

**DEPARTMENT OF ENERGY****Proposed Agency Information Collection****AGENCY:** U.S. Department of Energy.**ACTION:** Notice and Request for Comments.

**SUMMARY:** The Department of Energy (DOE) invites public comment on a proposed collection of information that DOE is developing for submission to the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995. *Comments are invited on:* (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Comments regarding this proposed information collection must be received on or before July 25, 2011. If you anticipate difficulty in submitting comments within that period, contact the person listed in **ADDRESSES** as soon as possible.

**ADDRESSES:** *Written comments may be sent to:* Eva Auman, GC-63; Department of Energy; 1000 Independence Ave, SW.; Washington, DC 20585; *Fax:* 202-586-7373; *E-mail:* [eva.auman@hq.doe.gov](mailto:eva.auman@hq.doe.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Eva Auman, GC-63; Department of Energy; 1000 Independence Ave., SW.; Washington, DC 20585; *Fax:* 202-586-7373; *E-mail:* [eva.auman@hq.doe.gov](mailto:eva.auman@hq.doe.gov). The draft collection instrument is available for review at the following Web site: [http://www1.eere.energy.gov/wip/davis-bacon\\_act.html#ICR\\_draft\\_collectioninstrument](http://www1.eere.energy.gov/wip/davis-bacon_act.html#ICR_draft_collectioninstrument).

**SUPPLEMENTARY INFORMATION:** *This information collection request contains:* (1) OMB Control Number 1910-New; (2) *Information Collection Request Title:* Davis-Bacon Semi-annual Labor Compliance Report; (3) *Type of Request:* Regular; (4) *Purpose:* All Federal agencies administering programs subject

to Davis-Bacon wage provisions are required by 29 CFR part 5, Section 5.7(b) to submit to the Department of Labor (DOL) a semi-annual compliance and enforcement report. In order for DOE to comply with this reporting requirement, it must collect information from Recipients of Recovery Act funded grants, including state and local agencies; Recovery Act funded Loan and Loan Guarantee Borrowers, DOE direct contractors, and other prime contractors that administer DOE programs subject to Davis-Bacon requirements. DOE will require that such entities complete and submit a Semi-annual Labor Standard Enforcement Report each six months; (5) *Annual Estimated Number of Respondents:* 2,400; (6) *Annual Estimated Number of Total Responses:* 4,800; (7) *Annual Estimated Number of Burden Hours:* 9,600; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* \$0.

**Statutory Authority:** All Federal agencies administering programs subject to Davis-Bacon wage provisions are required by 29 CFR part 5, Section 5.7(b) to submit to the Department of Labor (DOL) a semi-annual compliance and enforcement report. In order for DOE to comply with this reporting requirement, it must collect information from Recipients of Recovery Act funded grants, including state and local agencies; Recovery Act funded Loan and Loan Guarantee Borrowers, DOE direct contractors, and other prime contractors that administer DOE programs subject to Davis-Bacon requirements.

Issued in Washington, DC, on May 16, 2011.

**LeAnn M. Oliver,**  
*Program Manager, Office of Weatherization and Intergovernmental Program, Energy Efficiency and Renewable Energy.*

[FR Doc. 2011-12725 Filed 5-23-11; 8:45 am]

**BILLING CODE 6450-01-P**

**DEPARTMENT OF ENERGY****Office of Energy Efficiency and Renewable Energy****Agency Information Collection Extension****AGENCY:** U.S. Department of Energy.**ACTION:** Notice and Request for Comments.

**SUMMARY:** The Department of Energy (DOE), pursuant to the Paperwork Reduction Act of 1995, intends to extend for three years, an information collection request with the Office of Management and Budget (OMB). *Comments are invited on:* (a) Whether the extended collection of information is necessary for the proper performance

of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Comments regarding this proposed information collection must be received on or before July 25, 2011. If you anticipate difficulty in submitting comments within that period, contact the person listed below as soon as possible.

**ADDRESSES:** *Written comments may be sent to:* Benjamin Goldstein, Buy American Coordinator, Office of Energy Efficiency and Renewable Energy (EERE), Department of Energy, 1000 Independence Avenue, SW., Mailstop EE-2K, Washington, DC 20585 or by e-mail at [BuyAmerican@ee.doe.gov](mailto:BuyAmerican@ee.doe.gov).

