

for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection

(1) *Type of Information Collection:* New collection.

(2) *Title of the Form/Collection:* Semi-Annual Progress Report for Grantees from the Semi-Annual Progress Report for the Sexual Assault Services Formula Grant Program (SASP).

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122-XXXX. U.S. Department of Justice, Office on Violence Against Women.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes the approximately 606 administrators and sub-grantees of the SASP. SASP grants support intervention, advocacy, accompaniment, support services, and related assistance for adult, youth, and child victims of sexual assault, family and household members of victims, and those collaterally affected by the sexual assault. The SASP supports the establishment, maintenance, and expansion of rape crisis centers and other programs and projects to assist those victimized by sexual assault. The grant funds are distributed by SASP state administrators to sub-grantees as outlined under the provisions of the Violence Women Act of 2005.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the approximately 606 respondents (SASP administrators and sub-grantees) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections that pertain to the different types of activities in which grantees may engage. A SASP sub-grantee will

only be required to complete the sections of the form that pertain to its own specific activities.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 1,212 hours, that is 606 sub-grantees completing a form twice a year with an estimated completion time for the form being one hour.

If additional information is required contact: Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Suite 1600, Patrick Henry Building, 601 D Street, NW., Washington, DC 20530.

Dated: July 14, 2009.

Lynn Bryant,

Department Clearance Officer, PRA, United States Department of Justice.

[FR Doc. E9-17081 Filed 7-16-09; 8:45 am]

BILLING CODE 4410-FX-P

#### DEPARTMENT OF JUSTICE

##### Notice of Lodging of Consent Decree Under the Safe Drinking Water Act

Notice is hereby given that on July 13, 2009, a proposed Consent Decree ("Decree") in *United States v. Skull Valley Band of Goshute Indians*, Civil Action No. 2:09-CV-617(bhw), was lodged with the United States District Court for the District of Utah, Central Division.

The Consent Decree requires the Skull Valley Band of Goshute Indians (the "Tribe") to (1) achieve and maintain compliance with the Safe Drinking Water Act ("SDWA") and its implementing regulations; (2) pay a civil penalty of \$1,250 to redress the Tribe's past violations of the SDWA and its implementing regulations; and (3) perform a Supplemental Environmental Project ("SEP") valued at \$3,750 that will secure public health protection and improvements of the Tribe's Public Water System ("PWS") located in Tooele County, Utah. Specifically, the SEP requires the Tribe to purchase and install a telemetry system to improve the efficiency and accuracy of maintaining the water level in the PWS storage tank.

The United States filed a Complaint with the Consent Decree that alleged violations of Sections 1414 and 1431 of the Safe Drinking Water Act ("SDWA"), 42 U.S.C. 300g-3, 300i, related to the Tribe's operation of its PWS and the tribally-owned Pony Express Store, a road-side convenience store that provides water to the Tribal community

and members of the public who patronize the store. The Consent Decree would resolve the claims against the Tribe as described in the Complaint. The ultimate entry of the Consent Decree by the District Court of Utah would end this litigation.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to the [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to Civil Action No. 2:09-CV-617(bhw), D.J. Ref. No. 90-5-1-1-09108.

The Decree may be examined at the Office of the United States Attorney, District of Utah, 185 South State Street, Suite 300, Salt Lake City, Utah 84111. It also may be examined at the offices of U.S. EPA Region 8, 1595 Wynkoop Street, Denver, Colorado 80202. During the public comment period, the Decree may be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

A copy of the Decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$10.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

Maureen Katz,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E9-16999 Filed 7-16-09; 8:45 am]

BILLING CODE 4410-15-P

#### DEPARTMENT OF JUSTICE

##### Antitrust Division

##### Notice Pursuant to the National Cooperative Research and Production Act of 1993—National Biodiesel Accreditation Commission

Notice is hereby given that, on May 15, 2009, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301

*et seq.* ("the Act"), National Biodiesel Accreditation Commission ("NBAC") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Specifically, the NBAC has: (1) Amended its Marketer Program Requirements to adopt new normative references, require updating of quality management systems, make corrections to a specification procedure, add a cold soak filterability test requirement, require specification of final biodiesel content of a blended product prior to sale, change sampling and testing requirements of biodiesel stored for more than thirty days, require documentation of certain reinspections, require periodic validation of blending system accuracy, and delete a sixty-day storage sampling requirement; (2) amended its Producer Program Requirements to adopt new normative references, require the updating of quality management systems, amend the definition of Producer, add a cold soak filterability test requirement, amend production lot homogeneity requirements, add sampling requirements, add an oxidative stability test requirement for commingled production lots, provide an alternative test for the presence of certain elements, require disclosure of specifications which are less than full specifications, change the testing required of certain stored biodiesel, and add a new appendix diagramming the requirements for production lot homogeneity testing; and (3) adopted a laboratory certification program for the operation of commercial laboratories which test biodiesel and biodiesel blends for compliance with regulatory standards. Certification by the Commission indicates the applicant laboratory possesses and implements a quality control/quality assurance program meeting the Commission's requirements.

