

Year 2009 Annual Independent Audit Report. The Commission also heard counsel's report on legal matters affecting the Commission.

The Commission convened a public hearing and took the following actions:

#### Public Hearing—Compliance Actions

The Commission approved a settlement in lieu of civil penalties for the following project:

1. Tyco Electronics Corporation, Lickdale Facility—\$25,000.

#### Public Hearing—Projects Approved

1. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River—Hicks), Great Bend Township, Susquehanna County, Pa. Surface water withdrawal of up to 0.750 mgd.

2. Project Sponsor and Facility: East Resources, Inc. (Susquehanna River—Welles), Sheshequin Township, Bradford County, Pa. Surface water withdrawal of up to 0.850 mgd.

3. Project Sponsor and Facility: Eastern American Energy Corporation (West Branch Susquehanna River—Moore), Goshen Township, Clearfield County, Pa. Surface water withdrawal of up to 2.000 mgd.

4. Project Sponsor and Facility: Fortuna Energy Inc. (Fall Brook—Tioga State Forest C.O.P.), Ward Township, Tioga County, Pa. Surface water withdrawal of up to 0.999 mgd.

5. Project Sponsor and Facility: Fortuna Energy Inc. (Fellows Creek—Tioga State Forest C.O.P.), Ward Township, Tioga County, Pa. Surface water withdrawal of up to 0.999 mgd.

6. Project Sponsor and Facility: Fortuna Energy Inc. (Susquehanna River—Thrush), Sheshequin Township, Bradford County, Pa. Modification to increase surface water withdrawal from 0.250 mgd up to 2.000 mgd (Docket No. 20080909).

7. Project Sponsor and Facility: Montgomery Water and Sewer Authority, Clinton Township, Lycoming County, Pa. Groundwater withdrawal of up to 0.200 mgd from Well 2R.

8. Project Sponsor and Facility: Nissin Foods (USA) Co., Inc., East Hempfield Township, Lancaster County, Pa. Modification to increase consumptive water use from 0.090 mgd up to 0.150 mgd (Docket No. 20021021).

9. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek—Reichenbach), Lewis Township, Lycoming County, Pa. Surface water withdrawal of up to 1.500 mgd.

10. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek—Wascher), Lewis

Township, Lycoming County, Pa. Surface water withdrawal of up to 1.500 mgd.

11. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek—Schaefer), McIntyre Township, Lycoming County, Pa. Surface water withdrawal of up to 1.500 mgd.

12. Project Sponsor and Facility: Sunbury Generation LP, Monroe Township and Shamokin Dam Borough, Snyder County, Pa. Modification for use of up to 0.100 mgd of the approved surface water withdrawal by natural gas companies (Docket No. 20081222).

#### Public Hearing—Project Tabled

1. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek—Parent), McIntyre Township, Lycoming County, Pa. Application for surface water withdrawal of up to 1.500 mgd.

#### Public Hearing—Rescission of Project Approval

1. Project Sponsor: Eastern American Energy Corporation. Pad ID: Whitetail Gun and Rod Club #1, ABR-20090418, Goshen Township, Clearfield County, Pa.

The Commission also authorized the executive director to hereafter rescind approvals granted under 18 CFR Section 806.22.

#### Public Hearing—Request for Extension From Sunnyside Ethanol, LLC

The Commission tabled until its March 2010 meeting a request from Sunnyside Ethanol, LLC (Docket No. 20061203), Curwensville Borough, Clearfield County, Pa., for a two-year extension of its three-year time limit to commence water use following Commission approval.

#### Public Hearing—Regulatory Program Fee Schedule

The Commission adopted a revised Regulatory Program Fee Schedule. The revisions adjust categorical fees, make format changes, and include a new compliance and monitoring fee table to apply only to projects approved or modified after December 31, 2009. Future revisions to the fee schedule will be made on a fiscal year basis.

