

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648-XA010

**Pacific Fishery Management Council; Public Meeting**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Pacific Fishery Management Council's (Pacific Council) Tule Chinook Workgroup (TCW) will hold a meeting to review initial work products and revise future work plans relative to developing an abundance-based harvest management approach for Columbia River natural tule Chinook. This meeting of the TCW is open to the public.

**DATES:** The meeting will be held Thursday, December 9, 2010, from 9 a.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at the Pacific Council Office, Large Conference Room, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384; telephone: (503) 820-2280.

**FOR FURTHER INFORMATION CONTACT:** Mr. Chuck Tracy, Salmon Management Staff Officer, Pacific Fishery Management Council; telephone: (503) 820-2280.

**SUPPLEMENTARY INFORMATION:** This meeting of the TCW will involve review of initial work products and refining future work plans. Eventually, TCW work products will be reviewed by the Council, and if approved, would be submitted to NMFS for possible consideration in the next Lower Columbia River tule biological opinion for ocean salmon seasons in 2012 and beyond, and distributed to State and Federal recovery planning processes. In the event a usable approach emerges from this process, the Council may consider a fishery management plan (FMP) amendment process beginning after November 2011 to adopt the approach as a formal conservation objective in the Salmon FMP.

Although non-emergency issues not contained in the meeting agenda may come before the TCW for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and

Management Act, provided the public has been notified of the intent to take final action to address the emergency.

**Special Accommodations**

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820-2280 at least 5 days prior to the meeting date.

Dated: October 26, 2010.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2010-27392 Filed 10-28-10; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE****National Institute of Standards and Technology****National Fire Protection Association (NFPA) Proposes To Revise Codes and Standards**

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice.

**SUMMARY:** The National Fire Protection Association (NFPA) proposes to revise some of its safety codes and standards and requests proposals from the public to amend existing or begin the process of developing new NFPA safety codes and standards. The purpose of this request is to increase public participation in the system used by NFPA to develop its codes and standards. The publication of this notice of request for proposals by the National Institute of Standards and Technology (NIST) on behalf of NFPA is being undertaken as a public service; NIST does not necessarily endorse, approve, or recommend any of the standards referenced in the notice.

The NFPA process provides ample opportunity for public participation in the development of its codes and standards. All NFPA codes and standards are revised and updated every three to five years in Revision Cycles that begin twice each year and take approximately two years to complete. Each Revision Cycle proceeds according to a published schedule that includes final dates for all major events in the process. The code revision Process contains five basic steps that are followed for developing new documents as well as revising existing documents: Call for Proposals; Publishing the Report on Proposals (ROP); Call for Comments on the Committee's disposition of the Proposals and publication of these

Comments in the Report on Comments (ROC); the Association Technical Meeting at the NFPA Conference & Expo; and finally, the Standards Council Consideration and Issuance of documents.

**Note:** Anyone wishing to make Amending Motions on the Technical Committee Reports (ROP and ROC) must signal his or her intention by submitting a Notice of Intent to Make a Motion by the Deadline stated in the ROC. Certified motions will then be posted on the NFPA Web site. Documents that receive notice of proper Amending Motions (Certified Amending Motions) will be presented for action at the annual June Association Technical Meeting. Documents that receive no motions will be forwarded directly to the Standards Council for action on issuance.

For more information on these new rules and for up-to-date information on schedules and deadlines for processing NFPA Documents, check the NFPA Web site at <http://www.nfpa.org>, or contact NFPA Codes and Standards Administration.

**DATES:** Interested persons may submit proposals on or before the dates listed with the standards.

**ADDRESSES:** Amy Beasley Cronin, Secretary, Standards Council, NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471.

**FOR FURTHER INFORMATION CONTACT:** Amy Beasley Cronin, Secretary, Standards Council, at above address, (617) 770-3000.

**SUPPLEMENTARY INFORMATION:****Background**

The National Fire Protection Association (NFPA) develops building, fire, and electrical safety codes and standards. Federal agencies frequently use these codes and standards as the basis for developing Federal regulations concerning safety. Often, the Office of the Federal Register approves the incorporation by reference of these standards under 5 U.S.C. 552(a) and 1 CFR Part 51.

When a Technical Committee begins the development of a new or revised NFPA code or standard, it enters one of two Revision Cycles available each year. The Revision Cycle begins with the Call for Proposals, that is, a public notice asking for any interested persons to submit specific written proposals for developing or revising a code or standard. The Call for Proposals is published in a variety of publications. Interested parties have approximately twenty weeks to respond to the Call for Proposals.

