

Property	Specification
Thickness (ASTM D 5199) ..	0.35 inch
Recommended slope .....	> 1:1
Recommended flow .....	12 fps
Recommended shear stress	4.5 lbs/ft <sup>2</sup>
"C" factor .....	0.002
Roll Size .....	6.5' x 164'
Functional Longevity .....	2 to 3 Yrs.

Based on additional research conducted by EPA Region 6 there do not appear to be any American-made fiber (coir) woven mat that would meet the Applicant'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 is no American-made fiber (coir) woven mat available for use in the proposed waste water treatment system.

EPA has also evaluated the Applicant'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 this "shovel ready" project experienced significant delays during the preliminary design. Originally, the Oklahoma Conservation Commission contracted with the Oklahoma Department of Wildlife Resources (ODWR) to evaluate potential sites and to perform preliminary design and cost estimates to assess feasibility of including sites in this project. The intent was to hire a design/build team to perform the work. The ODWR had two leading experts in stream restoration who were assigned to this project. Some months into the project, both experts left ODWR to employment elsewhere. After months of trying to replace them, ODWR were unable to execute the project.

Oklahoma Conservation Commission then contracted with Oklahoma State University to evaluate and select sites for the project. After months of work and careful coordination with Oklahoma Department of Environmental Quality and U.S. Army Corps of Engineers, Oklahoma State University identified 12 sites that should be able to qualify for nationwide 404 permits and might reasonably be restored within the project budget.

The contract was awarded in Dec 2011 and site-specific design began in early 2012. Once designs were available and it was realized that coir fiber mats would be needed, Oklahoma Water Resources Board instructed the applicant to apply for a waiver request. EPA believes that the need for a waiver was not reasonably foreseeable and thus will treat the Applicant's waiver request as if timely submitted.

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 Applicant has incorporated specific technical design requirements for installation of fiber (coir) woven mat 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 Applicant, 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 Applicant 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 Applicant'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 Applicant 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 fiber (coir) woven mat, using ARRA funds, as specified in the Applicant'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: January 17, 2013.

**Ron Curry,**

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

[FR Doc. 2013-03599 Filed 2-15-13; 8:45 am]

**BILLING CODE 6560-50-P**

## EXPORT-IMPORT BANK OF THE UNITED STATES

[Public Notice 2013-0115]

### Agency Information Collection Activities: Final Collection; Comment Request

**AGENCY:** Export-Import Bank of the United States.

**ACTION:** Submission for OMB Review and Comments Request.

**SUMMARY:** The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

The form represents the exporter's directive to Ex-Im Bank to whom and where the insurance proceeds should be sent, and also describes the duties and obligations that have to be met by the financial institution in order to share in the policy proceeds. The form is typically part of the documentation required by financial institution lenders in order to provide financing of an exporter's foreign accounts receivable. Foreign accounts receivable insured by Ex-Im Bank represent stronger collateral to secure the financing. By recording which policyholders have completed this form, Ex-Im Bank is able to determine how many of its exporter policyholders require Ex-Im Bank insurance policies to support lender financing.

The form can be viewed at [www.exim.gov/pub/pending/eib99-17.pdf](http://www.exim.gov/pub/pending/eib99-17.pdf).

**DATES:** Comments should be received on or before March 21, 2013 to be assured of consideration.

**ADDRESSES:** Comments maybe submitted electronically on [www.regulations.gov](http://www.regulations.gov) or by mail to Office of Information and Regulatory Affairs, 725 17th Street NW., Washington, DC 20038 Attn: OMB 3048-EIB99-17.

**SUPPLEMENTARY INFORMATION:**

*Titles and Form Number:* EIB 99-17 Enhanced Assignment of Policy Proceeds.

*OMB Number:* 3048-xxxx.

*Type of Review:* New.

*Need and Use:* This collection of information is used by exporters to convey legal rights to, and describe the duties and obligations that have to be met by their financial institution lender in order to share insurance policy proceeds from Ex-Im Bank approved insurance claims.

*Affected Public:* This form affects entities involved in the export of U.S. goods and services.

