

American provision) if the iron, steel, or relevant manufactured good is not produced or manufactured in the United States in sufficient and reasonably available quantities and of a satisfactory quality (“nonavailability”). On September 17, 2010, the authority of the Secretary of Energy to make all inapplicability determinations was re-delegated to the Assistant Secretary for Energy Efficiency and Renewable Energy (EERE), for EERE projects under the Recovery Act. Pursuant to this delegation the Assistant Secretary, EERE, has concluded that: (1) 400 to 750 watt micro hydro-turbines meeting the specifications detailed below; (2) Oil fired direct vent space heaters for use in buildings that do not have ducts or piping for boiler heating systems; (3) ENERGY STAR rated electric heat pump water heaters and ENERGY STAR rated through-the-wall air conditioners; (4) Grid tied solar inverters of 800W or less, for applications where the panels generate 139VDC or less (not including micro-inverters); (5) 50 hp TEFC inverter duty motors for use in an existing Marley cooling tower; (6) Geothermal heat pumps for demonstration scale waste heat geothermal systems that allow the direct use of untreated wastewater to heat and cool commercial buildings; (7) Point to point/multi-point electronic broadband microwave radio systems with alignment tone and IE browser interface; (8) LED luminaires for roadway illumination with customized filter application to meet specific lighting requirements of Mauna Kea observatory; (9) Compressed Natural Gas (CNG) compressors, able to provide 3600 psi (248 bar) temperature compensated CNG supply to fast fill storage and fueling dispensers, efficient and adaptable to a small fleet (approximately 5 vehicles), as well as the wireless remote shut down controls (transmitters and receivers) for those CNG systems; (10) 8000W solar inverters for use with U.S. manufactured 315W panels; (11) Electronically commutated motor (ECM) type inline pumps; and (12) Inverters that permit optimal output of four (4) or more types of modules per array connected to inverter that will be used on eligible EERE-Recovery Act funded projects qualify for the “nonavailability” waiver determination.

EERE has developed a rigorous process to ascertain in a systematic and expedient manner whether or not there is domestic manufacturing capacity for the items submitted for a waiver of the Recovery Act Buy American provision. This process involves a close

collaboration with the United States Department of Commerce National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership (MEP), in order to scour the domestic manufacturing landscape in search of producers before making any nonavailability determination.

The MEP has 59 regional centers with substantial knowledge of, and connections to, the domestic manufacturing sector. MEP uses their regional centers to “scout” for current or potential manufacturers of the product(s) submitted in a waiver request. In the course of this interagency collaboration, MEP has been able to find exact or partial matches for manufactured goods that EERE grantees had been unable to locate. As a result, in those cases, EERE was able to work with the grantees to procure American-made products rather than granting a waiver.

Upon receipt of completed waiver requests for the twelve products in the current waiver, EERE reviewed the information provided and submitted the relevant technical information to the NIST MEP. The MEP then used their network of nationwide centers to scout for domestic manufacturers. The MEP reported that their scouting process did not locate any domestic manufacturers for the exact items needed to meet the product specifications required by the EERE grant recipient.

In addition to the MEP collaboration outlined above, the EERE Buy American Coordinator worked with labor unions, trade associations and other manufacturing stakeholders to scout for domestic manufacturing capacity or an equivalent product for each item contained in this waiver. EERE also conducted significant amounts of independent research to supplement MEP’s scouting efforts, including utilizing technology experts employed by the Department of Energy or the Department of Energy’s National Renewable Energy Laboratory. EERE’s research efforts confirmed the MEP findings that the goods included in this waiver are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality.

The nonavailability determination is also informed by the numerous inquiries to EERE from recipients of EERE Recovery Act funds, and from suppliers, distributors, retailers and trade associations—all stating that their individual efforts to locate domestic manufacturers have been unsuccessful.

Having established a proper justification based on domestic nonavailability, EERE hereby provides

notice that on March 21, 2011, twelve nationwide categorical waivers of section 1605 of the Recovery Act were issued as detailed *supra*. This notice constitutes the detailed written justification required by Section 1605(c) for waivers based on a finding under subsection (b).

This waiver determination is pursuant to the delegation of authority by the Secretary of Energy to the Assistant Secretary for Energy Efficiency and Renewable Energy with respect to expenditures within the purview of her responsibility. Consequently, this waiver applies to all EERE projects carried out under the Recovery Act.

**Authority:** Pub. L. 111–5, section 1605.

Issued in Washington, DC, on April 15, 2011.

**Henry Kelly,**

*Acting Assistant Secretary, Energy Efficiency and Renewable Energy, U.S. Department of Energy.*

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## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Application of the Energy Planning and Management Program Power Marketing Initiative to the Boulder Canyon Project

**AGENCY:** Western Area Power Administration, Department of Energy.

**ACTION:** Notice of Extension of Decision Effective Date and Comment Period.

**SUMMARY:** The Western Area Power Administration (Western), a Federal power marketing agency of the Department of Energy (DOE), is extending the effective date of decisions it announced and the comment period on proposals made in a notice published in the **Federal Register** on April 27, 2011.