#### Public Hearing—Comprehensive Plan Amendments

The Commission amended its comprehensive plan to include the newly adopted Water Resources Program (FY 2010/2011), the Low Flow Monitoring Plan, and all projects approved by the Commission during 2009. Future revisions to the

comprehensive plan will be made on a fiscal year basis.

**Authority:** Pub. L. 91-575, 84 Stat. 1509 *et seq.*, 18 CFR Parts 806, 807, and 808.

Dated: February 24, 2010.

**Stephanie L. Richardson,**  
*Secretary to the Commission.*

[FR Doc. 2010-5418 Filed 3-11-10; 8:45 am]

**BILLING CODE 7040-01-P**

---

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Public Comments for Multilateral Negotiations in the World Trade Organization on Expansion of the Lists of Pharmaceutical Products Receiving Zero Duties

**AGENCY:** Office of the United States Trade Representative.

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

**SUMMARY:** The Trade Policy Staff Committee (TPSC) is requesting written comments from the public with respect to the expansion of the list of pharmaceuticals subject to reciprocal duty elimination by certain members of the World Trade Organization (WTO). The specific information being sought is described in the background section below.

**DATES:** Public comments are due by midnight, April 9, 2010.

**FOR FURTHER INFORMATION CONTACT:** For procedural questions concerning public comments, contact Gloria Blue, Executive Secretary, TPSC, Office of the USTR, 1724 F Street, NW., Washington, DC 20508, telephone (202) 395-3475. Questions concerning the expansion of the list of pharmaceutical products receiving zero duties should be addressed to Fred Fischer or Mary Thornton, Office of Small Business, Market Access, and Industrial Competitiveness, USTR, telephone (202) 395-5656.

**SUPPLEMENTARY INFORMATION:** The Chairman of the TPSC invites comments in writing from the public on the expansion of the lists of pharmaceutical products receiving duty-free treatment from certain Members of the WTO, specifically additions to the lists of pharmaceutical active ingredients; prefixes and suffixes that could be associated with an active ingredient in order to designate its salt, ester or hydrate form; or chemical intermediates intended for the manufacture of pharmaceutical active ingredients. Negotiations will begin in the latter part

of April 2010 in the WTO with a view to adding new pharmaceuticals to the list of products subject to a zero tariff rate. Any amendments to the lists of pharmaceuticals will be subject to approval by all participants in the negotiations. A copy of the initial lists of proposed items is available on the USTR Web site at: <http://www.ustr.gov> under the "Federal Register Notices" tab in the middle of the home page. The list is also available on the Regulations.gov Web site at: <http://www.regulations.gov> under the keyword "USTR-2010-0006."

### 1. Background Information

During the Uruguay Round of multilateral trade negotiations, the United States and 16 trading partners agreed to the reciprocal elimination of duties on approximately 7,000 pharmaceutical products and chemical intermediates on January 1, 1995. Participants also agreed to periodically update the lists of pharmaceuticals subject to a zero tariff rate. As a result of multilateral negotiations under the auspices of the WTO during 1996 and again in 1998, the United States and other participants in the negotiations eliminated duties on an additional 750 international nonproprietary names (INNs) and chemical intermediates on April 1, 1997. An additional 630 such products were added on July 1, 1999. The most recent update incorporating 1,300 additional products were added on December 29, 2006 (72 FR 429, January 4, 2007).

The Pharmaceutical Appendix to the Harmonized Tariff Schedule of the United States (HTSUS) enumerates the products and chemical intermediates that are eligible to enter free of duty. An electronic version of the HTSUS can be found at: <http://www.usitc.gov> and on the Web site. The current Pharmaceutical Appendix to the HTSUS can be found at: <http://www.usitc.gov/publications/docs/tata/hts/bychapter/1000PHARMAPPX.pdf>.

