

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.⁴

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, 2006.⁵ 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

⁴Mean 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).

⁵The 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]

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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 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_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), 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.