

information-gathering. For instance, the form now requests day and evening phone numbers, instead of work and home numbers.

*Frequency:* Each time a use authorization is requested.

*Respondents:* Individuals, corporations, companies, and State and local entities who want to use Reclamation lands, facilities, or waterbodies.

*Estimated Annual Total Number of Respondents:* 175.

*Estimated Number of Responses per Respondent:* 1.

*Estimated Total Number of Annual Responses:* 175.

*Estimated Total Annual Burden on Respondents:* 350 hours.

*Estimated Completion Time per Respondent:* 2 hours.

#### Comments

We invite your comments on:

(a) Whether the proposed collection of information is necessary for the proper performance of our functions, including whether the information will have practical use;

(b) The accuracy of our burden estimate for the proposed collection of information;

(c) Ways to enhance the quality, usefulness, and clarity of the information to be collected; and

(d) Ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Reclamation will display a valid OMB control number on the Use Authorization Application Form 7-2540. A **Federal Register** notice with a 60-day comment period soliciting comments on this collection of information was published in the **Federal Register** (73 FR 56865, Sep. 30, 2008). No public comments were received.

OMB has up to 60 days to approve or disapprove this information collection, but may respond after 30 days; therefore, public comment should be submitted to OMB within 30 days in order to assure maximum consideration.

Before including your address, telephone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment (including your personal identifying information) may be made publicly available at any time. While you can ask us in your comment to withhold your personal

identifying information from public review, we cannot guarantee that we will be able to do so.

**Roseann Gonzales,**

*Director, Policy and Program Services, Denver Office.*

[FR Doc. E9-2639 Filed 2-6-09; 8:45 am]

**BILLING CODE 4310-MN-P**

#### DEPARTMENT OF JUSTICE

##### Notice of Lodging of Consent Decree in United States v. Kentucky Utilities Company Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on February 3, 2009, a proposed consent decree ("Consent Decree") between Kentucky Utilities Company ("Kentucky Utilities") and the United States in connection with Civil Action No. 5:07-CV-75-KSF, was lodged with the United States District Court for the Eastern District of Kentucky.

The Consent Decree would resolve claims asserted by the United States against Kentucky Utilities pursuant to Sections 113(b) and 167 of the Clean Air Act (the "Act"), 42 U.S.C. 7413(b) and 7477, seeking injunctive relief and the assessment of civil penalties for Kentucky Utilities' violations of:

(a) The Prevention of Significant Deterioration ("PSD") provisions in Part C of Subchapter I of the Act, 42 U.S.C. 7470-92;

(b) The New Source Performance Standards ("NSPS") provisions of the Act, 42 U.S.C. 7411;

(c) Title V of the Act, 42 U.S.C. 7661 *et seq.*; and

(d) The federally enforceable State Implementation Plan ("SIP") developed by the Commonwealth of Kentucky.

Kentucky Utilities Company is a Kentucky corporation headquartered in Lexington, Kentucky. Kentucky Utilities owns and operates five coal-fired electrical power generating stations in Kentucky. One of those stations, the E.W. Brown Plant ("Brown Plant") is located on Lake Herrington in Mercer County, Kentucky. The Brown Plant operates three coal-fired boiler units. Only Unit 3 at the Brown Plant ("Brown Unit 3") is the subject of this settlement. The complaint filed by the United States alleges that Kentucky Utilities modified Brown Unit 3 without complying with the PSD requirements of the Act (including the requirements to first obtain a PSD permit authorizing the modification and to install and operate the best available technology to control emissions of sulfur dioxide ("SO<sub>2</sub>"), nitrogen oxides ("NO<sub>x</sub>"), and/or

particulate matter ("PM")), and without complying with the NSPS requirements of the Act. The complaint also alleges that Kentucky Utilities violated Title V of the Act by failing to include the PSD and NSPS requirements triggered by its modifications in its Title V operating permit for the Brown Plant. Finally, the complaint alleges that Kentucky Utilities illegally operated Brown Unit 3 at heat input capacities that were higher than allowed by its operating permit.

