

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8748-3]

**Proposed Administrative Settlement Agreement Under Section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act for the Borden Chemicals Printing Site, Located in Camden, Camden County, NJ****AGENCY:** Environmental Protection Agency.**ACTION:** Notice of proposed administrative settlement and opportunity for public comment.

**SUMMARY:** The United States Environmental Protection Agency ("EPA") is proposing to enter into an administrative settlement agreement ("Settlement Agreement") with Hexion Specialty Chemicals, Inc. ("Settling Party") pursuant to section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622(h). The Settlement Agreement provides for Respondent's payment of certain past costs incurred at the Borden Chemicals Printing Site located within the City of Camden, Camden County, New Jersey ("Site").

In accordance with section 122(i) of CERCLA, 42 U.S.C. 9622(i), this notice is being published to inform the public of the proposed Settlement Agreement and of the opportunity to comment. For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed Settlement Agreement. EPA will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper or inadequate. EPA's response to any comments received will be available for public inspection at EPA Region 2, 290 Broadway, 17th floor, New York, New York 10007-1866.

**DATES:** Comments must be provided by January 5, 2009.**ADDRESSES:** Comments should reference the Borden Chemicals Printing Site, EPA Docket No. CERCLA-02-2008-2030, and should be sent to the U.S. Environmental Protection Agency, Office of Regional Counsel, New Jersey Superfund Branch, 290 Broadway—17th Floor, New York, NY 10007.**FOR FURTHER INFORMATION CONTACT:** Frank X. Cardiello, Assistant Regional Counsel, New Jersey Superfund Branch, Office of Regional Counsel, U.S.

Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007-1866. Telephone: 212-637-3148.

**SUPPLEMENTARY INFORMATION:** A copy of the proposed administrative settlement, as well as background information relating to the settlement, may be obtained from Frank X. Cardiello, Assistant Regional Counsel, New Jersey Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007-1866, Telephone: 212-637-3148.

Dated: November 14, 2008.

**Walter Mugdan,***Director, Emergency and Remedial Response Division.*

[FR Doc. E8-28839 Filed 12-4-08; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL RESERVE SYSTEM****Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center Web site at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of

Governors not later than January 2, 2009.

**A. Federal Reserve Bank of St. Louis** (Glenda Wilson, Community Affairs Officer) P.O. Box 442, St. Louis, Missouri 63166-2034:

*1. Midland States Bancorp, Inc.,* Effingham, Illinois, to merge with Waterloo Bancshares, Inc., and thereby indirectly acquire Commercial State Bank of Waterloo, both of Waterloo, Illinois.

**B. Federal Reserve Bank of San Francisco** (Kenneth Binning, Vice President, Applications and Enforcement) 101 Market Street, San Francisco, California 94105-1579:

*1. Anchor Bancorp, Inc.,* Lacey, Washington, to become a bank holding company by acquiring 100 percent of the voting shares of Anchor Mutual Savings Bank, Aberdeen, Washington, upon conversion from a mutual savings bank to a stock savings bank.

Board of Governors of the Federal Reserve System, December 2, 2008.

**Robert deV. Frierson,***Deputy Secretary of the Board.*

[FR Doc. E8-28831 Filed 12-4-08; 8:45 am]

BILLING CODE 6210-01-S

**FEDERAL TRADE COMMISSION****Agency Information Collection Activities; Submission for OMB Review; Comment Request****AGENCY:** Federal Trade Commission ("FTC" or "Commission").**ACTION:** Notice.

**SUMMARY:** The information collection requirements described below will be submitted to the Office of Management and Budget ("OMB") for review, as required by the Paperwork Reduction Act ("PRA"). The Commission is seeking public comments on its proposal to conduct consumer research on parental use of the Motion Picture Association of America ("MPAA") movie rating information as it appears on DVD packaging for home video releases of rated motion pictures. The Commission is also seeking comment on a related proposal to conduct consumer research on parental attitudes toward the marketing of unrated DVD versions of rated motion pictures. To examine both issues, the Commission intends to conduct surveys of parents who have one or more children ages 7 to 16, and who have bought or rented a movie on DVD within the past year.

**DATES:** Comments must be filed by January 5, 2009.**ADDRESSES:** Interested parties are invited to submit written comments.

Comments should refer to "DVD Rating Symbol Study: FTC Matter No. P994511," to facilitate the organization of comments. Please note that comments will be placed on the public record of this proceeding—including on the publicly accessible FTC website, at (<http://www.ftc.gov/os/publiccomments.shtml>)—and therefore should not include any sensitive or confidential information. In particular, comments should not include any sensitive personal information, such as an individual's Social Security Number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. Comments also should not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, comments should not include any "[t]rade secrets and commercial or financial information obtained from a person and privileged or confidential. . . ." as provided in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled "Confidential," and must comply with FTC Rule 4.9(c).<sup>1</sup>

Because paper mail addressed to the FTC is subject to delay due to heightened security screening, please consider submitting your comments in electronic form. Comments filed in electronic form should be submitted by using the following weblink: (<https://secure.commentworks.com/ftc-DVDRatingStudy>) (and following the instructions on the web-based form). To ensure that the Commission considers an electronic comment, you must file it on the web-based form at the weblink: (<https://secure.commentworks.com/ftc-DVDRatingStudy>). If this Notice appears at (<http://www.regulations.gov/search/index.jsp>), you may also file an electronic comment through that website. The Commission will consider all comments that regulations.gov forwards to it. You may also visit the FTC website at <http://www.ftc.gov> to read the Notice and the news release describing it.

<sup>1</sup> FTC Rule 4.2(d), 16 CFR 4.2(d). The comment must be accompanied by an explicit request for confidential treatment, including the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. The request will be granted or denied by the Commission's General Counsel, consistent with applicable law and the public interest. See FTC Rule 4.9(c), 16 CFR 4.9(c).

A comment filed in paper form should include the reference "DVD Rating Symbol Study: FTC Matter No. P994511" both in the text and on the envelope, and should be mailed or delivered to the following address: Federal Trade Commission, Office of the Secretary, Room H-135 (Annex J), 600 Pennsylvania Avenue, NW, Washington, DC 20580. The FTC is requesting that any comment filed in paper form be sent by courier or overnight service, if possible, because U.S. postal mail in the Washington area and at the Commission is subject to delay due to heightened security precautions.

All comments should additionally be submitted to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for the Federal Trade Commission. Comments should be submitted via facsimile to (202) 395-6974 because U.S. Postal Mail is subject to lengthy delays due to heightened security precautions.

The FTC Act and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. All timely and responsive public comments will be considered by the Commission and will be available to the public on the FTC website, to the extent practicable, at [www.ftc.gov](http://www.ftc.gov). As a matter of discretion, the FTC makes every effort to remove home contact information for individuals from the public comments it receives before placing those comments on the FTC website. More information, including routine uses permitted by the Privacy Act, may be found in the FTC's privacy policy at (<http://www.ftc.gov/ftc/privacy.shtml>).

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be addressed to Michelle K. Rusk (202) 326-3148, or Keith R. Fentonmiller (202) 326-2775, Attorneys, Division of Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** On June 5, 2008, the Commission sought comment on the information collection requirements associated with the instant study.<sup>2</sup> No comments were received. Pursuant to the OMB regulations, 5 CFR Part 1320, that implement the PRA, 44 U.S.C. 3501-3521, the Commission is providing this second opportunity for public comment. All comments should be filed as prescribed in the **ADDRESSES**

<sup>2</sup> 73 FR 32026.

section above, and must be received on or before **January 5, 2009**.

In September 2000, the Commission issued a report requested by the President and the Congress entitled, "Marketing Violent Entertainment to Children: A Review of Self-Regulation and Industry Practices in the Motion Picture, Music Recording & Electronic Game Industries" (hereafter "2000 Report").<sup>3</sup> That report found that the entertainment industry had engaged in widespread marketing of violent movies, video games, and music to children in a manner that was inconsistent with the industry's own rating systems and that undermined parents' attempts to make informed decisions about their children's exposure to violent content. Beginning with its 2000 Report, the Commission has made a series of specific recommendations to the industry regarding the disclosure of rating information, placement of advertising in media popular with children, and other aspects of marketing violent entertainment to children. The Commission has now issued five follow-up reports on the industry's progress toward implementing those recommendations.<sup>4</sup>

As one aspect of its ongoing monitoring, the Commission has examined the disclosure of MPAA ratings and rating reasons on DVD packaging for home video releases of MPAA-rated motion pictures. The MPAA Advertising Handbook requires that "all packaging of rated home video releases must carry the rating of the motion picture and the rating reasons," and that "the rating symbol and specific rating reasons must be clearly and legibly displayed."<sup>5</sup> The MPAA Advertising Handbook does not specify the location, size, or other aspects of how the rating information must be displayed. To assess compliance with MPAA requirements, the Commission looked at a sample of packaging for 12 movies on DVD as part of its June 2002 Report. The Commission found that all of the DVDs displayed the ratings and rating reasons, but that the small size, inconsistent positioning on the back of the package, and poor contrast made the

<sup>3</sup> Available at (<http://www.ftc.gov/bcp/online/edcams/ratings/reports.htm>).

<sup>4</sup> The follow-up reports were issued in April 2001, December 2001, June 2002, July 2004, and April 2007. They are available at (<http://www.ftc.gov/bcp/online/edcams/ratings/reports.htm>).

<sup>5</sup> 2006 MPAA Advertising Handbook at 38 (on file with Federal Trade Commission staff).

rating information less noticeable.<sup>6</sup> The Commission recommended that the industry improve the disclosure of rating information to ensure that it was effectively and clearly communicated on product packaging.<sup>7</sup> Subsequently, in its July 2004 Report, the Commission again noted that the movie industry typically places the movie's rating and rating reasons on the back of the DVD packaging and recommended that all of the rating information be placed prominently on the front of the packaging to make it more visible for parents and children and to assist retail store clerks in enforcing policies against selling R-rated DVDs to children.<sup>8</sup> The Commission renewed this recommendation in its April 2007 Report.<sup>9</sup>

In the April 2007 Report, the Commission also reviewed, for the first time, the movie industry's practice of releasing unrated DVD versions of movies that were rated R when they were first released in theaters.<sup>10</sup> The Commission expressed concern that these unrated, or so-called "Director's Cut," home video releases sometimes contain additional footage that would result in a more restrictive rating if resubmitted for review by the MPAA. The agency cited examples of DVD movie packaging where studios exploited the lack of an MPAA rating to promote the movie. The Commission questioned whether the marketing of these unrated DVDs undermines the self-regulatory system. The agency suggested that the MPAA and DVD retailers establish policies on the advertising and sale of these DVDs to children.<sup>11</sup>

The Commission is again seeking public comments on its proposal to examine, through consumer research, two issues relating to MPAA ratings and DVD home video releases: (1) how the placement and size of MPAA rating information on DVD packaging for rated movies affects parental use of the rating; and (2) parental awareness and attitudes about the marketing of unrated DVDs. The Commission will seek OMB clearance under the PRA before engaging in the proposed consumer

research.<sup>12</sup> All comments should be filed as prescribed in the ADDRESSES section above, and must be received on or before **January 5, 2009**.

### 1. Description of the Collection of Information and Proposed Use

The FTC proposes to conduct a mall intercept survey, using an experimental design with two treatment conditions, to assess how the placement and size of MPAA rating information on DVD packaging affects parental use of the rating. The FTC proposes to conduct a telephone survey to assess parental awareness and attitudes about the marketing of unrated DVDs. The methodologies for both consumer research proposals are detailed below. Subject to OMB approval for the collection of information, the Commission plans to contract with a consumer research firm that will identify respondents, conduct a pretest, refine the questionnaire, and conduct the surveys.

#### a. The Mall Intercept Survey on DVD Rating Prominence

A mall intercept survey is the most appropriate methodology for assessing differences in the effect of placement and size of the MPAA rating because it allows respondents to physically examine samples of DVD packaging. The survey will have an experimental design with respondents randomly assigned to one of two treatment conditions. The study will analyze differences in response between the two groups.

The FTC proposes to conduct the survey in multiple locations across the country using a random sample of 400 adult respondents who are parents of one or more children ages 7 to 16, and who have bought or rented a DVD movie for their children within the past year. The survey will be divided into two groups of 200. Each group will be given the opportunity to examine a DVD package for a movie that has been rated either PG-13 or R due in part to violent content.<sup>13</sup> One group will be exposed to DVD packaging that displays the rating information as it actually appears on the back cover. The other group will be

exposed to the same DVD packaging, with the exception that the rating information will be graphically altered to appear on the front panel and in a larger size. After exposure to the package, respondents will be asked a series of questions related to what respondents noticed about the package, whether they noticed the rating information, and whether or not they would allow their child to watch the movie.

The information from the questionnaires will be collected on a voluntary basis, and the identities of the respondents will remain confidential. The results will assist the Commission in determining how easy or difficult it is for parents to find and use MPAA rating information on DVD packaging and whether changes in presentation of the rating information will significantly improve the ease of use.

#### b. The Telephone Survey

To assess parental awareness and attitudes about the marketing of unrated DVDs, the FTC plans to conduct a national telephone survey of 1,000 adult respondents who are parents of one or more children ages 7 to 16, and who have bought or rented a DVD movie for their children within the past year. This approach will allow the agency to have a sufficiently large and representative sample of the population to accurately assess parents' awareness and attitudes. Respondents will be asked a combination of open-ended and closed-ended questions. The questions will measure the level of parents' awareness of the marketing of unrated DVDs and assess whether parents understand that unrated DVD movies may contain content that could result in a more restrictive rating than the rating assigned to the theater version of the same movie. Additional questions will be designed to assess parents' attitudes about the marketing of unrated DVDs, including how the absence of a rating affects their decision whether to allow their children to watch the movie. As with the mall intercept survey, the information from the telephone survey questionnaires will be collected on a voluntary basis, and the identities of the respondents will remain confidential.

The results of the telephone survey will assist the Commission in assessing how the marketing of unrated DVDs impacts parents' decisions about what movies they will allow their children to watch. It will also help the Commission in forming recommendations about retail policies for the sale of unrated DVDs directly to children.

<sup>6</sup> June 2002 Report at 10–11, available at (<http://www.ftc.gov/bcp/online/edcams/ratings/reports.htm>).

<sup>7</sup> *Id.*

<sup>8</sup> July 2004 Report at 29, available at (<http://www.ftc.gov/bcp/online/edcams/ratings/reports.htm>).

<sup>9</sup> April 2007 Report at 32, available at (<http://www.ftc.gov/bcp/online/edcams/ratings/reports.htm>).

<sup>10</sup> *Id.* at 8–11.

<sup>11</sup> *Id.* at 33.

<sup>12</sup> Under the PRA, federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor. "Collection of information" means agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. 44 U.S.C. 3502(3); 5 CFR 1320.3(c).

<sup>13</sup> Parents of children ages 7 to 11 will be shown DVD packaging for a PG-13-rated movie and parents of children ages 12 to 16 will be shown packaging for an R-rated movie. Parents with children in both age groups will be randomly assigned to either the PG-13 or R group.

## 2. Estimated Hours Burden

For the mall intercept survey and related pretest, the FTC's contractor will screen respondents to identify parents with children ages 7 to 16 who have bought or rented a DVD movie for their child within the past year. Allowing for non-response, FTC staff estimates that the screening questions will be asked of approximately 2,000 respondents in order to obtain a large enough sample for the survey and the pretest. The FTC staff estimates that screening will require no more than two minutes per person for a maximum hour burden of 67 hours (2,000 respondents  $\times$  2 minutes for each).

The FTC intends to pretest the questionnaire on up to 15 parents to ensure that all questions are easily understood, and expects that the pretest will require no more than 10 minutes per person. The hours burden imposed by the pretest will be approximately 2.5 hours (15 respondents  $\times$  10 minutes for each).

The FTC staff additionally estimates that the survey of 400 respondents also will require no more than 10 minutes per person or, cumulatively, approximately 67 hours (400 respondents  $\times$  10 minutes for each).

Thus, the estimated total hours burden attributable to the mall intercept survey is approximately 136 hours (67 + 2.5 + 67).

