

Applicant: Natalija Lace, University of Southern Mississippi, Hattiesburg, MS, PRT-226641

The applicant requests a permit to authorize harassment of captive-held manatees (*Trichechus manatus*) at Lowry Park Zoo, Florida, that are undergoing rehabilitation prior to release back to the wild, for the purpose of scientific research on the effects of underwater sound propagation on manatee sleep patterns. This notification covers activities to be conducted by the applicant over a 1-year period.

Concurrent with publishing this notice in the **Federal Register**, we are forwarding copies of the above applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Dated: October 30, 2009.

**Lisa J. Lierheimer,**

Senior Permit Biologist, Branch of Permits, Division of Management Authority  
[FR Doc. E9-26874 Filed 11-6-09; 8:45 am]

**BILLING CODE 4310-55-S**

## DEPARTMENT OF JUSTICE

### Notice of Extension of Public Comment Period Under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that the United States has agreed to extend the public comment period in connection with a proposed Consent Decree in *United States v. Pacific Gas & Electric Company* ["PG&E"], Civil Action No. CV-09-4503 (N.D. Cal.), that was lodged with the United States District Court for the Northern District of California on September 24, 2009. The Consent Decree addresses an alleged violation of the Clean Air Act, 42 U.S.C. 7401-7671 *et seq.*, which occurred at the Gateway Generating Station, a natural gas fired power plant located near Antioch, California. The alleged violation arises from the construction of the plant by PG&E allegedly without an appropriate permit in violation of the Prevention of Significant Deterioration provisions of the Clean Air Act, 42 U.S.C. 7475, and without installing and applying best available control technology at the plant to control emissions of various air pollutants.

On October 5, 2009, the United States published a notice in the **Federal Register**, 74 FR 51170, announcing a 30 day public comment period on the proposed settlement. During the comment period, the United States received requests from various citizen

groups, including Citizens for a Better Environment, ACORN, and Californians for Renewable Energy, asking the United States to extend the period for the public to submit their comments and to provide to the United States other information that these organizations believe should be considered in connection with the proposed settlement. In light of these requests, the United States has agreed to extend the time for the public to submit comments on the proposed settlement to a date sixty (60) days from the date of publication of this **Federal Register** notice.

Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and mailed either electronically to *pubcomment-ees.enrd@usdoj.gov* or in hard copy to the United States Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611. Comments should refer to *United States v. Pacific Gas & Electric Company*, Civil Action No. CV-09-4503 (N.D. Cal.) and D.J. Ref. No. 90-5-2-1-09753.

The Consent Decree may be examined at: (1) The offices of the United States Department of Justice, 301 Howard Street, San Francisco, California 94105; and (2) the offices of the U.S. Environmental Protection Agency, Region 9, 75 Hawthorne St., San Francisco, CA 94105. During the public comment period, the Consent Decree may also be examined on the following 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 Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (*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 \$5.25 (21 pages at 25 cents per page reproduction costs) payable to the U.S. Treasury.

**Maureen M. Katz,**

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E9-26916 Filed 11-6-09; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on October 30, 2009, a proposed Consent Decree in *United States v. Methuen Lube, Inc., et al.*, Civil Action No. 1:09-cv-00368-SM, was lodged with the United States District Court for the District of New Hampshire.

The proposed Consent Decree will settle the United States' claims on behalf of the U.S. Environmental Protection Agency ("EPA") brought against defendants Methuen Lube, Inc.; Gloucester Marine Railways Corp.; Sarkis and Toris Vorbikian (d/b/a/ THS Auto Service); the Town of Chester, N.H.; the City of East Providence, R.I.; Express Car Care, Inc.; Fraser Pontiac-Buick-GMC, Inc.; Hampden Dodge, Inc.; the City of Haverhill, MA; the City of Haverhill Housing Authority; Hussey Seating; Legendary Lube, Inc.; the Town of Salem, N.H.; and the Salem School District (collectively referred to as "Settling Defendants") pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, with respect to the Beede Waste Oil Superfund Site in Plaistow, New Hampshire. Pursuant to the Consent Decree, the Settling Defendants will pay a total of \$1,725,435.57 toward financing the work at the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed 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* or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Methuen Lube, Inc., et al.*, Civil Action No. 1:09-cv-368, D.J. Ref. 90-11-3-07039/13. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of New Hampshire, 53 Pleasant Street, Concord, New Hampshire 03301, and at the United States Environmental Protection Agency, Region I, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. During the public

comment period, the proposed Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/Consent-Decrees.html>. A copy of the proposed 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. If requesting a copy by mail from the Consent Decree Library, please enclose a check in the amount of \$10.25 (\$0.25 per page reproduction cost) payable to the United States Treasury or, if requesting by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Maureen Katz,**

