

ferries and overnight accommodations for passengers on cruise ships.

III. Request for Public Input and Comment

Today's notice is being issued to inform the public that EPA is beginning the process of developing the next VGP and to solicit comment on recommended improvements. EPA is accepting information during the listening session scheduled for December 15, 2010 and/or by submission of written comments or relevant information in order to gain early public input on improvements recommended for the next VGP.

In addition to generally requesting recommended changes for any aspect of the next VGP, in order to maximize the quality of the next permit, EPA is specifically requesting comment on the following:

- (1) Were parts of the 2008 VGP confusing? Do certain sections need to provide additional guidance?
- (2) Are there any guidances, supporting documentation, or other communication strategies that you would recommend EPA develop to help vessel owner/operators better understand and comply with the next VGP? If so, please suggest your approaches.
- (3) Did the 2008 VGP accurately identify and capture all the categories of discharges incidental to the normal operation of a vessel in the vessel universe? Are there additional discharge categories EPA should explore for the next VGP?
- (4) Are there effluent limitations or best management practices in the 2008 VGP you would recommend revising and if so, what are your suggestions and why do you suggest making those revisions?
- (5) Are there reporting, monitoring, and inspection requirements you would recommend revising, and if so, what are your suggestions? Are there additional forms or guidances EPA should consider in assisting permittees in meeting their reporting, monitoring, and inspections requirements?
- (6) Did EPA accurately identify and capture additional requirements needed for specific vessel classes and if not, what are your suggestions? Are there additional specific vessel classes EPA should explore for the next VGP and why?
- (7) Are there additional Federal, State, or international permits, rules, or guidances EPA should consider using to inform decisions for the next VGP and why?

Dated: October 21, 2010.

James A. Hanlon,

Director, Office of Wastewater Management.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9218-9]

Science Advisory Board Staff Office; Notification of a Public Meeting of the Science Advisory Board Nutrient Criteria Review Panel

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The EPA Science Advisory Board (SAB) Staff Office announces a public meeting of the SAB Nutrient Criteria Review Panel. The Panel will review EPA's technical support document on development of numeric nutrient criteria for Florida's estuarine and coastal waters, and southern canals.

DATES: The meeting will be held on Monday, December 13, 2010, and Tuesday, December 14, 2010, beginning at 8:30 a.m. and ending no later than 5 p.m. (Eastern Time), each day.

ADDRESSES: The public meeting will be held at the Washington Plaza Hotel, 10 Thomas Circle, NW., Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Members of the public who wish to obtain further information about this meeting may contact Ms. Stephanie Sanzone, Designated Federal Officer (DFO), EPA Science Advisory Board Staff Office (1400R), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; by telephone/voice mail: (202) 564-2067 or via e-mail at sanzone.stephanie@epa.gov. General information about the SAB is available on the SAB Web site at <http://www.epa.gov/sab>.

SUPPLEMENTARY INFORMATION: Pursuant to the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2, notice is hereby given that the SAB Nutrient Criteria Review Panel will hold a public meeting to review a draft technical support document (TSD) being developed by the Office of Water (OW). The draft TSD will describe methods and approaches for developing numeric nutrient criteria for Florida's estuarine and coastal waters, downstream protection values in streams to protect those waters, and criteria for flowing waters in the south Florida region (including canals). The Nutrient Criteria Review Panel has been asked to review

and comment on the scientific validity of the Agency's draft TSD.

The SAB was established pursuant to 42 U.S.C. 4365 to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under FACA. The SAB Nutrient Criteria Review Panel will provide advice through the chartered SAB. The SAB Panel will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

Availability of Meeting Materials: The Charge to the Panel and the EPA draft technical support document will be available by mid-November, and will be posted on the SAB Web site at http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/FL%20Estuaries%20TSD?OpenDocument. The EPA Office of Water technical contact for the draft TSD is Elizabeth Behl, at (202) 566-0788, or via e-mail at behl.betsy@epa.gov. The meeting agenda for December 13-14, 2010 and other meeting materials also will be posted on the SAB Web site prior to the meeting.

Procedures for Providing Public Input: Public comment for consideration by EPA's Federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a Federal advisory committee is different from the process used to submit comments to an EPA program office.

Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit comments for a Federal advisory committee to consider as it develops advice for EPA. They should send their comments directly to the Designated Federal Officer for the relevant advisory committee. Interested members of the public may submit relevant written information on the group conducting the activity or written or oral information for the Panel to consider on the topics of this review. *Oral Statements:* In general, individuals or groups requesting an oral presentation at a public meeting will be limited to five minutes per speaker. Interested parties should contact Ms. Sanzone at the contact information provided above by December 6, 2010, to be placed on the public speaker list for the December 13-14, 2010 meeting. *Written Statements:* Written statements should be received in the SAB Staff Office by December 6, 2010, so that the information can be made available to

the Panel for their consideration prior to the meeting. Written statements should be supplied to Ms. Sanzone in the following formats: One hard copy with original signature and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, MS Word, WordPerfect, MS PowerPoint, or Rich Text files). Submitters are asked to provide electronic versions of each document submitted with *and* without signatures, because the SAB Staff Office does not publish documents with signatures on its Web sites.

