

constructed. Thus, over this time period prior to the enactment of ARRA, the IEUA standardized its use of the Solinst transducers. At the time of the initial transducer procurements, the IEUA concluded the Solinst transducers had superior durability and more efficient data output compared to the domestically-manufactured transducers. Solinst transducers have metal connections that the IEUA determined at that time to be more robust and durable than the plastic connections of the U.S.-made product, because the plastic connections tend to strip if sand or grit gets inside the threading. The IEUA also determined the Solinst product provides a consistent data file so that data reduction will not have different formats, and require different steps and different software. Thus, data manipulation can be streamlined and semi-automated. Fewer components are required for installation of the Solinst transducers, which reduces the costs for labor and equipment. Also, since this transducer has become the IEUA's standard, staff has been trained on how to use and maintain this particular equipment and software. If another type of transducer was utilized for the three monitoring wells being installed for this project, there would be approximately \$10,000 a year in additional costs for labor and training, as well as additional capital costs for equipment due to the much higher cost of the domestic-made product.

EPA finds these considerations as stated by IEUA provide ample functional justification for standardization, particularly because the use of a functionally effective and reliable set of transducers is integral to compliance with State-imposed regulatory requirements. Furthermore, as the IEUA's decision to standardize on the Solinst transducers took place years before ARRA was enacted, that decision was clearly not an attempt to avoid application of the Buy American provisions of ARRA. If the mandate of section 1605(a) was applied here to require the IEUA to use the domestically-manufactured good under these circumstances, it would either force the IEUA to use two different and incompatible types of equipment for the same purpose, or alternatively to resolve the incompatibility by in effect requiring them to buy only the American-made product for their entire system. It is not in the public interest to require the IEUA either to bear the duplicative (or more) life-cycle costs for two incompatible types of goods, or to replace their twenty pre-ARRA Solinst transducers with the domestic product,

and thereby to extend the scope of the ARRA Buy American provision far beyond the procurement of three transducers for an ARRA-funded project.

The purpose of the ARRA is to stimulate economic recovery by funding current infrastructure construction, not to delay projects that are already "shovel ready" by requiring SRF eligible recipients such as the IEUA to revise their design standards and specifications, or to impair the efficient operation of project facilities thereafter. The imposition of ARRA Buy American requirements in this case would result in unreasonable delay for this project, and an unjustifiable burden to the IEUA, in the form of wasteful and duplicative life-cycle costs in the future, as well as problematic performance of its recharge well monitoring system due to incompatible transducers. Both results would directly conflict with fundamental economic purposes of ARRA, to create or retain jobs, and to build recovery by investments in effective infrastructure.

The information provided is sufficient to meet the following criteria listed under Section 1605(b)(1) of the ARRA, OMB's regulations at 2 CFR 176.60–176.170, and in the April 28, 2009 EPA memorandum for implementation of ARRA Buy American provisions of Public Law 111–5. Applying the Buy American requirements of ARRA would be inconsistent with the public interest.

The March 31, 2009 Delegation of Authority Memorandum provided Regional Administrators with the authority to issue exceptions to Section 1605 of ARRA within the geographic boundaries of their respective regions and with respect to requests by individual grant recipients.

Having established both a proper basis to specify the particular good required for this project and that application of the Buy American requirements would be inconsistent with the public interest, the IEUA is hereby granted a waiver from the Buy American requirements of Section 1605(a) of Public Law 111–5. This waiver permits use of ARRA funds for the purchase of the specified Solinst transducers as documented in the IEUA's waiver request submittal dated January 21, 2010. This supplementary information constitutes the detailed written justification required by Section 1605(c) for waivers based on a finding under subsection (b)(1).

**Authority:** Public Law 111–5, section 1605.

Dated: February 10, 2010.

**Jared Blumenfeld,**

*Regional Administrator, EPA Pacific Southwest Region.*

[FR Doc. 2010–4073 Filed 2–25–10; 8:45 am]

**BILLING CODE 6560–50–P**

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## 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 website 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 March 25, 2010.

**A. Federal Reserve Bank of Chicago**  
(Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *Premier Commerce Bancorp, Inc.*, Palos Hills, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares of G.R. Bancorp, Ltd., Grand Ridge, Illinois, and thereby indirectly acquire voting shares of The First National Bank of Grand Ridge, Grand Ridge, Illinois.

Board of Governors of the Federal Reserve System, February 23, 2010.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 2010-3992 Filed 2-25-10; 8:45 am]

**BILLING CODE 6210-01-S**

**FEDERAL RESERVE SYSTEM**

**Notice of Proposals To Engage in Permissible Nonbanking Activities or To Acquire Companies That Are Engaged in Permissible Nonbanking Activities**

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for

inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 25, 2010.

**A. Federal Reserve Bank of Philadelphia** (Michael E. Collins, Senior Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105-1521:

1. *Bryn Mawr Bank Corporation*, Bryn Mawr, Pennsylvania; to acquire First Keystone Financial, Inc. Media, Pennsylvania, and thereby indirectly acquire First Keystone Bank, Media, Pennsylvania, and thereby engage in operating a savings and loan association, pursuant to 225.28(b)(4)(ii) of Regulation Y.

Board of Governors of the Federal Reserve System, February 23, 2010.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 2010-3991 Filed 2-25-10; 8:45 am]

**BILLING CODE 6210-01-S**

**FEDERAL TRADE COMMISSION**

**Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules**

February 2, 2010.

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

**TRANSACTION GRANTED EARLY TERMINATION**

ET date	Trans No.	ET req status	Party name
11-JAN-10 .....	20100293	G	Tang Hsiang Chien.
		G	TTM Technologies, Inc.
		G	TTM Technologies, Inc.
	20100306	G	Admiral Beverage Corporation.
		G	Joe G. Maloof and Company.
		G	Maloof Distributing LLC.
	20100309	G	Apollo Investment Fund VII, L.P.
		G	Cedar Fair, L.P.
		G	Cedar Fair, L.P.
12-JAN-10 .....	20100277	G	Intermediate Capital Group PLC.
		G	Computer Patent Annuities Holdings Limited.
		G	Computer Patent Annuities Holdings Limited.
	20100308	G	Johnson & Johnson.
		G	Acclarent, Inc.
		G	Acclarent, Inc.
13-JAN-10 .....	20100262	G	American Express Company.
		G	Stephen M. Case.
		G	Revolution Money Inc.
	20100268	G	Microsoft Corporation.
		G	Sentillion, Inc.
		G	Sentillion, Inc.
	20100294	G	George J. Pedersen.
		G	Michael Gualario.
		G	Sensor Technologies Incorporated.
14-JAN-10 .....	20100296	G	Francisco Partners II, LP.
		G	QuadraMed Corporation.
		G	QuadraMed Corporation.