

Secs. 1 to 36, inclusive.  
Containing approximately 22,139 acres.  
T. 5 N., R. 81 W.,  
Secs. 1 to 36, inclusive.  
Containing approximately 19,302 acres.  
T. 5 N., R. 82 W.,  
Secs. 25 to 36, inclusive.  
Containing approximately 5,475 acres.  
Aggregating approximately 99,321 acres.

Notice of the decision will also be published four times in the Tundra Drums.

**DATES:** The time limits for filing an appeal are:

1. Any party claiming a property interest which is adversely affected by the decision shall have until September 11, 2009 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4, subpart E, shall be deemed to have waived their rights.

**ADDRESSES:** A copy of the decision may be obtained from: Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504.

**FOR FURTHER INFORMATION CONTACT:** The Bureau of Land Management by phone at 907-271-5960, or by e-mail at [ak.blm.conveyance@ak.blm.gov](mailto:ak.blm.conveyance@ak.blm.gov). Persons who use a telecommunication device (TTD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8330, 24 hours a day, seven days a week, to contact the Bureau of Land Management.

**Robert Childers,**

*Land Law Examiner, Land Transfer Adjudication II Branch.*

[FR Doc. E9-19409 Filed 8-10-09; 11:15 am]

**BILLING CODE 4310-JA-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Federal Water Pollution Control Act ("Clean Water Act")

Notice is hereby given that on August 6, 2009, a proposed Consent Decree in *United States of America v. Aggregate Industries—Northeast Region, Inc.*, Civil Action No. 09-11321 was lodged with the United States District Court for the District of Massachusetts.

In this action the United States alleged that Defendant violated sections 301 and 308 of the Clean Water Act, 33 U.S.C. 1311 and 1318, at twenty-three of its facilities in Massachusetts and New Hampshire by failing to apply for permits required under the National

Pollution Discharge Elimination System ("NPDES"), discharging process water and/or storm water without a permit, violating effluent limitations established in its NPDES permits, and failure to comply with the requirements of the Multi-Sector General Permit for storm water discharges. The Consent Decree requires Defendant to pay a civil penalty of \$2.75 million within 30 days of entry of the decree, as well as implement a number of operational changes designed to ensure compliance with the Clean Water Act at all its facilities. These changes include performance of comprehensive evaluations of all construction materials facilities currently owned by Aggregate, as well as those acquired within three years of entry of the CD, hiring two employees with certification in storm water management who are responsible for compliance with the storm water permits, and providing annual storm water training for all employees with operational responsibilities.

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. Aggregate Industries—Northeast Region, Inc.*, D.J. Ref. 90-5-1-1-08932.

The Consent Decree may be examined at the Office of the United States Attorney, One Courthouse Way, John Joseph Moakley Courthouse, Boston, MA 02210, and at U.S. EPA Region 1, One Congress Street, Boston, MA 02114. 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 \$16.50 (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 Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. E9-19255 Filed 8-11-09; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States of America v. Union Pacific Railroad Company*, No. 2:09-CV-01453 (D. Nev.), was lodged with the United States District Court for the District of Nevada on August 6, 2009.

The proposed Consent Decree concerns a complaint filed by the United States against Union Pacific Railroad Company, pursuant to sections 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1319(b) and (d), to obtain injunctive relief and civil penalties against Union Pacific Railroad Company for the unauthorized discharge of pollutants in Lincoln and Clark Counties, Nevada, in violation of sections 301(a), 402, and 404 of the Clean Water Act, 33 U.S.C. 1311(a), 1342, & 1344, and for failure to timely submit information in violation of section 308 of the Clean Water Act, 33 U.S.C. 1318. The proposed Consent Decree resolves these allegations by requiring Union Pacific Railroad Company to restore the impacted areas, to perform mitigation, and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Andrew J. Doyle, Trial Attorney, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026, and refer to *United States v. Union Pacific Railroad Company*, DJ # 90-5-1-1-17847.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Nevada, Las Vegas, or via the court's case management and electronic docketing system at <https://ecf.nvd.uscourts.gov/cgi-bin/ShowIndex.pl>. In addition, the proposed Consent Decree may be viewed at

[http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

**Maureen M. Katz,**

*Assistant Section Chief, Environment & Natural Resources Division.*

[FR Doc. E9-19260 Filed 8-11-09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Proposed Collection, Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c) (2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the "Telephone Point of Purchase Survey." A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before October 13, 2009.

**ADDRESSES:** Send comments to Nora Kincaid, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 4080, 2 Massachusetts Avenue, NE., Washington, DC 20212. Written comments also may be transmitted by fax to 202-691-5111 (this is not a toll free number.)

**FOR FURTHER INFORMATION CONTACT:** Nora Kincaid, BLS Clearance Officer, telephone number 202-691-7628 (this is not a toll free number.) (See **ADDRESSES** section.)

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The purpose of this survey is to develop and maintain a timely list of

retail, wholesale, and service establishments where urban consumers shop for specified items. This information is used as the sampling universe for selecting establishments at which prices of specific items are collected and monitored for use in calculating the Consumer Price Index (CPI). The survey has been ongoing since 1980 and also provides expenditure data that allows items that are priced in the CPI to be properly weighted.

##### II. Current Action

Office of Management and Budget clearance is being sought for the Telephone Point of Purchase Survey (TPOPS).

Since 1997, the survey has been administered quarterly via a computer-assisted telephone interview. This survey is flexible and creates the possibility of introducing new products into the CPI in a timely manner. The data collected in this survey are necessary for the continuing construction of a current outlet universe from which locations are selected for the price collection needed for calculating the CPI. Furthermore, the TPOPS provides the weights used in selecting the items that are priced at these establishments. This sample design produces an overall CPI market basket that is more reflective of the prices faced and the establishments visited by urban consumers.

For this clearance, the BLS will be adding an address question to facilitate sending an advance letter before each wave. Additionally, the BLS is in the process of developing additional questions for TPOPS respondents in order to enhance survey results. Information obtained from these additional questions will be used to address non-response bias in the survey, to study approaches for increasing response rates, and for researching ways to improve the data.

##### III. Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- 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.

- Enhance the quality, utility, and clarity of the information to be collected.

- 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 submissions of responses.

*Type of Review:* Revision of a currently approved collection.

*Agency:* Bureau of Labor Statistics.

*Title:* Point of Purchase Survey.

*OMB Number:* 1220-0044.

*Affected Public:* Individuals or households.

*Total Respondents:* 21,649.

*Frequency:* Quarterly.

*Total Responses:* 56,071.

*Average Time per Response:* 11 minutes.

*Estimated Total Burden Hours:* 10,280 hours.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed at Washington, DC, this 6th day of August 2009.

**Kimberley D. Hill,**

*Acting Chief, Division of Management Systems, Bureau of Labor Statistics.*

[FR Doc. E9-19253 Filed 8-11-09; 8:45 am]

**BILLING CODE 4510-24-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Main Fan Operation and Inspection

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506 (c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired