

provide an opportunity for comment. In addition, PRIIA requires a detailed written justification for the decision be published in the **Federal Register**. This notice informs the public that ODOT has requested a Buy America waiver for the roofing tiles and requests public comment on the potential waiver. ODOT has requested the waiver pursuant to 49 U.S.C. 24405(a)(2)(B) because it believes that for the reasons set forth in this notice below the manufactured goods, the metal roofing tiles, are not reasonably available in the United States and that therefore a waiver is warranted.

In its Buy America waiver request to the FRA, ODOT distinguishes between "field" tiles which are used for the majority of the roof rehabilitation and "specialty" tiles which are used for the ridge, hip and valley area of the roof. ODOT states that after researching potential manufacturers of the roof tiles it found only two companies in North America capable of manufacturing the tiles necessary to complete this project. Furthermore, the one American firm ODOT identified, W.F. Norman, stated it might be a good source for the specialty tiles but turned down the request to manufacture the field tiles. The other firm capable and willing to produce the field tiles is Heather & Little Limited located in Ontario, Canada. ODOT has also explored the possibility of custom fabricating the tiles. However, ODOT found that custom fabrication would cost upwards of \$1.5 million whereas the cost of purchasing the manufactured tiles would be approximately \$1 million.

While this \$500,000 price disparity does not trigger the PRIIA section 24405(a)(2)(D) waiver for instances where procuring domestic material would increase the cost of the overall project by more than 25 percent, it does represent a substantial increase in project cost. In addition, custom fabrication does not equate to "reasonably available" manufactured goods as ODOT would have to specially fabricate field tiles that are otherwise available through mass production albeit from a foreign source. Thus, since ODOT could not find a reasonable domestic source and the only other option is procuring the field tiles from a foreign manufacturer, it requests that the Secretary grant a Buy America waiver based on non-availability.

In addition to FRA's grant, the Federal Highway Administration ("FHWA") is also providing funding for the Union Station rehabilitation with a portion of its Recovery Act funds. Pursuant to FHWA's Buy America policy contained in 23 CFR. 635.410 and Division K,

section 130 of the Consolidated Appropriations Act of 2008 (Pub. L. 110-161), FHWA published a notice of intent to issue a waiver on its Web site for the roof tiles (available at <http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=39>). FHWA posted its request for comments on its Web site on October 22, 2009 and sought public comment for a period of fifteen days while it considered the waiver request. After determining the Buy America waiver was appropriate, FHWA published a Notice of Finding in the **Federal Register** on December 4, 2009 and invited comment for an additional fifteen days (74 FR 63316, Dec. 4, 2009). According to its Notice, FHWA did not receive any substantive comments that led it to believe that the roof tiles made of 40/45 KSI #2, 24 Gauge (0.0276") Galvanized "Non-Fluting" Steel Stock with Kynar PPG 5LR82411 or L/G Rodda Red II Paint Finish Color are available from a domestic source. Furthermore, FHWA conducted its own nationwide review to locate potential domestic manufacturers for the roof tiles but did not uncover any additional domestic sources of the field tiles. After considering ODOT's waiver request and its own internal review of potential tile manufacturers, FHWA concluded that "[b]ased on all of the information available to the agency, the FHWA concludes that there are no domestic manufacturers of the roof tiles" and that the Buy America waiver was appropriate based on non-availability.

With this information in mind and in order to completely understand the facts surrounding ODOT's request, FRA seeks comment from all interested parties regarding the availability of domestically manufactured field tiles of the materials described above and the potential Buy America waiver.

Issued in Washington, DC on May 17, 2010.

**Paul Nissenbaum,**

*Director, Office of Passenger and Freight Programs.*

[FR Doc. 2010-12157 Filed 5-19-10; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highways in Michigan

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Decision by FHWA and Notice of Limitation of Claims for

Judicial Review of Actions by FHWA and Other Federal Agencies.

**SUMMARY:** This notice announces the availability of a Record of Decision by FHWA pursuant to the requirements of the National Environmental Protection Policy Act of 1969 (NEPA), 42 U.S.C. 4321, as amended and the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508). In addition, this Notice announces actions taken by FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(1)(1). These actions relate to proposed improvements to US-31, M-104, and construction of a new M-231 route in Ottawa County, Michigan. These actions grant approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 771 and 23 U.S.C. 139(1)(1). A claim seeking judicial review of the Federal Agency actions on the highway project will be barred unless the claim is filed on or before *November 16, 2010* (180 days from May 20, 2010). If the Federal law that authorizes that judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Williams, Environmental Program Manager, Federal Highway Administration Michigan Division, 315 West Allegan Street, Room 201, Lansing, MI 48933; *phone:* (517) 702-1820, *Fax:* (517) 377-1804; and *e-mail:* [David.Williams@dot.gov](mailto:David.Williams@dot.gov). Ms. Ruth Hepfer, Area Engineer, Federal Highway Administration Michigan Division, 315 West Allegan Street, Room 201, Lansing, MI 48933; *phone:* (517) 702-1847, *Fax:* (517) 377-1844; *E-mail:* [Ruth.Hepfer@dot.gov](mailto:Ruth.Hepfer@dot.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing approvals for the following highway project in the State of Michigan: US-31 (Holland to Grand Haven). The Selected alternative will: construct a new north-south M-231 route (between M-45 and I-96), improve M-104 in the vicinity of the M-104/M-231/I-96 junction (including improvements to the 112th Avenue Interchange), improve US-31 in the City of Grand Haven, from south of Franklin Street to north of Jackson Street, and improve US-31 in the City of Holland from Lakewood Boulevard north to Quincy Street. The selected alternative is located in the cities of Holland and Grand Haven, in Ottawa County, Michigan.