Following the Call for Proposals period, the Technical Committee holds

a meeting to consider and accept, reject or revise, in whole or in part, all the submitted Proposals. The committee may also develop its own Proposals. A document known as the Report on Proposals, or ROP, is prepared containing all the Public Proposals, the Technical Committees' action on each Proposal, as well as all Committee-generated Proposals. The ROP is then submitted for the approval of the Technical Committee by a formal written ballot. If the ROP does not receive approval by a two-thirds vote calculated in accordance with NFPA rules, the Report is returned to the committee for further consideration and is not published. If the necessary approval is received, the ROP is published in a compilation of Reports on Proposals issued by NFPA twice yearly for public review and comment, and the process continues to the next step.

The Reports on Proposals are sent automatically free of charge to all who submitted Proposals and each Committee member, as well as anyone else who requests a copy. All ROPs are also available for free downloading at <http://www.nfpa.org>.

Once the ROP becomes available, there is a 60-day comment period during which anyone may submit a Public Comment on the proposed changes in the ROP. The Committee then reconvenes at the end of the comment period and acts on all Comments.

As before, a two-thirds approval vote by written ballot of the eligible members of the Committee is required for approval of actions on the Comments. All of this information is compiled into a second report, called the Report on Comments (ROC), which, like the ROP, is published, and is made available for public review for a seven-week period.

The process of public input and review does not end with the publication of the ROP and ROC. Following the completion of the Proposal and Comment periods, there is a further opportunity for debate and discussion through the Association Technical Meeting that take place at the NFPA Conference & Expo.

The Association Technical Meeting provides an opportunity for the final Technical Committee Report (*i.e.*, the ROP and ROC) on each proposed new or revised code or standard to be presented to the NFPA membership for the debate and consideration of motions to amend the Report. Before making an allowable motion at an Association Technical Meeting, the intended maker of the motion must file, in advance of the session, and within the published deadline, a Notice of Intent to Make a Motion. A Motions Committee appointed by the Standards Council then reviews all notices and certifies all amending motions that are proper. Only these Certified Amending Motions, together with certain allowable Follow-Up Motions (that is, motions that have become necessary as a result of previous

successful amending motions) will be allowed at the Association Technical Meeting.

For more information on dates/locations of NFPA Technical Committee meetings and NFPA Annual Association Technical Meeting, check the NFPA Web site at: <http://www.nfpa.org/itemDetail.asp?categoryID=822&itemID=22818>.

The specific rules for the types of motions that can be made are who can make them are set forth in NFPA's Regulation Governing Committee Projects which should always be consulted by those wishing to bring an issue before the membership at an Association Technical Meeting.

Interested persons may submit proposals, supported by written data, views, or arguments, to Amy Beasley Cronin, Secretary, Standards Council, NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471. Proposals should be submitted on forms available from the NFPA Codes and Standards Administration Office, or from NFPA's Web site at <http://www.nfpa.org>.

Each person must include his or her name and address, identify the code or standard, and give reasons for the proposal. Proposals received by 5 p.m. EDT/EDST on or before the closing date indicated with each code or standard would be acted on by the respective Committee, and then considered by the NFPA Membership at the Association Technical Meeting.

Document— Edition	Document title	Proposal closing date
NFPA 17—2009	Standard for Dry Chemical Extinguishing Systems .....	5/23/2011
NFPA 17A— 2009.	Standard for Wet Chemical Extinguishing Systems .....	5/23/2011
NFPA 20—2010	Standard for the Installation of Stationary Pumps for Fire Protection .....	11/23/2010
NFPA 36—2009	Standard for Solvent Extraction Plants .....	5/23/2011
NFPA 51—2007	Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting, and Allied Processes.	11/23/2010
NFPA 52—2010	Vehicular Gaseous Fuel Systems Code .....	5/23/2011
NFPA 55—2010	Compressed Gases and Cryogenic Fluids Code .....	11/23/2010
NFPA 61—2008	Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities .....	11/23/2010
NFPA 70B— 2010.	Recommended Practice for Electrical Equipment Maintenance .....	5/23/2011
NFPA 72—2010	National Fire Alarm and Signaling Code .....	11/5/2010
NFPA 77—2007	Recommended Practice on Static Electricity .....	5/23/2011
NFPA 80—2010	Standard for Fire Doors and Other Opening Protectives .....	11/23/2010
NFPA 101A— 2010.	Guide on Alternative Approaches to Life Safety .....	11/23/2010
NFPA 105— 2010.	Standard for the Installation of Smoke Door Assemblies and Other Opening Protectives .....	11/23/2010
NFPA 110— 2010.	Standard for Emergency and Standby Power Systems .....	11/23/2010
NFPA 111— 2010.	Standard on Stored Electrical Energy Emergency and Standby Power Systems .....	11/23/2010
NFPA 130— 2010.	Standard for Fixed Guideway Transit and Passenger Rail Systems .....	11/23/2010
NFPA 140— 2008.	Standard on Motion Picture and Television Production Studio Soundstages, Approved Production Facilities, and Production Locations.	5/23/2011
NFPA 225— 2009.	Model Manufactured Home Installation Standard .....	5/23/2011

