

on ETFs will apply to options on the PALL and the PPLT. Both Exchanges will consider the suspension of opening transactions in PALL or PPLT in any of the following circumstances: (1) Following the initial twelve-month period beginning upon the commencement of trading of the ETFs, there are fewer than 50 record and/or beneficial holders of the ETFs for 30 or more consecutive trading days; (2) the value of the underlying palladium or underlying platinum is no longer calculated or available; or (3) such other event occurs or condition exists that in the opinion of each Exchange makes further dealing on each Exchange inadvisable.

Additionally, the PALL and the PPLT shall not be deemed to meet the requirements for continued approval, and the Exchanges shall not open for trading any additional series of option contracts of the class covering the PALL and the PPLT, respectively, if the PALL and the PPLT ceases to be an "NMS stock" as provided for in NYSE Amex Rule 916, Commentary .07(2) and NYSE Arca Rule 5.4(b)(5), or if the PALL or the PPLT is halted from trading on its primary market, or, for NYSE Amex, if PALL or PPLT is delisted.

The addition of the PALL and PPLT will not have any effect on the Exchanges' rules pertaining to position and exercise limits¹² or margin.¹³

The Exchanges represent that their surveillance procedures applicable to trading in options on the PALL and PPLT will be similar to those applicable to all other options on other ETFs currently traded on the respective Exchange. Also, the Exchanges may obtain information from the New York Mercantile Exchange, Inc. ("NYMEX") (a member of the Intermarket Surveillance Group) related to any financial instrument traded there that is based, in whole or part, upon an interest in the performance of palladium or platinum.

II. Commission Findings

After careful consideration, the Commission finds that the Proposals are consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange,¹⁴ and, in particular, the requirements of Section 6 of the Act.¹⁵ Specifically, the Commission

finds that the Proposals are consistent with Section 6(b)(5) of the Act,¹⁶ which requires, among other things, that the rules of a national securities exchange be designed 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 general public interest. In accordance with the Memorandum of Understanding entered into between the Commodity Futures Trading Commission ("CFTC") and the Commission on March 11, 2008, and, in particular, the addendum thereto concerning Principles Governing the Review of Novel Derivative Products, the Commission believes that novel derivative products that implicate areas of overlapping regulatory concern should be permitted to trade in either or both a CFTC- or Commission-regulated environment, in a manner consistent with laws and regulations (including the appropriate use of all available exemptive and interpretive authority).

As national securities exchanges, NYSE Amex and NYSE Arca are required, under Section 6(b)(1) of the Act,¹⁷ to enforce compliance by their members, and persons associated with their members, with the provisions of the Act, Commission rules and regulations thereunder, and their own rules. In addition, brokers that trade ETFs Options will also be subject to best execution obligations and FINRA rules.¹⁸ Applicable rules of the Exchanges also require that customers receive appropriate disclosure before trading ETFs Options.¹⁹ Further, brokers opening accounts and recommending options transactions must comply with relevant customer suitability standards.²⁰

ETFs Options will trade as options under the trading rules of NYSE Amex and NYSE Arca. These rules, among other things, are designed to avoid trading through better displayed prices for ETFs Options available on other exchanges and, thereby, satisfy NYSE Amex and NYSE Arca's obligations under the Options Order Protection and Locked/Crossed Market Plan.²¹ Series of the ETFs Options will be subject to the Exchanges' rules regarding continued listing requirements, including

standards applicable to the underlying ETFs Palladium and ETFs Platinum Trusts. Shares of the PALL and PPLT must continue to be traded through a national securities exchange or through the facilities of a national securities association, and must be "NMS stock" as defined under Rule 600(b)(47) of Regulation NMS.²² In addition, the underlying shares must continue to be available for creation or redemption each business day from or through the issuer in cash or in kind at a price related to net asset value. If the PALL or PPLT shares fail to meet these requirements, the exchanges will not open for trading any new series of the respective ETFs Options.

NYSE Amex and NYSE Arca have represented that they have surveillance programs in place for the listing and trading of ETFs Options. For example, NYSE Amex and NYSE Arca may obtain trading information via the ISG from the NYMEX, related to any financial instrument traded there that is based, in whole or in part, upon an interest in, or performance of, palladium or platinum. Additionally, the listing and trading of ETFs Options will be subject to the Exchanges' rules pertaining to position and exercise limits²³ and margin.²⁴

III. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,²⁵ that the proposed rule changes (SR–NYSEAmex–2010–37 and SR–NYSEArca–2010–25) be, and are hereby, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁶

Florence E. Harmon,
Deputy Secretary.

[FR Doc. 2010–14358 Filed 6–14–10; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice: 7046]

Notice of Extension of Public Comment Period for the Proposed Keystone XL Pipeline Project; Draft Environmental Impact Statement and Notice of Additional Public Comment Meetings

AGENCY: Department of State.

²² 17 CFR 242.600.

²³ See NYSE Amex Rules 904 and 905; NYSE Arca Rules 6.8 and 6.9.

²⁴ See NYSE Amex Rule 462 and NYSE Arca Rules 4.15 and 4.16; see also FINRA Rule 2360(b) and Commentary .01 to FINRA Rule 2360.

²⁵ 15 U.S.C. 78s(b)(2).

²⁶ 17 CFR 200.30–3(a)(12).

¹² See NYSE Amex Rules 904 and 905; NYSE Arca Rules 6.8 and 6.9.