Accessibility: For information on access or services for individuals with disabilities, please contact Ms. Sanzone at (202) 564-2067, or via e-mail at sanzone.stephanie@epa.gov, preferably at least ten (10) days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: October 25, 2010.

Vanessa T. Vu,

Director, EPA Science Advisory Board Staff Office.

[FR Doc. 2010-27430 Filed 10-28-10; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9218-3]

Notice of a Regional Waiver of Section 1605 (Buy American Requirement) of the American Recovery and Reinvestment Act of 2009 (ARRA) to the City of Palmer (the City) Alaska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Regional Administrator of EPA Region 10 is hereby granting a waiver request from the Buy American requirements of ARRA Section 1605(a) under the authority of Section 1605(b)(2) [manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality] to the City for the purchase and use of four rotary screw air compressors to provide aeration for the wastewater treatment facility's biological treatment lagoons. This is a project specific waiver and only applies to the use of the specified product for the ARRA project discussed in this notice. Any other ARRA recipient that wishes to use the same product must apply for a separate waiver based on project specific circumstances. These rotary compressors, which are supplied by Atlas Copco, are manufactured in England and Belgium, and meet the

City's performance specifications and requirements. The Regional Administrator is making this determination based on the review and recommendations of the Grants & Strategic Planning Unit. The City has provided sufficient documentation to support their request. The Assistant Administrator of the Office of Administration and Resources Management has concurred on this decision to make an exception to Section 1605 of ARRA. This action permits the purchase of rotary screw air compressors for Palmer's activated wastewater treatment project that may otherwise be prohibited under Section 1605(a) of the ARRA.

DATES: *Effective Date:* October 20, 2010.

FOR FURTHER INFORMATION CONTACT:

Bryan Fiedorczyk, CWSRF ARRA Program Management Analyst, Grants and Strategic Planning Unit, Office of Water & Watersheds (OWW), (206) 553-0506, U.S. EPA Region 10 (OWW-137), 1200 Sixth Avenue, Suite 900, Seattle, WA 98101.

SUPPLEMENTARY INFORMATION: In accordance with ARRA Section 1605(c) and OMB regulations at 2 CFR Part 176, Subpart B, the EPA hereby provides notice that it is granting a project waiver request of the requirements of Section 1605(a) of Public Law 111-5, Buy American requirements, to the City for the purchase and use of four Atlas Copco rotary screw air compressors manufactured outside of the U.S. The compressors will be incorporated as part of a wastewater treatment system upgrade project that includes lagoon insulation covers and a high-efficiency aeration system, which will reduce energy consumption by more than 40 percent. The City received \$2,500,000 of ARRA funding through the Clean Water State Revolving Fund to complete this project. The City was unable to find a supplier that could provide American manufactured rotary screw compressors to meet the project specifications and performance requirements.

Section 1605 of the ARRA requires that none of the appropriated funds may be used for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project is produced in the United States unless a waiver is provided to the recipient by EPA. A waiver may be provided under Section 1605(b) if EPA determines that, (1) Applying these requirements would be inconsistent with public interest; (2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and

reasonably available quantities and of a satisfactory quality; or (3) inclusion of iron, steel, and the relevant manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

EPA has determined that the City's waiver request can be processed as timely even though the request was made after the construction contract was signed. Consistent with the direction of the OMB guidance at 2 CFR 176.120, EPA has evaluated the City's request to determine if the request constitutes a late request. EPA will generally regard waiver requests with respect to components that were specified in the bid solicitation or in a general/primary construction contract as "late" if submitted after the contract date. However, in this case EPA has determined that the City's request, though submitted after the contract date, may be processed as if it were timely. EPA has determined that the City needed to complete installation of insulated lagoon covers and complete testing to verify that the aeration system assumptions would be accurate. This data was necessary to justify the blower modifications that give rise to the need for the air compressors that are subject to this waiver. The applicant could not reasonably foresee they would need to request a waiver for a foreign made product before the data sampling was completed, which occurred after the contract was signed. EPA is authorized under 2 CFR 176.120 to process a waiver request as if it were timely if the need for the waiver was not reasonably foreseeable. Accordingly, EPA has evaluated the request as a timely request.

These manufactured goods will provide aeration for the City's treatment process. The City selected the specified rotary screw compressor technology because of: (1) Well documented energy-efficiency in wastewater operations; (2) necessary efficiency for energy modeling and to meet Green Project Reserve requirements; (3) oil free operation characteristics to reduce risk of pollutant discharges into a fish-bearing stream; (4) reduced life cycle cost of operation and maintenance; (5) small footprint required by project space constraints, and; (6) low noise emission characteristics. Additionally, in the bid specifications for the rotary screw blowers, the City identified performance testing criteria to evaluate power consumption of the aeration system's components, including the main drive motor, Variable Speed Drives (VSD), filters, *etc.* The specifications also required the