**DATES:** The effective date of the decisions announced in Western’s April 27, 2011, **Federal Register** notice (FRN) has been extended from May 27, 2011, to December 31, 2011. The deadline for the submission of comments on the proposals described in Western’s April 27, 2011 FRN has been extended from June 16, 2011, to September 1, 2011.

Western will hold a public information forum and a public comment forum regarding the proposals described in its April 27, 2011 FRN. The public information forum will be held on July 13, 2011, 10 a.m., MST, in Phoenix, Arizona. The public comment forum will be held on August 17, 2011, 10 a.m., MST, in Phoenix, Arizona.

Western will accept written comments on or before September 1, 2011. Western reserves the right to not consider any comments received after this date.

**ADDRESSES:** Comments may be submitted to: Mr. Darrick Moe, Western Area Power Administration, Desert Southwest Regional Manager, P.O. Box 6457, Phoenix, AZ 85005-6457. Comments may also be faxed to (602) 605-2490 or e-mailed to [Post2017BCP@wapa.gov](mailto:Post2017BCP@wapa.gov).

The public information and comment forum location will be the Western Area Power Administration, Desert Southwest Regional Office, 615 S. 43rd Ave., Phoenix, Arizona.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Simonton, Public Utilities Specialist, Desert Southwest Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005, telephone (602) 605-2675, e-mail [Post2017BCP@wapa.gov](mailto:Post2017BCP@wapa.gov). Information regarding Western's Boulder Canyon Project (BCP) Post-2017 remarketing efforts, the Energy Management and Planning Program (Program), and the Conformed General Consolidated Power Marketing Criteria or Regulations for Boulder City Area Projects (Conformed Criteria) published in the **Federal Register** on December 28, 1984 (49 FR 50582), are available at <http://www.wapa.gov/dsw/pwrnkt>.

**SUPPLEMENTARY INFORMATION:**

In an April 27, 2011 FRN, Western announced that it will apply the Program's Power Marketing Initiative to the BCP and that Western has determined that all BCP electric service contracts resulting from this remarketing effort shall have a term of thirty (30) years commencing October 1, 2017. The effective date of these decisions was initially May 27, 2011.

Western also made additional proposals relative to the BCP Post-2017 remarketing effort, including the amount of marketable contingent capacity and firm energy, the amount of marketable contingent capacity and firm energy to be extended to existing contractors, the size of the resource pool to be created, and excess energy provisions. Western announced that public comments on these proposals would be accepted through June 16, 2011.

Since publication of this FRN, Western has received comments requesting an extension of the effective date of these decisions and the comment period to allow additional time for on-going legislative activities. In consideration of these comments, Western has decided to extend the

effective date of these decisions and the comment period for the proposals described in Western's April 27, 2011 FRN. The effective date of these decisions is now December 31, 2011, and comments will be accepted until September 1, 2011 (see **DATES**).

Western canceled the public information and comment forums that were scheduled as a result of its April 27, 2011 FRN. Western did not hold public forums on the BCP Post-2017 remarketing effort on May 25, 2011. Western has rescheduled these public forums as described in this notice (see **DATES**).

This extension provides additional time for on-going legislative activities as well as additional opportunity for interested parties, including Native American Tribes, to consult with Western and comment on the proposals.

Dated: May 18, 2011.

**R. Jack Dodd,**

*Assistant Administrator for Corporate Liaison.*

[FR Doc. 2011-12723 Filed 5-23-11; 8:45 am]

**BILLING CODE 6450-01-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OAR-2007-0265; FRL-9307-7]**

**Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; PM<sub>2.5</sub> National Ambient Air Quality Standard Implementation (Renewal)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR, which is abstracted later, describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before June 23, 2011.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OAR-2007-0265, to (1) EPA online using <http://www.regulations.gov> (our preferred method), by e-mail to [a-and-r-docket@epamail.epa.gov](mailto:a-and-r-docket@epamail.epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Air and Radiation Docket, Mailcode 28221T, 1200

Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Butch Stackhouse, Air Quality Policy Division, Office of Air Quality Planning and Standards, (Mail Code C539-01), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (919) 541-5208; fax number: (919) 541-0824; e-mail address: [stackhouse.butch@epa.gov](mailto:stackhouse.butch@epa.gov); or Karl Pepple, Air Quality Policy Division, Office of Air Quality Planning and Standards, (Mail Code C539-01), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (919) 541-2683; fax number: (919) 541-0824; e-mail address: [pepple.karl@epa.gov](mailto:pepple.karl@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On February 2, 2011 (76 FR 5801), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received one comment during the comment period, which is addressed in the ICR. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OAR-2007-0265, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Air Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Air Docket is 202-566-1742.

Use EPA's electronic docket and comment system at <http://www.regulations.gov>, to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at <http://www.regulations.gov> as EPA receives them and without