

According to Bureau of Labor Statistics from May 2008, salaried optometrists earn an average wage of \$50.58 per hour and general office clerical personnel earn an average of \$12.90 per hour.<sup>4</sup>

With these categories of personnel, respectively, likely to perform the brunt of the disclosure (for optometrists) and recordkeeping (for office clerks) aspects of the Rule, estimated total labor cost attributable to the Rule would be approximately \$32.8 million.  $[(\$50.58 \times 566,666.7 \text{ hours}) + (\$12.90 \times 283,333.3 \text{ hours}) = \$32,317,001]$

The contact lens market is a multibillion dollar market; one recent survey estimates that contact lens sales totaled \$2.37 billion from Jan 1, 2006 to Dec 31, 2006.<sup>5</sup> Thus, the total labor cost burden estimate of \$32.3 million represents approximately 1.5% of the overall market.

*Estimated annual non-labor cost burden:* \$0 or minimal.

Staff believes that the Rule's disclosure and recordkeeping requirements impose negligible capital or other non-labor costs, as the affected entities are likely to have the necessary supplies and/or equipment already (e.g., prescription pads, patients' medical charts, facsimile machines and paper, telephones, and recordkeeping facilities such as filing cabinets or other storage).

**Willard Tom,**

*General Counsel*

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**BILLING CODE:** 6750-01-S

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5280-N-50]

### Federal Property Suitable as Facilities To Assist the Homeless

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This Notice identifies unutilized, underutilized, excess, and

<sup>4</sup>Mean and median worker hourly wages for optometrists and general office clerks are drawn from the Bureau of Labor Statistics (BLS) Occupational Employment and Statistics Survey, May 2008, based on BLS-sampled data it collected over a 3-year period. See (<http://www.bls.gov/news.release/pdf/ocwage.pdf>) (Table 1).

<sup>5</sup>The Vision Council of America and Jobson Optical Research have conducted large scale continuous consumer research under the name VisionWatch, which reports on the vision care industry. The basis for this statistic is on file with the Federal Trade Commission.

surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

**DATES:** *Effective Date:* December 24, 2009.

#### FOR FURTHER INFORMATION CONTACT:

Kathy Ezzell, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 7262, Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800-927-7588.

#### SUPPLEMENTARY INFORMATION:

In accordance with the December 12, 1988 court order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: December 17, 2009.

**Mark R. Johnston,**

*Deputy Assistant Secretary for Special Needs.*

[FR Doc. E9-30412 Filed 12-23-09; 8:45 am]

**BILLING CODE** 4210-67-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on December 18, 2009, a proposed Consent Decree in *United States v. Newell Holdings Delaware, Inc. and Rock Springs Enterprises, Inc.*, Civil Action No. 5:07-cv-164, was lodged with the United States District Court for the Northern District of West Virginia. In a civil action filed on December 18, 2007, under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), the United States sought recovery of response costs from Newell Holdings Delaware, Inc. ("Newell Holdings") and Rock Springs Enterprises, Inc. ("Rock Springs") in connection with the Eighth and Plutus Streets Pottery Site in Chester, West Virginia ("the Site"). The proposed Consent Decree, lodged on December 18, 2009, resolves the liability of the defendant Newell Holdings for response costs incurred and to be

incurred by the United States in connection with the Site, and requires Newell Holdings to pay \$800,000 in response costs in accordance with the terms of the Decree. Defendant Rock Springs is not a party to the Consent Decree.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, by e-mail to [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.enrd@usdoj.gov) or regular mail to P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and refer to *United States v. Newell Holdings Delaware, Inc. and Rock Springs Enterprises, Inc.*, D.J. Ref. 90-11-3-09297.

The Consent Decree may be examined at the Office of the United States Attorney for the Northern District of West Virginia, U.S. Courthouse and Federal building, 1125 Chapline Street, Wheeling, WV 26003 and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. 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\\_decree.html](http://www.usdoj.gov/enrd/consent_decree.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. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$6.00 (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 address above.

**Maureen Katz,**

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

[FR Doc. E9-30581 Filed 12-23-09; 8:45 am]

**BILLING CODE** 4410-15-P

## SMALL BUSINESS ADMINISTRATION

### Reporting and Recordkeeping Requirements Under OMB Review

**AGENCY:** Small Business Administration.

**ACTION:** Notice of Reporting Requirements Submitted for OMB Review.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

**DATES:** Submit comments on or before January 25, 2010. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

*Copies:* Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

**ADDRESSES:** Address all comments concerning this notice to: *Agency Clearance Officer*, Jacqueline White, Small Business Administration, 409 3rd Street, SW., 5th Floor, Washington, DC 20416; and *OMB Reviewer*, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline White, Agency Clearance Officer, (202) 205-7044.

**SUPPLEMENTARY INFORMATION:**

*Title:* Borrower's Program Certification.

*SBA Form Number:* 1366.

*Frequency:* On Occasion.

*Description of Respondents:* Request of Disaster Loans.

*Responses:* 12,078.

*Annual Burden:* 11,312.

*Title:* America's Recovery Capitol (ARC) Loan Program.

*SBA Form Numbers:* 2315, 2316 Part A, B, C.

*Frequency:* On Occasion.

*Description of Respondents:* Participants eligible for the ARC loan program.

*Responses:* 12,000.

*Annual Burden:* 7,070.

**Jacqueline White,**

*Chief, Administrative Information Branch.*

[FR Doc. E9-30569 Filed 12-23-09; 8:45 am]

**BILLING CODE 8025-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. IC-29095]

**Notice of Applications for Deregistration Under Section 8(f) of the Investment Company Act of 1940**

December 18, 2009.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of December, 2009. A copy of each application may be obtained via the Commission's Web site by searching for the file number, or an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090. An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by writing to the SEC's Secretary at the address below and serving the relevant applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on January 12, 2010, and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

**FOR FURTHER INFORMATION CONTACT:**

Diane L. Titus at (202) 551-6810, SEC, Division of Investment Management, Office of Investment Company Regulation, 100 F Street, NE., Washington, DC 20549-4041.

**ING Clarion Real Estate Income Fund [File No. 811-21404]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On October 1, 2009, applicant transferred its assets to ING Clarion Global Real Estate Income Fund, based on net asset value. Expenses of approximately \$35,855 incurred in connection with the reorganization were paid by applicant.

*Filing Dates:* The application was filed on October 29, 2009, and amended on December 8, 2009.

*Applicant's Address:* 201 King of Prussia Rd., Radnor, PA 19087.

**BGT Subsidiary Inc. [File No. 811-8949]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On December 28, 2001, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of \$28,000 incurred in connection with the liquidation were paid by applicant.

*Filing Dates:* The application was filed on January 7, 2009, and amended on December 1, 2009.

*Applicant's Address:* 100 Bellevue Parkway, Wilmington, DE 19809.

**BNN Subsidiary Inc. [File No. 811-7719]**

**BBT Subsidiary Inc. [File No. 811-7721]**

*Summary:* Each applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On December 12, 1997, applicants made liquidating distributions to their shareholders, based on net asset value. Each applicant incurred \$28,000 in expenses in connection with its liquidation.

*Filing Dates:* The applications were filed on January 7, 2009 and amended on December 1, 2009.

*Applicant's Address:* 100 Bellevue Parkway, Wilmington, DE 19809.

**Keystone America Hartwell Emerging Growth Fund, Inc. [File No. 811-1633]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. On or about August 18, 1997, applicant transferred its assets to Evergreen Aggressive Growth Fund, a series of Evergreen Fund, based on net asset value. Expenses incurred in connection with the reorganization were paid by applicant.

*Filing Dates:* The application was filed on September 3, 2009, and amended on November 30, 2009.

*Applicant's Address:* 200 Berkeley St., Boston, MA 02116.

**Master Reserves Trust [File No. 811-2597]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. On or about December 11, 1996, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses incurred in connection with the liquidation were paid by applicant.

*Filing Dates:* The application was filed on September 15, 2009, and amended on November 30, 2009.

*Applicant's Address:* 200 Berkeley St., Boston, MA 02116.