

research conducted by Cadmus, the EPA Office of Water's national contractor, was unable to identify any domestically available loggers which meet the specifications and quality described in the project plans and designs. The contractor contacted four companies that manufacture loggers in the U.S. but none of these companies could provide loggers that offer integrated cross correlation functionality between loggers.

Additional research conducted by EPA Region 6 appeared to confirm that there are no domestic logger manufacturers that would meet the ABCWUA's technical specifications.

EPA's national contractor prepared a technical assessment report dated February 10, 2010 based on the waiver request submittal. The report determined that the waiver request submittal was complete, that adequate technical information was provided, and that there were no significant weaknesses in the justification provided. The report confirmed the waiver applicant's claim that there are no American-made loggers available for use in the water distribution system. Therefore, EPA Region 6 concludes that the loggers meet the "specifications in project plans and design."

The April 28, 2009 EPA HQ Memorandum, Implementation of Buy American provisions of P.L. 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 ABCWUA has incorporated specific technical design requirements for installation of loggers in its water distribution system. Therefore, it meets the requirements of the "satisfactory quality" criterion for requesting a waiver from the Buy American provisions of Public Law 111-5.

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 ABCWUA, 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 to the best of my knowledge at the time of review, has determined that the supporting documentation provided by the ABCWUA 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, "Implementation of Buy American provisions of Public Law 111-5, the "American Recovery and Reinvestment Act of 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 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 ABCWUA'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 good required for this project, and that this manufactured good was not available from a producer in the United States, the ABCWUA is hereby granted a waiver from the Buy American requirements of ARRA, Section 1605(a) of Public Law 111-5 for the purchase of three hundred loggers and one radio transceiver, using ARRA funds, as specified in the ABCWUA's request of February 5, 2010. This supplementary information constitutes the detailed written justification required by ARRA, Section 1605(c), for waivers "based on a finding under subsection (b)."

Authority: Public Law 111-5, section 1605.

Dated: April 28, 2010.

Al Armendariz,

Regional Administrator, Region 6.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-New England Region I—EPA-R01-OW-2010-0316; FRL-9147-1]

Massachusetts Marine Sanitation Device Standard—Receipt of Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice—Receipt of Petition.

SUMMARY: Notice is hereby given that a petition has been received from the Commonwealth of Massachusetts requesting a determination by the Regional Administrator, U.S. Environmental Protection Agency, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Pleasant Bay/Chatham Harbor, MA.

DATES: Comments must be submitted by June 7, 2010.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R01-OW-2010-0316, by one of the following methods: <http://www.regulations.gov>, Follow the on-line instructions for submitting comments.

- *E-mail:* rodney.ann@epa.gov.
- *Fax:* (617) 918-0538.

Mail and hand delivery: U.S.

Environmental Protection Agency—New England Region, Five Post Office Square, Suite 100, OEP06-1, Boston, MA 02109-3912. Deliveries are only accepted during the Regional Office's normal hours of operation (8 a.m.–5 p.m., Monday through Friday, excluding legal holidays), and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-R01-OW-2010-0316. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov>, or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov> your e-mail

address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other

material, such as copy-righted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the U.S. Environmental Protection Agency—New England Region, Five Post Office Square, Suite 100, OEP06-01, Boston, MA 02109-3912. Such deliveries are only accepted during the Regional Office's normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office is open from 8 a.m.–5 p.m., Monday through Friday, excluding legal holidays. The telephone number is (617) 918-1538.

FOR FURTHER INFORMATION CONTACT: Ann Rodney, U.S. Environmental Protection Agency—New England Region, Five Post Office Square, Suite 100, OEP06-

01, Boston, MA 02109-3912. Telephone: (617) 918-1538, Fax number: (617) 918-0538; e-mail address: rodney.ann@epa.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that a petition has been received from the Commonwealth of Massachusetts requesting a determination by the Regional Administrator, U.S. Environmental Protection Agency, pursuant to Section 312(f)(3) of Public Law 92-500 as amended by Public Law 95-217 and Public Law 100-4, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for Pleasant Bay/Chatham Harbor, MA.

The proposed boundary of the Pleasant Bay/Chatham Harbor NDA includes all of the 17 sub-embayments within the area with the following water boundaries:

Waterbody/general area	From latitude	From longitude	To latitude	To longitude
Bounded on the west by mainland Chatham, Harwich, Brewster and Orleans; bounded on the east by Nauset Beach (North Beach) and North Beach Island. A line drawn cross the mouth of the North inlet across from Minister's Point: From West of a line across the mouth of the South Inlet:	41°42'19.43" N	69°55'44.76" W	41°42'13.31" N	69°55'45.11" W
	41°40'41.51" N	69°56'3.47" W	41°39'56.52" N	69°56'30.48" W

The boundaries were chosen based on easy line-of-sight locations and generally represent all navigational waters. The area includes the municipal waters of Chatham, Harwich, Brewster and Orleans.

Boating is one of the most popular recreational uses of Pleasant Bay/Chatham Harbor. There are three private marinas, four boating clubs and approximately 30 public landings/access points in the proposed area. Massachusetts has certified that there are three pumpout facilities within the proposed area available to the boating public. A list of the facilities, locations,

contact information, hours of operation, and water depth is provided at the end of this petition.

