MPCo. SMEPA determined that partial ownership in the Project would help minimize the unavoidable rate increase. Based on these evaluations, SMEPA determined that a 17.5% undivided ownership interest in the Project would be the best overall option and has formally requested financial assistance from RUS to finance this action. SMEPA's partial ownership would include the IGCC facility, the CO_2 pipeline, the reclaimed water supply line, the surface lignite mine, and electrical transmission facilities.

RUS Action

RUS conducts the rural electrification loan program, which provides financing through direct loans and loan guarantees for the construction and operation of generation facilities and electric transmission and distribution lines and systems to improve electric service for rural Americans. RUS bases its decisions on financial, engineering, and environmental considerations. RUS assessed whether SMEPA would have sufficient control and responsibility to alter the development of the Project in order to determine if the project is subject to NEPA, in accordance with 7 CFR 1794.20. Through discussions with SMEPA, and review of loan and contractual documentation, RUS established that the project will be completed regardless of RUS-funded SMEPA participation. RUS further established that the Joint Ownership and Operating Agreement (JOOA), to be executed with MPCo, will provide SMEPA with only a limited ability to influence the Project.[2] However, due to the Project's significant public interest and potential federal expenditure, RUS decided to consider the Project a federal action subject to NEPA and an undertaking as defined by Section 106 of the NHPA.

RUS reviewed transmission system impact studies and additional engineering studies provided by SMEPA, and the Final EIS (FEIS) and the associated MAP prepared by the DOE in cooperation with the USACE. RUS determined that SMEPA's participation would not require any additional infrastructure, and therefore would not cause any environmental impacts beyond what was identified and discussed in the FEIS. RUS reviewed and determined that the FEIS and MAP adequately assessed the potential impacts of the Project, and intends to adopt the EIS in accordance with 40 CFR 1506.3 and 7 CFR 1794.72. RUS/SMEPA participation will not cause any additional impacts on historic properties. RUS has therefore determined that the Project qualifies as an undertaking with no potential to effect historic properties in accordance with 36 CFR 800.3(a)(1).

This notice documents the Agency's intent to adopt the DOE/USACE FEIS, and fulfills the agency's responsibilities for public involvement, in accordance with 36 CFR 800.2(d)(2).

Nivin Elgohary,

Assistant Administrator, Electric Programs, Rural Utilities Service.

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[2] Through the JOOA, SMEPA would only be granted audit rights and authority for on-site representation during Project construction and operation. Should a Project Management Committee (PMC) be formed, SMEPA's representation would be proportional to their percentage of ownership, and therefore limited to 17.5% influence over construction and management decisions.

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–45–2012]

Foreign-Trade Zone 7—Mayaguez, PR; Notification of Proposed Production Activity; Baxter Healthcare of Puerto Rico; (Pharmaceutical and Nutritional Intravenous Bags and Administration Sets); Aibonito and Jayuya, PR

The Puerto Rico Industrial Development Company, grantee of FTZ 7, submitted a notification of proposed production activity on behalf of Baxter Healthcare of Puerto Rico (Baxter), at two sites within FTZ 7, located in Aibonito and Jayuya, Puerto Rico. The facilities are used for the manufacture of pharmaceutical and nutritional intravenous (I.V.) bags, I.V. administration sets and their components.

Production under FTZ procedures could exempt Baxter from customs duty payments on the foreign status components used in export production. On its domestic sales, Baxter would be able to choose the duty rates during customs entry procedures that apply to the filled I.V. products and administration sets) (duty-free) for the foreign status inputs noted below. Customs duties also could possibly be deferred or reduced on foreign status production equipment.

Components and materials sourced from abroad include: Foil pouches, ABS resin, L-tryptophan, glutamic acid, N-Acetyl-L-Tyrosine and L-Lysine-Acetate (duty rate range: 3%–6.5%).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is July 30, 2012.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230–0002, and in the ''Reading Room'' section of the Board's Web site, which is accessible via *www.trade.gov/ftz.*

For further information, contact Diane Finver at *Diane.Finver@trade.gov* or (202) 482–1367.

Elizabeth Whiteman,

Acting Executive Secretary.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–44–2012]

Foreign-Trade Zone 61—San Juan, PR; Notification of Proposed Production Activity; Pfizer Pharmaceuticals LLC (Subzone 61A); (Ibuprofen Pharmaceutical Products); Guayama, PR

The Puerto Rico Trade and Export Company, grantee of FTZ 61, submitted a notification of proposed production activity on behalf of Pfizer Pharmaceuticals LLC (Pfizer) (Subzone 61A) for its manufacturing facility located in Guayama, Puerto Rico. The notification conforming to the requirements of the regulations of the Board (15 CFR 400.22) was received on June 13, 2012.

Subzone 61A was originally approved by the Board in 1992 at the former Searle plant located at Munoz Marin Avenue and Road 189 in Caguas, Puerto Rico, for the production and distribution of various pharmaceutical products under zone procedures (Board Order 617, 12/11/1992, 57 FR 61046, 12/23/1992). On June 8, 2012, a minor boundary modification under 15 CFR 400.38 of the Board's regulations was approved to relocate the subzone from Pfizer's Caguas plant to its facility located at PR 2, Km 141.3 in Guayama, Puerto Rico (S–69–2012).

Pfizer is now requesting to produce ibuprofen pharmaceutical products in bulk mixture or dosage form under FTZ procedures at the Guayama site. Production under FTZ procedures could exempt Pfizer from customs duty payments on the foreign status components used in export production.