

split evenly between the United States and the State of Ohio, with the State's portion being divided between Ohio EPA and the Hamilton County Department of Environmental Services. INEOS will also (1) operate its flare in accordance with specific new parameters to ensure control of volatile organic compounds (VOCs), which include hazardous air pollutants, in accordance with its 99% flare control efficiency permit requirements; (2) install a new biofilter system to reduce acrylonitrile emissions, a hazardous air pollutant; (3) conduct a comprehensive review of compliance with emergency release reporting regulations; and (4) conduct a comprehensive set of leak detection and repair (LDAR) practices that go beyond regulatory requirements.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and either e-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, et al. v. INEOS ABS (USA) Corporation, et al.*, D.J. Ref. 90-5-2-1-09264. The Decree may be examined at U.S. EPA, Region 5, 77 West Jackson Blvd., Chicago, IL 60604. During the public comment period, the 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 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. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$21.25 (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 stated address.

**Maureen Katz,**

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

[FR Doc. E9-18790 Filed 8-5-09; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging Proposed Consent Decree**

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Sierra Properties I, LLC*, Civil No. 8:09 CV-1400-T, was lodged with the United States District Court for the Middle District of Florida on July 28, 2009.

This proposed Consent Decree concerns a complaint filed by the United States against Sierra Properties I, LLC, pursuant to Sections 301(a) and 404(s) of the Clean Water Act, 33 U.S.C. 1311(a), 1344(s) to obtain injunctive relief and impose civil penalties against the Defendant for violating the Clean Water Act by discharging fill material in violation of a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendant to pay a civil penalty. The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to E. Kenneth Stegeby, United States Attorney's Office, Middle District of Florida, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602 and refer to *United States v. Sierra Properties I, LLC*, Civil No. 8:09 CV-1400-T.

The proposed Consent Decree may be examined at the Clerk's Office, Sam M. Gibbons United States Courthouse, 2nd Floor, 801 North Florida Avenue, Tampa, Florida 33603. In addition, the proposed Consent Decree may be viewed at [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

**Maureen M. Katz,**

*Assistant Section Chief, Environment & Natural Resources Division.*

[FR Doc. E9-18743 Filed 8-5-09; 8:45 am]

**BILLING CODE; P**

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

**Records Schedules; Availability and Request for Comments**

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records

schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Requests for copies must be received in writing on or before September 8, 2009. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

**ADDRESSES:** You may request a copy of any records schedule identified in this notice by contacting the Life Cycle Management Division (NWML) using one of the following means:

*Mail:* NARA (NWML), 8601 Adelphi Road, College Park, MD 20740-6001.

*E-mail:* [request.schedule@nara.gov](mailto:request.schedule@nara.gov).  
*FAX:* 301-837-3698.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

**FOR FURTHER INFORMATION CONTACT:** Laurence Brewer, Director, Life Cycle Management Division (NWML), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. *Telephone:* 301-837-1539. *E-mail:* [records.mgt@nara.gov](mailto:records.mgt@nara.gov).

**SUPPLEMENTARY INFORMATION:** Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of

historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1228.24(b)(3).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

#### Schedules Pending

1. Department of Agriculture, Risk Management Agency (N1-258-08-14, 3 items, 3 temporary items). Records relating to legal matters, including such records as legal opinions and records relating to hearings and other legal proceedings.

2. Department of Agriculture, Risk Management Agency (N1-258-08-17, 1 item, 1 temporary item). Status and activity reports related to financial priorities.

3. Department of Homeland Security, U.S. Secret Service (N1-87-09-5, 3 items, 2 temporary items). Master files associated with an electronic global positioning system that contain data of a routine nature. Also included are backup files. Data that pertains to significant events or unusual occurrences is proposed for permanent retention.

4. Department of the Interior, Office of the Secretary (N1-48-08-6, 7 items, 5 temporary items). Routine correspondence, chronological files, daily schedules, working papers, and other routine administrative records. Proposed for permanent retention are high level program correspondence files and records, such as appointment books and calendars that document the activities of the Secretary.

5. Department of Transportation, Federal Aviation Administration (N1-237-09-1, 2 items, 2 temporary items). Images of agreements relating to flight inspection services and a related data base used to track the status of agreements.

6. Department of the Treasury, Departmental Offices (N1-56-09-5, 2 items, 1 temporary item). Strategic planning records that document the preparation of strategic plans of specific organizations within the Department of the Treasury. Strategic planning records that relate to the Treasury Strategic Plan are proposed for permanent retention.

7. Department of the Treasury, Treasury Inspector General for Tax Administration (N1-56-09-6, 4 items, 4 temporary items). Records related to audits, including guidance documents, reports, studies, and an electronic information system to track audits and manage audit workflow.

8. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (N-564-09-9, 1 item, 1 temporary item). Master files associated with an electronic system used to track and collect special occupational and floor stocks taxes.

9. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (N-564-09-13, 1 item, 1 temporary item). Master files of an electronic information system used to manage library operations.

10. Department of the Treasury, Community Development Financial Institution (N1-56-09-14, 6 items, 6 temporary items). Records relating to the agency's public Web site, including

operational records and Web content records.

11. Department of the Treasury, Internal Revenue Service (N1-58-09-33, 1 item, 1 temporary item). Master files associated with an electronic information system used to assist agency employees in contacting other staff who have access to the agency's integrated data retrieval system.

12. Department of the Treasury, Internal Revenue Service (N1-58-09-37, 1 item, 1 temporary item). Master files associated with an electronic information system used to update taxpayer information with the latest transactions and status.

13. Department of the Treasury, Internal Revenue Service (N1-58-09-44, 2 items, 2 temporary items). Master files and outputs associated with an electronic information system used to provide Federal tax deposit coupons to business taxpayers.

14. Department of the Treasury, Internal Revenue Service (N1-58-09-45, 1 item, 1 temporary item). Master files associated with an electronic information system used to generate notices informing taxpayers that there are discrepancies in their tax returns.

15. Equal Employment Opportunity Commission, Office of Inspector General (N1-403-08-1, 7 items, 5 temporary items). Routine investigative files, audit case files, and background materials relating to semiannual reports to Congress. Proposed for permanent retention are semiannual reports to Congress and historically significant investigative case files.

Dated: July 31, 2009.

**Michael J. Kurtz,**

*Assistant Archivist for Records Services,  
Washington, DC.*

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**BILLING CODE 7515-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0342; IA-09-026]

### In the Matter of Mr. Michael T. Hackett; Confirmatory Order (Effective Immediately)

**I**

Mr. Michael Hackett is currently the Radiation Safety Officer (RSO) for the Department of Veterans Affairs (DVA) Medical Center, located in Lexington, Kentucky, and is named as such on Permit 16-08896-04, issued by the Department of Veterans Affairs (licensee) under the authority granted them by Master Materials License (MML) Number 03-23853-01VA.