

or RSQTs shall begin to generate and submit electronic quotations for such option through the Exchange's electronic quotation, execution, and trading system. Should an assigned SQT or RSQT not generate electronic quotes within the requisite time frame, the Exchange would have the ability to terminate the assignment in question after providing written notice to the assigned SQT or RSQT, and make a re-assignment, unless there are exigent circumstances that the Exchange believes may not have allowed timely generation and submission of electronic quotes.

#### *Transfer of Allocated Option Classes*

Rule 508 deals with agreements between specialist units to transfer one or more options classes that are already allocated by the Exchange to one of such units. Currently, Rule 508 states that failure to provide the Exchange with prior notice of an arranged (agreed-upon) transfer of one or more already allocated options classes in accordance with this rule permits the Exchange to reallocate such options classes. Pursuant to the proposed change, Rule 508 would state that failure to provide the Exchange prior notice of a transfer in accordance with this Rule, or failure to obtain Exchange approval of a transfer, would permit the Exchange to recover the allocated securities and reallocate them. The Exchange believes that this is appropriate given that the Exchange initially makes the allocation of the option class after evaluating the relevant factors, and should continue to have a similar ability to evaluate the propriety of subsequent transfer of the same option class.

The Exchange proposes to delete Commentary .01 to Rule 508 that currently indicates that no member may effect a change in the floor trading location of any equity option or index option class until forty-five calendar days after final approval of the change by the Exchange has been disseminated to the option floor. The Exchange believes that the 45-day period is unnecessarily long in light of the current fast-paced trading environment. In addition, the Exchange proposes technical rule changes to ensure conformity of rule language and delete references that are obsolete or no longer in use. The reference to Registrant would be changed to specialist or specialist unit in Rules 508 and 511, and the reference to "grant" would be changed to "allocate" in Rule 511 for purposes of conformity.<sup>19</sup> The Exchange

further proposes to remove the reference to initial implementation of the existing rule in Commentary .02 of Rule 510. The Exchange also proposes to make conforming changes in Rule 511 in light of the changes to Rule 515.

### III. Discussion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange<sup>20</sup> and, in particular, the requirements of Section 6(b) of the Act<sup>21</sup> and the rules and regulations thereunder. Specifically, the Commission finds that the proposal is consistent with Section 6(b)(5) of the Act,<sup>22</sup> which requires, among other things, that the rules of a national securities exchange be designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

The Commission believes that the Exchange's proposal updates its specialist evaluation process to make it more objective and more consistent with the process used for other Streaming Quote Traders. While the Exchange is changing its process for evaluating specialists, it is not proposing any changes to existing specialist obligations, including the quoting requirements for specialists delineated in Rule 1014. Further, though the Exchange would replace the current formal appeal and hearing process with a more informal hearing process in the context of alleged failure of performance, it would retain an opportunity for the specialist or specialist unit to be heard on the matter before the Exchange takes remedial action. In addition, the Exchange would preserve the requirement to provide advance written notice to a specialist or a specialist unit to inform it of its right to appeal an Exchange's decision regarding a specialist's failure to meet the minimum performance standards. Accordingly, the Commission believes the streamlined specialist evaluation procedures are reasonable and will allow the Exchange to monitor and review specialist performance in the interests of ensuring compliance with all applicable requirements.

<sup>20</sup> In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>21</sup> 15 U.S.C. 78f(b).

<sup>22</sup> 15 U.S.C. 78f(b)(5).

Further, the Commission believes that the proposed time requirement for a SQT or a RSQT to electronically quote, *i.e.*, within thirty business days after assignment, is reasonable. This provision will allow the Exchange to ensure that new appointments are utilized promptly and would enable the Exchange to, in the absence of exigent circumstances, reassign those options after a written notice is provided to the previously assigned SQT or RSQT.

### IV. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>23</sup> that the proposed rule change (SR-Phlx-2010-153) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>24</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. 2010-33365 Filed 1-5-11; 8:45 am]

**BILLING CODE 8011-01-P**

## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities: Proposed Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions to OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, e-mail, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers. (OMB), Office of Management and Budget, *Attn:* Desk Officer for SSA, *Fax:* 202-395-6974, *E-mail address:* [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov). (SSA), Social Security Administration, DCBFBM, *Attn:* Reports Clearance Officer, 1333 Annex Building, 6401 Security Blvd., Baltimore, MD 21235, *Fax:* 410-965-6400, *E-mail address:* [OPLM.RCO@ssa.gov](mailto:OPLM.RCO@ssa.gov).

<sup>23</sup> 15 U.S.C. 78s(b)(2).

<sup>24</sup> 17 CFR 200.30-3(a)(12).

<sup>19</sup> The Exchange notes that this change in terminology conforms it to current usage.

The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than March 7, 2011. Individuals can obtain copies of the collection instruments by calling the SSA Reports Clearance Officer at 410-965-8783 or by writing to the above e-mail address.

1. Application for Survivors Benefits—20 CFR 404.611(a) and (c)—0960-0062. Surviving family members of armed services personnel can file for Social Security and Veterans benefits at SSA or the Veterans Administration (VA). Applicants file for title II survivor benefits at the VA by completing Form

SSA-24. The VA forwards Form SSA-24 to SSA for processing. SSA uses the information to determine eligibility for benefits. The respondents are survivors of deceased armed services personnel who are applying for benefits at the VA.

*Type of Request:* Revision of an OMB-approved information collection.  
*Number of Respondents:* 3,200.  
*Frequency of Response:* 1.  
*Average Burden per Response:* 15 minutes.

*Estimated Annual Burden:* 800 hours.  
 2. Request for Medical Treatment in an SSA Employee Health Facility: Patient Self-Administered or Staff-Administered Care — 0960-0772 — SSA’s Employee Health Clinic (EHC)

provides emergency care, treatment of on-the-job illnesses and injuries, and health care for employees with chronic medical conditions and allergies who require allergy antigens. SSA also permits employees to use the EHC for self-administration of medical treatments for a chronic health condition. SSA collects information on Form SSA-5072 to approve or deny requests for medical treatment in an SSA EHC. The respondents are the private physicians of the SSA employees seeking medical treatment in an SSA EHC.

*Type of Request:* Revision of an OMB-approved information collection.

Medication dosage changes	Number of respondents	Frequency of response	Total number of responses	Average burden per response (minutes)	Estimated annual burden (hours)
Annually .....	25	1	25	5	2
Bi-Annually .....	75	2	150	5	13
Totals .....	100	.....	175	.....	15

Dated: December 31, 2010.

Faye Lipsky,

Reports Clearance Officer, Center for Reports Clearance, Social Security Administration.

[FR Doc. 2011-1 Filed 1-5-11; 8:45 am]

BILLING CODE 4191-02-P

**DEPARTMENT OF STATE**

[Public Notice 7287]

**Bureau of Nonproliferation; Determination Under the Arms Export Control Act**

AGENCY: Department of State.

ACTION: Notice.

Pursuant to Section 654(c) of the Foreign Assistance Act of 1961, as amended, notice is hereby given that the Under Secretary of State for Arms Control and International Security has made a determination pursuant to Section 73 of the Arms Export Control Act and has concluded that publication of the determination would be harmful to the national security of the United States.

Dated: December 29, 2010.

Vann H. Van Diepen,

Acting Assistant Secretary of State for Nonproliferation.

[FR Doc. 2011-22 Filed 1-5-11; 8:45 am]

BILLING CODE 4710-27-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

**Petition for Waiver of Compliance**

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner’s arguments in favor of relief.

**Heber Valley Railroad**

[Waiver Petition Docket Number FRA-2010-0156]

The Heber Valley Railroad (HVRR) seeks a waiver of compliance from certain provisions of 49 CFR Part 215, Railroad Freight Car Safety Standards, specifically, 49 CFR 215.303 (Stenciling of Restricted Cars), which requires that restricted railroad freight cars shall be stenciled or marked in clearly legible letters with the letter “R” and a series of designated terms to completely indicate the basis for the restricted operation of the car. In addition, HVRR seeks a waiver of compliance from all of 49 CFR Part 224 (ReflectORIZATION of Rail Freight Rolling Stock).

The waiver petition concerns HVRR 366, which is a former Santa Fe (AT&SF) railroad flat car of riveted

construction built in 1951, which has been converted to passenger service for tourist and excursion railroad service by the addition of walls, roof, and bench seats to allow passengers to sit in the open air for tourist train rides. HVRR 366 is more than 50 years old, measured from the date of original construction, and is requested by petitioner for special approval for continued operation under § 215.203(c). HVRR 366 is not interchangeable and operates on 16 miles of Class 1 & 2 track of the former Denver and Rio Grande Western branch line between Heber City, Utah, and Vivian Park, UT, at no more than 25 miles per hour. This branch line is not connected to the general railroad system.

HVRR, in support of its petition, has stated that the stenciling of non-complying elements and adding reflective striping would detract from both the aesthetic and historical nature of their vintage rolling stock. HVRR 366 has been inspected by HVRR shop personnel and has been deemed safe for service. The car has been in continuous service on HVRR since 1995, and has operated without incident or safety violations.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires