

occurred and describing the change to the quarantined area.

Therefore, we are publishing this notice to inform the public of changes to the PCN quarantined area in the State of Idaho. The changes are as follows:

- On October 23, 2009, we updated the quarantined area to remove 3.32 acres from Bingham County and 623.30 acres from Bonneville County.
- On November 23, 2009, we updated the quarantined area to remove 465.13 acres from Bingham County and 402.97 acres from Bonneville County.
- On December 18, 2009, we updated the quarantined area to remove 1,313.92 acres from Bingham County and 648.36 acres from Bonneville County.
- On January 8, 2010, we updated the quarantined area to remove 188.79 acres from Bingham County and 1,373.15 acres from Bonneville County.
- On January 15, 2010, we updated the quarantined area to remove 621.52 acres from Bonneville County.
- On February 15, 2010, we updated the quarantined area to remove 70 acres from Bonneville County.

This acreage consisted of associated fields that were found to be free of PCN according to a survey protocol approved by the Administrator in accordance with § 301.86-3 as sufficient to support removal of associated fields from quarantine.

The current map of the quarantined area can be viewed on the PPQ Web site at ([http://www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/potato/pcn.shtml](http://www.aphis.usda.gov/plant_health/plant_pest_info/potato/pcn.shtml)).

**Authority:** 7 U.S.C. 7701-7772 and 7781-7786; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 4<sup>th</sup> day of March 2010.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2010-5119 Filed 3-9-10; 12:48 pm]

**BILLING CODE 3410-34-S**

## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

**Agency:** National Oceanic and Atmospheric Administration (NOAA).

**Title:** Southeast Region Logbook Family of Forms.

**OMB Control Number:** 0648-0016.

**Form Number(s):** NA.

**Type of Request:** Regular submission.

**Number of Respondents:** 9,325.

**Average Hours per Response:** Logbook responses for fishing trips, 10, 15 or 18 minutes; no-fishing responses, 2 minutes; annual fixed cost survey, 30 minutes.

**Burden Hours:** 33,950.

**Needs and Uses:** Under Fisheries Management Plans developed under the Authority of the Magnuson-Stevens Fishery Conservation and Management Act, the participants in most federally-managed fisheries in the National Marine Fisheries' Southeast Region are currently required to keep and submit catch and effort logbooks from their fishing trips. A subset of these vessels also provide information on the species and quantities of fish, shellfish, marine turtles, and marine mammals that are caught and discarded or have interacted with the vessel's fishing gear. A subset of these vessels also provide information about dockside prices, trip operating costs, and annual fixed costs.

The data are used for scientific analyses that support critical conservation and management decisions made by national and international fishery management organizations. Interaction reports are needed for fishery management planning and to help protect endangered species and marine mammals. The price and cost data will be used in analyses of the economic effects of proposed regulations.

**Affected Public:** Business or other for-profit organizations.

**Frequency:** Annually.

**Respondent's Obligation:** Mandatory.

**OMB Desk Officer:** David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, FAX number (202) 395-7285, or [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov).

Dated: March 5, 2010.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2010-5121 Filed 3-9-10; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Action Affecting Export Privileges; Robert Kraaiipoel

*In the Matter of:* Robert Kraaiipoel, P.O. Box 418, Heerhugowaard, Netherlands 1700AK, and

Flemming Straat 36, Heerhugowaard, Netherlands 1700AK.

Respondent.

#### Order Relating to Robert Kraaiipoel

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS"), has notified Robert Kraaiipoel, in his individual capacity, of its intention to initiate an administrative proceeding against him pursuant to section 766.3 of the Export Administration Regulations (the "Regulations"),<sup>1</sup> and section 13(c) of the Export Administration Act of 1979, as amended (the "Act"),<sup>2</sup> through the issuance of a Proposed Charging Letter to Robert Kraaiipoel that alleged that he committed one violation of the Regulations. Specifically, the charge is:

#### Charge 1 15 CFR 764.2(d)— Conspiracy

Between on or about October 1, 2005, and continuing through on or about October 30, 2007, Robert Kraaiipoel conspired and acted in concert with others, known and unknown, to violate the Regulations and to bring about acts that constitute violations of the Regulations. The purpose of the conspiracy was to export U.S.-origin items including aircraft parts, electronic components, and polyimide film on multiple occasions, from the United States to Iran, via the Netherlands, Cyprus, and the United Arab Emirates ("UAE"), without the required U.S. Government authorization. Pursuant to section 746.7 of the Regulations, authorization was required from OFAC before the aircraft parts, electronic components, and polyimide film, items

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 *CFR* Parts 730-774 (2009). The charged violations occurred between 2005 and 2007. The Regulations governing the violations at issue are found in the 2005 through 2007 versions of the Code of Federal Regulations (15 *CFR* Parts 730-774 (2005-2007)). The 2009 Regulations set forth the procedures that apply to this matter.