The Pharmaceutical Appendix of the HTSUS consists of three tables. Table 1 lists active pharmaceutical ingredients and dosage-form products by their INNs from the World Health Organization (WHO). (Table 1 currently includes INNs from WHO lists 1-93.) Prefixes and suffixes that could be associated with the INNs in Table 1, potentially resulting in multiple permutations in derivatives, are enumerated in Table 2. Chemical intermediates intended for the manufacture of pharmaceuticals are listed in Table 3.

### 2. Public Comments

Comments are requested on pharmaceutical items which would be

in the interest of the United States to add to the WTO Pharmaceutical Agreement. Negotiators will be reviewing the INNs on the most recent WHO lists (i.e., lists 94-99) in this latest review cycle.

Comments pertaining to the pharmaceutical active ingredients covered by these lists need only provide the INN name and reference the appropriate WHO list. If that information is not available, the following information must be supplied for each pharmaceutical active ingredient or chemical intermediate to provide the technical basis for reviewing the submissions: (1) The precise chemical name; (2) the Chemical Abstracts Service (CAS) registry number; (3) a diagram of the molecular structure; and (4) the six-digit Harmonized System classification number. Submissions of chemical intermediates also must provide the INN and chemical name of the active ingredient into which the intermediate is incorporated, the CAS number of this active ingredient, and a diagram of the molecular structure of this active ingredient. In addition, submissions of chemical intermediates must demonstrate that the product meets the following conditions: (1) The chemical is a sole-pharmaceutical use intermediate; (2) some portion of the intermediate is incorporated in the final active ingredient molecule, and (3) the intermediate is used in producing an active ingredient that has reached at least Phase III of clinical trials of the Food and Drug Administration (or other national equivalent).

Comments pertaining to the additions to the list of prefixes or suffixes for salt, ester or hydrate forms of an INN active ingredient should state a rationale for the nomination. Only comments containing all of the above information will be considered in developing U.S. positions for the negotiations.

### 3. Requirements for Submissions

Persons submitting comments must do so in English and must identify (on the first page of the submission) the "Pharmaceutical Appendix Update." In order to be assured of consideration, comments should be submitted by April 9, 2010.

In order to ensure the timely receipt and consideration of comments, USTR strongly encourages commenters to make on-line submissions, using the <http://www.regulations.gov> Web site. Comments should be submitted under the following docket: USTR-2010-0006. To find the docket, enter the docket number in the "Enter Keyword or ID" window at the <http://>

[www.regulations.gov](http://www.regulations.gov) home page and click "Search." The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting "Notices" under "Document Type" on the search-results page, and click on the link entitled "Submit a Comment." (For further information on using the [www.regulations.gov](http://www.regulations.gov) Web site, please consult the resources provided on the Web site by clicking on the "Help" tab.)

The <http://www.regulations.gov> Web site provides the option of making submissions by filling in a comments field, or by attaching a document. USTR prefers submissions to be provided in an attached document. If a document is attached, it is sufficient to type "See attached" in the "Type comment & Upload File" field. USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If the submission is in an application other than those two, please indicate the name of the application in the "Comments" field.

For any comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters "BC." Any page containing business confidential information must be clearly marked "BUSINESS CONFIDENTIAL" on the top of that page. Filers of submissions containing business confidential information must also submit a public version of their comments. The file name of the public version should begin with the character "P." The "BC" and "P" should be followed by the name of the person or entity submitting the comments or reply comments. Filers submitting comments containing no business confidential information should name their file using the character "P," followed by the name of the person or entity submitting the comments.

Please do not attach separate cover letters to electronic submissions; rather, include any information that might appear in a cover letter in the comments themselves. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments in the same file as the submission itself, not as separate files.

### 4. Public Inspection of Submissions

Comments will be placed in the docket and open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15. Comments may be viewed on the <http://www.regulations.gov> Web site by entering docket number USTR-2010-

0006 in the search field on the home page.

