

hours burden before adjustments is 33,719 hours [(841 non-index filings x 39 hours) + (20 index filings x 2 hours) + (22 acquiring person non-index filings requiring more precise valuation<sup>6</sup> x 40 hours)].

As in the past, however, staff further estimates that half of those submitting non-index filings will incorporate Item 4(a) and Item 4(b) documents by reference to an Internet link, and that doing so will reduce individual burden by one hour. Accordingly, the cumulative reduction to the above total would be 421 hours (841 non-index filings x 1/2 = 421, multiplied by 1 hour), resulting in net estimated burden for fiscal year 2010 of 33,298 hours.

This estimate is conservative. In estimating PRA burden, staff considered "the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency." 5 CFR 1320.3(b)(1). This includes "developing, acquiring, installing, and utilizing technology and systems for the purpose of disclosing and providing information." 5 CFR 1320.3(b)(1)(iv). Although not expressly stated in the OMB definitions regulation implementing the PRA, the definition of burden arguably includes upgrading and maintaining computer and other systems used to comply with a rule's requirements. Conversely, to the extent that these systems are customarily used in the ordinary course of business independent of the Rule, their associated upkeep would fall outside the realm of PRA "burden." See 5 CFR 1320.3(b)(2).

Industry has been subject to the basic provisions of the HSR Rules since 1978. Thus, businesses have had several years (and some have had decades) to integrate compliance systems into their business procedures. Accordingly, most companies now maintain records and provide updated order information of the kind required by the HSR Rules in

transaction falls upon. The resulting fiscal year 2009 total, 38, is then used to project the fiscal year 2010 volume of such transactions. To do this, we first calculated the proportion this net figure represents in relation to the total fiscal year 2009 non-index transactions:  $38 \div 716 = 5.3\%$ .

This percentage is then applied to the projected number of fiscal year 2010 non-index transactions in order to estimate the proportion of them that will require more precise valuation. Assuming that half the projected number of fiscal year 2010 non-index filings will constitute the number of associated transactions, that would result in approximately 421 non-index transactions (841 ÷ 2). To this we then carry over and apply the above 5.3% apportionment to arrive at an estimate of 22 non-index transactions in fiscal year 2010 that will require more precise measurement.

<sup>6</sup> Only the acquiring person is subject to a filing fee; thus, this specific focus.

their ordinary course of business. Nevertheless, staff conservatively assumes that the time devoted to compliance with the Rule by existing and new companies remains unchanged from its preceding estimate.

*Estimated labor costs:* \$15,317,080

Using the burden hours estimated above and applying an estimated average of \$460/hour for executive and attorney wages,<sup>7</sup> staff estimates that the total labor cost associated with the HSR Rules and the Notification and Report Form is approximately \$15,317,080 (33,298 hours x \$460/hour).

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

The applicable requirements impose minimal start-up costs, as businesses subject to the HSR Rules generally have or obtain necessary equipment for other business purposes. Staff believes that the above requirements necessitate ongoing, regular training so that covered entities stay current and have a clear understanding of federal mandates, but that this would be a small portion of and subsumed within the ordinary training that employees receive apart from that associated with the information collected under the HSR Rules and the corresponding Notification and Report Form.

**David C. Shonka**

*Principal Deputy General Counsel*

[FR Doc. 2010-3957 Filed 2-25-10; 12:36 pm]

**BILLING CODE 6750-01-S**

## DEPARTMENT OF JUSTICE

### Bureau of Justice Statistics

[OMB Number 1121-0269]

#### Agency Information Collection Activities: Reinstatement, With Change, of a Previously Approved Collection for Which Approval Has Expired; Comments Requested

**ACTION:** 60-day notice of information collection under review; 2009 Census of Publicly Funded Forensic Crime Laboratories.

The Department of Justice (DOJ), Bureau of Justice Statistics (BJS), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is

<sup>7</sup> The FTC's previous estimate of \$425 per hour has been increased by the Social Security COLA percentage for fiscal years 2007 - fiscal year 2009 (fiscal year 2007(2.3%), fiscal year 2008 (5.8%)), fiscal year 2009 (0%).

published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until April 27, 2010. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Christine Eith, Bureau of Justice Statistics, 810 7th Street, NW., Washington, DC 20531 (phone: 202-305-4559).