On August 27, 2004, NEAC filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on October 4, 2004 (69 FR 59269).

The last notification was filed with the Department on June 19, 2007. A notice was published in the **Federal Register** pursuant to Section 6(b) of the

Act on September 11, 2007 (72 FR 51841).

**Patricia A. Brink,**  
*Deputy Director of Operations, Antitrust Division.*  
[FR Doc. E9-16776 Filed 7-16-09; 8:45 am]  
**BILLING CODE 4410-11-M**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2007-0046]

#### **Calaveras Power Partners L.P., Matrix Service Inc., T.E. Ibberson Company, TIC—The Industrial Company, and Zachry Construction Corporation; Grant of a Permanent Variance**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Notice of a grant of a permanent variance.

**SUMMARY:** This notice announces the grant of a permanent variance to Calaveras Power Partners L.P., Matrix Service Inc., T.E. Ibberson Company, TIC—The Industrial Company, and Zachry Construction Corporation ("the employers"). The permanent variance addresses the provision that regulates the tackle used for boatswain's chairs (29 CFR 1926.452(o)(3)), as well as the provisions specified for personnel hoists by paragraphs (c)(1) through (c)(4), (c)(8), (c)(13), (c)(14)(i), and (c)(16) of 29 CFR 1926.552. As an alternative to complying with these provisions, the employers may instead comply with the conditions listed in this grant; these alternative conditions regulate hoisting systems used during inside or outside chimney construction to raise or lower workers in personnel cages, personnel platforms, and boatswain's chairs between the bottom landing of a chimney and an elevated work location. Accordingly, OSHA finds that these alternative conditions protect workers at least as well as the requirements specified by 29 CFR 1926.452(o)(3) and 1926.552(c)(1) through (c)(4), (c)(8), (c)(13), (c)(14)(i), and (c)(16).

**DATES:** The effective date of the permanent variance is July 17, 2009.

**FOR FURTHER INFORMATION CONTACT:** For information about this notice contact Ms. MaryAnn Garrahan, Director, Office of Technical Programs and Coordination Activities, Room N-3655, OSHA, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2110; fax (202) 693-1644. Electronic copies of this

notice are available at <http://www.regulations.gov>. Electronic copies of this notice, as well as news releases and other relevant information, are available on OSHA's Web page at <http://www.osha.gov>.

Additional information also is available from the following OSHA Regional Offices:

U.S. Department of Labor, OSHA, JFK Federal Building, Room E340, Boston, MA 02203; telephone: (617) 565-9860; fax: (617) 565-9827.

U.S. Department of Labor, OSHA, 201 Varick Street, Room 670, New York, NY 10014; telephone: (212) 337-2378; fax: (212) 337-2371.

U.S. Department of Labor, OSHA, the Curtis Center, Suite 740 West, 170 South Independence Mall West, Philadelphia, PA 19106-3309; telephone: (215) 861-4900; fax: (215) 861-4904.

U.S. Department of Labor, OSHA, Atlanta Federal Center, 61 Forsyth Street, SW., Room 6T50, Atlanta, GA 30303; telephone: (404) 562-2300; fax: (404) 562-2295.

U.S. Department of Labor, OSHA, 230 South Dearborn Street, Room 3244, Chicago, IL 60604; telephone: (312) 353-2220; fax: (312) 353-7774.

U.S. Department of Labor, OSHA, Two Pershing Square Building, 2300 Main Street, Suite 1010, Kansas City, MO 64108-2416; telephone: (816) 283-8745; fax: (816) 283-0547.

U.S. Department of Labor, OSHA, 525 Griffin Street, Suite 602, Dallas, TX 75202; telephone: (972) 850-4145; fax: (972) 850-4149.

U.S. Department of Labor, OSHA, 1999 Broadway, Suite 1690, Denver, CO 80202; telephone: (720) 264-6550; fax: (720) 264-6585.

U.S. Department of Labor, OSHA, 90 7th Street, Suite 18100, San Francisco, CA 94103; telephone: (415) 625-2547; fax: (415) 625-2534.

U.S. Department of Labor, OSHA, 1111 Third Avenue, Suite 715, Seattle, WA 98101-3212; telephone: (206) 553-5930; fax: (206) 553-6499.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

In the past 35 years, a number of chimney-construction companies have demonstrated to OSHA that several personnel-hoist requirements (*i.e.*, paragraphs (c)(1), (c)(2), (c)(3), (c)(4), (c)(8), (c)(13), (c)(14)(i), and (c)(16) of 29 CFR 1926.552), as well as the tackle requirements for boatswain's chairs (*i.e.*, paragraph (o)(3) of 29 CFR 1926.452), result in access problems that pose a serious danger to their workers. These companies requested permanent