

sufficient and reasonably available quantities and of a satisfactory quality) with respect to (1) surface mounting time switches with 24-hour program dials and single-pole-double-throw switches; (2) HVAC units with 8.375' W × 9.5' H × 2.72' D—Only when the application requires an HVAC unit with a height of 10' or less due to documented space constraints; (3) low temperature thermostats with a temperature range of 15–55 degrees Fahrenheit and manual reset; (4) Programmable DDC controllers for LON protocol, where an existing LON system exists that will not interface with other protocols without the input of extensive time and expense equal to or greater than the cost of the controllers themselves; and (5) Hardware necessary for implementation of Honeywell Enterprise Buildings Integrator (EBI) software for integration of water management and HVAC systems including: Customized Dell PowerEdge T610 Computer Server; Honeywell XL50UMMIPC-CBLON; Echelon LPR-10 #42100R; Sloan—MCR231-D; Sloan—MCR140A, that will be used on eligible EERE-Recovery Act funded projects.

**DATES:** *Effective Date:* November 5, 2010.

**FOR FURTHER INFORMATION CONTACT:** Benjamin Goldstein, Energy Technology Program Specialist, Office of Energy Efficiency and Renewable Energy (EERE), (202) 287–1553, Department of Energy, 1000 Independence Avenue, SW., Mailstop EE-2K, Washington, DC 20585.

**SUPPLEMENTARY INFORMATION:** Under the authority of the Recovery Act, Public Law 111–5, section 1605(b)(2), the head of a Federal department or agency may issue a “determination of inapplicability” (a waiver of the Buy American provision) if the iron, steel, or relevant manufactured good is not produced or manufactured in the United States in sufficient and reasonably available quantities and of a satisfactory quality (“nonavailability”). On September 17, 2010, the authority of the Secretary of Energy to make all inapplicability determinations was delegated to the Assistant Secretary for Energy Efficiency and Renewable Energy (EERE), for EERE projects under the Recovery Act. Pursuant to this delegation the Assistant Secretary, EERE, has concluded that (1) surface mounting time switches with 24-hour program dials and single-pole-double-throw switches; (2) HVAC units with 8.375' W × 9.5' H × 2.72' D—Only when the application requires an HVAC unit with a height of 10' or less due to documented space constraints; and (3)

low temperature thermostats with a temperature range of 15–55 degrees Fahrenheit and manual reset; (4) Programmable DDC controllers for LON protocol, where an existing LON system exists that will not interface with other protocols without the input of extensive time and expense equal to or greater than the cost of the controllers themselves; and (5) Hardware necessary for implementation of Honeywell Enterprise Buildings Integrator (EBI) software for integration of water management and HVAC systems including: Customized Dell PowerEdge T610 Computer Server; Honeywell XL50UMMIPC-CBLON; Echelon LPR-10 #42100R; Sloan—MCR231-D; Sloan—MCR140A, that will be used on eligible EERE-Recovery Act funded projects qualify for the “nonavailability” waiver determination.

EERE has developed a robust process to ascertain in a systematic and expedient manner whether or not there is domestic manufacturing capacity for the items submitted for a waiver of the Recovery Act Buy American provision. This process involves a close collaboration with the United States Department of Commerce National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership (MEP), in order to scour the domestic manufacturing landscape in search of producers before making any nonavailability determination.

The NIST MEP has 59 regional centers with substantial knowledge of, and connections to, the domestic manufacturing sector. MEP uses their regional centers to “scout” for current or potential manufacturers of the product(s) submitted in a waiver request. In the course of this interagency collaboration, MEP has been able to find exact or partial matches for manufactured goods that EERE grantees had been unable to locate. As a result, in those cases, EERE was able to work with the grantees to procure American-made products rather than granting a waiver.

Upon receipt of completed waiver requests for the five products in the current waiver, EERE reviewed the information provided and submitted the relevant technical information to the NIST MEP. The MEP then used their network of nationwide centers to scout for domestic manufacturers. The NIST MEP reported that their scouting process did not locate any domestic manufacturers for these exact or equivalent items.

