

Commission therefore has determined that waiving the 30-day operative delay of the Exchange's proposal is consistent with the protection of investors and the public interest because such waiver will enable the Exchange to permanently establish the QOS program without disruption.<sup>16</sup> Therefore, the Commission designates the proposal operative upon filing.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

##### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-Phlx-2009-50 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2009-50. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the

<sup>16</sup> For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2009-50 and should be submitted on or before August 3, 2009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>17</sup>

**Elizabeth M. Murphy,**  
Secretary.

[FR Doc. E9-16452 Filed 7-10-09; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Reports, Forms and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on February 19, 2009 [FR Doc. 2009-0037, Vol. 74, No. 32, Pages 7737-7738].

**DATES:** Comments must be submitted on or before August 12, 2009.

**FOR FURTHER INFORMATION CONTACT:** Charlene Doyle, Contracting Officer's Technical Representative, Office of Regulatory Analysis and Evaluation, National Highway Traffic Safety Administration, 1200 New Jersey Ave., SE., NVS-431, Washington, DC 20590. Ms. Doyle's phone number is 202-366-1276 and her e-mail address is [charlene.doyle@dot.gov](mailto:charlene.doyle@dot.gov).

<sup>17</sup> 17 CFR 200.30-3(a)(12).

## SUPPLEMENTARY INFORMATION:

### National Highway Traffic Safety Administration

*Title:* An In-Depth Examination of Pedestrian Involved Hit and Run Traffic Crashes.

*OMB Number:* 2127-New.

*Type of Request:* Request for public comment on proposed collection of information.

*Abstract:* The National Highway Traffic Safety Administration (NHTSA) was established to reduce the mounting number of deaths, injuries and economic losses resulting from motor vehicle crashes on the Nation's highways. As part of this statutory mandate, NHTSA is authorized to conduct research as a foundation for the development of motor vehicle standards and traffic safety programs. Between 1998 and 2007, of the more than 48,000 pedestrian deaths recorded within the United States, over 9,000 (19 percent) were caused by hit-and-run drivers. The data collected in this survey of drivers, along with police crash and court data from 10 counties, will be used to identify areas for targeting improvements, identify scenarios in which hit-and-run collisions are more likely to occur, and assist in the selection of cost-effective countermeasures to reduce the incidence of pedestrian hit-and-run crashes.

*Affected Public:* Individuals.

*Estimated Total Annual Burden:* 855 hours.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A comment to OMB is most effective if OMB receives it within 30 days of publication.

**Authority:** 44 U.S.C. 3506(c)(2)(A).

**James F. Simons,**

*Director, Office of Regulatory Analysis and Evaluation.*

[FR Doc. E9-16585 Filed 7-10-09; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[FTA Docket No. FTA-2009-0032]

#### Agency Information Collection Activity Under OMB Review

**AGENCY:** Federal Transit Administration, DOT.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for approval. The **Federal Register** Notice with a 60-day comment period soliciting comments was published on April 27, 2008. No comments were received in response to that notice.

**DATES:** Comments must be submitted before August 12, 2009. A comment to OMB is most effective if OMB receives it within 30 days of publication.

#### FOR FURTHER INFORMATION CONTACT:

LaStar Matthews, Office of Administration, Office of Management Planning, (202) 366-2295 or e-mail: [LaStar.Matthews@dot.gov](mailto:LaStar.Matthews@dot.gov).

#### SUPPLEMENTARY INFORMATION:

**Title:** Transit Investments in Greenhouse Gas and Energy Reduction Program (OMB Number: 2132-0566).

**Abstract:** The American Recovery and Reinvestment Act of 2009 (ARRA) established the Transit Investments in Greenhouse Gas and Energy Reduction (TIGGER) Program. This program is a new \$100,000,000 discretionary grant program to support public transit agencies in making capital investments that will assist in reducing the energy consumption or greenhouse gas emissions of their public transportation systems.

The information collected is submitted as part of the application for grants used to determine eligibility of applicants and project selection. Collection of project management information also provides documentation that the applicants and recipients are meeting program objectives and are complying with FTA Circular 5010.1D Grant Management

Requirements and other federal requirements.

To meet the requirements of the American Recovery and Reinvestment Act, FTA requested an emergency approval from OMB for the Transit Investments in Greenhouse Gas and Energy Reduction Program. OMB approved FTA's emergency request for approval on March 10, 2009. The OMB Control Number is 2132-0566. FTA published a **Federal Register** Notice for Solicitation of Comments and Notice of Availability of Fiscal Year 2009 Funding for Transit Investments in Greenhouse Gas and Energy Reduction Grants on March 24, 2009.

**Estimated Total Annual Burden:** 32,080 hours.

**ADDRESSES:** All written comments must refer to the docket number that appears at the top of this document and be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, **Attention:** FTA Desk Officer.

**Comments Are Invited On:** Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued: July 7, 2009.

**Ann M. Linnertz,**

*Associate Administrator for Administration.*

[FR Doc. E9-16509 Filed 7-10-09; 8:45 am]

**BILLING CODE 4910-57-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[USCG-2006-28532]

#### Port Dolphin Energy LLC, Port Dolphin Energy Liquefied Natural Gas Deepwater Port License Application; Final Application Public Hearing and Final Environmental Impact Statement

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice of availability; notice of public hearing; request for comments.

**SUMMARY:** The Maritime Administration and the U.S. Coast Guard (USCG) announce the availability of the Final Environmental Impact Statement (FEIS)

for Port Dolphin Energy LLC, Port Dolphin Energy Liquefied Natural Gas Deepwater Port license application. The application describes a project that would be located approximately 28 miles off the western coast of Florida, and approximately 42 miles from Port Manatee, Manatee County, Florida. The Maritime Administration and Coast Guard request public comments on the FEIS and application. Publication of this notice begins a 45-day comment period and provides information on how to participate in the process.

**DATES:** A public hearing will be held in Palmetto, Florida on July 28, 2009. The public hearing will be held from 5 p.m. to 7 p.m. and will be preceded by an informational open house from 3 p.m. to 4:30 p.m. The public hearing may end later than the stated time, depending on the number of persons wishing to speak.

Material submitted in response to the request for comments on the FEIS and application must reach the Docket Management Facility by August 23, 2009.

Federal and State agencies must also submit comments, recommended conditions for licensing, or letters of no objection by September 11, 2009. Also by September 11, 2009, the Governor of Florida (the adjacent coastal state) may approve, disapprove, or notify the Maritime Administration of inconsistencies with State programs relating to environmental protection, land and water use, and coastal zone management for which the Maritime Administration may condition the license to make consistent.

The Maritime Administration must issue a record of decision (ROD) to approve, approve with conditions, or deny the DWP license application by October 26, 2009.

**ADDRESSES:** The public hearing in Palmetto will be held at the Manatee Convention Center, 1 Haben Blvd., Palmetto, Florida, 34221; *telephone:* (941) 722-3244.

The FEIS, the application, comments and associated documentation are available for viewing at the Federal Docket Management System Web site: <http://www.regulations.gov> under docket number USCG-2006-28532. The FEIS is also available at the following public libraries:

Central Library—Bradenton, FL 34205  
Braden River Library—Bradenton, FL 34203

South Manatee Branch—Bradenton, FL 34207

Palmetto Branch Library—Palmetto, FL 34221

Rocky Bluff Library—Ellenton, FL 34222