MPCo, SMEPA determined that partial ownership in the Project would help minimize the unavoidable rate increase. Based on these evaluations, SMEPA determined that a 17.5% undivided ownership interest in the Project would be the best overall option and has formally requested financial assistance from RUS to finance this action. SMEPA’s partial ownership would include the IGCC facility, the CO2 pipeline, the reclaimed water supply line, the surface lignite mine, and electrical transmission facilities.

**RUS Action**

RUS conducts the rural electrification loan program, which provides financing through direct loans and loan guarantees for the construction and operation of generation facilities and electric transmission and distribution lines and systems to improve electric service for rural Americans. RUS bases its decisions on financial, engineering, and environmental considerations. RUS assessed whether SMEPA would have sufficient control and responsibility to alter the development of the Project in order to determine if the project is subject to NEPA, in accordance with 7 CFR 1794.20. Through discussions with SMEPA, and review of loan and contractual documentation, RUS established that the project will be completed regardless of RUS-funded SMEPA participation. RUS further established that the Joint Ownership and Operating Agreement (JOOA), to be executed with MPCo, will provide SMEPA with only a limited ability to influence the Project. However, due to the Project’s significant public interest and potential federal expenditure, RUS determined to consider the Project a federal action subject to NEPA, in accordance with 7 CFR 1794.20.

This notice documents the Agency’s intent to adopt the DOE/USACE FEIS, and fulfills the agency’s responsibilities for public involvement, in accordance with 36 CFR 800.2(d)(2).

Nivin Elgohary,  
Assistant Administrator, Electric Programs,  
Rural Utilities Service.

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**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

[B–44–2012]

**Foreign-Trade Zone 7—Mayaguez, PR; Notification of Proposed Production Activity; Baxter Healthcare of Puerto Rico; (Pharmaceutical and Nutritional Intravenous Bags and Administration Sets); Aibonito and Jayuya, PR**

The Puerto Rico Industrial Development Company, grantee of FTZ 7, submitted a notification of proposed production activity on behalf of Baxter Healthcare of Puerto Rico (Baxter), at two sites within FTZ 7, located in Aibonito and Jayuya, Puerto Rico. The facilities are used for the manufacture of pharmaceutical and nutritional intravenous (I.V.) bags, I.V. administration sets and their components. Production under FTZ procedures could exempt Baxter from customs duty payments on the foreign status components used in export production. On its domestic sales, Baxter would be able to choose the duty rates during customs entry procedures that apply to the filled I.V. products and administration sets (duty-free) for the foreign status inputs noted below. Customs duties also could possibly be deferred or reduced on foreign status production equipment.

Components and materials sourced from abroad include: Foil pouches, ABS resin, L-tryptophan, glutamic acid, N-Acetyl-L-Tyrosine and L-Lysine-Acetate (duty rate range: 3%–6.5%).

Public comments are invited from interested parties. Submissions shall be addressed to the Board’s Executive Secretary at the address below. The closing period for their receipt is July 30, 2012.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230–0002, and in the “Reading Room” section of the Board’s Web site, which is accessible via www.trade.gov/ftz.

For further information, contact Diane Finver at Diane.Finver@trade.gov or (202) 482–1367.

Elizabeth Whiteman,  
Acting Executive Secretary.

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