

complaint filed by the United States alleges that MI Metals began charging dirty (coated) scrap into the furnace at its Oldsmar, Florida facility on July 14 2003, which made this furnace subject to the testing, operating, and monitoring requirements of 40 CFR Part 63, Subparts A and RRR. The United States' Complaint further alleges that MI Metals violated a number of these requirements, including demonstration of an adequate emissions capture/ collection system on the furnace; appropriate performance testing to demonstrate compliance with the regulation's dioxin and furan ("D/F") emissions limit; and monitoring of key operating parameters to assure ongoing compliance with the emissions limit.

The proposed Consent Decree would require MI Metals to make modifications to the emissions hood on the furnace; to re-test the furnace; and to comply with a number of operating and monitoring requirements. Finally, the proposed Consent Decree would require MI Metals to pay a \$210,000 civil penalty.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [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 *United States v. MI Metals, Inc.*, D.J. Ref. No. 90-5-2-1-08988.

The Consent Decree may be examined at the Office of the United States Attorney, Middle District of Florida, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602, and at U.S. EPA Region 4, 61 Forsyth Street, SW., Atlanta, Georgia, 30303. During the public comment period, the Consent Decree may also 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 Consent Decree may also 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 \$10.00 (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,**

*Deputy Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. E9-12188 Filed 5-26-09; 8:45 am]

**BILLING CODE 4410-15-P**

## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**[Notice (09-041)]**

### **Notice of Centennial Challenges—2009 Lunar Lander Challenge**

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of Centennial Challenges—2009 Lunar Lander Challenge

**SUMMARY:** This notice is issued in accordance with 42 U.S.C. 2451(314)(d). The 2009 Lunar Lander Challenge is now scheduled and teams that wish to compete may soon register (see contact information below). The NASA Centennial Challenges is a program of prize contests to stimulate innovation and competition in technologies of interest and value to NASA and the nation. The Lunar Lander Challenge is a prize competition designed to accelerate technology developments in reusable rocket-powered vehicles including vehicles capable of ferrying cargo or humans between lunar orbit and the lunar surface as well as future Earth launch vehicles or other rocket-powered vehicles. The Lunar Lander Challenge is administered for NASA by the X Prize Foundation. The prize purse is funded by NASA.

**DATES:** The 2009 Lunar Lander Challenge will be held as an open period of competition for flight attempts between July 1, 2009, and October 31, 2009.

**LOCATION:** The 2009 Lunar Lander Challenge attempts will be conducted at locations chosen by the competing teams.

**FOR FURTHER INFORMATION:** To register for and get additional information regarding the 2009 Lunar Lander Challenge including rules, team agreements, eligibility and prize criteria, visit the Web site at <http://space.xprize.org/ng-lunar-lander-challenge> or contact Mr. William Pomerantz, X Prize Foundation, 5510 Lincoln Blvd., Suite 100, Playa Vista, CA 90094, phone: 310.741.4910, e-mail: [will@xprize.org](mailto:will@xprize.org). Questions and comments regarding the NASA

Centennial Challenges Program should be addressed to Mr. Andrew Petro, NASA Headquarters, Washington, DC, phone: 202-358-0310 e-mail: [andrew.j.petro@nasa.gov](mailto:andrew.j.petro@nasa.gov). The Centennial Challenges Web site is <http://www.ip.nasa.gov/cc>.

**SUPPLEMENTARY INFORMATION:** To qualify to win a prize in this challenge, a rocket-propelled vehicle with an assigned payload must take off vertically, climb to a defined altitude, fly for a pre-determined amount of time, then land vertically on a target that is a fixed distance from the take-off point. After remaining at this location for a period of time, the vehicle must take off, fly for the same amount of time, and land again on its original launch pad.

The remaining prize purse for this challenge is \$1,650,000 distributed as follows: Level 2 1st prize: \$1,000,000, Level 2 2nd prize: \$500,000 and Level 1 2nd prize: \$150,000. The Level 1 1st prize of \$350,000 was awarded in 2008.

In the case of individuals, prizes can only be awarded to US citizens or permanent residents and in the case of corporations or other entities, prizes can only be awarded to those that are incorporated in and maintain a primary place of business in the United States.

Dated: May 14, 2009.

**Douglas A. Comstock,**

*Director, Innovative Partnerships Program.*

[FR Doc. E9-11921 Filed 5-26-09; 8:45 am]

**BILLING CODE P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 72-71-EA; ASLBP No. 09-888-03-EA-BD01]**

### **Detroit Edison Company; Corrected Notice of Establishment of Atomic Safety and Licensing Board**

On May 15, 2009, the Atomic Safety and Licensing Board Panel issued a notice of Establishment of Atomic Safety and Licensing Board for Detroit Edison Company, Fermi Power Plant (Independent Spent Fuel Storage Installation), which incorrectly identified the docket number as 72-7-EA. The correct docket number is 72-71-EA. All other information given in the original Board Establishment Notice remains the same, and is repeated below.

