



Federal Register

12-21-10

Vol. 75 No. 244

Tuesday

Dec. 21, 2010

Pages 79947-80286



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, January 25, 2011
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. 244

Tuesday, December 21, 2010

Agricultural Marketing Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Poultry Programs, 80037
Tobacco Report, 80037–80038

Agriculture Department

See Agricultural Marketing Service

See Foreign Agricultural Service

RULES

Revision of Delegation of Authority, 79949–79950

NOTICES

Privacy Act; Systems of Records, 80034–80037

Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

Centers for Disease Control and Prevention

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 80055–80058

Centers for Medicare & Medicaid Services

NOTICES

Hearings:

Reconsideration of Disapproval of California State Plan Amendments, 80058–80059

Coast Guard

RULES

Protection for Whistleblowers in the Coast Guard, 79956–79960

Temporary Suspension of Certain Oil Spill Response Time Requirements to Support Deepwater Horizon Oil Spill, 79961–79964

NOTICES

Meetings:

National Offshore Safety Advisory Committee, 80064

Commerce Department

See International Trade Administration

See National Institute of Standards and Technology

See National Oceanic and Atmospheric Administration

See National Telecommunications and Information Administration

NOTICES

Information Privacy and Innovation in the Internet Economy, 80042–80044

Commodity Futures Trading Commission

PROPOSED RULES

Further Definition of “Swap Dealer,” “Security-Based Swap Dealer,” “Major Swap Participant,” etc., 80174–80218

Corporation for National and Community Service

NOTICES

Establishment of White House Council for Community Solutions, 80044–80045

Election Assistance Commission

NOTICES

Board of Advisors Charter Renewal, 80045

Employee Benefits Security Administration

NOTICES

Charter Renewal of Advisory Council on Employee Welfare and Pension Benefit Plans, 80072

Employment Standards Administration

See Wage and Hour Division

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency

RULES

Methods for Measurement of Filterable PM₁₀ and PM_{2.5} and Measurement of Condensable PM Emissions from Stationary Sources, 80118–80172

Regulation of Fuels and Fuel Additives:

Modifications to Renewable Fuel Standard Program, 79964–79978

Temporary Suspension of Certain Oil Spill Response Time Requirements to Support Deepwater Horizon Oil Spill, 79961–79964

PROPOSED RULES

National Emission Standards for Shipbuilding and Ship Repair (Surface Coating):

National Emission Standards for Wood Furniture Manufacturing Operations, 80220–80258

NOTICES

Meetings:

Ecological Processes and Effects Committee Augmented for Ballast Water, 80048

Environmental Economics Advisory Committee Augmented for Valuing Mortality Risk Reductions, 80048–80049

Request for Nominations of Experts to Augment the SAB Drinking Water Committee, 80050–80051

Federal Aviation Administration

RULES

Airworthiness Directives:

DASSAULT AVIATION Model Falcon 10 Airplanes, et al., 79952–79955

Kaman Aerospace Corp. Model K–1200 Helicopters, 79950–79952

PROPOSED RULES

Airworthiness Directives:

B–N Group Ltd. Model BN–2, BN–2A, BN–2A–2, BN–2A–3, et al. Airplanes, 79990–79992

Bombardier, Inc. Model BD 100 1A10 (Challenger 300) Airplanes, 79984–79987

Eurocopter France Model AS350B, B1, B2, B3, BA, and EC130 B4 Helicopters, 79988–79990

NOTICES

Petition for Exemption; Summaries of Petitions Received, 80106–80107

Federal Communications Commission

PROPOSED RULES

Radio Broadcasting Services:

Jewett, TX; Dismissal, 80013

Federal Energy Regulatory Commission**NOTICES**

Applications and Petitions for Declaratory Orders:
Tennessee Gas Pipeline Company; Kinetica Partners, LLC,
80045–80046

Applications:

Equitrans, L.P.; Big Sandy Pipeline, LLC, 80047
ORPC Alaska, LLC, 80046

Federal Highway Administration**NOTICES**

Final Federal Agency Actions on Proposed Highway in
California, 80107–80108

Federal Maritime Commission**NOTICES**

Performance Review Board, 80051

Federal Motor Carrier Safety Administration**PROPOSED RULES**

Drivers Of CMVs:
Restricting Use of Cellular Phones, 80014–80033

Federal Railroad Administration**NOTICES**

Petitions for Waivers of Compliance:
Hoosier Valley Railroad Museum, Inc., 80108

Federal Reserve System**NOTICES**

Changes in Bank Control:
Acquisitions of Shares of a Bank or Bank Holding
Company, 80051

Federal Trade Commission**NOTICES**

Analysis of Proposed Consent Order to Aid Public
Comment:
The Dannon Co., Inc., 80051–80054

Financial Stability Oversight Council**PROPOSED RULES**

Authority to Designate Financial Market Utilities as
Systemically Important, 79982–79984

Food and Drug Administration**RULES**

New Animal Drugs; Change of Sponsor's Address, 79955–
79956

PROPOSED RULES

Good Laboratory Practice for Nonclinical Laboratory
Studies, 80011–80013

NOTICES

Meetings:

Advisory Committees; Tentative Schedule for 2011,
80059–80061

Withdrawal of Approval of a New Drug Application:
Abbott Laboratories, Inc.; MERIDIA, 80061

Foreign Agricultural Service**NOTICES**

Meetings:

Agricultural Policy Advisory Committee for Trade;
Agricultural Technical Advisory Committees for
Trade, 80038–80039

Foreign Assets Control Office**NOTICES**

Designation of Three Individuals and Seven Entities
Pursuant to Executive Order 13224, 80112–80113
Unblocking of One Specially Designated National Pursuant
to Executive Order 13224, 80113–80114

Health and Human Services Department

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See Food and Drug Administration

See National Institutes of Health

NOTICES

Input for a Strategic Plan for Federal Youth Policy, 80054

Interest Rate on Overdue Debts, 80055

Meetings:

Advisory Committee on Minority Health, 80055

Homeland Security Department

See Coast Guard

RULES

Privacy Act of 1974; Implementation of Exemptions:

Information Sharing Environment Suspicious Activity

Reporting Initiative System of Records, 79947–79949

Housing and Urban Development Department**NOTICES**

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

Continuation of Interest Reduction Payments After
Refinancing Section 236 Projects, 80065–80066

Indian Housing Block Grants Program Reporting, 80064–
80065

Quality Control Requirements for Direct Endorsement
Lenders, 80066

Technical Suitability of Products Program Section 521 of
the National Housing Act, 80066–80067

Indian Affairs Bureau**NOTICES**

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

Application for Job Placement and Training Services,
80067–80068

Information Security Oversight Office**NOTICES**

Meetings:

State, Local, Tribal, and Private Sector Policy Advisory
Committee, 80082

Interior Department

See Indian Affairs Bureau

See Land Management Bureau

International Trade Administration**NOTICES**

Information Privacy and Innovation in the Internet
Economy, 80042–80044

Meetings:

Manufacturing Council, 80039

U.S. Travel and Tourism Advisory Board, 80039–80040

Reopening of Application Period for Membership on
Manufacturing Council, 80040–80041

Justice Department**NOTICES**

Lodging of Proposed Consent Decrees Under CERCLA,
80070–80071

Labor Department*See* Employee Benefits Security Administration*See* Mine Safety and Health Administration*See* Wage and Hour Division**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Hazardous Conditions Complaints, 80071

Land Management Bureau**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 80068
Environmental Impact Statements; Availability, etc.:
Southern California Edison Eldorado–Ivanpah
Transmission Project, California and Nevada, 80068–80069
Filing of Plat of Survey:
Eastern States, 80069
Meetings:
Dominguez–Escalante Advisory Council, 80070
Proposed Reinstatements of Terminated Oil and Gas Leases:
Wyoming, 80070

Mine Safety and Health Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Radiation Sampling and Exposure Records, 80072–80073

National Aeronautics and Space Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 80079–80081
Meetings:
Exploration Committee, 80081–80082

National Archives and Records Administration*See* Information Security Oversight Office**NOTICES**

State, Local, Tribal, and Private Sector Policy Advisory Committee; Establishment, 80082

