

with physical and emotional injury, death, and commercial claims for awards payable by the Department of Treasury out of funds provided pursuant to the U.S.-Libya Claims Settlement Agreement for certain terrorism-related claims against Libya, its agencies and instrumentalities, and officials and employees thereof, and referred to the Commission by the Department of State Legal Adviser.

(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 200 respondents will complete the application in approximately two hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total annual public burden associated with this application is 400 hours.

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

Dated: February 23, 2009.

Lynn Bryant,

Department Clearance Officer, Department of Justice.

[FR Doc. E9-4156 Filed 2-26-09; 8:45 am]

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DEPARTMENT OF JUSTICE

Federal Bureau of Prisons

Availability of the Finding of No Significant Impact for the Criminal Alien Requirement VIII

AGENCY: U.S. Department of Justice, Federal Bureau of Prisons.

ACTION: Notice; finding of no significant impact.

SUMMARY: The U.S. Department of Justice, Federal Bureau of Prisons (BOP) announces the availability of the Finding of No Significant Impact (FONSI) concerning the Criminal Alien Requirement VIII (CAR VIII). The BOP is seeking flexibility in managing its current shortage of beds by contracting for those services with non-federal facilities to house federal inmates. This approach provides the BOP with flexibility to meet population capacity needs in a timely fashion, conform with federal law, and maintain fiscal responsibility, while successfully attaining the mission of the BOP. The BOP proposed to contract with a public and private corporation to house up to

3000 federal, low-security, adult male inmates, that are primarily non-U.S. citizen, criminal aliens in existing Contractor-Owned/Contractor-Operated facilities. The award would be granted to a responsible offeror whose offer is found to be most advantageous to the Government. One existing facility has been offered in response to the BOP's solicitation for services. The one response provided a total of 2,567 beds. Environmental impacts of the facility were evaluated in a Environmental Assessment (EA). The EA evaluated the full effects of the available 2,567 inmate beds. Environmental impacts of this facility have been evaluated in an EA provided by the Offeror.

FOR FURTHER INFORMATION CONTACT:

Richard A. Cohn, Chief, Capacity Planning and Site Selection Branch, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534. Tel: 202-514-6470. Fax: 202-616-6024. E-mail: rcohn@bop.gov.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 and the Council of Environmental Quality Regulations (40 CFR Parts 1500-1508), the EA prepared to contract with a public and private corporation to house approximately 2,500 Federal, low-security, adult male inmates, non-U.S. citizen, that are primarily criminal aliens in existing Contractor-Owned/Contractor-Operated facility. One existing facility, has been offered in response to the BOP's solicitation for services. The one response provided a total of 2,567 beds. The EA was published on January 14, 2009, for a 30-day comment period and prepared pursuant to NEPA.

Project Information

The BOP is responsible for carrying out judgements of the Federal courts whenever a period of confinement is ordered.

Subsequently, the mission of the BOP is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self improvement opportunities to assist offenders in becoming law abiding citizens. Approximately 163,200 inmates are currently housed within the 114 federal correctional institutions that have levels of security ranging from minimum to maximum; a number exceeding the combined rated capacities of all federal

correctional facilities. Measures being taken to manage the growth of the federal inmate population include construction of new institutions, acquisition and adaptation of facilities originally intended for other purposes, expansion and improvement of existing correctional facilities, and expanded use of contract beds. Adding capacity through these various means allows the BOP to work toward the long-term goal of reduced system-wide overcrowding.

Alternatives Considered

The No Action alternative is defined as a decision not to proceed with the proposed action to award a contract to house the described population. Instead, the BOP would continue the current and long-standing arrangement whereby low-security, adult male, criminal alien inmate populations are housed in facilities owned and operated by the BOP as well as with State, local, and private residential reentry centers and in alternative confinement. Adoption of the No Action alternative would avoid the potential impacts associated with use of a Contractor-Owned/Contractor-Operated correctional facility to house low security, Federal inmates.

Under the No Action alternative, the beneficial impacts on local and regional economies resulting from operational budget expenditures at potentially vacant or underutilized correctional facility would not occur. Under the No Action alternative, no job growth would be experienced in Adams County, Mississippi. The No Action alternative does not meet the purpose and need of the BOP's Action alternative and would not address the demand for additional capacity to house the increasing federal inmate population. One location was evaluated in the EA. This facility could be awarded a number of inmates up to its capacity; potential impacts at this facility were evaluated based upon its maximum possible capacity. The facility and respective inmate populations evaluated were:

- Corrections Corporation of America, located in Adams County, Mississippi, evaluated for its maximum capacity under this action to provide 2,567 beds.

The impacts of the Action alternative on the environment were considered in an EA published on January 14, 2009 and prepared pursuant to NEPA. The EA evaluated the full effects of the potentially available 2,567 inmate beds. Review of the EA has led to a FONSI, as that phrase is defined pursuant to NEPA. The Action alternative would result in negligible impacts to public services of host communities. There would be no significant adverse impacts

to surrounding land uses, utility systems, traffic patterns or other community considerations. No significant adverse on-site impacts as defined pursuant to NEPA are anticipated as a result of the Action alternative. After review of the comments received from interested agencies and local citizens concerning the EA, the BOP signed a FONSI for the Action alternative.

Notice of Availability

BOP provided written notices of the availability of the EA in the local newspaper for 4-days with local and regional circulations, and through the local public library. The BOP also distributed approximately 50 copies (each) of the EA to Federal and State agencies, State and local governments, elected officials, interested organizations, and individuals.

Availability of the Finding of No Significant Impact

The FONSI and other information regarding this project are available upon request. To request a copy of the FONSI, please contact: Richard A. Cohn, Chief, Capacity Planning and Site Selection Branch or Issac J. Gaston, Site Selection Specialist, Capacity Planning and Site Selection Branch, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534 Tel: 202-514-6470/Fax: 202-616-6024/E-mail: rcohn@bop.gov—igaston@bop.gov.

Dated: February 18, 2009.

Richard A. Cohn,

Chief, Capacity Planning and Site Selection Branch.

[FR Doc. E9-3934 Filed 2-26-09; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

February 20, 2009.

The Department of Labor (DOL) hereby announces the submission of the following public information collection requests (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation; including, among other things, a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/>

[public/do/PRAMain](http://public.do/PRAMain) or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: DOL_PRA_PUBLIC@dol.gov.

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), e-mail: OIRA_submission@omb.eop.gov within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- 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; and
- 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.

Agency: Occupational Safety and Health Administration.

Type of Review: Extension without change of a previously approved collection

Title of Collection: 1,2-Dibromo-3-Chloropropane (DBCP) Standard (29 CFR 1910.1044).

OMB Control Number: 1218-0101.

Affected Public: Business or other for-profits.

Estimated Number of Respondents: 1.

Estimated Total Annual Burden

Hours: 1.

Estimated Total Annual Costs Burden: \$0.

Description: The purpose of DBCP Standard is to provide protection for employees from the adverse health effects caused by occupational exposure to DBCP. To ensure that employees are receiving this protection, the Standard requires employers to provide OSHA with access to various records.

However, no employers are currently producing or using DBCP; therefore, the Standard imposes no cost burdens on employers. For additional information, see the related 60-day preclearance notice published in the **Federal Register** at Vol. 73 FR 58983 on October 8, 2008. PRA documentation prepared in association with the preclearance notice is available on <http://www.regulations.gov> under docket number OSHA-2008-0038.

Agency: Occupational Safety and Health Administration.

Type of Review: Extension without change of a previously approved collection.

Title of Collection: Cadmium in General Industry Standard (29 CFR 1910.1027).

OMB Control Number: 1218-0185.

Affected Public: Business or other for-profits.

Estimated Number of Respondents: 53,161.

Estimated Total Annual Burden Hours: 92,259.

Estimated Total Annual Costs Burden: \$4,644,185.

Description: The purpose of this standard and its information collection requirements is to provide protection for employees from the adverse health effects that may result from occupational exposure to cadmium. The major information collection requirements in the Standard include conducting employee exposure monitoring, notifying employees of their cadmium exposures, implementing a written compliance program, implementing medical surveillance of employees, providing examining physicians with specific information, ensuring that employees receive a copy of their medical surveillance results, maintaining employees' exposure monitoring and medical surveillance records for specific periods, and providing access to these records by OSHA, the National Institute for Occupational Safety and Health, the employee who is the subject of the records, the employee's representative, and other designated parties. For additional information, see the related 60-day preclearance notice published in the **Federal Register** at Vol. 73 FR 74199 on December 5, 2008. PRA documentation prepared in association with the preclearance notice is available on <http://www.regulations.gov> under docket number OSHA-2008-0052.

Agency: Occupational Safety and Health Administration.

Type of Review: Extension without change of a previously approved collection.