

*Estimated Number of Respondents:* 101.

*Frequency of Response:* Initially, on occasion and annually.

*Estimated Total Annual Hour Burden:* 39,385.

*Estimated Total Annual Cost:* \$2,512,947, which includes \$2,512,947 in labor costs, no capital/startup costs, and no operation and maintenance (O&M) costs.

*Changes in the Estimates:* There is no change in the labor hours or cost in the ICR compared to the previous ICR. This is due to two considerations: (1) The regulations have not changed over the past three years and are not anticipated to change over the next three years; and (2) the growth rate for the industry is very low, negative or non-existent. Therefore, the labor hours and cost figures in the previous ICR reflect the current burden to the respondents and are reiterated in this ICR.

Dated: June 21, 2011.

**John Moses,**

*Director, Collection Strategies Division.*

[FR Doc. 2011-16032 Filed 6-24-11; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[EPA-R07-OW-2011-0540; FRL-9324-5]

### **Notice of a Regional Project Waiver of Section 1605 (Buy American) of the American Recovery and Reinvestment Act of 2009 (ARRA) to the City of Columbia, MO**

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

**ACTION:** Notice.

**SUMMARY:** The EPA is hereby granting a waiver of the Buy American requirements of ARRA Section 1605 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 of Columbia, MO ("City") for the purchase of several foreign manufactured components of heating/ventilation/air conditioning systems (HVAC Systems) in Columbia, Missouri. This HVAC system consists of three (3) heat pumps and the associated packaged air handlers and one (1) air conditioning system condensing unit. The system is manufactured by Trane Commercial Systems in Monterrey, Mexico. This is a project specific waiver and only applies to the use of the specified product for the ARRA project being proposed. Any other ARRA recipient

that wishes to use the same product must apply for a separate waiver based on project specific circumstances. Based upon critical performance requirements and project specifications for the HVAC systems, a list of potential manufacturers and project schedule submitted by the City and its consulting engineer, it has been determined that there are currently no domestically manufactured HVAC systems available to meet the City's project specifications. The Regional Administrator is making this determination based on the review and recommendations of the Clean Water State Revolving Fund (CWSRF) staff. 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 the Trane Commercial Systems foreign manufactured HVAC systems. The City of Columbia, MO has provided sufficient documentation to support their waiver request.

**DATES:** *Effective Date:* June 27, 2011.

**FOR FURTHER INFORMATION CONTACT:** Christopher Simmons, Environmental Engineer, Water Wetlands and Pesticides Division (WWPD), (913) 551-7237, U.S. EPA, Region 7, 901 N. Fifth Street, Kansas City, KS 66101.

**SUPPLEMENTARY INFORMATION:** In accordance with ARRA Section 1605(c), the EPA hereby provides notice that it is granting a project waiver of the requirements of Section 1605 (a) of Public Law 111-5, Buy American requirements, to the City of Columbia, MO ("City") for the purchase of non-domestically manufactured Trane HVAC systems consisting of three (3) heat pumps and the associated packaged air handlers and one (1) air conditioning system condensing unit, to meet the City's design and performance specifications as part of its proposed Wastewater Treatment Facility Phase 1 Improvement Project in Columbia, MO.

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 a public works project unless all of the iron, steel, and manufactured goods used in the project is produced in the United States, or unless a waiver is provided to the recipient by the head of the appropriate agency, here the EPA. A waiver may be provided if EPA determines that (1) Applying these requirements would be inconsistent with the 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.

The City of Columbia, MO is proposing a Wastewater Treatment Facility (WWTF) Phase 1 Improvement Project that includes the use of non-domestically manufactured Trane HVAC systems. The new HVAC systems to be installed in the WWTF provides adequate indoor air quality by conditioning the air in the occupied space, diluting and removing contaminants from indoor air while providing proper pressurization. Project specifications for a density analyzer require the following to meet the design and performance criteria:

(1) Each component of the HVAC system must be compatible with all other parts of the system;

(2) Where two (2) or more units of the same class of equipment are required, they shall be the product of the same manufacturer.

