

the overall project by more than 25 percent.

Consistent with the direction of the OMB Guidance at 2 CFR 176.120, EPA has evaluated the District'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 District's request, though made after the date that the contract was signed, can be evaluated as timely because the need for a waiver was not reasonably foreseeable. During construction, one of the three bedrock wells became unstable and required additional PVC casing to be installed the length of the well. Due to the additional PVC casing in the well, the 4 inch diameter well pump specified during design could no longer be utilized and a smaller 3 inch diameter submersible well pump was needed. The recipient could not reasonably have foreseen the need for a waiver prior to the changed circumstances which developed during construction. Accordingly, EPA will evaluate the request as a timely request.

The District is requesting a waiver from the Buy American provision of ARRA for one 3 inch diameter, 1 horsepower, single phase submersible well pump manufactured by Grundfos Pump Corporation. The unit is scheduled for installation by the end of November 2010. During drilling and pump testing of one of the three bedrock wells within the well field, a soft rock layer was discovered in the formation and the well appeared to be unstable. An additional 4 inch PVC casing was installed the length of the well to help prevent caving and allow flexibility to install the pump below the soft rock layer. With the additional casing in place, the original 4 inch diameter well pump that was specified during design could no longer be used as it exceeded the diameter of the modified well.

The District has researched foreign and domestic manufacturers of 3 inch diameter submersible well pumps and has determined that domestic manufacturers are not able to manufacture a well pump that meets the necessary 3 inch diameter. The District was only able to identify Grundfos Pump Corporation that manufactures a

3 inch diameter, 1 horsepower, single phase submersible well pump.

An evaluation of all of the submitted documentation by EPA's technical review team supports and confirms the District's claim that there are currently no domestic manufacturers that can provide a submersible well pump that meets the necessary size constraints. The consulting engineer for the District identified three domestic manufacturers in the United States. None of the companies currently manufacture 3 inch diameter submersible well pumps. An independent review of the submitted documentation by EPA's national contractor found four additional possible domestic manufacturers. However, none of the manufacturers contacted currently provides a product that meets the size constraints. In addition, the evaluation of the supporting documentation demonstrated that foreign manufactured 3 inch diameter submersible well pumps are available and will be able to meet the proposed specifications.

Furthermore, the purpose of the ARRA is to stimulate economic recovery by funding current infrastructure construction, not to delay or curtail entirely projects that are "shovel ready" by requiring potential SRF eligible recipients, such as the Woodlake Tax District, to revise their design standards and specifications. To curtail entirely this construction would directly conflict with a fundamental economic purpose of ARRA, which is to create or retain jobs.

The April 28, 2009 EPA HQ Memorandum, "Implementation of Buy American provisions of Public Law 111-5, the 'American Recovery and Reinvestment Act of 2009'" ("Memorandum"), defines *reasonably available quantity* as "the quantity of iron, steel, or relevant manufactured good is available or will be available at the time needed and place needed, and in the proper form or specification as specified in the project plans and design." The same Memorandum defines "satisfactory quality" as "the quality of steel, iron or manufactured good specified in the project plans and designs."

The Municipal Assistance Unit (CMU) has reviewed this waiver request and has determined that the supporting documentation provided by the District establishes both a proper basis to specify a particular manufactured good,

and that the domestically manufactured good that is currently available does not meet the specifications for the proposed project. The information provided is sufficient to meet the following criteria listed under Section 1605(b) of the ARRA and in the April 28, 2009 Memorandum: Iron, steel, and the manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality.

The March 31, 2009 Delegation of Authority Memorandum provided Regional Administrators with the temporary authority to issue exceptions to Section 1605 of the 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 this manufactured good was not available from a producer in the United States, the Woodlake Tax District 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 a non-domestically manufactured 3 inch diameter submersible well pump documented in District's waiver request submittal dated October 19, 2010. This supplementary information constitutes the detailed written justification required by Section 1605(c) for waivers based on a finding under subsection (b).

Authority: Public Law 111-5, section 1605.

Dated: December 10, 2010.

Ira W. Leighton,
Acting Regional Administrator, EPA Region 1—New England.

[FR Doc. 2010-31894 Filed 12-17-10; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

Sunshine Act Meeting

FCC to Hold Open Commission Meeting Tuesday, December 21, 2010

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Tuesday, December 21, 2010, which is scheduled to commence at 10:30 a.m. in Room TW-C305, at 445 12th Street, SW., Washington, DC.

Item No.	Bureau	Subject
1	Public Safety and Homeland Security	Title: Framework for Next Generation 911 Deployment.

Item No.	Bureau	Subject
2	Wireline Competition and Wireless Telecommunications.	<p><i>Summary:</i> The Commission will consider a Notice of Inquiry concerning the transition from the current, voice-only 911 system to a broadband-enabled, next-generation 911 system.</p> <p><i>Title:</i> Preserving the Open Internet (GN Docket No. 09-191); Broadband Industry Practices (WC Docket No. 07-52).</p> <p><i>Summary:</i> The Commission will consider a Report and Order adopting basic rules of the road to preserve the open Internet as a platform for innovation, investment, competition, and free expression.</p>

The meeting site is fully accessible to people using wheelchairs or other mobility aids. Sign language interpreters, open captioning, and assistive listening devices will be provided on site. Other reasonable accommodations for people with disabilities are available upon request. In your request, include a description of the accommodation you will need and a way we can contact you if we need more information. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to: fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Additional information concerning this meeting may be obtained from Audrey Spivack or David Fiske, Office of Media Relations, (202) 418-0500; TTY 1-888-835-5322. Audio/Video coverage of the meeting will be broadcast live with open captioning over the Internet from the FCC Live Web page at <http://www.fcc.gov/live>.

For a fee this meeting can be viewed live over George Mason University's Capitol Connection. The Capitol Connection also will carry the meeting live via the Internet. To purchase these services call (703) 993-3100 or go to <http://www.capitolconnection.gmu.edu>.

Copies of materials adopted at this meeting can be purchased from the FCC's duplicating contractor, Best Copy and Printing, Inc. (202) 488-5300; Fax (202) 488-5563; TTY (202) 488-5562. These copies are available in paper format and alternative media, including large print/type; digital disk; and audio and video tape. Best Copy and Printing, Inc. may be reached by e-mail at FCC@BCPIWEB.com.

Federal Communications Commission.
Marlene H. Dortch,
Secretary.

[FR Doc. 2010-31988 Filed 12-16-10; 4:15 pm]

BILLING CODE 6712-01-P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than January 4, 2011.

A. Federal Reserve Bank of Minneapolis (Jacqueline G. King, Community Affairs Officer) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

1. *Karl J. Breyer, Richard M. Ihrig, and Colleen J. Cooper*, all in Minneapolis, Minnesota; to each acquire voting shares of First Advantage Bancshares, Inc., and thereby indirectly acquire voting shares of First Advantage Bank, both in Coon Rapids, Minnesota.

Board of Governors of the Federal Reserve System, December 15, 2010.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 2010-31850 Filed 12-17-10; 8:45 am]

BILLING CODE 6210-01-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 application 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.

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 14, 2011.

A. Federal Reserve Bank of Richmond (A. Linwood Gill, III, Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. *Piedmont Community Bank Holdings, Inc.*, Raleigh, North Carolina; to acquire 100 percent of the voting shares of Community Bank of Rowan, Salisbury, North Carolina.

B. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001:

1. *Commerce Bank and Trust Holding Company Employee Stock Ownership Plan*, Topeka, Kansas; to acquire an additional 3.78 percent, for up to 35.8 percent of the voting shares of Commerce Bank and Trust Holding Company, and thereby indirectly acquire additional voting shares of CoreFirst Bank & Trust, both in Topeka, Kansas.