

Description	Quantity	Material	Code standard	Connection type
24-in. STD Raised Face Weld Neck Flange	3	Carbon Steel	150# ANSI A105	Not applicable.
24-in. STD Flat Face Weld Neck Flange	1	Carbon Steel	150# ANSI A105	Not applicable.

Based on additional research conducted by EPA Region 6 there do not appear to be any American-made carbon steel pipe fittings and appurtenances that would meet the City's technical specifications. EPA's national contractor prepared a technical assessment report based on the waiver request submittal, which confirmed the waiver applicant's claim that there are no American-made carbon steel pipe fittings and appurtenances available for use in the proposed waste water treatment system.

EPA has also evaluated the City's request to determine if its submission is considered late or if it could be considered timely, as per the OMB regulation 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. If the need for a waiver is reasonably foreseeable, then EPA could still apply discretion in these late cases as per the OMB Guidance, which says "the award official *may* deny the request." For those waiver requests that do not have a reasonably unforeseeable basis for lateness, but for which the waiver basis is valid and there is no apparent gain by the ARRA recipient or loss on behalf of the government, then EPA will still consider granting a waiver.

In this case, the waiver request was submitted after the contract date because the City initiated an evaluation of substantial transformation for the pipe fittings and appurtenances; however, after having a thorough discussion at the Regional level, the City has made a decision that the issuance of the project specific waiver for the carbon steel pipe fittings and appurtenances is the best way to ensure that the City is in compliance with the Buy American provisions of ARRA. There is no indication that the City failed to request a waiver in order to avoid the requirements of the ARRA, particularly since there are no domestically manufactured products available that meet the project specifications. EPA will consider the City's waiver request, a foreseeable late request, as though it had been timely

made since there is no gain by the City and no loss by the government due to the late request.

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," 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 City has incorporated specific technical design requirements for installation of carbon steel pipe fittings and appurtenances at its wastewater treatment plant.

The purpose of the ARRA is to stimulate economic recovery in part by funding current infrastructure construction, not to delay projects that are "shovel ready" by requiring utilities, such as the City, to revise their standards and specifications, institute a new bidding process, and potentially choose a more costly, less efficient project. The imposition of ARRA Buy American requirements on such projects otherwise eligible for State Revolving Fund assistance would result in unreasonable delay and thus displace the "shovel ready" status for this project. To further delay construction is in direct conflict with a fundamental economic purpose of the ARRA, which is to create or retain jobs.

The Region 6 Water Quality Protection Division has reviewed this waiver request, and has determined that the supporting documentation provided by the City is sufficient to meet the criteria listed under ARRA, Section 1605(b), Office of Management and Budget (OMB) regulations at 2 CFR 176.60-176.170, and in the April 28, 2009, memorandum, "Implementation of Buy American provisions of Public Law 111-5, the American Recovery and Reinvestment Act of 2009. The basis for this project waiver is the authorization provided in ARRA, Section 1605(b) (2). Due to the lack of production of this product in the United States in sufficient and reasonably available quantities and of a satisfactory quality in order to meet the City's technical specifications, a waiver from the Buy American requirement is justified.

EPA headquarters' 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 goods required for this project, and that these manufactured goods are not available from a producer in the United States, the City is hereby granted a waiver from the Buy American requirements of ARRA, Section 1605(a) of Public Law 111-5 for the purchase of the selected carbon steel pipe fittings and appurtenances, using ARRA funds, as specified in the City's request. This supplementary information constitutes the detailed written justification required by ARRA, Section 1605(c), for waivers "based on a finding under subsection (b)."

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

Dated: September 26, 2011.

Al Armendariz,

Regional Administrator, U.S. Environmental Protection Agency, Region 6.

[FR Doc. 2011-26090 Filed 10-6-11; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8999-4]

Environmental Impacts Statements; Notice of Availability

AGENCY: Office of Federal Activities, EPA.

General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 09/26/2011 Through 09/30/2011 Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EIS are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

EIS No. 20110332, Draft Supplement, USFS, MT, Montanore Project, Additional Information on Alternatives, Proposes to Construct a

Copper and Silver Underground Mine and Associated Facilities, Including a New Transmission Line, Plan-of-Operation Permit, Kootenai National Forest, Sanders County, MT, *Comment Period Ends:* 11/21/2011, *Contact:* Lynn Hagarty 406-283-7642.

EIS No. 20110333, Final EIS, GSA, 00, International Falls Land Port of Entry Improvements Study, Proposes To Replace the Existing Land Port of Entry, Minnesota along the U.S. and Canada Border, *Review Period Ends:* 11/07/2011, *Contact:* Donald R. Melcher 312-353-1237.

EIS No. 20110334, Draft EIS, NPS, 00, Blue Ridge Parkway General Management Plan, Implementation, Virginia and North Carolina, *Comment Period Ends:* 12/06/2011, *Contact:* Chris Church 303-969-2276.

EIS No. 20110335, Final EIS, USACE, 00, Fargo-Moorhead Metropolitan Area Flood Risk Management, To Document the Analysis of Alternatives Developed To Reduce Flood Risk, Red River of the North Basin, ND and MN, *Review Period Ends:* 11/07/2011, *Contact:* Aaron Snyder 651-290-5489.

