

substance, there may be unpublished studies or other primary technical sources that are not available through the open literature. EPA would appreciate receiving scientific information from the public during the information gathering stage for the assessments listed in this notice or any other assessments on the IRIS agenda. Interested persons may provide scientific analyses, studies, and other pertinent scientific information. While EPA is primarily soliciting information on new assessments, the public may submit information on any chemical substance at any time.

This notice provides (1) a list of new IRIS assessments for which literature searches have recently become available; and (2) instructions to the public for submitting scientific information to EPA pertinent to the development of assessments.

EPA is announcing the availability of additional literature searches on the IRIS web site (<http://www.epa.gov/iris>). The public is invited to review the literature search results and submit additional information to EPA. Literature searches are now available for diisobutyl phthalate (DIBP) (84-69-5), diisononyl phthalate (DINP) (28553-12-0, 68515-48-0, 71549-78-5 and 14103-61-8), dipentyl phthalate (DPP) (131-18-0), and polychlorinated biphenyls (noncancer) (various) at <http://www.epa.gov/iris> under "IRIS Agenda and Literature Searches." Additional literature searches will be posted as they are completed. Availability will be announced in the **Federal Register**. Instructions on how to submit information are provided below under General Information.

#### General Information

Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2007-0664 by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- *E-mail*: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).

- *Fax*: 202-566-1753.

- *Mail*: Office of Environmental Information (OEI) Docket, (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. The phone number is 202-566-1752.

- *Hand Delivery*: The OEI Docket is located in the EPA Headquarters Docket Center, EPA West Building, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center's 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

Public Reading Room is 202-566-1744. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. If you provide information by mail or hand delivery, please submit one unbound original with pages numbered consecutively, and three copies of the comments. For attachments, provide an index, number pages consecutively with the main text, and submit an unbound original and three copies.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-ORD-2007-0664. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at <http://www.regulations.gov>, including any personal information provided, unless a 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. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**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 copyrighted 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 OEI Docket in the EPA Headquarters Docket Center.

Dated: April 30, 2010.

**Rebecca Clark,**

*Director, National Center for Environmental Assessment.*

[FR Doc. 2010-10855 Filed 5-6-10; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### National Advisory Council for Environmental Policy and Technology

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

**ACTION:** Notice of meeting.

**SUMMARY:** Under the Federal Advisory Committee Act, Public Law 92463, EPA gives notice of a meeting of the National Advisory Council for Environmental Policy and Technology (NACEPT). NACEPT provides advice to the EPA Administrator on a broad range of environmental policy, technology, and management issues. NACEPT is a committee of individuals who represent diverse interests from academia, industry, non-governmental organizations, and local, state, and tribal governments. The purpose of this meeting is to discuss the Council's FY 2010-FY 2012 agenda, which includes vulnerable populations and workforce issues. A copy of the agenda for the meeting will be posted at <http://www.epa.gov/ocem/nacept/cal-nacept.htm>.

**DATES:** NACEPT will hold a two-day meeting on Tuesday, May 25, 2010, from 8:30 a.m. to 6 p.m. and Wednesday, May 26, 2010, from 8:30 a.m. to 2 p.m.

**ADDRESSES:** The meeting will be held at the Sheraton Crystal City Hotel, 1800 Jefferson Davis Highway, Arlington, VA 22202. The meeting is open to the public, with limited seating on a first-come, first-served basis.

**FOR FURTHER INFORMATION CONTACT:** Sonia Altieri, designated Federal officer, [altieri.sonia@epa.gov](mailto:altieri.sonia@epa.gov), (202) 564-0243, U.S. EPA, Office of Cooperative Environmental Management (1601M), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** Requests to make oral comments or to provide written comments to the Council should be sent to Sonia Altieri, designated Federal officer, at the contact information above. All requests must be submitted no later than May 17, 2010.

**Meeting Access:** For information on access or services for individuals with disabilities, please contact Sonia Altieri at 202-564-0243 or [altieri.sonia@epa.gov](mailto:altieri.sonia@epa.gov). To request accommodation of a disability, please contact Sonia Altieri, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: April 29, 2010.