Document— Edition	Document title	Proposal closing date
NFPA 259— 2008.	Standard Test Method for Potential Heat of Building Materials .....	5/23/2011
NFPA 260— 2009.	Standard Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture.	5/23/2011
NFPA 261— 2009.	Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes.	5/23/2011
NFPA 270— 2008.	Standard Test Method for Measurement of Smoke Obscuration Using a Conical Radiant Source in a Single Closed Chamber.	5/23/2011
NFPA 274— 2009.	Standard Test Method to Evaluate Fire Performance Characteristics of Pipe Insulation .....	5/23/2011
NFPA 289— 2009.	Standard Method of Fire Test for Individual Fuel Packages .....	5/23/2011
NFPA 290— 2009.	Standard for Fire Testing of Passive Protection Materials for Use on LP-Gas Containers .....	5/23/2011
NFPA 301— 2008.	Code for Safety to Life from Fire on Merchant Vessels .....	11/23/2010
NFPA 400— 2010.	Hazardous Materials Code .....	11/23/2010
NFPA 402— 2008.	Guide for Aircraft Rescue and Fire-Fighting Operations .....	10/8/2010
NFPA 415— 2008.	Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways .....	11/23/2010
NFPA 424— 2008.	Guide for Airport/Community Emergency Planning .....	10/8/2010
NFPA 450— 2009.	Guide for Emergency Medical Services and Systems .....	11/23/2010
NFPA 472— 2008.	Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents ....	11/23/2010
NFPA 473— 2008.	Standard for Competencies for EMS Personnel Responding to Hazardous Materials/Weapons of Mass Destruction Incidents.	11/23/2010
NFPA 495— 2010.	Explosive Materials Code .....	5/23/2011
NFPA 496— 2008.	Standard for Purged and Pressurized Enclosures for Electrical Equipment .....	5/23/2011
NFPA 498— 2010.	Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives .....	5/23/2011
NFPA 501A— 2009.	Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities .....	5/23/2011
NFPA 501— 2010.	Standard on Manufactured Housing .....	5/23/2011
NFPA 555— 2009.	Guide on Methods for Evaluating Potential for Room Flashover .....	11/23/2010
NFPA 705— 2009.	Recommended Practice for a Field Flame Test for Textiles and Films .....	5/23/2011
NFPA 909— 2010.	Code for the Protection of Cultural Resources Properties—Museums, Libraries, and Places of Worship .....	5/23/2011
NFPA 1001— 2008.	Standard for Fire Fighter Professional Qualifications .....	11/23/2010
NFPA 1122— 2008.	Code for Model Rocketry .....	11/23/2010
NFPA 1127— 2008.	Code for High Power Rocketry .....	11/23/2010
NFPA 1144— 2008.	Standard for Reducing Structure Ignition Hazards from Wildland Fire .....	11/23/2010
NFPA 1221— 2010.	Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems .....	11/23/2010
NFPA 1404— 2006.	Standard for Fire Service Respiratory Protection Training .....	5/23/2011
NFPA 1500— 2007.	Standard on Fire Department Occupational Safety and Health Program .....	11/23/2010
NFPA 1582— 2007.	Standard on Comprehensive Occupational Medical Program for Fire Departments .....	11/23/2010
NFPA 1851— 2008.	Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting.	11/30/2010

\* Proposed NEW document drafts are available from NFPA's Web site—<http://www.nfpa.org>, or may be obtained from NFPA's Codes and Standards Administration, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471.

Dated: October 22, 2010.

**Harry S. Hertz,**

*Director, Baldrige Performance Excellence Program.*

[FR Doc. 2010-27434 Filed 10-28-10; 8:45 am]

BILLING CODE 3510-13-P

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

**Action Affecting Export Privileges; Orion Air, S.L. and Syrian Pearl Airlines: Orion Air, S.L., Canada Real de Merinas, 7 Edificio 5, 3'A, Eissenhower Business Center, 28042 Madrid, Spain; and Ad. de las Cortes Valencianas no 37, Esc. A Puerta 45 46015 Valencia, Spain; and Syrian Pearl Airlines, Damascus International Airport, Damascus, Syria, Respondents**

### Order Renewing Temporary Denial of Export Privileges

Pursuant to Section 766.24 of the Export Administration Regulations, 15 CFR Parts 730-774 (2010) ("EAR" or the "Regulations"), I hereby grant the request of the Bureau of Industry and Security ("BIS") to renew for 180 days the Order Temporarily Denying the Export Privileges of Respondents Orion Air, S.L. ("Orion Air") and Syrian Pearl Airlines (collectively, "Respondents"), as I find that renewal of the temporary denial order ("TDO" or the "Order") is necessary in the public interest to prevent an imminent violation of the EAR.

