

GI and EI service charges/energy accounting will be netted within the hour, or in accordance with approved policies and procedures, with charges for both services allowable only when the imbalances for both are deficit rather than offsetting (note that this only applies to netting within the bandwidth).

Potential Example of an Addition Presented above:

Transmission Provider or SBA can charge customer for both GI and EI service in the same hour, but not if the imbalances offset each other.

Example of Offsetting:

- For example—Customer A
 - » GI: -10MW deficit
 - » EI service: 5MW surplus
 - » Customer A charged: 5MW (GI charge)

Example of Aggravating (increasing—absolute value)

- For example—Customer B
 - » GI Service: -10MW deficit
 - » EI service: -10MW deficit
 - » Customer A charged: -10MW for GI charge plus -10MW for EI charge

Legal Authority

These proposed rates for COTP, PACI, CVP transmission, Western power, and related services are being established pursuant to the DOE Organization Act (42 U.S.C. 7101-7352); the Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485(c)); and other acts that specifically apply to the project involved.

By Delegation Order No. 00-037.00, effective December 6, 2001, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to Western's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to FERC. Existing DOE procedures for public participation in power rate adjustments (10 CFR part 903) were published on September 18, 1985 (50 FR 37835).

Availability of Information

All brochures, studies, comments, letters, memorandums, or other documents made or kept by Western for developing the proposed rates are available for inspection and copying at the Sierra Nevada Regional Office, located at 114 Parkshore Drive, Folsom, California.

Ratemaking Procedure Requirements

Environmental Compliance

In compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321, *et seq.*), the Council on Environmental Quality Regulations for implementing NEPA (40 CFR parts 1500-1508); and DOE NEPA Implementing Procedures and Guidelines (10 CFR part 1021), Western has determined that this action is categorically excluded from further NEPA analysis.

Determination Under Executive Order 12866

Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by the Office of Management and Budget is required.

Dated: December 22, 2010.

Timothy J. Meeks,
Administrator.

[FR Doc. 2010-33108 Filed 12-30-10; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9245-9]

Notice of Prevention of Significant Deterioration Final Determination for Russell City Energy Center

AGENCY: Environmental Protection Agency ("EPA").

ACTION: Notice of final action.

SUMMARY: This notice announces that on November 18, 2010, the Environmental Appeals Board (EAB) of the EPA denied Petitions for Review of a Federal Prevention of Significant Deterioration (PSD) Permit issued to Russell City Energy Center, LLC by the Bay Area Air Quality Management District ("BAAQMD").

DATES: The effective date for the EAB's decision is November 18, 2010.

Pursuant to section 307(b)(1) of the Clean Air Act, 42 U.S.C. 7607(b)(1), judicial review of this permit decision, to the extent it is available, may be sought by filing a Petition for Review in the United States Court of Appeals for the Ninth Circuit on or before March 4, 2011.

ADDRESSES: The documents relevant to this notice are available for public inspection during normal business hours at the following address: U.S. Environmental Protection Agency, Region 9, 75 Hawthorne St., San Francisco, CA 94105. To arrange

viewing of these documents, call Shaheerah Kelly at (415) 947-4156. Due to building security procedures, please call Ms. Kelly at least 24 hours before you would like to view the documents.

FOR FURTHER INFORMATION CONTACT:

Shaheerah Kelly, Air Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne St., San Francisco, CA 94105. Anyone who wishes to review the EAB decision can obtain it at <http://www.epa.gov/eab/>.

SUPPLEMENTARY INFORMATION:

Notification of EAB Final Decision: The BAAQMD, acting under authority of a PSD delegation agreement dated February 4, 2008, issued a PSD permit to Russell City Energy Center, LLC, on February 3, 2010, granting approval to construct a new 600-megawatt natural gas-fired combined-cycle power plant in Hayward, California. Five petitioners filed timely Petitions for Review of the PSD decision with the EAB. The EAB issued an Order denying the Petitions for review on November 18, 2010. One petitioner filed a Motion and Supplemental Motion for Reconsideration and/or Clarification and Stay of the EAB's November 18, 2010 Order.

On December 17, 2010, the EAB issued an Order denying the Motion and Supplemental Motion for Reconsideration and/or Clarification and Stay.

Dated: December 20, 2010.

Kerry Drake,

Acting Director, Air Division, Region 9.

[FR Doc. 2010-32969 Filed 12-30-10; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9247-1]

Notice of a Regional Project Waiver of Section 1605 (Buy American) of the American Recovery and Reinvestment Act of 2009 (ARRA) to the Town of Smyrna, DE

SUMMARY: The EPA is hereby granting a 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 in sufficient and reasonably available quantities and of a satisfactory quality] to the Town of Smyrna, DE ("Town"), for the purchase of GreensandPlus pressure filter media, manufactured in Brazil, for six pressure filters. This is a project specific waiver and only applies to the use of the specified product for the ARRA project being proposed. Any

other ARRA recipient that wishes to use the same product must apply for a separate waiver based on project specific circumstances. The Town evaluated eight different types of pressure filter media selecting GreensandPlus filter media. The ARRA funded project is for Well House upgrades that include filter media replacement, two filters in Well House #1, two filters in Well House #2 and two filters in Well House #3 in the Smyrna system. If an alternate domestic filter media were to be installed in the six pressure filters, the Town's system would experience increased backwash requirements, reduced capacity and would need modifications/replacement of underdrain and filter piping. Based upon information submitted by the Town and its consulting engineer, EPA has concluded that there are no filter media manufactured in the United States in sufficient and reasonable quantity and of a satisfactory quality to meet the technical specifications and that a waiver of the Buy American provisions is justified. The Regional Administrator is making this determination based on the review and recommendations of the EPA Region III, Water Protection Division, Office of Infrastructure and Assistance.

The Assistant Administrator of the Office of Administration and Resources Management has concurred on this decision to make an exception to the requirements of Section 1605(a) of ARRA. This action permits the purchase of GreensandPlus pressure filter media for the proposed project being implemented by the Town of Smyrna.

DATES: *Effective Date:* December 9, 2010.

FOR FURTHER INFORMATION CONTACT:

Robert Chominski, Deputy Associate Director, (215) 814-2162, or David McAdams, Environmental Engineer, (215) 814-5764, Office of Infrastructure & Assistance (OIA), Water Protection Division, U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

SUPPLEMENTARY INFORMATION: In accordance with ARRA Section 1605(c), the EPA hereby provides notice that it is granting a project waiver of the requirements of Section 1605(a) of Public Law 111-5, Buy American requirements, to the Town of Smyrna, Delaware for the purchase of non-domestic GreensandPlus pressure filter media for six pressure filters. EPA has evaluated the Town's basis for procuring the GreensandPlus pressure filter media for these filters. Based upon information submitted by the Town and its consulting engineer, EPA has concluded that there are no filter media

manufactured in the United States in sufficient and reasonable quantity and of a satisfactory quality to meet the technical specifications for the Town to pursue the purchase of domestically manufactured filter media.

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 a public works project unless all of the iron, steel, and manufactured goods used in the project is produced in the United States, or unless a waiver is provided to the recipient by the head of the appropriate agency, here the EPA. A waiver may be provided under Section 1605(b) 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.

EPA has determined that Town's waiver request may be treated as timely even though the request was made after the construction contract was signed. Consistent with the direction of the OMB Guidance at 2 CFR 176.120, EPA has evaluated the Town's request to determine if the request, though made after the contract date, can be treated as if it were timely made. 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, in this case EPA has determined that the Town's request may be treated as timely because the need for a waiver was not foreseeable at the time the contract was signed. The project was bid and the general contractor submitted documentation that Greensand filter media utilized in preparing their bid met the ARRA Buy American provisions. The need for a waiver was not determined until after the contract was signed, when the contractor was informed by the manufacturer of Greensand that they were no longer making this product and recommended the GreensandPlus pressure filter media as an alternative product. They then were notified that the GreensandPlus pressure filter media was made in Brazil. Accordingly, EPA will evaluate the request as a timely request.

The Town is requesting a waiver of the Buy American provision for the GreensandPlus filter media for six

pressure filters. The Town has three well houses that each contains two pressure filters for their water treatment system. The project involves the replacement of standard manganese greensand in three well houses. The Town provided supporting documentation that the manufacturer, Inversand Company (Inversand), has temporarily shut down production of manganese greensand. Inversand advised its customers to instead use its GreensandPlus filter media, which is manufactured in Brazil, as an alternative product. The Town has stated that GreensandPlus filter media is compatible with existing treatment facilities, and the use of GreensandPlus filter media is expected to reduce overall operational costs. Detailed evaluation of all of the submitted documentation by EPA Region III, Office of Infrastructure and Assistance, and EPA's national contractor indicates that the Town did not know that the GreensandPlus filter media was made in Brazil until after the project was awarded. In addition, submitted documentation showed that the Town would require replacement/modification of the existing underdrain and associated filter piping if any of the other filter media were used in the project. Due to the existing backwash piping configuration, a lower backwash rate is needed which could be attained by the GreensandPlus filter media without replacement of the underdrain or piping. The GreensandPlus filter media will be capable of treating the raw water presently produced by the Town, removing iron and other impurities to comply with all State of Delaware Drinking Water Quality Regulations. Thus, the use of domestic filter media would require replacement of the underdrain and associated piping which would increase the cost of the project. In addition, the evaluation of the supporting documentation also demonstrated that the foreign filter media will be able to meet the proposed project design and specifications with no additional cost to the Town.

The Town has provided information to the EPA demonstrating that there are no filter media manufactured in the United States in sufficient and reasonable quantity and of a satisfactory quality to meet the required technical specifications. Eight domestic manufacturers of filter media were considered for this project but did not meet the specifications for the project.

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 Town has incorporated specific technical design requirements for installation of filter media at their three Well Houses.

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 Town, 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 OIA has reviewed this waiver request and to the best of our knowledge at the time of review has determined that the supporting documentation provided by the Town is sufficient to meet the criteria listed under Section 1605(b) 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 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 Town’s technical specifications, a waiver from the Buy American requirement is justified.

The 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 Town of Smyrna is hereby granted a waiver from the Buy American requirements of Section 1605(a) of Public Law 111–5 for

the purchase of GreensandPlus filter media using ARRA funds as specified in the Town of Smyrna’s request of October 1, 2010. This supplementary information constitutes the detailed written justification required by Section 1605(c) for waivers “based on a finding under subsection (b).”

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

Dated: December 9, 2010.

W.C. Early,

Acting Regional Administrator, U.S. Environmental Protection Agency, Region III.
[FR Doc. 2010–33111 Filed 12–30–10; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board’s Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than January 20, 2011.

A. Federal Reserve Bank of Minneapolis (Jacqueline G. King, Community Affairs Officer) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. *Richard M. Connor, Jr., Laona, Wisconsin*, to acquire and retain 25 percent or more of the voting shares of Northern Wisconsin Bank Holding Company, Inc., and thereby indirectly acquire and retain voting shares of Laona State Bank, both of Laona, Wisconsin.

Board of Governors of the Federal Reserve System, December 28, 2010.

Jennifer J. Johnson,

Secretary of the Board.

[FR Doc. 2010–33080 Filed 12–30–10; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension

AGENCY: Federal Trade Commission (“FTC” or “Commission”).

ACTION: Notice.

SUMMARY: The information collection requirements described below has been submitted to the Office of Management and Budget (“OMB”) for review, as required by the Paperwork Reduction Act (“PRA”). The FTC is seeking public comments on its proposal to extend through February 28, 2014, the current clearance under OMB Control Number 3084–0108 for information collection requirements contained in its Used Motor Vehicle Trade Regulation Rule (“Used Car Rule” or “Rule”). That clearance expires on February 28, 2011.

DATES: Comments must be filed by February 2, 2011.

ADDRESSES: Interested parties are invited to submit written comments electronically or in paper form by following the instructions in the Request for Comments part of the **SUPPLEMENTARY INFORMATION** section below. Comments in electronic form should be submitted by using the following Web link: <https://ftc.public.commentworks.com/ftc/UsedCarRulePRA2> (and following the instructions on the Web-based form). Comments filed in paper form should be mailed or delivered to the following address: Federal Trade Commission, Office of the Secretary, Room H–135 (Annex J), 600 Pennsylvania Avenue, NW., Washington, DC 20580, in the manner detailed in the **SUPPLEMENTARY INFORMATION** section below.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be addressed to John C. Hallerud, Attorney, Midwest Region, Federal Trade Commission, 55 West Monroe, Suite 1825, Chicago, Illinois 60603, (312) 960–5634.

SUPPLEMENTARY INFORMATION: The Used Car Rule facilitates informed purchasing decisions by requiring used car dealers to disclose information about warranty coverage, if any, and the mechanical condition of used cars that they offer for sale. The Rule requires that used car dealers display a form called a “Buyers Guide” on each used car offered for sale that, among other things, discloses information about warranty coverage.

Request for Comments

Under the Paperwork Reduction Act (“PRA”), 44 U.S.C. 3501–3521, Federal agencies must obtain approval from