Pursuant to delegation by the Commission dated December 29, 1972 (37 FR 28,710), and the Commission's regulations, see 10 CFR 2.106, 2.300, 2.313(a), and 2.318, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being

established to preside over the following proceeding: Detroit Edison Company, Fermi Power Plant, (Independent Spent Fuel Storage Installation).

This proceeding concerns a Petition to Intervene dated May 7, 2009 from Beyond Nuclear, *et al.*, that was submitted in response to an April 17, 2009 notice issued by the NRC Staff that provided the Issuance of Order for Implementation of Additional Security Measures and Fingerprinting for Unescorted Access to Detroit Edison Company (74 FR 17,890).

The Board is comprised of the following administrative judges:

Ronald M. Spritzer, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Michael F. Kennedy, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Randall J. Charbeneau, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing Rule, which the NRC promulgated in August 2007 (72 FR 49,139).

Issued at Rockville, Maryland, this 20th day of May 2009.

**E. Roy Hawkens,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. E9-12279 Filed 5-26-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATES:** Weeks of May 25, June 1, 8, 15, 22, 29, 2009.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

### Week of May 25, 2009

*Wednesday, May 27, 2009*

9:30 a.m. Briefing on External Safety Culture (Public Meeting) (*Contact:* Stewart Magruder, 301-415-8730)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

*Wednesday, May 27, 2009*

1:30 p.m. Briefing on Internal Safety Culture (Public Meeting) (*Contact:* June Cai, 301-415-5192)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

### Week of June 1, 2009—Tentative

*Wednesday, June 3, 2009*

9:30 a.m. Briefing on New Reactor Issues—Component Fabrication and Oversight—Part 1 (Public Meeting)

1:30 p.m. Briefing on New Reactor Issues—Component Fabrication and Oversight—Part 2 (Public Meeting) (*Contact for both parts:* Roger Rihm, 301-415-7807)

Both parts of this meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

*Thursday, June 4, 2009*

9:30 a.m. Briefing on Digital Instrumentation and Control (Public Meeting) (*Contact:* Steve Arndt, 301-415-6502)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

1:30 p.m. Meeting with the Advisory Committee on Reactor Safeguards (Public Meeting) (*Contact:* Tanny Santos, 301-415-7270)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

### Week of June 8, 2009—Tentative

There are no meetings scheduled for the week of June 8, 2009.

### Week of June 15, 2009—Tentative

There are no meetings scheduled for the week of June 15, 2009.

### Week of June 22, 2009—Tentative

*Thursday, June 25, 2009*

1:30 p.m. Meeting with Advisory Committee on the Medical Uses of Isotopes (Public Meeting) (*Contact:* Ashley Cockerham, 240-888-7129)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

*Friday, June 26, 2009*

9:30 a.m. Discussion of Security Issues (Closed—Ex. 3)

### Week of June 29, 2009—Tentative

There are no meetings scheduled for the week of June 29, 2009.

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\*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Rochelle Baval, (301) 415-1651.

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### Additional Information

The Briefing on Fire Protection Closure Plan previously scheduled on

Thursday, May 28, 2009, at 9:30 a.m. has been postponed.

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The NRC Commission Meeting Schedule can be found on the Internet at: [www.nrc.gov/about-nrc/policy-making/schedule.html](http://www.nrc.gov/about-nrc/policy-making/schedule.html).

\* \* \* \* \*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the NRC's Disability Program Coordinator, Rohn Brown, at 301-492-2279, TDD: 301-415-2100, or by e-mail at [rohn.brown@nrc.gov](mailto:rohn.brown@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

\* \* \* \* \*

This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969), or send an e-mail to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: May 21, 2009.

**Rochelle C. Baval,**

*Office of the Secretary.*

[FR Doc. E9-12373 Filed 5-22-09; 11:15 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0142]

### State of New Jersey: NRC Staff Assessment of a Proposed Agreement Between the Nuclear Regulatory Commission and the State of New Jersey

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of a proposed Agreement with the State of New Jersey.

**SUMMARY:** By letter dated October 16, 2008, Governor Jon S. Corzine of New Jersey requested that the U. S. Nuclear Regulatory Commission (NRC or Commission) enter into an Agreement with the State of New Jersey (State or New Jersey) as authorized by Section 274 of the Atomic Energy Act of 1954, as amended (Act).

Under the proposed Agreement, the Commission would relinquish, and the State would assume, portions of the Commission's regulatory authority exercised within the State. As required