

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Submission for OMB Review; Comment Request

September 23, 2009.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

### Forest Service

*Title:* Forest Service Ride-Along Program Application.

*OMB Control Number:* 0596-0170.

*Summary of Collection:* The Forest Service (FS) ride-along program allows the general public or other interested person to accompany agency law enforcement personnel as they conduct their normal field duties, including access to and discussions about agency law enforcement vehicles, procedures, and facilities. The program provides an opportunity for officers to enhance the public's understanding and support of the agency program and to increase agency understanding of public and community concerns. The program also aids the agency's recruitment program by allowing interested persons to observe a potential career choice or to participate in innovative intern-type programs, and by allowing the agency to showcase the quality of its program and services.

*Need and Use of the Information:* Information will be collected from any person who voluntarily approaches the FS and wishes to participate in the program. The FS 5300-33 program application form will be used to conduct a minimal background check and the FS 5300-34 is a liability waiver form that requires the applicant's signature and their written assurance that they have read and understood the form. The information collected from the forms will be used by FS and, in appropriate part, by any person or entity needed and authorized by the FS to provide the needed background information (primarily applicable local law enforcement agencies, state criminal justice agencies maintaining state justice records, and by the FBI). If the information is not collected, the program could not operate.

*Description of Respondents:* Individuals or households.

*Number of Respondents:* 100.

*Frequency of Responses:* Reporting: Other (per applicant).

*Total Burden Hours:* 16.

**Charlene Parker,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. E9-23276 Filed 9-25-09; 8:45 am]

**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2009-0059]

### Availability of an Environmental Assessment for a Biological Control Agent for Japanese Beetle

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has prepared an environmental assessment relative to the control of Japanese beetle (*Popillia japonica*). The environmental assessment considers the effects of, and alternatives to, the release of a bacterium, *Bacillus thuringiensis japonensis*, into the continental United States for the use of biological control to reduce the severity of infestations of Japanese beetle on turfgrass. We are making the environmental assessment available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before October 28, 2009.

**ADDRESSES:** You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2009-0059> to submit or view comments and to view supporting and related materials available electronically.

- *Postal Mail/Commercial Delivery:* Please send two copies of your comment to Docket No. APHIS-2009-0059, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2009-0059.

*Reading Room:* You may read any comments that we receive on the environmental assessment in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be

sure someone is there to help you, please call (202) 690–2817 before coming.

**Other Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dr. James L. White, Pest Permitting Branch, Registration, Identification, Permitting, and Plant Safeguarding, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1237; (301) 734–8713.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Animal and Plant Health Inspection Service (APHIS) is proposing to issue permits for the release of a bacterium, *Bacillus thuringiensis japonensis*, into the continental United States for the biological control of the larval stage of Japanese beetle (*Popillia japonica*).

Japanese beetle is native to Japan where it is not a significant pest and was first discovered in the United States in 1916 near Riverton, NJ. APHIS has administered regulations regarding Japanese beetle since 1979 to prevent its spread to new areas. Currently, 28 States and the District of Columbia are quarantined under 7 CFR 301.48 because of the presence of Japanese beetle.

To control Japanese beetle, turf care professionals and homeowners use large quantities of several chemical insecticides. While these chemicals can be effective, their use can result in potential environmental and health issues. Currently, there are very few biological control options for Japanese beetle control. While these natural products do not present the potential environmental impact that standard insecticides do, they tend to provide inconsistent grub pest control at best.

Thus, a permit application has been submitted to APHIS for the purpose of releasing a soil dwelling bacterium, *B. thuringiensis japonensis* to reduce the severity of infestations of Japanese beetle in the United States in turfgrass. The field tests requested will be performed in five States: Massachusetts, New Jersey, New York, Ohio, and Rhode Island. Additional locations in different States may be authorized if a finding of no significant impact is reached for the environmental assessment (EA).

APHIS' review and analysis of the proposed action are documented in detail in a draft EA titled "Field Release of *Bacillus thuringiensis japonensis*, a Bacterium for Biological Control of Japanese Beetle, *Popillia japonica* (Coleoptera:Scarabaeidae), in Five

States" (February 2009). We are making the EA available to the public for review and comment. We will consider all comments that we receive on or before the date listed under the heading **DATES** at the beginning of this notice.

The EA may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for instructions for accessing Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the EA by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the title of the EA when requesting copies.

The EA has been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Done in Washington, DC, this 22nd day of September 2009.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E9–23326 Filed 9–25–09; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2009–0054]

#### Fiscal Year 2010 Veterinary Import/Export User Fees and Veterinary Diagnostic Services User Fees

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** This notice pertains to user fees charged for import- and export-related services that we provide for animals, animal products, birds, germ plasm, organisms, and vectors and for certain veterinary diagnostic services. The purpose of this notice is to remind the public of the user fees for fiscal year 2010 (October 1, 2009, through September 30, 2010).

**FOR FURTHER INFORMATION CONTACT:** For information on Veterinary Services import and export program operations, contact Dr. Freeda Isaac, Director, National Center for Import and Export, VS, APHIS, 4700 River Road, Unit 39,

Riverdale, MD 20737–1231; (301) 734–8364.

For information on Veterinary Diagnostic program operations, contact Dr. Elizabeth Lautner, Director, National Veterinary Services Laboratories, VS, APHIS, 1800 Dayton Avenue, Ames, IA 50010; (515) 663–7301.

For information concerning user fee rate development, contact Mrs. Kris Caraher, Section Head, User Fees Section, Financial Services Branch, FMD, MRPBS, APHIS, 4700 River Road, Unit 54, Riverdale, MD 20737; (301) 734–5901.

#### SUPPLEMENTARY INFORMATION:

##### Background

##### Veterinary Import/Export User Fees

The regulations in 9 CFR part 130 (referred to below as the regulations) list user fees for import- and export-related services provided by the Animal and Plant Health Inspection Service (APHIS) for animals, animal products, birds, germ plasm, organisms, and vectors.

These user fees are authorized by section 2509(c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (21 U.S.C. 136a), which provides that the Secretary of Agriculture may establish and collect fees that will cover the cost of providing import- and export-related services for animals, animal products, birds, germ plasm, organisms, and vectors.

In a final rule published in the **Federal Register** on March 30, 2009 (74 FR 13999–14006, Docket No. APHIS–2006–0144), and effective April 29, 2009, we established, for fiscal years 2009 through 2013, user fees for those services.

The veterinary import/export user fees are found in §§ 130.2 through 130.11 and §§ 130.20 through 130.30 of the regulations and cover the following:

- Any service rendered by an APHIS representative for each animal or bird receiving standard housing, care, feed and handling while quarantined in the APHIS-owned or -operated animal import center or quarantine facility;
- Birds or poultry, including zoo birds or poultry, receiving nonstandard housing, care, or handling to meet special requirements while quarantined in an APHIS-owned or -operated animal import center or quarantine facility;
- Exclusive use of space at APHIS Animal Import Centers;
- Processing import permit applications;
- Any service rendered by an APHIS representative for live animals presented for importation or entry into the United States through a land border port along the United States-Mexico border;