### I. Procedural History

On May 7, 2009, then-Acting Assistant Secretary of Commerce for Export Enforcement Kevin Delli-Colli signed an Order Temporarily Denying the Export Privileges of the Respondents for 180 days on the grounds that its issuance was necessary in the public interest to prevent an imminent violation of the Regulations. Pursuant to Section 766.24(a), the TDO was issued *ex parte* and was effective upon issuance. Copies of the TDO were sent to each Respondent in accordance with Section 766.5 of the Regulations and the Order was published in the **Federal Register** on May 26, 2009.<sup>1</sup> Thereafter, on November 2, 2009, Acting Assistant Secretary Delli-Colli issued an Order

renewing the TDO for an additional 180 days.<sup>2</sup>

On April 29, 2010, I renewed the TDO against the Respondents for an additional 180 days. That renewal was effective upon issuance and was published in the **Federal Register** on May 7, 2010.<sup>3</sup> The current Order would expire on October 26, 2010, unless renewed in accordance with Section 766.24 of the Regulations.

On October 5, 2010, BIS, through its Office of Export Enforcement ("OEE"), filed a written request for renewal of the TDO against the Respondents for an additional 180 days. A copy of this request was delivered to the Respondents in accordance with Section 766.5 of the Regulations. No opposition to renewal of the TDO has been received from either Orion Air or Syrian Pearl Airlines.

### II. Discussion

#### A. Legal Standard

Pursuant to section 766.24(d)(3) of the EAR, the sole issue to be considered in determining whether to continue a TDO is whether the TDO should be renewed to prevent an imminent violation of the EAR, as "imminent" violation is defined in Section 766.24. "A violation may be 'imminent' either in time or in degree of likelihood." 15 CFR 766.24(b)(3). BIS may show "either that a violation is about to occur, or that the general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations." *Id.* As to the likelihood of future violations, BIS may show that "the violation under investigation or charges is significant, deliberate, covert and/or likely to occur again, rather than technical and negligent[.]" *Id.* A "lack of information establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation." *Id.*

#### B. Findings

As part of its initial TDO request, BIS presented evidence that on or about May 1, 2009, Orion Air re-exported a BAE 146-300 aircraft (tail number EC-JVO) to Syria, and specifically to Syrian Pearl Airlines, without the U.S. Government authorization required by General Order No. 2 of Supplement 1 to Part 736 of the EAR. The aircraft is subject to the Regulations because it

contains greater than a 10-percent de minimis amount of U.S.-origin content. Orion Air engaged in this re-export transaction despite having been directly informed of the export licensing requirements by the U.S. Government. Moreover, Orion Air not only engaged in this conduct after having received actual as well as constructive notice of the applicable license requirements, but then sought to evade the Regulations and U.S. export controls by giving the U.S. Government false assurances that it would put the transaction on hold due to the U.S. Government's concerns.

BIS also produced evidence that the re-exported aircraft bore the livery, colors and logos of Syrian Pearl Airlines, a national of Syria, a Country Group E:1 destination; was flight capable; and under the terms of the lease agreement was to be based in and operated out of Syria during the lease term. The record also shows that the re-exported aircraft currently remains in Syria under the control of Syrian Pearl Airlines.

In addition to the unauthorized re-export described above, Acting Assistant Secretary Delli-Colli also concluded that additional violations were imminent based on statements by Orion Air to the U.S. Government in May 2009 that Orion Air planned to re-export an additional BAE 146-300 aircraft (tail number EC-JVJ) to Syria, and specifically to Syrian Pearl Airlines. This second aircraft was at the time undergoing maintenance in the United Kingdom, and remains located there. Moreover, the agreement between Orion Air and Syrian Pearl Airlines involved both aircraft being re-exported to Syria for Syrian Pearl Airlines' use and benefit.

Based on my review of the record, I find that the facts and circumstances that led to the issuance of the initial TDO and subsequent renewal Orders continue to show that renewal of the TDO for an additional 180 days is necessary and in the public interest to prevent an imminent violation of the EAR. Absent renewal of the TDO, there remains a substantial continued risk that the second aircraft will be re-exported contrary to the Regulations, given that, *inter alia*, Orion Air acted with actual knowledge and took deceptive and evasive action. This finding alone would justify renewal. Additionally, there remains a substantial risk that, absent renewal of the TDO, the first aircraft, which remains in Syria, would be operated or disposed of in violation of the Regulations. Furthermore, renewal of the TDO is needed to give notice to persons and companies in the United

<sup>2</sup> The November 2, 2009 renewal Order was effective immediately and was published in the **Federal Register** on November 9, 2009 (74 FR 57,626).

<sup>3</sup> 75 FR 25,202.

<sup>1</sup> 74 FR 24,786.