The proposed Consent Decree would require Kentucky Utilities to reduce SO<sub>2</sub>, NO<sub>x</sub> and PM emissions at Brown Unit 3 through the installation and operation of state-of-the-art pollution control technologies. In addition, the proposed Consent Decree would require Kentucky Utilities to contribute \$3 million toward environmental mitigation projects, including \$1.8 million toward a carbon sequestration research project overseen by the University of Kentucky and the Kentucky Geological Survey, \$1 million to retrofit diesel school buses with devices to reduce particulate matter emissions, and \$200,000 toward the National Park Service's efforts to protect and restore Mammoth Caves National Park. Finally, the proposed Consent Decree would require Kentucky Utilities to pay a civil penalty of \$1.4 million.

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. Kentucky Utilities Company*, D.J. Ref. No. 90-5-2-1-08850.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Kentucky, 260 West Vine Street, Suite 300, Lexington, Kentucky 40507-1612, and at U.S. EPA Region IV, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. 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 \$16.75 (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.

**W. Benjamin Fisherow,**

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

[FR Doc. E9-2588 Filed 2-6-09; 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—Alliance for Sustainable Air Transportation

Notice is hereby given that, on January 5, 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"), Alliance for Sustainable Air Transportation ("ASAT") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. 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, DayJet, Boca Raton, FL has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and ASAT intends to file additional written notifications disclosing all changes in membership.

On July 25, 2008, ASAT 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 August 25, 2008 (73 FR 50055).

The last notification was filed with the Department on October 17, 2008. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on November 21, 2008 (73 FR 70674).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. E9-2595 Filed 2-6-09; 8:45 am]

**BILLING CODE 4410-11-M**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—American Society of Mechanical Engineers

Notice is hereby given that, on January 14, 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"), the American Society of Mechanical Engineers (ASME) 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 Acts provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, since October 1, 2008, ASME has published six new standards, initiated seven new standards activities, and established two new standards-writing committees within the general nature and scope of ASME's standards development activities, as specified in its original notification. More detail regarding these changes can be found at <http://www.asme.org>.

On September 15, 2004, ASME 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 13, 2004 (69 FR 60895).

The last notification was filed with the Department on October 3, 2008. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on November 5, 2008 (73 FR 65884).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. E9-2596 Filed 2-6-09; 8:45 am]

**BILLING CODE 4410-11-M**

## DEPARTMENT OF JUSTICE

### Foreign Claims Settlement Commission

#### [F.C.S.C. Meeting Notice No. 1-09]

#### Meetings

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR part 504) and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the

transaction of Commission business and other matters specified, as follows:

*Date and Time:* Thursday, February 19, 2009, at 10:30 a.m.

*Subject Matter:* Issuance of Proposed Decisions, Amended Proposed Decisions, and Orders in claims against Albania.

*Status:* Open.

All meetings are held at the Foreign Claims Settlement Commission, 600 E Street, NW., Washington, DC. Requests for information, or advance notices of intention to observe an open meeting, may be directed to: Administrative Officer, Foreign Claims Settlement Commission, 600 E Street, NW., Room 6002, Washington, DC 20579. Telephone: (202) 616-6988.

Dated at Washington, DC.

**Mauricio J. Tamargo,**

*Chairman.*

[FR Doc. E9-2670 Filed 2-6-09; 8:45 am]

**BILLING CODE 4410-01-P**

## THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### Federal Council on the Arts and the Humanities Arts and Artifacts Indemnity Panel

**AGENCY:** The National Endowment for the Humanities.

**ACTION:** Notice of meeting.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463 as amended) notice is hereby given that a meeting of the Arts and Artifacts Domestic Indemnity Panel of the Federal Council on the Arts and the Humanities will be held at 1100 Pennsylvania Avenue, NW., Washington, DC 20506, in Room 730, from 9 a.m. to 5 p.m., on Monday, February 23, 2009.

The purpose of the meeting is to review applications for Certificates of Indemnity submitted to the Federal Council on the Arts and the Humanities for exhibitions beginning after April 1, 2009.

Because the proposed meeting will consider financial and commercial data and because it is important to keep values of objects, methods of transportation and security measures confidential, pursuant to the authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated July 19, 1993, I have determined that the meeting would fall within exemption (4) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of views and to avoid