EIS No. 20110336, Draft Supplement, USFS, 00, Rogue River-Siskiyou National Forest, Motorized Vehicle Use, Supplement the Existing 2009 FEIS To Add Complete Information and Analysis, Implementation, Douglas, Klamath, Jackson, Curry, Coos and Josephine Counties, OR and Del Norte and Siskiyou Counties, CA, *Comment Period Ends:* 11/21/2011, *Contact:* David Krantz 541-618-2200.

EIS No. 20110337, Final EIS, BIA, CA, Manzanita Casino—Manzanita Band of Kumeyaay Indians Fee-To-Trust and Casino Facility/Hotel Project, Construction and Operation, City of Calexico, Imperial County, CA, *Review Period Ends:* 11/07/2011, *Contact:* John Rydzik 916-978-6051.

EIS No. 20110338, Final EIS, NPS, WV, New River Gorge National River Project, General Management Plan, Implementation, Fayette, Raleigh and Summers Counties, WV, *Review Period Ends:* 11/07/2011, *Contact:* Deborah Darden 304-465-6509.

EIS No. 20110339, Draft Supplement, USN, WA, Trident Support Facilities Explosives Handling Wharf (EHW-2), New Information, Construction and Operating, Naval Base Kitsap Bangor, Silverdale, WA, *Comment Period Ends:* 11/21/2011, *Contact:* Christine Stevenson 360-396-0080.

EIS No. 20110340, Draft EIS, BLM, CA, Walker Ridge Wind Energy Generation Facility, Construction, Operation and Decommissioning of a Wind Energy Generation Facility of

up to 70 megawatts, Lake and Colusa Counties, CA, *Comment Period Ends:* 11/21/2011, *Contact:* Joseph Vieira 719-852-6213.

Amended Notices

EIS No. 20110265, Draft EIS, ARS, ID, U.S. Sheep Experiment Station Grazing and Associated Activities Project 2010, To Develop Integrated Methods for Increasing Production Efficiency of Sheep, Dubois, ID, *Comment Period Ends:* 11/21/2011, *Contact:* Sue Wingate 603-569-3114.

EIS No. 20110323, Draft Supplement, USFS, MI, Huron-Manistee National Forests, Supplement the 2006 FEIS Analysis and To Correct the Deficiencies that the Meister Panel Identified, Land and Resource Management Plan, Implementation, Several Counties, MI, *Comment Period Ends:* 12/23/2011, *Contact:* Ken Arbogast 231-775-2421 Revision to FR Notice 09/23/2011: Correction to Comment Period from 12/21/2011 to 12/23/2011.

EIS No. 20110327, Draft EIS, BR, 00, Klamath Facilities Removal Project, Advance Restoration of the Salmonid Fisheries Klamath Basin, Siskiyou County, CA and Klamath County, OR, *Comment Period Ends:* 11/29/2011, *Contact:* Elizabeth Vasquez 916-978-5055 Revision to FR Notice 09/30/2011: Correction to Comment Period from 11/21/2011 to 11/29/2011.

EIS No. 20110328, Draft EIS, NPS, CA, Drakes Bay Oyster Company (DBOC) Special Use Permit (SUP) for the Period of 10 Years for its Shellfish Operation, which Consists of Commercial Production, Harvesting, Processing, and Sale of Shellfish at Point Reyes National Seashore, CA, *Comment Period Ends:* 11/29/2011, *Contact:* Cicely Muldoon 415-464-5101 Revision to FR Notice 9/30/2011: Correction to Comment Period from 11/21/2011 to 11/29/2011.

Dated: October 4, 2011.

Cliff Rader,

Acting Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2011-26049 Filed 10-6-11; 8:45 am]

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FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will

meet in open session at 10 a.m. on Tuesday, October 11, 2011, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous Board of Directors' Meetings.

Memorandum and resolution re: Disclosure of Information; Privacy Act Amendments.

Summary reports, status reports, reports of the Office of Inspector General, and reports of actions taken pursuant to authority delegated by the Board of Directors.

Discussion Agenda

Memorandum re: Update of Projected Deposit Insurance Fund Losses, Income, and Reserve Ratios for the Restoration Plan.

Memorandum and resolution re: Notice of Proposed Rulemaking on Prohibitions and Restrictions on Proprietary Trading and Certain Interests in, and Relationships with, Hedge Funds and Private Equity Funds.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, NW., Washington, DC.

This Board meeting will be Webcast live via the Internet and subsequently made available on-demand approximately one week after the event. Visit <http://www.vodium.com/goto/fdic/boardmeetings.asp> to view the event. If you need any technical assistance, please visit our Video Help page at: <http://www.fdic.gov/video.html>.

The FDIC will provide attendees with auxiliary aids (e.g., sign language interpretation) required for this meeting. Those attendees needing such assistance should call 703-562-2404 (Voice) or 703-649-4354 (Video Phone) to make necessary arrangements.

Requests for further information concerning the meeting may be directed to Mr. Robert E. Feldman, Executive Secretary of the Corporation, at 202-898-7043.

Dated: October 4, 2011.

Federal Deposit Insurance Corporation.

Robert E. Feldman,
Executive Secretary.

[FR Doc. 2011-26130 Filed 10-5-11; 4:15 pm]

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