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

Meetings:
Humanities Panels, 80082–80083

National Highway Traffic Safety Administration**RULES**

Civil Penalties, 79978–79981

NOTICES

Petitions for Decisions of Inconsequential Noncompliance:
Nissan North America, Inc., 80109–80110
Panda Power LLC, 80110–80111

National Institute of Standards and Technology**NOTICES**

Information Privacy and Innovation in the Internet Economy, 80042–80044

National Institutes of Health**NOTICES**

Meetings:
National Center for Research Resources, 80062–80063
National Institute of Allergy and Infectious Diseases, 80061–80063
National Institute of Diabetes and Digestive and Kidney Diseases, 80062

National Oceanic and Atmospheric Administration**PROPOSED RULES**

Taking and Importing Marine Mammals:
Takes Incidental to Operation and Maintenance of
Liquefied Natural Gas Facility off Massachusetts,
80260–80286

NOTICES

Meetings:
Gulf of Mexico Fishery Management Council, 80041
Pacific Fishery Management Council, 80041–80042

National Telecommunications and Information Administration**NOTICES**

Information Privacy and Innovation in the Internet Economy, 80042–80044

Nuclear Regulatory Commission**NOTICES**

Meetings:
Advisory Committee on the Medical Uses of Isotopes, 80083
Meetings; Sunshine Act, 80083–80084

Securities and Exchange Commission**PROPOSED RULES**

End–User Exception to Mandatory Clearing of Security-Based Swaps, 79992–80011
Further Definition of “Swap Dealer,” “Security-Based Swap Dealer,” “Major Swap Participant,” etc., 80174–80218

NOTICES

Self-Regulatory Organizations; Proposed Rule Changes:
C2 Options Exchange, Inc., 80104–80105
Chicago Board Options Exchange, Inc., 80099–80101
International Securities Exchange, LLC, 80091–80097
NASDAQ Stock Market LLC, 80102–80104
New York Stock Exchange LLC, 80088–80090, 80101–80102
NYSE Amex LLC, 80087–80088, 80090–80091, 80097–80099
NYSE Arca, Inc., 80084–80086
Suspension of Trading Orders:
Supatcha Resources Inc., 80105

State Department**NOTICES**

Meetings:
Advisory Committee on International Communications and Information Policy, 80105–80106

Transportation Department*See* Federal Aviation Administration*See* Federal Highway Administration*See* Federal Motor Carrier Safety Administration*See* Federal Railroad Administration*See* National Highway Traffic Safety Administration**Treasury Department***See* Foreign Assets Control Office**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 80111–80112

Veterans Affairs Department**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Conflicting Interests Certification for Proprietary Schools Only, 80115–80116
Nonsupervised Lenders Nomination and Recommendation of Credit Underwriter, 80116
Obligation to Report Factors Affecting Entitlement, 80114
Statement of Disappearance, 80115
Status of Dependents Questionnaire, 80114–80115

Wage and Hour Division**NOTICES**

Reasonable Break Time for Nursing Mothers, 80073–80079

Separate Parts In This Issue**Part II**

Environmental Protection Agency, 80118–80172

Part III

Commodity Futures Trading Commission, 80174–80218
Securities and Exchange Commission, 80174–80218

Part IV

Environmental Protection Agency, 80220–80258

Part V

Commerce Department, National Oceanic and Atmospheric Administration, 80260–80286

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.

6 CFR

5.....79947

7 CFR

2.....79949

12 CFR**Proposed Rules:**

Ch. XIII.....79982

14 CFR39 (2 documents)79950,
79952**Proposed Rules:**39 (3 documents)79984,
79988, 79990**17 CFR****Proposed Rules:**

1.....80174

240 (2 documents)79992,
80174**21 CFR**

510.....79955

Proposed Rules:

58.....80011

33 CFR

53.....79956

154.....79961

155.....79961

40 CFR

51.....80118

80.....79964

112.....79961

Proposed Rules:

63.....80220

47 CFR**Proposed Rules:**

73.....80013

49 CFR

578.....79978

Proposed Rules:

383.....80014

384.....80014

390.....80014

391.....80014

392.....80014

50 CFR**Proposed Rules:**

217.....80260