**Sonia Altieri,**

*Designated Federal Officer.*

[FR Doc. 2010-10538 Filed 5-6-10; 8:45 am]

**BILLING CODE 6560-50-M**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9145-7]

### Notice of a Project Waiver of Section 1605 (Buy American Requirement) of the American Recovery and Reinvestment Act of 2009 (ARRA) to the City of Coldwater, MI (Coldwater)

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

**ACTION:** Notice.

**SUMMARY:** The EPA is hereby granting a project 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 of a satisfactory quality] to Coldwater, Michigan for the purchase of high-speed, high-efficiency magnetic bearing turbo-compressors that will be used in the city's sludge treatment process. This is a project-specific waiver and it only applies to the use of the specified product for the ARRA funded project being proposed. Any other ARRA project that may wish to use the same product must apply for a separate waiver based on project-specific circumstances. These turbo-compressors, which are supplied by ABS USA of Meriden, Connecticut, are manufactured in Sweden, and meet Coldwater's performance specifications and requirements. The Acting Regional Administrator is making this determination based on the review and recommendations of EPA Region 5's Water Division. Coldwater has provided sufficient documentation to support its request. 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 high-speed, high-efficiency magnetic bearing turbo-compressors for Coldwater's activated sludge project that may otherwise be

prohibited under Section 1605(a) of the ARRA.

**DATES:** *Effective Date:* March 26, 2010.

**FOR FURTHER INFORMATION CONTACT:** Andrew Lausted, SRF Program Manager (312) 886-0189, or Puja Lakhani, Office of Regional Counsel, (312) 353-3190, U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604.

**SUPPLEMENTARY INFORMATION:** In accordance with ARRA Section 1605(c) and pursuant to Section 1605(b)(2) of Public Law 111-5, Buy American requirements, EPA hereby provides notice that it is granting a project waiver to Coldwater, Michigan for the acquisition of high-speed, high-efficiency magnetic bearing turbo-compressors that are manufactured in Sweden.

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 public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States, or unless a waiver is provided to the recipient by the head of the appropriate agency, here 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 ARRA-funded project will provide improved aeration for Coldwater's activated sludge treatment process, allowing the Wastewater Treatment Plant (WWTP) to meet the stringent ammonia-nitrogen effluent discharge limits required for this facility placed into effect in May 2007. Following a study of the cause for these ammonia-nitrogen effluent discharge excursions, it was determined the WWTP's current organic treatment process was not capable of handling the maximum day and peak ammonia-nitrogen loading occurrences experienced by the facility. The existing multistage centrifugal aeration blowers cannot be turned down sufficiently to adequately meet the low and average aeration requirements on the WWTP. These blowers also have insufficient capacity to meet the peak aeration requirements alone, and need supplemental aeration blowers to meet these demands. Relative to conventional

technologies and equipment, the high-speed, high-efficiency turbocompressors offer more turndown potential and the ability for the WWTP to meet the low, average, and peak aeration requirements in combination with the existing aeration blowers. The selected equipment can operate at 38% of its rated capacity, providing exceptional turndown. Coldwater selected the magnetic bearing technology because of its ability to avoid overheating and its track record of providing long-standing reliable service—key advantages over the competing airfoil bearing technology. Further, as Coldwater initiated its evaluation of the equipment for selection and design phases well before the enactment of ARRA, the decision to do was clearly not an attempt to avoid application of the Buy American provisions of ARRA. Coldwater's submissions clearly articulated functional reasons that justified their technical specifications and requirements.

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 met the requirements specified for the availability inquiry as appropriate to the circumstances by conducting an extensive investigation into all possible sources for high-speed, high-efficiency turbo-compressors. Based on the investigation, five companies manufacture these machines, but only two (ABS and one other company) used magnetic bearings. Moreover, both of the companies that use magnetic bearings manufacture their machines overseas. Therefore, Coldwater believed that there was no domestic product of satisfactory quality available.

EPA's national contractor prepared a technical assessment report dated December 24, 2009, based on the submitted waiver request. 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. Therefore, based on the information provided to EPA and to the best of our knowledge at this time, the high-speed, high-efficiency magnetic bearing turbo-compressors necessary for this project are not manufactured in the