In addition to the MEP collaboration outlined above, the EERE Buy American Coordinator worked with labor unions, trade associations and other

manufacturing stakeholders to scout for domestic manufacturing capacity or an equivalent product for each item contained in this waiver. EERE also conducted significant amounts of independent research to supplement MEP's scouting efforts, including utilizing the solar experts employed by the Department of Energy's National Renewable Energy Laboratory. EERE's research efforts confirmed the MEP findings that the goods included in this waiver are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality.

The nonavailability determination is also informed by the inquiries and petitions to EERE from recipients of EERE Recovery Act funds, and from suppliers, distributors, retailers and trade associations—all stating that their individual efforts to locate domestic manufacturers have been unsuccessful.

Having established a proper justification based on domestic nonavailability, EERE hereby provides notice that on November 10, 2010, five nationwide categorical waivers of section 1605 of the Recovery Act were issued as detailed *supra*. This notice constitutes the detailed written justification required by Section 1605(c) for waivers based on a finding under subsection (b).

This waiver determination is pursuant to the delegation of authority by the Secretary of Energy to the Assistant Secretary for Energy Efficiency and Renewable Energy with respect to expenditures within the purview of her responsibility. Consequently, this waiver applies to EERE projects carried out under the Recovery Act.

**Authority:** Pub. L. 111–5, section 1605.

Issued in Washington, DC on November 5, 2010.

**Cathy Zoi,**

*Assistant Secretary, Energy Efficiency and Renewable Energy, U.S. Department of Energy.*

[FR Doc. 2010–29775 Filed 11–24–10; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–8993–8]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564–1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 11/15/2010 Through 11/19/2010.  
Pursuant to 40 CFR 1506.9.

#### Notice

In accordance with Section 309(a) of the Clean Air Act, EPA is required to make its comments on EISs issued by other Federal agencies public. Historically, EPA has met this mandate by publishing weekly notices of availability of EPA comments, which includes a brief summary of EPA's comment letters, in the **Federal Register**. Since February 2008, EPA has been including its comment letters on EISs on its Web site at: <http://www.epa.gov/compliance/nepa/eisdata.html>. Including the entire EIS comment letters on the Web site satisfies the Section 309(a) requirement to make EPA's comments on EISs available to the public. Accordingly, on March 31, 2010, EPA discontinued the publication of the notice of availability of EPA comments in the **Federal Register**.

*EIS No. 20100449, Draft EIS, USFS, MT, Stillwater Mining Revised Water Management Plans and BOE Ranch LAD, Implementation, Stillwater and Nye Counties, MT, Comment Period Ends: 01/10/2011, Contact: Patrick Pierson 406-657-6200 Ext. 213.*

*EIS No. 20100450, Draft EIS, USFS, ID, Upper Lochsa Land Exchange Project, Proposes to Exchange National Forest System Land for approximately 39,371 Acres of western Pacific Timber Land, Federal Land Exchange, Clearwater, Nez Perce and Idaho Panhandle National Forests, Clearwater, Latah, Idaho, Benewah, Kootenai and Bonner Counties, ID, Comment Period Ends: 02/23/2011, Contact: Teresa Trulock 208-935-4256.*

*EIS No. 20100451, Final EIS, USN, ME, Brunswick Naval Air Station, Disposal and Reuse, Implementation, Brunswick, ME, Wait Period Ends: 12/27/2010, Contact: Thomas Stephan 215-897-4916.*

*EIS No. 20100452, Final Supplement, TPT, CA, Presidio Trust Management Plan (PTMP), Updated Information on the Preferred Alternative for the Main Post District of the Presidio of San Francisco, Implementation, City and County of San Francisco, CA, Wait Period Ends: 12/27/2010, Contact: John G. Pelka 415-561-5356.*

*EIS No. 20100453, Draft EIS, USACE, 00, Savannah Harbor Expansion Project, Navigation Improvement to the Federal Navigation Channel, Chatham County, GA and Jasper County, SC, Comment Period Ends: 01/10/2011, Contact: William G. Bailey 912-652-5781.*

*EIS No. 20100454, Final EIS, USAF, AZ, Barry M. Goldwater Ranger East Range Enhancements, Proposes to Take Ten Different Actions would Enhance Range Operations and Training, Yuma, Pima and Maricopa Counties, AZ, Wait Period Ends: 12/27/2010, Contact: Lisa McCarrick 623-856-9475.*

#### Amended Notices

*EIS No. 20100349, Draft Supplement, FHWA, WI, Wisconsin Highway Project, Mobility Motorized and Nonmotorized Travel Enhancements, Updated Information on New Alternatives, and Evaluates a Staged Improvement, US18/151 (Verona Road) and the US 12/14 (Beltline) Corridors, Dane County, WI, Comment Period Ends: 12/17/2010, Contact: Johnny Gerbitz 608-829-7500; Revision to FR Notice Published 09/03/2010: Extending Comment Period from 10/29/2010 to 12/17/2010.*

Dated: November 22, 2010.