Massachusetts has provided documentation indicating that the total vessel population is estimated to be 2,160 in the proposed area. It is estimated that 124 of the total vessel population may have a Marine Sanitation Device (MSD) of some type. Over 90 percent of the boats in the proposed area are 25 feet and under.

The proposed area is roughly 9,000 acres and is a state designated Area of Critical Environment Concern (ACEC). The islands of Pochet, Sampson, Hog,

and Little Sipson are held in trust and subject to conservation restrictions and Strong Island is owned by the town of Chatham and the Chatham Conservation Foundation. Tern Island is owned by the Massachusetts Audubon Society. The Nauset Barrier Beach is within the boundaries of the Cape Cod National Seashore. There are 36 finfish species and an abundance of quahogs, softshell clams, razor clams and scallops. This area is a popular destination for boaters due to its natural environmental diversity and would benefit from a No Discharge Area.

PUMPOUT FACILITIES WITHIN PROPOSED NO DISCHARGE AREA

PLEASANT BAY/CHATHAM HARBOR

Name	Location	Contact info.	Hours	Mean low water depth
Harbormaster	Round Cove Harwich	508-430-7532 VHF 60	On demand	N/A
Harbormaster	Ryder's Cove Chatham	508-945-1067 or 508-945-5185 VHF 66.	M-F 8 am-5 pm, Sat. 9 am-1 pm.	3 ft
Nauset Marine East	37 Barley Neck Road, East Orleans.	508-255-3045 VHF 9	On demand	3 ft

Dated: April 27, 2010.

H. Curtis Spalding,

Regional Administrator, New England Region

[FR Doc. 2010-10841 Filed 5-6-10; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted for Review and Approval to the Office of Management and Budget (OMB), Comments Requested

May 4, 2010.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, 44 U.S.C. 3501 – 3520. 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 for 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 Paperwork Reduction Act (PRA) that does not display a currently valid OMB control number.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before June 7, 2010. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, Office of Management and Budget, via fax at 202-395-5167 or via the Internet at Nicholas_A._Fraser@omb.eop.gov and

to the Federal Communications Commission via email to PRA@fcc.gov. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page <http://reginfo.gov/public/do/PRAMain>, (2) look for the section of the web page called "Currently Under Review", (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, and (6) when the list of FCC ICRs currently under review appears, look for the title of this ICR (or its OMB Control Number, if there is one) and then click on the ICR Reference Number to view detailed information about this ICR.

FOR FURTHER INFORMATION CONTACT: Judith B. Herman, Office of Managing Director, (202) 418-0214. For additional information or copies of the information collection(s), contact Judith B. Herman, OMD, 202-418-0214, email Judith-b.herman@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-1030.
Title: Service Rules for Advanced Wireless Services (AWS) in the 1.7 GHz and 2.1 GHz Bands.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit, not-for-profit institutions and state, local or tribal government.

Number of Respondents and Responses: 979 respondents, 1,630 responses.

Estimated Time per Response: .25 – 5 hours.

Frequency of Response: Semi-annual and on occasion reporting requirements, recordkeeping requirement and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. sections 151, 154(i), 301, 302, 303(f), 303(g), 303(r), 307, 308, 309, 310, 316, and the Commercial Spectrum Enhancement Act (CSEA) of 2004, Pub. L. No. 108-494.

Total Annual Burden: 33,480 hours.
Total Annual Cost: \$581,800.

Privacy Act Impact Assessment: N/A.

Nature and Extent of Confidentiality: There is no need for confidentiality except as follows: The clearinghouses have committed, pursuant to the FCC's directive, to implement safeguards to maintain the confidentiality of information where necessary to protect

respondents' legitimate commercial interests. Additionally, the Ninth Report and Order, 71 FR 29818 (May 24, 2006), protects the specific location of the Broadband Radio Service (BRS) licensees' end-user/subscriber equipment, customer names, addresses and contact for purpose of relocation, which could raise competitive concerns. The Commission's rules permit filing information with the Commission to request confidential treatment of their information under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: The Commission will submit this expiring information collection to the Office of Management and Budget (OMB) during this comment period in order to obtain the full three year clearance from them and to keep the OMB approval from lapsing. The Commission has not changed the reporting, recordkeeping and/or third party disclosure requirements. The Commission is reporting a 4,333 hour adjustment increase in burden hours and a \$2,139,400 decrease in annual costs. The change in burden hours and costs are due to a complete review of the Commission's initial burden estimates.

The public burden requirements will be used by incumbent licensees and new entrants to negotiate relocation agreements and to coordinate operations to avoid interference. The information will also be used by the clearinghouses to maintain a national database, determine reimbursement obligations of entrants pursuant to the Commission's rules and notify such entrants of their reimbursement obligations. Also, the information will be used to facilitate dispute resolution and for FCC oversight of the clearinghouses and the cost-sharing plan. Additionally, the requirements regarding foreign ownership, substantial service compliance, and interference coordination has been used in the past and will continue to be used to minimize interference, verify that the applicants are legally and technically qualified to hold licenses, and to determine compliance with Commission rules.

Federal Communications Commission.

Marlene H. Dortch,

Secretary,

Office of the Secretary,

Office of Managing Director.

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