The Clean Water State Revolving Fund (CWSRF) staff has reviewed this waiver request and has determined that the supporting documentation provided by the City of Columbia, MO establishes both a proper basis to specify a particular manufactured good, and that there is no domestic manufactured good currently available. 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 Heating/Ventilation/Air Conditioning (HVAC) systems are manufactured non-domestically by the Trane Commercial Systems located in Monterrey, Mexico. All supporting documentation and independent research and communication with manufacturers of HVAC systems conducted by EPA's national contractor demonstrate that there are no U.S. manufacturers able to meet the project specifications. None of the companies contacted by EPA's national contractor manufacture HVAC systems, which can meet the specifications, in the United States.

EPA has also evaluated Columbia, MO's waiver request to determine if its submission is considered late or if it could be considered timely, as per the OMB Guidance at 2 CFR 176.120. 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, EPA could also determine that a request be evaluated as timely, though made after the date that the contract was signed, if the need for a waiver was not reasonably foreseeable.

In this case, there are no U.S. manufacturers that meet Columbia, MO's project specification for the HVAC systems. The waiver request was not made prior to the contract being signed because initially the manufacturer said their product was manufactured in the U.S. Trane Commercial Systems has since moved manufacturing of some products to Monterrey, Mexico. In light of the unexpected change in the manufacturing location, the City could not have reasonably foreseen the need at the time of contract award to submit a waiver request. EPA will therefore consider Columbia, MO's waiver request, an unforeseeable late request, as though it had been timely made.

Furthermore, the purpose of the ARRA is to stimulate economic recovery by funding current infrastructure construction, not to delay projects that are "shovel ready" by requiring potential SRF eligible recipients, such as the City of Columbia, MO, to revise their design standards and specifications as well as their construction schedule. There are no domestic manufacturers that can provide HVAC systems that meet the specifications of this WWTF improvement project. To delay 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 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 manufactured good required for this project and that this manufactured good was not available from a producer in the United States, the City 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-domestic manufactured Trane Commercial Systems Heating/Ventilation/Air Conditioning Systems documented in City's waiver request submittal dated February 18, 2011. This supplementary information constitutes the detailed written justification required by Section 1605(c) for waivers based on a finding under subsection (b).

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

Dated: June 14, 2011.

**Karl Brooks,**

*Regional Administrator, Region 7.*

[FR Doc. 2011-16048 Filed 6-24-11; 8:45 am]

**BILLING CODE 6560-50-P**

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## FEDERAL COMMUNICATIONS COMMISSION

### Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Federal Communications Commission (FCC), as part of its continuing effort to reduce paperwork burdens, invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act (PRA) of 1995. Comments are requested concerning (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and (e) ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

**DATES:** Written PRA comments should be submitted on or before August 26, 2011. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to the Federal Communications Commission via e-mail to [PRA@fcc.gov](mailto:PRA@fcc.gov) and [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-0325.

*Title:* Section 80.605, U.S. Coast Guard Coordination.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 10 respondents and 10 responses.

*Estimated Time per Response:* 1.1 hours.

*Frequency of Response:* On occasion reporting requirement.

*Obligation To Respond:* Required to obtain or retain benefits. The statutory authority for this collection of information is contained in Sections 4, 303, 307(e), 309, and 332, 48 Stat. 1066, as amended; 47 U.S.C. 154, 303, 307(e), 309, and 332, unless otherwise noted.

*Total Annual Burden:* 11 hours.

*Annual Cost Burden:* None.

*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* There is no need for confidentiality with this collection of information.

*Needs and Uses:* Section 80.605 is necessary because applicants are required to obtain written permission from the Coast Guard in the area where radio-navigation/radio-location devices are located. This rule insures that no hazard to marine navigation will result from the grant of applications for non-selectable transponders and shore based radio-navigation aids. The Coast Guard is responsible for making this determination under 14 U.S.C. 18. Section 308(b) of the Communications