

Item	Responses	Filing fee	Total filing fees
Petition for expedited handling of license (no corresponding application) .....	1,347	200.00	269,400.00
Petition for expedited handling of license (corresponding U.S. application) .....	259	200.00	51,800.00
Petition for changing the scope of a license .....	1	200.00	200.00
Petition for retroactive license .....	177	200.00	35,400.00
Totals .....	1,794	.....	356,800.00

The USPTO estimates that 90 percent (90%) of the petitions in this collection are submitted to the USPTO by facsimile or hand carried because of the quick turnaround required. For the 10 percent (10%) of the public that chooses to submit the petitions in this collection to the USPTO by mail through the United States Postal Service, the USPTO estimates that the average first class postage cost for a mailed submission will be 44 cents. Therefore, the USPTO estimates that up to 179 submissions per year may be mailed to the USPTO at an average first class postage cost of 44 cents, for a total postage cost of \$79.

The USPTO estimates that the total non-hour respondent cost burden for this collection in the form of filing fees (\$356,800) and postage costs (\$79) amounts to \$356,879.

#### IV. Request for Comments

*Comments are invited on:* (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, *e.g.*, the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they will also become a matter of public record.

Dated: January 14, 2010.

**Susan K. Fawcett,**

*Records Officer, USPTO, Office of the Chief Information Officer.*

[FR Doc. 2010-1161 Filed 1-21-10; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 4-2010]

#### Foreign-Trade Zone 113—Ellis County, TX Application for Reorganization Under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by Ellis County Trade Zone Corporation (formerly Midlothian Trade Zone Corporation), grantee of FTZ 113, requesting authority to reorganize the zone under the alternative site framework (ASF) adopted by the Board (74 FR 1170, 01/12/09; correction 74 FR 3987, 01/22/09). The ASF is an option for grantees for the establishment or reorganization of general-purpose zones and can permit significantly greater flexibility in the designation of new "usage-driven" FTZ sites for operators/users located within a grantee's "service area" in the context of the Board's standard 2,000-acre activation limit for a general-purpose zone project. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on January 14, 2010.

The grantee's proposed service area under the ASF would be Ellis County, Texas. If approved, the grantee would be able to serve sites throughout the service area based on companies' needs for FTZ designation. The proposed service area is adjacent to the Dallas-Fort Worth Customs and Border Protection port of entry.

FTZ 113 was approved by the FTZ Board on December 21, 1984 (Board Order 283, 50 FR 300, 1/2/85). The applicant is requesting to include the following current site in the reorganized zone as a "magnet" site: *Proposed Site 1* (551 acres)—MidTexas International Center, 1500 North Service Road, U.S. Highway 67, Midlothian. The applicant proposes that Site 1 be exempt from "sunset" time limits that otherwise apply to sites under the ASF. No usage-driven sites are being proposed at this time.

In accordance with the Board's regulations, Camille Evans of the FTZ

Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is March 23, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to April 7, 2010).

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., via [www.trade.gov/ftz](http://www.trade.gov/ftz). For further information, contact Camille Evans at Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible [Camille.Evans@trade.gov](mailto:Camille.Evans@trade.gov) or (202) 482-2350.

Dated: January 14, 2010.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. 2010-1241 Filed 1-21-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 2-2010]

#### Foreign-Trade Zone 201—Holyoke, MA; Application for Subzone; Yankee Candle Corporation (Candles and Gift Sets); Whately and South Deerfield, MA

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Holyoke Economic Development and Industrial Corporation, grantee of FTZ 201, requesting special-purpose subzone status for the candle and gift set manufacturing facility of Yankee Candle Corporation (Yankee Candle), located in Whately and South Deerfield, Massachusetts. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as

amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on January 13, 2010.

The Yankee Candle facilities (1,516 employees, 20,000,000 kg annual candle capacity, 3,200,000 unit annual gift set capacity) consist of four sites on 95 acres: *Site 1* (44 acres) manufacturing and kitting facility located at 102 Christian Lane, Whately; *Site 2* (31 acres) distribution facility located at 27 Yankee Candle Way, South Deerfield; *Site 3* (10.5 acres) distribution and kitting facility located at 1 Plain Road, South Deerfield; and *Site 4* (9.6 acres) warehousing facility located at 14 Industrial Drive West, South Deerfield. The facilities are used for the manufacturing and kitting of candles and gift sets. Components and materials sourced from abroad (representing 3–5% of the value of the finished candles and 25–30% of the value of the finished gift sets) include: metal lids, glass candle toppers and tart warmers (duty rate ranges from 2.6 to 30%).

FTZ procedures could exempt Yankee Candle from customs duty payments on the foreign components used in export production. The company anticipates that some 10 percent of the plant's shipments will be exported. On its domestic sales, Yankee Candle would be able to choose the duty rates during customs entry procedures that apply to the finished candles (duty-free) and gift sets (duty rate ranges from 6 to 7.2%) for the foreign inputs noted above. FTZ designation would further allow Yankee Candle to realize logistical benefits through the use of weekly customs entry procedures. Customs duties also could possibly be deferred or reduced on foreign status production equipment. The request indicates that the savings from FTZ procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, Elizabeth Whiteman of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is March 23, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to April 7, 2010.

A copy of the application will be available for public inspection at the Office of the Executive Secretary,

Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230–0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Whiteman at [Elizabeth.Whiteman@trade.gov](mailto:Elizabeth.Whiteman@trade.gov) or (202) 482–0473.

Dated: January 13, 2010.

**Andrew McGilvray,**  
*Executive Secretary.*

[FR Doc. 2010–1244 Filed 1–21–10; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648–XT64**

**Intent to Prepare a Supplemental Environmental Impact Statement on the Exxon Valdez Oil Spill Trustee Council's Restoration Efforts**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce.

**ACTION:** Notice of intent to prepare a supplemental environmental impact statement; request for comments.

**SUMMARY:** NOAA, as a member of the Exxon Valdez Oil Spill Trustee Council (Council), announces the intent of the Council to prepare a supplement to the existing environmental impact statement (EIS) on the Council's restoration efforts, in accordance with the National Environmental Policy Act of 1969, (NEPA). This supplemental EIS (SEIS) is necessary to respond to significant new circumstances bearing on the Council's restoration efforts as assessed in the original EIS. Specifically, as the restoration funds remaining from the Exxon Valdez settlement diminish, the Council seeks a more discrete and efficient funding mechanism by which to direct the remaining funds. The SEIS would assess the environmental impacts of the Council's proposal to narrow and refine the scope of the Council's restoration efforts to five defined restoration categories: herring; lingering oil; long-term monitoring of marine conditions; harbor protection and marine restoration; and habitat acquisition and protection. Cooperating agencies are the Alaska Departments of Law, Environmental Conservation, and Fish and Game, and the U.S. Forest Service, U.S. Department of Agriculture, Office

of the Secretary, U.S. Department of the Interior.

**DATES:** Written comments on the intent to prepare and the scope of a SEIS will be accepted on or before April 1, 2010. A draft SEIS will be released for public comment by spring 2010. Specific dates and times for future events will be publicized on the EVOSTC website, <http://www.evostc.state.ak.us>, when scheduled.

**ADDRESSES:** Written comments on suggested alternatives and potential impacts should be sent to Laurel Jennings, Exxon Valdez Oil Spill Trustee Council, 441 West 5th Avenue, Suite 500, Anchorage, AK 99501. Emailed comments will be received at [dfg.evostc.nepacomment@alaska.gov](mailto:dfg.evostc.nepacomment@alaska.gov).

**FOR FURTHER INFORMATION CONTACT:** Laurel Jennings (888.654.EVOS).

**SUPPLEMENTARY INFORMATION:**

**Background**

In 1992, the Exxon Valdez Oil Spill Trustee Council was formed by six trustees, three State of Alaska trustees and three federal trustees, to oversee restoration of the natural resources and ecosystem damaged by the 1989 oil spill. The Exxon Valdez Oil Spill Trustee Council was funded by settlement of civil claims brought against Exxon Companies by the State of Alaska and the United States. The Council initiated an extensive public process to begin the work of restoration using these joint trust funds and, in 1994, adopted a Restoration Plan to guide restoration through research and monitoring, habitat protection and general restoration. The Restoration Plan also established a Restoration Reserve recognizing that recovery from the spill would not occur for decades.

As part of this effort, the Council also adopted an official list of resources and services injured by the spill. When the 1994 Plan was drafted, the distinction between the effects of the spill and those of other natural or human-caused stressors on injured resources or services was not clearly understood. Through the hundreds of studies conducted over the last twenty years, the Council has come to recognize that ecosystem restoration is not easily addressed. The interactions between a changing environment and the injured resources and services are only beginning to be understood, and, as time passes, the ability to distinguish the effects of the oil from other factors affecting fish and wildlife populations becomes more difficult. These complexities and the difficulties in measuring the continuing impacts from the spill result in some inherent