¹³ See NYSE Amex Rule 462 and NYSE Arca Rules 4.15 and 4.16.

¹⁴ In approving these proposed rule changes, the Commission has considered the proposed rules' impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

¹⁵ 15 U.S.C. 78f.

¹⁶ 15 U.S.C. 78f(b)(5).

¹⁷ 15 U.S.C. 78f(b)(1).

¹⁸ See NASD Rule 2320.

¹⁹ See NYSE Amex Rule 926; and NYSE Arca Rule 9.18(g).

²⁰ See FINRA Rule 2360(b) and NYSE Amex Rule 923; and NYSE Arca Rule 9.18(b)–(c).

²¹ See NYSE Amex Rule 991NY and NYSE Arca Rule 6.94. Each of the exchanges is a participant in the Options Order Protection and Locked/Crossed Market Plan.

ACTION: Notice—Extension of public comment period and additional public comment meetings.

SUMMARY: The Department of State (DOS) is extending the public comment period for the Keystone XL Pipeline Project Draft Environmental Impact Statement (DEIS) until Friday, July 2, 2010. On April 20, 2010, the DOS provided **Federal Register** notice (75 FR 20653) of the availability of the DEIS and notice of nineteen public comment meetings to be held during three weeks in May, 2010 along the proposed pipeline route in Oklahoma, Kansas, Nebraska, Texas and Montana. That **Federal Register** notice also provided additional information regarding the DEIS and requested the submission of all comments by May 31, 2010. On April 30, 2010, in response to requests from several organizations, the DOS extended the public comment period until Wednesday, June 16, 2010 (75 FR 22890). As noted, the DOS is now extending the public comment period for a second time until Friday, July 2, 2010.

At the request of various stakeholders, DOS will also hold two additional public comment meetings in Houston and Washington, DC. DOS representatives will be present to receive written comments from the public and a court reporter will be present at both locations to transcribe oral comments from the public.

Extended Deadline for Public Comment Period: Comments on the DEIS should be received or postmarked no later than Friday, July 2, 2010.

Dates and Locations for Additional Public Comment Meetings

Houston

June 18, 2010, 7–9 p.m.
Location: Channelview High School, Auditorium in New Campus, 1100 Sheldon Road, Channelview, TX, 77530.

Washington, DC

June 29, 2010, 12:30–2:30 p.m.
Location: U.S. Department of State, Marshall Conference Center, East Auditorium, 2201 C Street, NW., Washington, DC 20520.

Directions: Anyone wishing to attend the public comment meeting in Washington, DC must enter the State Department via the 21st street entrance between Virginia Avenue and C Street. Proceed through the security check point in front of the 21st Street, entrance, enter the building, and then enter the Marshall Conference Center directly to the left. Laws and regulations regarding entering a Federal building will be in effect.

Written Comments: You may submit written comments by the following methods:

- *Electronically, using the online comment form, available on the Keystone XL Project Web site:* <http://www.keystonepipeline-xl.state.gov>. This is the preferred method for commenting.

- *By mail addressed to:* Elizabeth Orlando, Keystone XL Project Manager, U.S. Department of State, OES/ENV Room 2657, Washington, DC 20520. Please note that DOS mail can be delayed due to security screening.

- *Fax to:* (202) 647–1052, attention Elizabeth Orlando.

FOR FURTHER INFORMATION CONTACT: For information on the proposed Project or the DEIS contact Elizabeth Orlando, OES/ENV Room 2657, U.S. Department of State, Washington, DC 20520, or by telephone (202) 647–4284, or by fax at (202) 647–1052. You may also visit the Project Web site: <http://www.keystonepipeline-xl.state.gov>.

Dated: June 9, 2010.

Stephen J. Gallogly,

Director, Office of International Energy and Commodity Policy, Bureau of Economic, Energy, and Business Affairs, U.S. Department of State.

[FR Doc. 2010–14377 Filed 6–14–10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD 2010 0053]

Information Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intention to request extension of approval for three years of a currently approved information collection.

DATES: Comments should be submitted on or before August 16, 2010.

FOR FURTHER INFORMATION CONTACT: Sheila Brown, Maritime Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590; Telephone: (202) 366–5178, FAX: (202) 366–5904; or E-Mail: sheila.brown@dot.gov. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Maritime Administration (MARAD)

Title of Collection: Elements of Request for Course Approval.

Type of Request: Extension of a currently approved collection.

OMB Control Number: 2133–0535.

Form Numbers: None.

Expiration Date of Approval: Three years from date of approval by the Office of Management and Budget.

Summary of Collection of Information: Under this proposed voluntary collection, public and private maritime security training course providers may choose to provide the Maritime Administration (MARAD) with information concerning the content and operation of their courses. MARAD will use this information to evaluate whether the course meets the training standards and curriculum promulgated under Section 109 of the Maritime Transportation Security Act of 2002 (MTSA) (Pub. L. 107–295). Courses found to meet these standards will receive a course approval.

Need and Use of the Information: This information collection is needed to facilitate the approval of maritime security training courses that meet the standards and curriculum developed under the MTSA.

Description of Respondents: Respondents are public and private maritime security course training providers.

Annual Responses: 99.

Annual Burden: 990 hours.

Comments: Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590. Comments also may be submitted by electronic means via the Internet at <http://www.regulations.gov/search/index.jsp>.

Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. EDT (or EST), Monday through Friday, except Federal Holidays. An electronic version of this document is available on the World Wide Web at <http://www.regulations.gov/search/index.jsp>.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the