The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement for the project approved on February 5, 2010; in the FHWA Record of Decision (ROD) issued on April 23, 2010; and in other project records. The FEIS, ROD and other documents in the FHWA project file are available by contacting the FHWA. The FHWA FEIS and ROD can be viewed and downloaded from the project Web site at: [http://www.michigan.gov/mdot/0,1607,7-151-9621\\_11058--,00.html](http://www.michigan.gov/mdot/0,1607,7-151-9621_11058--,00.html) or viewed at public libraries in the project area.

This notice applies to all Federal agency decisions on the listed projects as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General*: National Environmental Policy Act [42 U.S.C. 4321-4351]; Federal-Aid Act [23 U.S.C. 109].

2. *Air*: Clean Air Act, as amended [42 U.S.C. 7401-7671(q)].

3. *Land*: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

4. *Wildlife and Plants*: Endangered Species Act [16 U.S.C. 1531-1544].

5. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*] Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)].

6. *Social and Economics*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; American Indians Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Act [7 U.S.C. 4201-4209]; the Uniform Relocation Assistance and Real Property Acquisition Policies of 1970, as amended [42 U.S.C. 61].

7. *Wetlands and Water Resources*: Clean Water Act [33 U.S.C. 1251-1377 (Section 404, Section 401, Section 319)]; Coastal Zone Management Act [14 U.S.C. 1451-1465]; Land and Water Conservation fund [16 U.S.C. 4601-4604]; Safe Drinking Water act [42 U.S.C. 300(f)-300(j)(6)]; Rivers and Harbors Act of 1899 [42 U.S.C. 401-406]; TEA-21 Wetland Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001-4128].

8. *Hazardous Materials*: Comprehensive Environmental Response, Compensation and Liability Act [42 U.S.C. 9501-9675]; Superfund Amendments and Reauthorization Act of 1986 [Pub. L. 99-499]; Resource,

Conservation and Recovery Act [42 U.S.C. 6901-6992(k)].

9. *Executive Orders*: E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplains Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority and Low Income Populations; E.O. 11593, Protection and Enhancement of Cultural Resources; E.O. 13007, Indian Sacred Sites; E.O. 13112, Invasive Species; E.O. 13274, Environmental Stewardship and Transportation Infrastructure Project Reviews.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on federal programs and activities apply to this program.)

**Authority**: 23 U.S.C. 139(1)(1).

Issued on: May 13, 2010.

**Russell L. Jorgenson**,

*Division Administrator, Federal Highway Administration, Lansing, Michigan.*

[FR Doc. 2010-11960 Filed 5-19-10; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Eighty-Second Meeting: RTCA Special Committee 159: Global Positioning System (GPS)

**AGENCY**: Federal Aviation Administration (FAA), DOT.

**ACTION**: Notice of RTCA Special Committee 159 meeting: Global Positioning System (GPS).

**SUMMARY**: The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 159: Global Positioning System (GPS).

**DATES**: The meeting will be held June 8-11, 2010, from 9 a.m. to 4:30 p.m. (unless stated otherwise).

**ADDRESSES**: The meeting will be held at RTCA, Inc., 1828 L Street, NW., Suite 805, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT**: RTCA Secretariat, 1828 L Street, NW., Suite 805, Washington, DC 20036; telephone (202) 833-9339; fax (202) 833-9434; Web site <http://www.rtca.org>.

**SUPPLEMENTARY INFORMATION**: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 159: Global Positioning System (GPS) meeting. The agenda will include:

### Specific Working Group Sessions

*Tuesday, June 8th*

- All Day, Working Group 2C, GPS/Inertial, Colson Board Room.

*Wednesday, June 9th*

- All Day, Working Group 2, GPS/WAAS, Hilton-ATA Room.
- All Day, Working Group 4, Precision Landing Guidance (GPS/LAAS), MacIntosh-NBAA Room.

*Thursday, June 10th*

- Morning (9 a.m.-12 p.m.), Working Group 4, Precision Landing Guidance (GPS/LAAS), MacIntosh-NBAA Room & Hilton-ATA Room.

*Friday, June 11th*

### Plenary Session—See Agenda Below

*Agenda—Plenary Session—Agenda*

June 11th, 2010—starting at 9 a.m.

MacIntosh-NBAA & Hilton-ATA Rooms

- Chairman's Introductory Remarks.
- Approval of Summary of the Eighty-First Meeting held February 5, 2010, RTCA Paper No. 068-10/SC159-984.

• Review Working Group (WG) Progress and Identify Issues for Resolution.

- GPS/3rd Civil Frequency (WG-1).
- GPS/WAAS (WG-2).
- GPS/GLONASS (WG-2A).
- GPS/Inertial (WG-2C).
- GPS/Precision Landing Guidance (WG-4).
- GPS/Airport Surface Surveillance (WG-5).
- GPS/Interference (WG-6).
- GPS/Antennas (WG-7).
- Review of EUROCAE Activities.
- GEAS Update Briefing.
- Assignment/Review of Future Work.

• Other Business.  
• Date and Place of Next Meeting  
Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the "FOR FURTHER INFORMATION CONTACT" section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on May 12, 2010.

**Francisco Estrada C.,**  
*RTCA Advisory Committee.*

[FR Doc. 2010-12088 Filed 5-19-10; 8:45 am]

**BILLING CODE 4910-13-P**