**Public Burden**

*The number of respondents:* 110.

*The frequency of response:* Annually.

*Response Burden:* 15 minutes.

**Government Burden**

*Reviewing Time:* 1 hour.

*Responses/year:* 110.

*Review time/year:* 110 hours.

*Avg Wages/hr:* \$30.25.

*Avg wage/year:* \$3,327.5.

*Benefits & Overhead:* 28%.

*Total Government Cost:* \$4,259.20.

**Sharon A. Whitt,**

*Agency Clearance Officer.*

[FR Doc. 2013-03628 Filed 2-15-13; 8:45 am]

**BILLING CODE 6690-01-P**

**FEDERAL ELECTION COMMISSION**

**Public Availability of Federal Election Commission, Procurement Division FY 2012 Service Contract Inventory**

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of public availability of FY 2012 Service Contract inventories.

**SUMMARY:** In accordance with Section 743 of Division C of the Consolidated Appropriations Act of 2010 (Pub. L. 111-117), FEC PROCUREMENT DIVISION is publishing this notice to advise the public of the availability of the FY 2011 Service Contract inventory. This inventory provides information on service contract actions over \$25,000 that were made in FY 2012. The information is organized by function to show how contracted resources are distributed throughout the agency. The inventory has been developed in accordance with guidance issued on December 19, 2011 by the Office of Management and Budget's Office of Federal Procurement Policy (OFPP). OFPP's guidance is available at: <http://www.whitehouse.gov/sites/default/files/omb/procurement/memo/service-contract-inventories-guidance-11052010.pdf>.

The FEC Procurement Division has posted its inventory and a summary of the inventory on the FEC homepage at the following link: <http://www.fec.gov/pages/procure/procure.shtml>.

**FOR FURTHER INFORMATION CONTACT:**

Questions regarding the service contract inventory should be directed to Roshawn K. Majors, Director of Procurement, at 202-694-1225 or [rmajors@fec.gov](mailto:rmajors@fec.gov).

**Shawn Woodhead Werth,**

*Secretary and Clerk, Federal Election Commission.*

[FR Doc. 2013-03720 Filed 2-15-13; 8:45 am]

**BILLING CODE P**

**FEDERAL RESERVE SYSTEM**

**Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB**

**AGENCY:** Board of Governors of the Federal Reserve System.

**SUMMARY:** Notice is hereby given of the final approval of a proposed information collection by the Board of Governors of the Federal Reserve System (Board) under OMB delegated authority, as per 5 CFR 1320.16 (OMB Regulations on Controlling Paperwork Burdens on the Public). Board-approved collections of

information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instrument(s) are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

**FOR FURTHER INFORMATION CONTACT:**

Federal Reserve Board Clearance Officer—Cynthia Ayouch—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202) 452-3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263-4869, Board of Governors of the Federal Reserve System, Washington, DC 20551.

OMB Desk Officer—Shaguftha Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW., Washington, DC 20503.

Final approval under OMB delegated authority of the extension for three years, with revision, of the following report:

*Report title:* Bank Secrecy Act Suspicious Activity Report (BSA-SAR).

*Agency form number:* FR 2230.

*OMB control number:* 7100-0212.

*Frequency:* On occasion.

*Reporters:* State member banks, bank holding companies and their nonbank subsidiaries, Edge and agreement corporations, and the U.S. branches and agencies, representative offices, and nonbank subsidiaries of foreign banks supervised by the Federal Reserve.

*Estimated annual reporting hours:* 139,515 hours.

*Estimated average hours per response:* 1.5 hours.

*Number of respondents:* 6,000.

*General description of report:* The BSA-SAR is mandatory, pursuant to authority contained in the following statutes: 12 U.S.C. 248(a)(1), 625, 1844(c), 3105(c)(2), 3106(a), and 1818(s). SARs are exempt from Freedom of Information Act (FOIA) disclosure by 31 U.S.C. 5319 and FIOA exemption 3 which incorporates into the FOIA certain nondisclosure provisions that are contained in other federal statutes, 5 U.S.C. 552(b)(3), and by FOIA exemption 7, which generally exempts from public disclosure "records or