Hellbender Salamander as Endangered, 54561–54579

Revised 12-Month Finding to List Upper Missouri River Distinct Population Segment of Arctic Grayling as Endangered or Threatened, 54708–54753

NOTICES**Endangered Wildlife:**

Permits, Availability; Request for Comments, 54649

Food and Drug Administration**RULES****Cardiovascular Devices:**

Reclassification of Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters, 54493–54496

Ophthalmic and Topical Dosage Form New Animal Drugs:

Gentamicin and Betamethasone Ophthalmic Solution; Technical Amendment, 54492–54493

Oral Dosage Form New Animal Drugs:

Tiamulin, 54492

NOTICES

Guidance for Industry and Food and Drug Administration Staff:

Class II Special Controls Guidance Document for Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters; Availability, 54637–54638

Food and Nutrition Service**PROPOSED RULES****Food Distribution Program on Indian Reservations:**

Administrative Funding Allocations, 54530–54536

NOTICES

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

Annual Report of State Revenue Matching, 54588–54589

Foreign Assets Control Office**NOTICES**

Unblocking of Specifically Designated Nationals and Blocked Persons (Pursuant to Executive Order 12978), 54696–54697

Unblocking of Thirteen Specially Designated Nationals (Pursuant to Executive Order 13224), 54697–54698

Foreign–Trade Zones Board**NOTICES****Applications for Subzone Status:**

Piramal Critical Care, Inc. (Inhalation Anesthetics Manufacturing and Distribution), Bethlehem, PA, 54593–54594

Forest Service**PROPOSED RULES****Special Areas; Roadless Area Conservations:**

Applicability to National Forests in Idaho; Proposed Correction, 54542–54543

General Services Administration**PROPOSED RULES**

Federal Acquisition Regulation:
Clarification of Standard Form 26—Award/Contract,
54560–54561

Geological Survey**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Nonindigenous Aquatic Species Sighting Reporting Form,
54648

Health and Human Services Department

See Food and Drug Administration

See National Institutes of Health

NOTICES

Meetings:
Chronic Fatigue Syndrome Advisory Committee, 54636–
54637

Homeland Security Department

See U.S. Citizenship and Immigration Services

PROPOSED RULES

Privacy Act; Systems of Records; Implementation of
Exemptions:
United States Citizenship and Immigration Services–012
Citizenship and Immigration Data Repository System
of Records, 54528–54530

NOTICES

Privacy Act; Systems of Records, 54642–54646

Industry and Security Bureau**PROPOSED RULES**

Effects of Foreign Policy-Based Export Controls, 54540–
54541

NOTICES

Effectiveness of Licensing Procedures for Agricultural
Commodities to Cuba, 54594–54595

Interior Department

See Fish and Wildlife Service

See Geological Survey

See National Park Service

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Non-use Valuation Survey; Klamath Basin; Correction
and Supplement, 54647–54648

Internal Revenue Service**PROPOSED RULES**

Treatment of Services under Section 482; Allocation of
Income and Deductions from Intangibles:
Withdrawal, 54541–54542

International Trade Administration**NOTICES**

Completion of Panel Review:
Binational Panel, 54594
Final Results of Expedited Sunset Reviews of Antidumping
Duty Orders:
Certain Iron Construction Castings from Brazil, Canada,
and People's Republic of China, 54595–54596
Final Results of Expedited Sunset Reviews:
Heavy Iron Construction Castings from Brazil, 54596–
54597

Solicitations of Applications for Allocation of Tariff Rate
Quotas on Imports:

Certain Worsted Wool Fabrics to Persons Who Cut and
Sew Men's and Boys' Worsted Wool Suits, etc.,
54598–54599

Solicitations of Applications for Allocation of Tariff Rate
Quotas:

Import of Certain Worsted Wool Fabrics to Persons Who
Weave Such Fabrics in United States, 54599

International Trade Commission**NOTICES**

Investigations:

Certain Coated Paper Suitable for High-Quality Print
Graphics Using Sheet-Fed Presses from China and
Indonesia, 54650–54651

Justice Department

See Antitrust Division

See Drug Enforcement Administration

NOTICES

Lodgings of Proposed Consent Decree Amendments:
United States of America et al. v. FMC Corp. and J.R.
Simplot Co., 54651

Labor Department

See Employee Benefits Security Administration

See Employment and Training Administration

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 54654–54655

National Aeronautics and Space Administration**PROPOSED RULES**

Federal Acquisition Regulation:
Clarification of Standard Form 26—Award/Contract,
54560–54561

NOTICES

Government-Owned Inventions, Availability for Licensing,
54656
Intentions to Grant Exclusive License, 54656–54657

National Archives and Records Administration**PROPOSED RULES**

Changes to NARA Facilities' Hours of Operation, 54543–
54546

National Institutes of Health**NOTICES**

Meetings:

Center for Scientific Review, 54638–54642
National Advisory Eye Institute, 54642
National Heart, Lung, and Blood Institute, 54642
National Institute of Biomedical Imaging and
Bioengineering, 54641
NIH Blue Ribbon Panel, 54640–54641

