

to reflect the tariff treatment provided for in the Peru TPA.

U.S. Note 28(c) to subchapter XXII of HTS chapter 98 provides that USTR is required to publish annually in the **Federal Register** a determination of the amount of Peru's trade surplus, by volume, with all sources for goods in HS subheadings 1701.11, 1701.12, 1701.91, 1701.99, 1702.20, 1702.40, and 1702.60, except that Peru's imports of U.S. goods classified under HS subheadings 1702.40 and 1702.60 that are originating goods under the Peru TPA and Peru's exports to the United States of goods classified under HS subheadings 1701.11, 1701.12, 1701.91, and 1701.99 are not included in the calculation of Peru's trade surplus.

U.S. Note 28(d) to subchapter XXII of HTS chapter 98 provides duty-free treatment for certain sugar goods of Peru entered under subheading 9822.06.10 in an amount equal to the lesser of Peru's trade surplus or the specific quantity set out in that note for that calendar year.

During CY2009, the most recent year for which data is available, Peru's imports of the sugar goods described above exceeded its exports of those goods by 64,026 metric tons according to data published by its customs authority, the *Superintendencia Nacional de Administration Tributaria*. Based on this data, USTR determines that Peru's trade surplus is negative. Therefore, in accordance with U.S. Note 28(d) to subchapter XXII of HTS chapter 98, goods of Peru are not eligible to enter the United States duty-free under subheading 9822.06.10 in CY2011.

**Islam A. Siddiqui,**

*Chief Agricultural Negotiator, Office of the U.S. Trade Representative.*

[FR Doc. 2010-31055 Filed 12-9-10; 8:45 am]

**BILLING CODE 3190-W1-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[Docket No. FD 35447]

**Temple & Central Texas Railway, Inc.—  
Operation Exemption—City of Temple,  
TX.**

Temple & Central Texas Railway, Inc. (TCTR),<sup>1</sup> a Class III carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to operate, pursuant to a Railroad License and Operating Agreement with the City of Temple,

<sup>1</sup> TCTR has also concurrently filed a motion for protective order pursuant to 49 CFR 1104.14(b) to allow TCTR to file the unredacted Railroad License and Operating Agreement under seal. That motion will be addressed in a separate decision.

Tex. (Temple), an approximately 6.277-mile line of railroad, between milepost 0.0, near Belton, and milepost 6.277, at Smith, in Bell County, Tex. (the line), and the trackage rights granted to the Georgetown Railroad Company (Georgetown) to operate over the line.<sup>2</sup>

TCTR certifies that the projected annual revenues as a result of the proposed transaction will not exceed those that would qualify it as a Class III carrier and will not exceed \$5 million.

TCTR states that it expects the transaction to be consummated by February 10, 2011. The earliest this transaction can be consummated is December 24, 2010, the effective date of the exemption (30 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Stay petitions must be filed no later than December 17, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35447, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Louis E. Gitomer, Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: December 7, 2010.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Andrea Pope-Matheson,**  
*Clearance Clerk.*

[FR Doc. 2010-31081 Filed 12-9-10; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF THE TREASURY**

**Financial Management Service;  
Privacy Act of 1974, as Amended;  
System of Records**

**AGENCY:** Financial Management Service, Treasury.

**ACTION:** Withdrawal of a Privacy Act Notice.

**SUMMARY:** The Department of the Treasury is withdrawing the proposed

<sup>2</sup> Temple is not a carrier. TCTR states that Temple is filing a petition with the Board to acquire the line from Georgetown.

system of records notice published on behalf of the Financial Management Service.

**DATES:** December 10, 2010.

**FOR FURTHER INFORMATION CONTACT:** Dale Underwood, Privacy Act officer, Department of the Treasury, (202) 622-0874.

**SUPPLEMENTARY INFORMATION:** The Department of the Treasury is withdrawing the proposed system of records notice, "Treasury/FMS .008—Mailing List Records" (Document Number 2010-30297), published on December 3, 2010, at 75 FR 75546. The document will be revised and reissued with additional details and a new 30-day comment period. However, any comments received on the withdrawn notice will also be considered.

Dated: December 6, 2010.

**Melissa Hartman,**

*Deputy Assistant Secretary for Privacy,  
Transparency, and Records.*

[FR Doc. 2010-31083 Filed 12-9-10; 8:45 am]

**BILLING CODE 4810-35-P**

**DEPARTMENT OF THE TREASURY**

**Office of Foreign Assets Control**

**Blocking of Specially Designated  
National Pursuant to Executive Order  
13413**

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department's Office of Foreign Assets Control ("OFAC") is publishing the names of four individuals whose property and interests in property have been blocked pursuant to Executive Order 13413 of October 27, 2006, "Blocking Property of Certain Persons Contributing to the Conflict in the Democratic Republic of Congo."

