

pollution control programs. In FY2008, EPA awarded the WCDHD \$632,694, which represented approximately 36% of the WCDHD budget. In FY2009, EPA will award the WCDHD \$632,649, which represents approximately 43% of the WCDHD budget.

Section 105(c) (1) of the CAA, 42 U.S.C. 7405(c) (1) provides that "no agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year. However, pursuant to Section 105(c) (2) of the CAA, EPA may still award a grant to an agency not meeting the requirements of Section 105(c) (2), "if the Administrator, after notice and opportunity for public hearing, determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the applicable unit of the Government." These statutory requirements are repeated in EPA's implementing regulations at 40 CFR 35.140-35.148.

WCDHD's final Financial Status Report for FY08 indicated that WCDHD's maintenance of effort (MOE) level was \$1,711,833. The budgeted FY2009 MOE is \$1,451,265.

The projected MOE is not sufficient to meet the MOE requirements under the CAA Section 105 because it is not equal to or greater than the MOE for the previous fiscal year. In order for the WCDHD to be eligible to receive its FY2009 CAA Section 105 grant, EPA must make a determination (after notice and opportunity for a public hearing) that the reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all the Washoe County agencies. EPA, Region IX has yet to award the Section 105 award for the FY09 to the WCDHD.

The shortfall stems from an action taken by the Washoe County Board of County Commissioners in February 2008, directing Washoe County agencies to reduce budget expenditures in order to make up for a budget deficit of \$22,700,000. The budget cuts were not aimed solely at the Health District. Each entity in Washoe County was required to reduce budget expenditures, including police and fire protection services, etc.

The Health District has five divisions: (1) Administrative Health Services (AHS); (2) Air Quality Management (AWM); (3) Community and Clinical Health Services (CCHS); (4) Environmental Health Services (EHS);

and (5) Epidemiology and Public Health Preparedness (EPHP). Each division has borne a percentage of the total FY09 reduction. The combined reduction in budgeted expenditures for the Health District in FY2009 (July 1, 2008 through June 30, 2009) totaled approximately \$1,581,515 as summarized below:

Division	FY09 \$ reduction	FY09 % of total reduction
AHS* .....	\$(188,509)	- 11.89%
AQM** .....	\$84,000	5.32%
CCHS .....	\$1,105,569	69.91%
EHS .....	\$435,681	27.55%
EPHP .....	\$144,188	9.12%
Total ...	\$1,581,515	100%

\* AHS "negative" reduction due to payout budget for organizational retirements \$147,000 and reorganization of personnel from CCHS and EHS to AHS (Department Computer Application Specialist, GIS Specialist, Account Clerk II, and Administrative Assistant II, - 41,509).

\*\* AQM reduction only reflects one vacancy Public Information Officer. However, two additional vacancies (Administrative Secretary Supervisor and Senior Air Quality Specialist) are anticipated to remain unfilled until funding is available. Therefore, three vacancies are reflected in FY09 anticipated MOE of \$1,451,265.

To meet the \$1,057,965 reduction requirements for FY09, the Health District substantially reduced budget for personnel (- \$1,022,065) and minimally reduced budget for operating expenditures (- \$35,000). Ten positions were permanently abolished and the Health District is holding seven (7) vacancies "dark". The "dark" positions will remain vacant until sufficient funding is available. To meet the additional \$532,550 reduction requirements for FY09, the Health District substantially reduced the budget for personnel: (- \$501,550) and minimally reduced the budget for operating expenditures (- \$31,000). The majority of the reduction came from the Family Planning Program local budget, which was reduced by 50%, or \$372,250.

The WCDHD's MOE reduction resulted from a loss of revenues from the County to all agencies due to circumstances beyond its control. EPA proposes to determine that the WCDHD lower FY9 MOE level meets the CAA Section 105(c)(2) criteria as resulting from a non-selective reduction of expenditures.

This notice constitutes a request for public comment and an opportunity for public hearing as required by the CAA. All written comments received by April 22, 2009 on this proposal will be considered. EPA will conduct a public hearing on this proposal only if a written request for such is received by

EPA at the address above by April 22, 2009. If no written request for a hearing is received, EPA will proceed to the final determination. While notice of the final determination will not be published in the **Federal Register**, copies of the determination can be obtained by sending a written request to Roy Ford at the above address.

**Authority:** 42 U.S.C. 7405 *et seq.*

Dated: March 9, 2009.

**Laura Yoshii,**

*Acting Regional Administrator, Region IX.*

[FR Doc. E9-6159 Filed 3-20-09; 8:45 am]

**BILLING CODE**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8785-5]

### Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with Section 122 (h) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement concerning the Malone Service Company Superfund Site, Texas City, Galveston County, Texas.

The settlement requires the seventy-four (74) settling parties to pay a total of \$4,403,290 payment of response costs to the Hazardous Substances Superfund. The settlement includes a covenant not to sue pursuant to Sections 106 or 107 of CERCLA, 42, U.S.C. 9606 or 9607.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to this notice and will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at 1445 Ross Avenue, Dallas, Texas 75202-2733.

**DATES:** Comments must be submitted on or before April 22, 2009.

**ADDRESSES:** The proposed settlement and additional background information

relating to the settlement are available for public inspection at 1445 Ross Avenue, Dallas, Texas 75202-2733. A copy of the proposed settlement may be obtained from Patrice Miller, 1445 Ross Avenue, Dallas, Texas 75202-2733 or by calling (214) 665-3158. Comments should reference the Malone Service Company Superfund Site, Texas City, Galveston County, Texas, and EPA Docket Number 06-17-07, and should be addressed to Patrice Miller at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Anne Foster, 1445 Ross Avenue, Dallas, Texas 75202-2733 or call (214) 665-2169 or I-Jung Chiang, 1445 Ross Avenue, Dallas, Texas 75202-2733 or call (214) 665-2160.

Dated: March 10, 2009.

**Lawrence E. Starfield,**

*Acting Regional Administrator, Region 6.*

[FR Doc. E9-6274 Filed 3-20-09; 8:45 am]

**BILLING CODE 6560-50-P**

## **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

### **Sunshine Act; Notice of Meeting**

**DATE AND TIME:** Thursday, March 19, 2009, 10 a.m. Eastern Time.

**PLACE:** Commission Meeting Room on the First Floor of the EEOC Office Building, 131 "M" Street, NE., Washington, DC 20507.

**STATUS:** The meeting will be closed to the public.

### **Matters To Be Considered**

*Closed Session:* Litigation Recommendation: Amicus Curiae Participation.

**Note:** Any matter not discussed or concluded may be carried over to a later meeting. (In addition to publishing notices on EEOC Commission meetings in the **Federal Register**, the Commission also provides a recorded announcement a full week in advance on future Commission sessions.)

Please telephone (202) 663-7100 (voice) and (202) 663-4074 (TTY) at any time for information.

**CONTACT PERSON FOR MORE INFORMATION:** Stephen Llewellyn, Executive Officer on (202) 663-4070.

Dated: March 18, 2009.

**Stephen Llewellyn,**

*Executive Officer, Executive Secretariat.*

[FR Doc. E9-6370 Filed 3-19-09; 11:15 am]

**BILLING CODE 6570-01-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

### **Notice of Public Information Collection(s) Being Submitted for Review to the Office of Management and Budget**

March 11, 2009.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, 44 U.S.C. 3501-3520. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written Paperwork Reduction Act (PRA) comments should be submitted on or before May 22, 2009. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicholas A. Fraser, Office of Management and Budget, (202) 395-5887, or via fax at 202-395-5167 or via Internet at

*Nicholas\_A.Fraser@omb.eop.gov* and to *Judith-B.Herman@fcc.gov*, Federal Communications Commission, or an e-mail to *PRA@fcc.gov*.

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact Judith B. Herman at 202-418-0214 or via the Internet at *Judith-B.Herman@fcc.gov*.

### **SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0979.

*Title:* License Audit Letter.

*Form No.:* N/A.

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

*Respondents:* Individuals or households; business or other for-profit; not-for-profit institutions; and State, local or tribal government.

*Number of Respondents:* 310,000 respondents; 310,000 responses.

*Estimated Time per Response:* .50 hours.

*Frequency of Response:* One time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for these information collections are contained in 47 U.S.C. Sections 15, 152, 154(i), 155(c), 157, 201, 202, 208, 214, 301, 302a, 303, 307, 308, 309, 310, 311, 314, 316, 319, 324, 331, 332, 333, 336, 534 and 535.

*Total Annual Burden:* 155,000 hours.

*Total Annual Cost:* N/A.

*Privacy Act Impact Assessment:* Yes. The FCC has a System of Records Notice (SORN), FCC/WTB-1, "Wireless Services Licensing Records", to cover the personally identifiable information affected by these information collection requirements. At this time, the Commission (FCC) is not required to complete a Privacy Impact Assessment.

*Nature and Extent of Confidentiality:* In general, there is no need for confidentiality. On a case by case basis, the Commission may be required to withhold from disclosure certain information about the location, character, or ownership of a historic property, including traditional religious sites.

*Needs and Uses:* The Commission will submit this information collection to the Office of Management and Budget (OMB) after this 60 day comment period in order to obtain the full three year clearance from them. The Commission is requesting an extension (no change in the reporting requirement) of this information collection. The Commission is reporting no change in the estimated number of respondents/responses and/or burden hours.

The Wireless Telecommunications Bureau (WTB) of the Federal Communications Commission (FCC) conducts audit(s) of the construction and/or operational status of various wireless radio stations in its licensing database that are subject to rule-based construction and operational requirements. The Commission's rules, 47 CFR 1.80, 90.155 and 90.157, for these wireless services require construction within a specified time frame and require a station to remain operational in order for the license to remain valid. The Commission sends a License Audit Letter to the wireless licensee requesting that they respond to the instructions in the letter (and