National Oceanic and Atmospheric Administration**NOTICES**

Fisheries of South Atlantic:
South Atlantic Red Snapper; Southeast Data, Assessment,
and Review, 54597–54598

Meetings:

Atlantic Shark Identification Workshops and Protected
Species Safe Handling, Release, and Identification;
Correction, 54598

Takes of Marine Mammals Incidental to Specified
Activities:

Construction of Knik Arm Crossing, Alaska, 54599–54600

National Park Service**NOTICES**

National Register of Historic Places; Pending Nominations and Related Actions, 54649–54650

National Transportation Safety Board**NOTICES**

Meetings; Sunshine Act, 54657

Nuclear Regulatory Commission**NOTICES**

Environmental Assessments; Availability, etc.:
University of Florida Training Reactor; Finding of No Significant Impact, 54657–54660
Meetings; Sunshine Act, 54660–54661

Overseas Private Investment Corporation**NOTICES**

Meetings; Sunshine Act, 54661

Presidential Documents**PROCLAMATIONS**

Special Observances:
National Childhood Obesity Awareness Month (Proc. 8554), 54755–54758

Research and Innovative Technology Administration**NOTICES**

Meetings:
Research and Innovative Technology Administration
Advisory Council on Transportation Statistics, 54695

Securities and Exchange Commission**RULES**

Delegations of Authority to Director of Division of Enforcement, 54464–54465
Temporary Registration of Municipal Advisors, 54465–54491

NOTICES

Privacy Act; Systems of Records:
Correction, 54662
Self-Regulatory Organizations; Proposed Rule Changes:
BATS Exchange, Inc., 54664–54665
Depository Trust Co., 54680–54681
Fixed Income Clearing Corp., 54675–54676
International Securities Exchange, LLC, 54682–54686
Municipal Securities Rulemaking Board, 54673–54674
NASDAQ OMX BX, Inc., 54665–54671, 54688–54689
NASDAQ OMX PHLX, Inc., 54662–54664
National Securities Clearing Corp., 54681–54682
New York Stock Exchange LLC, 54686–54688
NYSE Amex LLC, 54671–54672
NYSE Arca, Inc., 54676–54680

Sentencing Commission, United States

See United States Sentencing Commission

Small Business Administration**NOTICES**

Declarations of Economic Injury:
Alaska, 54661
Exemptions Under Section 312 of Small Business Investment Act, Conflicts of Interest:
Main Street Capital II, LP, 54661
Main Street Mezzanine Fund, LP, 54661–54662

State Department**NOTICES**

Additional Designation of Entity Pursuant to Executive Order (13382), 54689–54690
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Affidavit of Relationship (AOR), 54690–54691
Online Application for Nonimmigrant Visa, 54690
Culturally Significant Objects Imported for Exhibition Determinations:
Miró; Dutch Interiors; Correction, 54692
Van Gogh, Gauguin, Cézanne, and Beyond; Post-Impressionist Masterpieces from Musée d'Orsay, 54692
Vorticists; 1914–18, Rebel Artists in London and New York, 54691–54692
Statutory Debarment under Arms Export Control Act and International Traffic in Arms Regulations:
Bureau of Political-Military Affairs, 54692–54694

Transportation Department

See Federal Aviation Administration

See Federal Railroad Administration

See Research and Innovative Technology Administration

Treasury Department

See Foreign Assets Control Office

See Internal Revenue Service

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

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 54646–54647

United States Sentencing Commission**NOTICES**

Sentencing Guidelines for United States Courts, 54698–54705

Veterans Affairs Department**RULES**

Diseases Associated with Exposure to Certain Herbicide Agents; etc:
Correction, 54496
Medical:
Nonsubstantive Miscellaneous Changes; Correction, 54496–54497

Separate Parts In This Issue**Part II**

Interior Department, Fish and Wildlife Service, 54708–54753

Part III

Presidential Documents, 54755–54758

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**Proclamations:**

3.....54757

6 CFR**Proposed Rules:**

5.....54828

7 CFR

301.....54461

Proposed Rules:

253.....54530

14 CFR

39.....54462

Proposed Rules:

39.....54536

15 CFR**Proposed Rules:**

742.....54540

744.....54540

746.....54540

17 CFR

200.....54464

240.....54465

249.....54465

21 CFR

520.....54492

524.....54492

870.....54493

26 CFR**Proposed Rules:**

1.....54541

31.....54541

29 CFR**Proposed Rules:**

2570.....54542

36 CFR**Proposed Rules:**

294.....54542

1192.....54543

1253.....54543

1254.....54543

1280.....54543

38 CFR

3.....54496

17.....54496

40 CFR

81.....54497

228.....54497

47 CFR

20.....54508

Proposed Rules:

20.....54546

48 CFR

207.....54524

211.....54524

217 (2 documents)54526

227.....54527

237.....54524

252.....54527

Proposed Rules:

53.....54560

50 CFR**Proposed Rules:**

17 (2 documents)54561,

54708

23.....54579