**DATES:** The designation by the Director of OFAC of the four individuals identified in this notice, pursuant to Executive Order 13413 of October 27, 2006, is effective on December 2, 2010.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, *tel.*: 202/622-2490.

**SUPPLEMENTARY INFORMATION:**

**Electronic and Facsimile Availability**

This document and additional information concerning OFAC are available from OFAC's Web site (<http://www.treas.gov/ofac>) and via

facsimile through a 24-hour fax-on-demand service, *tel.*: (202) 622-0077.

### Background

On October 27, 2006, the President signed Executive Order 13413 (the "Order" or "E.O. 13413") pursuant to, *inter alia*, the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), section 5 of the United Nations Participation Act, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code. In the Order, the President found that the situation in the Democratic Republic of the Congo constitutes an unusual and extraordinary threat and imposed sanctions to address it. The President identified seven individuals in the Annex to the Order as subject to these economic sanctions.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in, or thereafter come within, the United States, or within the possession or control of United States persons, of the persons identified by the President in the Annex to the Order, as well as those persons determined by the Secretary of the Treasury, after consultation with the Secretary of State, to meet any of the criteria set forth in subparagraphs (a)(i)–(a)(ii)(G) of Section 1.

On December 2, 2010, the Director of OFAC exercised the Secretary of the Treasury's authority to designate, pursuant to one or more of the criteria set forth in Section 1 of the Order, the individuals listed below, whose property and interests in property therefore are blocked pursuant to E.O. 13413.

The listing of the blocked individuals appears as follows:

1. NSANZUBUKIRE, Felicien (a.k.a. IRAKEZA, Fred); DOB 1967; POB Murama, Kinyinya, Rubungo, Kigali, Rwanda; nationality Rwanda; Lt. Col. (individual) [DRCONGO]
2. ZIMURINDA, Innocent; DOB 1 Sep 1972; alt. DOB 1975; POB Ngungu, Masisi Territory, North Kivu province, Democratic Republic of the Congo; Lt. Col. (individual) [DRCONGO]
3. IYAMUREMYE, Gaston (a.k.a. BYIRINGIRO, Michel; a.k.a. RUMULI; a.k.a. RUMULI, Byiringiro Victor; a.k.a. RUMULI, Michel; a.k.a. RUMURI, Victor), Kibua, North Kivu, Congo, Democratic Republic of the; DOB 1948; POB Musanze District (Northern Province), Rwanda; alt. POB Nyakinama, Ruhengeri, Rwanda; FDLR President; FDLR 2nd Vice President; Brigadier General (individual) [DRCONGO]
4. MUGARAGU, Leodomir (a.k.a. LEON, Manzi; a.k.a. MANZI, Leo),

Katoyi, North Kivu, Congo, Democratic Republic of the; DOB 1954; alt. DOB 1953; POB Kigali, Rwanda; alt. POB Rushashi (Northern Province), Rwanda; FDLR/FOCA Chief of Staff; Brigadier General (individual) [DRCONGO]

Dated: December 2, 2010.

**Adam J. Szubin,**

*Director, Office of Foreign Assets Control.*

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**BILLING CODE 4811-45-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Notice 2005-62

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Notice 2005-62, Modification of Notice 2005-04; Biodiesel and Aviation-Grade Kerosene.

**DATES:** Written comments should be received on or before February 8, 2011 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Allan Hopkins, Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Joel Goldberger at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202) 927-9368, or through the Internet at [Joel.P.Goldberger@irs.gov](mailto:Joel.P.Goldberger@irs.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Modification of Notice 2005-04; Biodiesel and Aviation-Grade Kerosene.  
*OMB Number:* 1545-1915.

*Notice Number:* Notice 2005-62.

*Abstract:* This notice modifies Notice 2005-4, 2005-2 I.R.B. 289, as modified by Notice 2005-24, 2005-12 I.R.B. 757, by revising the guidance relating to the Certificate for Biodiesel, which is required as a condition for claiming a credit or payment under §§ 6426(c),

6427(e), and 40A of the Internal Revenue Code. This notice also provides guidance on issues related to the biodiesel credit or payment that are not addressed in Notice 2005-4. This notice further modifies Notice 2005-4 relating to the Certificate of Person Buying Aviation-Grade Kerosene for Commercial Aviation or Nontaxable Use, which is required to notify a position holder of certain transactions under §§ 4081 and 4082. Notice 2005-04 provides guidance on certain excise tax Code provisions that were added or effected by the American Jobs Creation Act of 2004. The information will be used by the IRS to verify that the proper amount of tax is reported, excluded, refunded, or credited.

*Current Actions:* There are no changes being made to the notice at this time.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations, not-for-profit institutions, farms, Federal, state, local or tribal governments.

*Estimated Number of Respondents:* 20,263.

*Estimated Time per Respondent:* 3 hours, 46 minutes.

*Estimated Total Annual Burden Hours:* 76,190.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital