

the proposed rates are equitable in that they apply uniformly to all Members. The Exchange believes the fees and credits remain competitive with those charged by other venues and therefore continue to be reasonable and equitably allocated to Members.

#### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

#### *C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others*

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

### **III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Act<sup>10</sup> and Rule 19b-4(f)(2)<sup>11</sup> thereunder. At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

### **IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-EDGX-2011-03 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-EDGX-2011-03. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission,<sup>12</sup> all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-EDGX-2011-03 and should be submitted on or before March 3, 2011.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

**Cathy H. Ahn,**  
*Deputy Secretary.*

[FR Doc. 2011-2950 Filed 2-9-11; 8:45 am]

**BILLING CODE 8011-01-P**

### **SMALL BUSINESS ADMINISTRATION** **[Disaster Declaration # 12461 and # 12462]**

#### **Maine Disaster # ME-00028**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of *Maine* (FEMA-1953-DR), dated 02/01/2011.

<sup>12</sup> The text of the proposed rule change is available on Exchange's Web site at <http://www.directedge.com>, on the Commission's Web site at <http://www.sec.gov>, at EDGX, and at the Commission's Public Reference Room.

<sup>13</sup> 17 CFR 200.30-3(a)(12).

*Incident:* Severe Storms and Flooding.  
*Incident Period:* 12/12/2010 through 12/19/2010.

**DATES:** Effective Date: 02/01/2011.

*Physical Loan Application Deadline Date:* 04/04/2011.

*Economic Injury (EIDL) Loan Application Deadline Date:* 11/01/2011.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 02/01/2011, Private Non-Profit organizations that provide essential services of governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* Aroostook; Piscataquis; Washington. And the Tribal Lands of the Passamaquoddy Tribe located entirely within Washington County.  
The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Non-Profit Organizations With Credit Available Elsewhere ..	3.250
Non-Profit Organizations Without Credit Available Elsewhere: .....	3.000
<i>For Economic Injury:</i>	
Non-Profit Organizations Without Credit Available Elsewhere: .....	3.000

The number assigned to this disaster for physical damage is 12461B and for economic injury is 12462B.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**  
*Associate Administrator for Disaster Assistance.*

[FR Doc. 2011-2977 Filed 2-9-11; 8:45 am]

**BILLING CODE 8025-01-P**

### **SMALL BUSINESS ADMINISTRATION** **[Disaster Declaration #12459 and #12460]**

#### **California Disaster #CA-00162**

**AGENCY:** U.S. Small Business Administration.

<sup>10</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>11</sup> 17 CFR 19b-4(f)(2).

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of California dated 02/02/2011.

*Incident:* Severe Winter Storms, Flooding, and Debris and Mud Flows.  
*Incident Period:* 12/17/2010 through 01/04/2011.

*Effective Date:* 02/02/2011.

*Physical Loan Application Deadline Date:* 04/04/2011.

*Economic Injury (EIDL) Loan Application Deadline Date:* 11/02/2011.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* Orange, San Bernardino, San Luis Obispo.

*Contiguous Counties:*

California: Inyo, Kern, Kings, Los Angeles, Monterey, Riverside, San Diego, Santa Barbara.

Arizona: La Paz, Mohave.

Nevada: Clark.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners With Credit Available Elsewhere .....	4.500
Homeowners Without Credit Available Elsewhere .....	2.250
Businesses With Credit Available Elsewhere .....	6.000
Businesses Without Credit Available Elsewhere .....	4.000
Non-Profit Organizations With Credit Available Elsewhere .....	3.250
Non-Profit Organizations Without Credit Available Elsewhere .....	3.000
<i>For Economic Injury:</i>	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere .....	4.000
Non-Profit Organizations Without Credit Available Elsewhere .....	3.000

The number assigned to this disaster for physical damage is 12459 B and for economic injury is 12460 0.

The States which received an EIDL Declaration # are California, Arizona, Nevada.

Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: February 2, 2011.

**Karen G. Mills,**

*Administrator.*

[FR Doc. 2011-2979 Filed 2-9-11; 8:45 am]

**BILLING CODE 8025-01-P**

## DEPARTMENT OF STATE

[Public Notice: 7332]

### Department of State Performance Review Board Members

In accordance with section 4314(c)(4) of 5 United States Code, the Department of State has appointed the following individuals to the Department of State Performance Review Board for Non-Career Senior Executive Service members:

Jeanne-Marie Smith, Chairperson, Senior Advisor, Deputy Secretary for Management and Resources, Department of State;

Kris M. Balderston, Special Representative, Global Partnership Initiative, Department of State; and Cheryl Ann Benton, Deputy Assistant Secretary, Bureau of Public Affairs.

Dated: February 2, 2011.

**Nancy J. Powell,**

*Director General of the Foreign Service and Director of Human Resources, Department of State.*

[FR Doc. 2011-3006 Filed 2-9-11; 8:45 am]

**BILLING CODE 4710-15-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice To Rescind a Notice of Intent To Prepare an Environmental Impact Statement on Seattle Ferry Terminal (Colman Dock) in Seattle, WA

**AGENCY:** Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), Department of Transportation.

**ACTION:** Notice to rescind a notice of intent to prepare an environmental impact statement.

**SUMMARY:** The Federal Transit Administration and Federal Highway Administration, in cooperation with the Washington State Department of Transportation, Ferries Division (WSF), are rescinding the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) that had been proposed

to improve the ferry facilities at Seattle Ferry Terminal (Colman Dock) in Seattle, Washington. That NOI was published in the **Federal Register** on March 17, 2006, at 71 FR 13892.

**FOR FURTHER INFORMATION CONTACT:** Pete Jilek, Urban Area Engineer, Federal Highway Administration, Washington Division, at (360) 753-9550; Daniel Drais, Environmental Protection Specialist, Federal Transit Administration, Region 10, at (206) 220-4465.

**SUPPLEMENTARY INFORMATION:** After a lengthy cessation of work on the project described in the NOI found at 71 FR 13892, WSF reconsidered the project's purpose and need and the available resources. WSF has concluded the project it intended to pursue in 2006 will not be carried out in the foreseeable future. As such, the NOI is being rescinded.

Issued On: February 3, 2011.

**Peter A. Jilek,**

*Urban Area Engineer.*

[FR Doc. 2011-2830 Filed 2-9-11; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2010-0022]

#### Parts and Accessories Necessary for Safe Operation; Brakes; Application for Exemption From Innovative Electronics

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** FMCSA requests public comment on an application for exemption from Innovative Electronics regarding the use of trailer-mounted electric brake controllers, which monitor and actuate trailer brakes based on inertial forces developed in response to the braking action of the towing vehicle. While trailer-mounted electric brake controllers function like an electric surge brake, the Federal Motor Carrier Safety Regulations (FMCSRs) define a surge brake as a "self-contained, permanently closed hydraulic brake system" [Emphasis added.] As such, the use of trailer-mounted electric brake controllers on commercial motor vehicles is currently prohibited. Innovative Electronics is requesting a temporary exemption in advance of petitioning FMCSA for rulemaking to