#### Robert W. Hargrove,

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

[FR Doc. 2010-29827 Filed 11-24-10; 8:45 am]

**BILLING CODE 6560-50-P**

### FEDERAL MARITIME COMMISSION

#### Ocean Transportation Intermediary License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission an application for a license as a Non-Vessel-Operating Common Carrier (NVO) and/or Ocean Freight Forwarder (OFF)—Ocean Transportation Intermediary (OTI) pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. Chapter 409 and 46 CFR part 515). Notice is also hereby given of the filing of applications to amend an existing OTI license or the Qualifying Individual (QI) for a license.

Interested persons may contact the Office of Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573.

Archers Cargo Express, Inc. (NVO), One Cross Island Plaza, Suite 102, Rosedale, NY 11422, Officers: Diane B. Pira Sclafani, Secretary/Director (Qualifying Individual), Raman Patial, President/Director, Application Type: New NVO License.

Arlette P. Porras dba RA International (NVO & OFF), 1900 Los Alamitos Drive, Placentia, CA 92870, Officer: Arlette P. Porras, Sole Proprietor,

Application Type: New NVO & Off License.

Baron Worldwide, L.L.C. (OFF), 7009 S. Jordan Road, Centennial, CO 80112, Officers: Misha B. Schryer, President (Qualifying Individual), James R. Johnson, Member, Application Type: New OFF License.

Cargo Agents, Inc. (NVO & OFF), 143-30 38th Avenue, Suite 1H, Flushing, NY 11354, Officers: Angel L. Velez, Chief Export Officer/Corporate Officer (Qualifying Individual), Jose Donado, President, Application Type: QI Change.

CargoLogic USA LLC (NVO & OFF), 182-16 149th Road, #212, Springfield Gardens, NY 11413, Officers: Raphael Polonia, Vice President (Qualifying Individual), Alex Epshteyn, President/Secretary, Application Type: New NVO & OFF License.

DNIPRO LLC (NVO & OFF), 645 West 1st Avenue, Roselle, NJ 07203, Officers: Ina Adamashvili, Manager (Qualifying Individual), Igor Pluta, President, Application Type: New NVO & OFF License.

Everglory Logistics, Inc. (NVO & OFF), 440 McClellan Highway, #105F2, East Boston, MA 02128, Officers: Ray Mui, Treasurer & Secretary (Qualifying Individual), Joe Phan, President, Application Type: New NVO & OFF License.

Hawaii Intermodal Tank Transport, LLC (NVO & OFF), 2350 S. Dock Street, #D, Palmetto, FL 34221, Officers: Bahman Sadeghi, Managing Member (Qualifying Individual), Michael Tran, Manager, Application Type: New NVO & OFF License.

ITL USA Inc. dba International Transport & Logistics (ITL) USA Inc. (NVO & OFF), 1200 Route 22 East, Suite 2000, Bridgewater, NJ 08807, Officers: Sunil Chopra, President/CEO (Qualifying Individual), Jan Bock, Director, Application Type: Trade Name Change.

KGL America, Inc. (NVO), 1031 W. Manchester Blvd., A, Inglewood, CA 90301, Officers: Young M. Kay, Secretary/CFO/Director (Qualifying Individual), Bong K. Ji, President/CEO/Director, Application Type: New NVO License.

Kinetix International Logistics, LLC (NVO & OFF), 5400 Shawnee Road, #105, Alexandria, VA 22312, Officers: Shayne L. Berlo, Executive Vice President (Qualifying Individual), Grace Bishar, CEO/Secretary/Treasurer, Application Type: New NVO & OFF License.

L & T General Enterprises, LLC dba South Atlantic Shipping Co. (NVO), 801 Sunnyvale Drive, Wilmington, NC 28412, Officers: David G. Sneeden,