For the telephone survey and a pretest of the survey, the FTC's contractor will apply the same screening threshold, identifying respondents who are parents with children ages 7 to 16 who have bought or rented a DVD movie for their child within the past year. Allowing for non-response, the FTC staff estimates that the screening questions will be asked of approximately 9,000 respondents in order to obtain a large enough sample for the survey and the pretest. The FTC staff estimates that screening will require no more than one minute per person for a maximum hour burden of 150 hours (9,000 respondents  $\times$  1 minute for each).

The FTC intends to pretest the questionnaire on up to 15 parents to ensure that all questions are easily understood. The FTC expects that the pretest will require no more than 5 minutes per person. The hours burden imposed by the pretest will be approximately 1.3 hours (15 respondents  $\times$  5 minutes for each).

The FTC staff estimates that the survey of 1,000 respondents also will require no more than 5 minutes per person or 83.3 hours (1,000 respondents  $\times$  5 minutes for each).

Thus, the estimated total hours burden attributable to the telephone

survey research is approximately 235 hours (150 + 1.3 + 83.3).

The combined total hours burden attributable to both research projects is 371 hours (235 + 136).

## 3. Estimated Cost Burden

The cost per respondent should be negligible. Participation is voluntary and will not require any labor expenditures by respondents nor capital, start-up, operation, maintenance, or other similar costs.

**William Blumenthal,**

*General Counsel.*

[FR Doc. E8-28848 Filed 12-4-08; 8:45 am]

BILLING CODE 6750-01-S

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Board of Scientific Counselors, National Center for Health Marketing (BSC, NCHM)

*Correction:* This notice was published in the **Federal Register** on November 12, 2008, Volume 73, Number 219, pages 66900-66901. The meeting location was originally announced as CDC, 1600 Clifton Road, NE., Tom Harkin Global Communication Center, Building 21, Room 1204 A&B, Atlanta, Georgia 30333. The correct address for the meeting location is CDC, 1600 Clifton Road, NE., Tom Harkin Global Communication Center, Building 19, Auditorium B1/B2, Atlanta, Georgia 30333.

#### *Times and Dates:*

9 a.m.–5 p.m., December 8, 2008.

8:30 a.m.–12:30 p.m., December 9, 2008.

#### *Contact Person for More Information:*

Dionne R. Mason, Committee Management Specialist, NCHM, 1600 Clifton Road, NE., Mail Stop E-21, Atlanta, Georgia 30333; Telephone (404) 498-2314, Fax (404) 498-2221.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: November 26, 2008.

**Elaine L. Baker,**

*Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.*

[FR Doc. E8-28813 Filed 12-4-08; 8:45 am]

BILLING CODE 4163-18-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

[OMB No.: 0970-0353]

#### Submission for OMB Review; Comment Request

*Title:* Regional Partnership Grant (RPG) Program Data Collection.

*Description:* On September 30, 2007, the Administration for Children and Families (ACF), Children's Bureau, awarded multi-year grants to 53 regional partnership grantees (RPGs) to improve the safety, permanency and well-being of children affected by methamphetamine or other substance abuse who have been removed or are at risk of removal from their homes. The Child and Family Services Improvement Act of 2006, the authorizing legislation for the RPG program, required that a set of performance indicators be established to periodically assess the grantees' progress on achieving outcomes. The legislation mandated that these performance indicators be developed through a consultative process involving ACF, the Substance Abuse and Mental Health Services Administration (SAMHSA), and representatives of the State or Tribal agencies who are members of the regional partnerships.

The final set of RPG performance indicators was approved by ACF and disseminated to the funded grantees in January 2008. It includes a total of 23 indicators across four outcome domains: child/youth (9 indicators), adult (7 indicators), family/relationship (5 indicators), and regional partnership/service capacity (2 indicators). It also includes a core set of child and adult demographic elements that will provide important context needed to properly analyze, explain and understand the outcomes. No other national data collection measures these critical child, adult, family, and RPG outcomes specifically for these children and families. The data also will have significant implications for policy and program development for child well-being programs nationwide.

To minimize reporting burden, many of the data elements are already being collected by counties and States in order to report Federally mandated data for the Adoption and Foster Care Analysis and Reporting System (AFCARS), the Treatment Episode Data Set (TEDS) and the National Outcome Measures (NOMs); in addition, all States voluntarily submit data for the Federal National Child Abuse and Neglect Data System (NCANDS). Therefore, most