

The proposed rule change also provides that Dual Members will be subject to FINRA's disciplinary procedures, including FINRA's current \$2,500 maximum fine level for minor rule violations of either an NASD or NYSE rule included in FINRA's MRVP. While there are some distinctions between NASD's and NYSE's rules, both sets of rules applicable to the disciplinary process were previously approved by the Commission as consistent with the Exchange Act, generally following notice and comment.<sup>14</sup> Accordingly, although Dual Members and their associated persons no longer would be subject to NYSE's disciplinary procedures with respect to the Incorporated NYSE Rules, but to FINRA's instead, the Commission finds that the proposed rule change should help ensure greater consistency in the administration of the disciplinary process for FINRA and its members, as well as in the related reporting obligations for minor violations of rules.

#### IV. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Exchange Act,<sup>15</sup> that the proposed rule change (SR-NASD-2007-055), be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>16</sup>

Nancy M. Morris,  
Secretary.

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BILLING CODE 8011-01-P

## SUSQUEHANNA RIVER BASIN COMMISSION

### Notice of Actions Taken at September 12, 2007 Meeting

**AGENCY:** Susquehanna River Basin Commission.

**ACTION:** Notice of Commission Actions.

**SUMMARY:** At its regular business meeting on September 12, 2007 in Binghamton, New York, the Commission: (1) Convened a panel session on New York State's involvement in the Chesapeake Bay Program, (2) approved a proposed rulemaking action to amend the

<sup>14</sup> See Securities Exchange Act Release Nos. 21688 (January 25, 1985), 50 FR 5025 (February 5, 1985) (order approving NYSE's Rule 476A—Imposition of Fines for Minor Violation(s) of Rules); and 32383 (May 28, 1993), 58 FR 31768 (June 4, 1993) (order approving establishment of NASD's Minor Rule Violations Plan).

<sup>15</sup> 15 U.S.C. 78s(b)(2).

<sup>16</sup> 17 CFR 200.30-3(a)(12).

consumptive use provisions of 18 CFR Part 806 relating to agricultural water use, and (3) approved a grant and four contracts. It also conducted a public hearing to approve certain water resources projects and rescind one docket approval. See the

**SUPPLEMENTARY INFORMATION** section below for more details on these actions.

**DATES:** September 12, 2007.

**ADDRESSES:** Susquehanna River Basin Commission, 1721 N. Front Street, Harrisburg, PA 17102-2391.

**FOR FURTHER INFORMATION CONTACT:** Richard A. Cairo, General Counsel, telephone: (717) 238-0423; ext. 306; fax: (717) 238-2436; e-mail: [rcairo@srbc.net](mailto:rcairo@srbc.net) or Deborah J. Dickey, Secretary to the Commission, telephone: (717) 238-0422, ext. 301; fax: (717) 238-2436; e-mail: [ddickey@srbc.net](mailto:ddickey@srbc.net). Regular mail inquiries may be sent to the above address.

**SUPPLEMENTARY INFORMATION:** The September 12th agenda included a panel session focusing on New York State's involvement in the Chesapeake Bay Program and the active steps that New York is taking to participate in the effort to restore the Bay, including the implementation of a tributary strategy and other measures such as sewage treatment plant improvements, improved farming practices and constructed wetlands.

In regards to the proposed rulemaking action to amend the agricultural consumptive use provisions of 18 CFR part 806, notice thereof will be published in the **Federal Register** and in state notice publications. In addition, a public hearing will be scheduled and the public comment period will run until November 15, 2007. Comments may be submitted to Richard A. Cairo, General Counsel (e-mail: [rcairo@srbc.net](mailto:rcairo@srbc.net)), Susquehanna River Basin Commission, 1721 N. Front St., Harrisburg, PA 17102, or Deborah J. Dickey, Secretary to the Commission (e-mail: [ddickey@srbc.net](mailto:ddickey@srbc.net)) at the same address.

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

#### Public Hearing—Projects Approved

1. Project Sponsor and Facility: Town of Erwin (Wells 2 and 3, and ID Park Well 1), Steuben County, N.Y. Modification of groundwater approval (Docket No. 20070602).

2. Project Sponsor: South Slope Development Corporation. Project Facility: Song Mountain Ski Resort, Town of Preble, Cortland County, N.Y. Approval for surface water withdrawal of up to 3.705 mgd, when available,

from an unnamed tributary to Crooked Lake, groundwater withdrawal (Well MW-3) of 0.960 mgd as a 30-day average, and consumptive water use of up to 0.815 mgd.

3. Project Sponsor: AES Westover, LLC. Project Facility: AES Westover Generating Station, Town of Union and Village of Johnson City, Broome County, N.Y. Approval for surface water withdrawal of up to 97.300 mgd from the Susquehanna River and consumptive water use of up to 1.748 mgd.

4. Project Sponsor and Facility: Town of Cohocton (Well 3), Steuben County, N.Y. Approval of groundwater withdrawal of 0.072 mgd as a 30-day average.

5. Project Sponsor: Northampton Fuel Supply Company, Inc. Project Facility: Loomis Bank Operation, Hanover Township, Luzerne County, Pa. Modification of consumptive water use approval (Docket No. 20040904).

6. Project Sponsor: PPL Susquehanna, LLC. Project Facility: Susquehanna Steam Electric Station, Salem Township, Luzerne County, Pa. Approval for groundwater withdrawal of 0.125 mgd as a 30-day average, surface water withdrawal of up to 66.000 mgd from the Susquehanna River, modification of a consumptive water use approval of up to 48.000 mgd, and acceptance of a settlement offer from the Project Sponsor in the amount of \$500,000 to resolve a compliance issue at the Project Facility (Docket No. 19950301).

7. Project Sponsor: Bionol Clearfield LLC. Project Facility: Bionol-Clearfield, Clearfield Borough, Clearfield County, Pa. Approval for surface water withdrawal of up to 2.505 mgd from the West Branch Susquehanna River and consumptive water use of up to 2.000 mgd.

8. Project Sponsor and Facility: Walker Township Water Association (Snydertown Well 3), Walker Township, Centre County, Pa. Approval for groundwater withdrawal of 0.523 mgd as a 30-day average.

9. Project Sponsor and Facility: Bedford Township Municipal Authority (Bowman Wells 1 and 2), Bedford Township, Bedford County, Pa. Modification of groundwater withdrawal approval (Docket No. 19990502).

10. Project Sponsor and Facility: Dillsburg Area Authority (Well 7), Carroll Township, York County, Pa. Approval for groundwater withdrawal of 0.460 mgd as a 30-day average.

11. Project Sponsor: PPL Brunner Island, LLC. Project Facility: Brunner Island Steam Electric Station, East

Manchester Township, York County, Pa. Approval for surface water withdrawal of up to 835,000 mgd from the Susquehanna River and consumptive water use of up to 23,100 mgd.

*Public Hearing—Project Rescinded:*

1. Project Sponsor: Northampton Fuel Supply Company, Inc. (Docket No. 20040903). Project Facility: Prospect Bank Operation, Plains Township, Luzerne County, Pa.

**Authority:** Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806, 807, and 808.

Dated: September 19, 2007.

**Thomas W. Beauduy,**

*Deputy Director.*

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**BILLING CODE 7040-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2007-29351]

#### FAA Order 2150.3B, Compliance and Enforcement Program

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of availability of revised agency order and withdrawal of Notice of Enforcement Policy.

**SUMMARY:** This notice announces the availability of FAA Order 2150.3B, Compliance and Enforcement Program. The order contains the policies, procedures, and guidelines for the Federal Aviation Administration's compliance and enforcement program. The order articulates the FAA's philosophy for using various remedies, including education, corrective action, informal action, remedial training, administrative action, and legal enforcement action, to address noncompliance with statutory and regulatory requirements enforced by the FAA. It provides for the public a written statement of the Administrator's policy guidance for imposing sanction for violations of such requirements. The notice also announces the withdrawal of a Notice of Enforcement Policy regarding intentionally false or fraudulent statements concerning the disclosure of alcohol-related or drug-related convictions, or other similar convictions, on applications for airman medical certificates.

**ADDRESSES:** This order is available to the public on the Internet at <http://rgl.faa.gov>. Interested persons may obtain copies by contacting the Office of the Chief Counsel, Enforcement Division, AGC-300, 800 Independence

Avenue, SW., Washington, DC 20591; telephone (202) 267-7158.

**SUPPLEMENTARY INFORMATION:** The new policies and procedures in Order 2150.3B become effective in October 1, 2007. The sanctions guidance in Order 2150.3B applies to violations occurring on or after October 1, 2007. For violations occurring before October 1, 2007, FAA enforcement personnel apply the sanction guidance principles in FAA Order 2150.3A using up to the statutory maximum sanction amount in effect at the time of the violation.

Order 2150.3B provides new sanction policy for intentionally false or fraudulent statements concerning the disclosure of alcohol-related or drug-related conviction is, or other similar convictions, on applications for airman medical certificates. The Notice of Enforcement Policy found at 54 FR 15144; April 14, 1989 provides the sanctions less than revocation in certain cases in involving such intentionally false or fraudulent statements. The FAA rescinds the previous sanction policy. As provided in Order 2150.3B, it is now the FAA's general sanctions policy that the making of intentionally false or fraudulent statements in violation of FAA statutory or regulatory requirements will result in the revocation of all certificates held by a certificate holder.

**FOR FURTHER INFORMATION CONTACT:** Cynthia A. Dominik, Office of the Chief of Counsel, Enforcement Division (AGC-300), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7158, e-mail [Cynthia.Dominik@faa.gov](mailto:Cynthia.Dominik@faa.gov).

Issued in Washington, DC, on September 25, 2007.

**Peter J. Lynch,**

*Assistant Chief Counsel for Enforcement.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[FTA Docket No. FTA-2007-29352]

#### Notice of Request for Revision of a Currently Approved Collection

**AGENCY:** Federal Transit Administration, DOT.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and

Budget (OMB) to approve the revision of the currently approved information collection: 49 CFR Part 611 Major Capital Investment Projects.

**DATES:** Comments must be submitted before November 30, 2007.

**ADDRESSES:** To ensure that your comments are not entered more than once into the docket, submit comments identified by the docket number by only one of the following methods:

1. *Web site:* [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments on the U.S. Government electronic docket site. (**Note:** The U.S. Department of Transportation's (DOT's) electronic docket is no longer accepting electronic comments.) All electronic submissions must be made to the U.S. Government electronic docket site at [www.regulations.gov](http://www.regulations.gov). Commenters should follow the directions below for mailed and hand-delivered comments.

2. *Fax:* 202-493-2251.

3. *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

4. *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* You must include the agency name and docket number for this notice at the beginning of your comments. Submit two copies of your comments if you submit them by mail. For confirmation that FTA has received your comments, include a self-addressed stamped postcard. Note that all comments received, including any personal information, will be posted and will be available to Internet users, without change, to [www.regulations.gov](http://www.regulations.gov). You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000, (65 FR 19477), or you may visit [www.regulations.gov](http://www.regulations.gov). Docket: For access to the docket to read background documents and comments received, go to [www.regulations.gov](http://www.regulations.gov) at any time. Background documents and comments received may also be viewed at the U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Stephanie McVey, Office of Planning