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### *Overview of this information collection:*

(1) *Type of Information Collection:* Reinstatement, with change, of a previously approved collection for which approval has expired.

(2) *Title of the Form/Collection:* 2009 Census of Publicly Funded Forensic Crime Laboratories.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* The form number is CFCL-09, Bureau of Justice Statistics, Office of Justice Programs, U. S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Respondents will represent Federal, State, and local governments. This information collection is a census of public crime laboratories that perform forensic analyses on criminal evidence.

The information will provide statistics on laboratories' capacity to analyze forensic crime evidence, the number, types, and sources of evidence received per year, and the number, types, and cost of analyses completed.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 400 respondents will complete each form within approximately 3 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 1,200 total annual burden hours associated with this collection.

*If additional information is required contact:* Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: February 23, 2010.

**Lynn Bryant,**

*Department Clearance Officer, PRA, U.S. Department of Justice.*

[FR Doc. 2010-4048 Filed 2-25-10; 8:45 am]

**BILLING CODE 4410-18-P**

## DEPARTMENT OF JUSTICE

### Certification of the Attorney General; Williamson County, TX

In accordance with Section 8 of the Voting Rights Act, 42 U.S.C. 1973f, I hereby certify that in my judgment the appointment of Federal observers is necessary to enforce the guarantees of the Fourteenth and Fifteenth Amendments of the Constitution of the United States in Williamson County, Texas. This county is included within the scope of the determinations of the Attorney General and the Director of the Census made under Section 4(b) of the Voting Rights Act, 42 U.S.C. 1973b(b), and published in the **Federal Register** on September 23, 1975 (40 FR 43,746).

Dated: February 23, 2010.

**Eric H. Holder Jr.,**

*Attorney General of the United States.*

[FR Doc. 2010-3998 Filed 2-25-10; 8:45 am]

**BILLING CODE 4410-13-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that on February 16, 2010, a proposed Consent Decree in *United States v. Belson Steel Center Scrap, Inc.*,

Civil Action No. 10 C 581, was lodged with the United States District Court for the Northern District of Illinois.

In a civil action filed simultaneously with the Consent Decree, the United States seeks a civil penalty against Belson Steel Center Scrap, Inc. ("Belson"), pursuant to section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), for alleged environmental violations of 40 CFR 82.156. These violations are alleged to have occurred at Belson's facility located at 1685 N. Route 50, Bourbonnais, Illinois.

Under the proposed settlement, Belson will be required to (1) Acquire chloral floral carbon ("CFC") removal equipment, (2) have properly trained operators evacuate CFCs from scrap appliances containing refrigerant, (3) maintain a log documenting CFC removal activities, (4) collect verification statements conforming to regulations in cases where Belson accepts appliances that already had CFCs removed, (5) provide periodic reports to EPA regarding its implementation of its obligations under the decree, and (6) pay a civil penalty of \$54,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either mailed to [pubcomment-ees.enrd@usdoj.gov](mailto: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. Belson Steel Center Scrap, Inc.*, D.J. Ref. 90-5-2-1-09506.

The Consent Decree may be examined at the Office of the United States Attorney, Attn. Kurt N. Lindland, Assistant United States Attorney, 219 S. Dearborn Street, 5th Flr., Chicago, Illinois, and at U.S. EPA Region 5, 77 West Jackson Blvd., 14th Flr., Chicago, Illinois. 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\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 number (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 \$6.25 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 stated address.

**Maureen Katz,**

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

[FR Doc. 2010-3905 Filed 2-25-10; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Federal Bureau of Investigation

[OMB Number 1110-NEW]

### Agency Information Collection Activities: New Collection, Comments Requested

**ACTION:** 30-day Notice of Information Collection Under Review: New collection; Cargo Theft Incident Report.

The Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the emergency review procedures of the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** on November 25, 2009, Volume 74, Number 226, Pages 61708, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until March 29, 2010. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to Gregory E. Scarbro, Unit Chief, Federal Bureau of Investigation, Criminal Justice Information Services Division (CJIS), Module E-3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306; facsimile (304) 625-3566.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Comments should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;