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

[FR Doc. E9-26918 Filed 11-6-09; 8:45 am]

**BILLING CODE 4410-15-P**

## FOREIGN CLAIMS SETTLEMENT COMMISSION

### [F.C.S.C. Meeting Notice No. 8-09]

#### Sunshine Act Meeting

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:** Wednesday, November 18, 2009, at 11 a.m.

**SUBJECT MATTER:** Issuance of Proposed Decisions in claims against Albania and Libya.

**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) 616-6975.

**Mauricio J. Tamargo,**  
*Chairman.*

[FR Doc. E9-27059 Filed 11-5-09; 4:15 pm]

**BILLING CODE 4401-BA-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2009-0005]

#### Avalotis Corp.; Notice of Application for a Permanent Variance and Interim Order, Grant of an Interim Order, and Request for Comments

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Application for a permanent variance and interim order; grant of an interim order.

**SUMMARY:** Avalotis Corp. ("the applicant") applied for a permanent variance from the provisions of the OSHA standards that regulate boatswain's chairs and hoist towers, specifically paragraph (o)(3) of 29 CFR 1926.452 and paragraphs (c)(1) through (c)(4), (c)(8), (c)(13), (c)(14)(i), and (c)(16) of 29 CFR 1926.552. In addition, the applicant requested an interim order based on the alternative conditions specified by the variance application. These alternative conditions consist of the same conditions specified in recent variances granted by OSHA from these hoist-tower and boatswain's-chair provisions, as well as several additional conditions that would provide workers with protection from shearing, fall, and struck-by hazards. Therefore, OSHA is granting the applicant's request for an interim order.

**DATES:** Comments and requests for a hearing must be submitted (postmarked, sent, or received) by December 9, 2009. The interim order specified by this notice becomes effective on November 9, 2009.

**ADDRESSES:** *Electronic.* Comments and requests for a hearing may be submitted electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Facsimile.* OSHA allows facsimile transmission of comments that are 10 pages or fewer in length (including attachments), as well as hearing requests. Send these comments and requests to the OSHA Docket Office at (202) 693-1648; hard copies of these comments are not required. Instead of transmitting facsimile copies of attachments that supplement their comments (e.g., studies and journal articles), commenters may submit these attachments, in triplicate hard copy, to the OSHA Docket Office, Technical Data Center, Room N-2625, OSHA, U.S.

Department of Labor, 200 Constitution Ave., NW., Washington, DC 20210. These attachments must clearly identify the sender's name, date, subject, and docket number (i.e., OSHA-2009-0005) so that the Agency can attach them to the appropriate comments.

*Regular mail, express delivery, hand (courier) delivery, and messenger service.* Submit three copies of comments and any additional material (e.g., studies and journal articles), as well as hearing requests, to the OSHA Docket Office, Docket No. OSHA-2009-0005, Technical Data Center, Room N-2625, OSHA, U.S. Department of Labor, 200 Constitution Ave., NW., Washington, DC 20210; telephone: (202) 693-2350. Please contact the OSHA Docket Office at (202) 693-2350 for information about security procedures concerning the delivery of materials by express delivery, hand delivery, and messenger service. The hours of operation for the OSHA Docket Office and Department of Labor are 8:15 a.m. to 4:45 p.m., e.t.

*Instructions.* All submissions must include the Agency name and the OSHA docket number (i.e., OSHA Docket No. OSHA-2009-0005). OSHA places comments and other materials, including any personal information, in the public docket without revision, and these materials may be available online at <http://www.regulations.gov>. Therefore, the Agency cautions commenters about submitting statements they do not want made available to the public, or submitting comments that contain personal information (either about themselves or others) such as Social Security numbers, birth dates, and medical data.

*Docket.* To read or download submissions or other material in the docket, go to <http://www.regulations.gov> or to the OSHA Docket Office at the address above. All documents in the docket are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office.

**FOR FURTHER INFORMATION CONTACT:** *General information and press inquiries.* For general information and press inquiries about this notice contact Jennifer Ashley, Director, OSHA Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-1999.

*Technical information.* For technical information about this notice, contact