USTR strongly urges submitters to file comments through regulations.gov, if at all possible. Any alternative arrangements must be made with Ms. Blue in advance of transmitting a comment. Ms. Blue should be contacted at (202) 395-3475. General information concerning USTR is available at <http://www.ustr.gov>.

**Carmen Suro-Bredie,**

*Chair, Trade Policy Staff Committee.*

[FR Doc. 2010-5482 Filed 3-11-10; 8:45 am]

**BILLING CODE 3190-W0-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending February 27, 2010

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* DOT-OST-2010-0048.

*Date Filed:* February 25, 2010.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* March 18, 2010.

*Description:* Application of ACG Air Cargo Germany GmbH ("ACG") requesting a foreign air carrier permit to the full extent authorized by the Air Transport Agreement between the United States and the European Community and the Member States of the European Community to enable it to engage in: (i) Foreign scheduled and charter air transportation of property and mail from any point or points behind any Member State of the European Union via any point or points in any Member State and via intermediate points to any point or points in the United States and beyond; (ii) foreign scheduled and charter air

transportation of property and mail between any point or points in the United States and any point or points in any member of the European Common Aviation Area; (iii) foreign scheduled and charter air transportation of property and mail between the United States and any point or points; (iv) other charters pursuant to prior approval requirements; and (v) transportation authorized by any additional route rights made available to European Community carriers in the future. ACG further requests exemption authority to the extent necessary to enable it to provide the services described above pending the issuance of a foreign air carrier permit and such additional or other relief as the Department may deem necessary or appropriate.

*Docket Number:* DOT-OST-2010-0049.

*Date Filed:* February 25, 2010.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* March 18, 2010.

*Description:* Application of TUI Airlines Nederland, B.V. d/b/a Arkefly (Arkefly) requesting an exemption and a foreign air carrier permit authorizing Arkefly to conduct operations to and from the United States to the full extent authorized by the United States-European Union Air Transport Agreement, including authority to engage in: (i) Charter foreign air transportation of persons, property and mail from any point(s) behind any Member State(s) of the European Community via any point(s) in any Member State(s) and intermediate points to any point(s) in the United States and beyond; (ii) charter Foreign air transportation of persons, property and mail between any point(s) in the United States and any point(s) in any member of the European Common Aviation Area; (iii) charter foreign cargo air transportation between any point(s) in the United States and any other point(s); (iv) other charters pursuant to the prior approval requirements; and (v) transportation authorized by any additional route or other right(s) made available to European Community carrier in the future. Arkefly also registers its trade name pursuant to Part 215.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 2010-5409 Filed 3-11-10; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending February 27, 2010

The following Agreements were filed with the Department of Transportation under sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1382 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* DOT-OST-2010-0050.

*Date Filed:* February 26, 2010.

*Parties:* Members of the International Air Transport Association.

*Subject:* PTC COMP Mail Vote 620, Resolution 024d, Currency Names, Codes, Rounding Units and Acceptability of currencies. Intended effective date: 1 April 2010.

*Docket Number:* DOT-OST-2010-0051.

*Date Filed:* February 26, 2010.

*Parties:* Members of the International Air Transport Association.

*Subject:* PTC COMP Mail Vote 626, Resolution 011a, Mileage Manual Non TC Member/Non IATA Carrier Sectors. Intended effective date: 15 March for implementation 1 April 2010.

*Docket Number:* DOT-OST-2010-0053.

*Date Filed:* February 26, 2010.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 625—Resolution 010p, TC3 Japan, Korea-South East Asia, Special Passenger Amending Resolution from Korea (Rep. of) to Guam, Northern Mariana Islands (Memo 1357). Intended effective date: 22 February 2010.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 2010-5412 Filed 3-11-10; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Research and Innovative Technology Administration

[Docket Number: RITA-2008-0002]

#### Notice of Request for Approval To Collect New Information: Collection of Safety Culture Data

**AGENCY:** Bureau of Transportation Statistics (BTS), Research and Innovative Technology Administration (RITA), DOT.