<sup>2</sup> 50 U.S.C. app. 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse. However, the President, through Executive Order 13222 of August 17, 2001 (3 *CFR*, 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 13, 2009 (74 *FR* 41,325 (Aug. 14, 2009)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.*).

subject to the Regulations<sup>3</sup> and the Iranian Transactions Regulations, 31 CFR Part 560 (“ITR”), could be exported from the United States to Iran. Pursuant to Section 560.204 of the ITR, an export to a third country intended for transshipment to Iran is a transaction subject to the ITR. In furtherance of the conspiracy, Robert Kraaiipoel and his co-conspirators devised and employed a scheme to purchase these items from the United States on behalf of Iranian customers and give U.S. manufacturers false information regarding the ultimate destination, end user, and end use of the items, thereby causing false export control documents to be submitted to the U.S. Government listing countries other than Iran as the ultimate destination for the items. These acts were taken to export U.S.-origin items to Iran without the required U.S. Government authorization and avoid detection by law enforcement. By engaging in this activity, Robert Kraaiipoel committed one violation of section 764.2(d) of the Regulations.

Whereas, BIS and Robert Kraaiipoel have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations, whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein; and

Whereas, I have approved of the terms of such Settlement Agreement;

*It is therefore ordered:*

*First*, Robert Kraaiipoel shall be assessed a civil penalty in the amount of \$250,000. Payment of the \$250,000 penalty shall be suspended for a period of three (3) years from the date of this Order, and thereafter shall be waived, provided that during the period of suspension, Robert Kraaiipoel has committed no violation of the Act, or any regulation, order, or license issued thereunder.

*Second*, for a period of seven (7) years from the date of this Order, Robert Kraaiipoel, P.O. Box 418, Heerhugowaard, Netherlands 1700AK and Flemming Straat 36, Heerhugowaard, Netherlands 1700AK, his representatives, assigns or agents (hereinafter collectively referred to as “Denied Person”) may not participate, directly or indirectly, in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the

United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

*Third*, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

*Fourth*, that, after notice and opportunity for comment as provided in

section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Robert Kraaiipoel by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of the Order.

*Fifth*, that this Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

*Sixth*, that the Proposed Charging Letter, the Settlement Agreement, and this Order shall be made available to the public.

*Seventh*, that this Order shall be served on the Denied Person, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Issued this 2nd day of March 2010.

**David W. Mills,**

*Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. 2010-5109 Filed 3-9-10; 8:45 am]

**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Action Affecting Export Privileges; Aviation Services International, B.V.

In the Matter of: Aviation Services International, B.V. also known as Delta Logistics, B.V., P.O. Box 418, Heerhugowaard, Netherlands 1700AK and Flemming Straat 36, Heerhugowaard, Netherlands 1700AK Respondent; *Order Relating to Aviation Services International, B.V.*

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”), has initiated an administrative proceeding against Aviation Services International, B.V., also known as Delta Logistics, B.V. (collectively referred to herein as “ASI”) pursuant to Section 766.3 of the Export Administration Regulations (currently codified at 15 CFR parts 730–774 (2009)) (“EAR”),<sup>1</sup> and Section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C. app. §§ 2401–2420) (the

<sup>1</sup> The violation alleged by BIS occurred between 2005 and 2007. The governing provisions of the EAR are found in the 2005–2007 versions of the Code of Federal Regulations (15 CFR Parts 730–774 (2005–2007)). The 2009 version of the EAR establishes the procedures that apply to the BIS administrative proceeding.

<sup>3</sup> The items were classified as Export Control Classification Numbers (“ECCNs”) 9A991, 1C008.a.3, and 5A991. Additionally, some of the aircraft parts were designated EAR99, which is a designation for items subject to the Regulations but not listed on the Commerce Control List. (2005–2007).