

ideas, and suggestions for the future management of Rose Atoll Refuge.

We will conduct the environmental review of this project and develop an EA in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321 *et seq.*); NEPA Regulations (40 CFR parts 1500–1508); other Federal laws and regulations; and our policies and procedures for compliance with those laws and regulations.

We request your input regarding issues, concerns, ideas, and suggestions important to you and the future management of the Rose Atoll Refuge. Opportunities for additional public input will be announced throughout the planning process.

Preliminary Issues, Concerns, and Opportunities

We have identified preliminary issues, concerns, and opportunities that we may address in the CCP. We have briefly summarized the issues below. During public scoping, we may identify additional issues.

- Protect and restore terrestrial habitat for *Pisonia* forest, sea turtle nesting, seabird nesting, and shorebirds.
- Protect and restore marine habitat for coral reefs, giant clams, marine mammals, sea turtles, seabirds, and fish.
- Analyze options for issuing permits.
- Identify potential, compatible scientific exploration and research opportunities.
- Identify potential locations and stipulations for fishing (recreational and traditional indigenous subsistence).
- Identify threats to the islands and reefs (unauthorized access, illegal fishing, marine debris, shipwrecks, and invasive species).
- Provide wildlife observation and photography and environmental education opportunities.
- Identify the Refuge's relationship with Fagatele Bay National Marine Sanctuary and opportunities for cooperative activities.
- Develop monitoring and enforcement programs.
- Protect cultural resources.

Public Meetings

We will hold public open house meetings to provide more information about the CCP process and obtain public comments. Public open house meetings will be held in the Manu'a Islands during November 2009, meeting details will be advertised locally. A public open house meeting is scheduled for November 19, 2009, from 4 p.m. to 6 p.m. at the Convention Center in Utulei, Tutuila, American Samoa.

Public Availability of Comments

Before including your address, phone number, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: November 2, 2009.

David J. Wesley,

Acting Regional Director, Region 1, Portland, Oregon.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R9–IA–2009–N238]
[96300–1671–0000–P5]

Receipt of Applications for Permit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications for permit.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for permits to conduct certain activities with endangered species and/or marine mammals. Both the Endangered Species Act and the Marine Mammal Protection Act require that we invite public comment on these permit applications.

DATES: Written data, comments or requests must be received by December 9, 2009.

ADDRESSES: Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents within 30 days of the date of publication of this notice to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 212, Arlington, Virginia 22203; fax 703/358-2281.

FOR FURTHER INFORMATION CONTACT: Division of Management Authority, telephone 703/358-2104.

SUPPLEMENTARY INFORMATION:

Endangered Species

The public is invited to comment on the following applications for a permit

to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). Submit your written data, comments, or requests for copies of the complete applications to the address shown in **ADDRESSES**.

Applicant: University of Texas, Austin, TX, PRT-182099

The applicant requests an amendment to the permit to acquire from Coriell Institute of Medical Research, Camden, NJ, in interstate commerce cell line cultures from various threatened and endangered non-human Primates species for the purpose of scientific research. The notification covers activities conducted by the applicant over the remainder of the 5-year period.

Applicant: Panther Ridge Conservation Center, Wellington, FL, PRT-224100

The applicant requests a permit to import one live, captive-born cheetah (*Acinonyx jubatus*) from South Africa for the purpose of enhancement of the survival of the species.

Endangered Marine Mammals and Marine Mammals

The public is invited to comment on the following applications for a permit to conduct certain activities with endangered marine mammals and/or marine mammals. The applications were submitted to satisfy requirements of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and/or the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing endangered species (50 CFR Part 17) and/or marine mammals (50 CFR Part 18). Submit your written data, comments, or requests for copies of the complete applications or requests for a public hearing on these applications to the address shown in **ADDRESSES**. If you request a hearing, give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

Applicant: Tom S. Smith, Brigham Young University, Provo, UT, PRT-225854

The applicant requests a permit to authorize harassment of up to 18 polar bears (*Ursus maritimus*) per year by maintaining video cameras near dens for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

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]

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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. 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