**FOR FURTHER INFORMATION CONTACT:** Benjamin Goldstein, Buy American Coordinator, Office of Energy Efficiency and Renewable Energy (EERE), Department of Energy, 1000 Independence Avenue, SW., Mailstop EE-2K, Washington, DC 20585 or by e-mail at [BuyAmerican@ee.doe.gov](mailto:BuyAmerican@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:** *This information collection request contains:* (1) OMB No. 1019-5152 (2) *Information Collection Request Title:* Request for Waiver of the Recovery Act Buy American provision: Domestic Nonavailability Exception; (3) *Type of Review:* Renewal; (4) *Purpose:* This information collection request relates to the Recovery Act's Buy American requirements. The request provides a standardized and streamlined way for EERE Recovery Act financial assistance recipients to submit domestic nonavailability waiver requests for manufactured goods they intend to purchase. The waiver template allows EERE to efficiently process the waiver requests and determine whether domestically manufactured alternatives exist. This request was originally approved on an emergency basis, which expired on December 31, 2010. EERE expects to continue receiving waiver requests beyond this date and therefore seeks an extension on this information collection request for three years. (5) *Annual Estimated Number of Respondents:* 200; (6) *Annual Estimated*

*Number of Total Responses: 200; (7) Annual Estimated Number of Burden Hours: 200; (8) Annual Estimated Reporting and Recordkeeping Cost Burden: 0.*

**Statutory Authority:** Section 1605 of the American Recovery and Reinvestment Act of 2009 (Recovery Act; Pub. L. 111–5).

Issued in Washington, DC, on April 15, 2011.

**Henry Kelly,**

*Acting Assistant Secretary, Energy Efficiency and Renewable Energy.*

[FR Doc. 2011–12718 Filed 5–23–11; 8:45 am]

**BILLING CODE 6450–01–P**

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### Limited Public Interest Waiver Under Section 1605 (Buy American) of the American Recovery and Reinvestment Act of 2009 (Recovery Act)

**AGENCY:** Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy (DOE).

**ACTION:** Notice of Limited Waiver.

**SUMMARY:** The U.S. Department of Energy (DOE) is hereby granting a limited waiver of the Buy American requirements of section 1605 of the Recovery Act under the authority of Section 1605(b)(1) (public interest waiver), with respect to section 1605 of the Recovery Act of 2009 (the Buy American provision) for the Golden Triangle Regional Solid Waste Management Authority (GTR) landfill gas to energy project, funded in part under a sub-award (AR060–GT11–0111–0001) from the Mississippi State Energy Office, recipient of EECBG Award EE0000763.

**DATES:** Effective April 15, 2011.

**FOR FURTHER INFORMATION CONTACT:** Benjamin Goldstein, Recovery Act Buy American Coordinator, Weatherization and Intergovernmental Program, Office of Energy Efficiency and Renewable Energy (EERE), (202) 287–1553, [buyamerican@ee.doe.gov](mailto:buyamerican@ee.doe.gov), Department of Energy, 1000 Independence Avenue SW., Mailstop EE–2K, Washington, DC 20585.

**SUPPLEMENTARY INFORMATION:** This waiver applies only to this project for the purchase of a GE Jenbacher JMC 320 gas reciprocating engine manufactured in Austria.

Section 1605 of the American Recovery and Reinvestment Act of 2009, (Pub. L. 111–5), prohibits use of recovery funds for a project 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. This prohibition applies when any part of the project is paid for with Recovery Act funds.

The landfill gas to energy project is funded, in part, by sub-award AR060–GT11–0111–0001 in the amount of \$310,000.00 from the Mississippi State Energy Office, recipient of EECBG Award EE0000763. Because this grant funds a portion of the project cost, all manufactured goods used in the project are subject to the Buy American Provisions—even if separate (non-federal) funds are used to purchase those items.

Specifically, this public interest determination waives the Buy American requirements for the Austrian made GE Jenbacher JMC 320 gas reciprocating engine being used in the landfill gas to energy project of the Golden Triangle Regional Solid Waste Management Authority (GTR). GTR had already entered into an agreement to purchase this item with non-federal funds before ARRA funds became available. And although ARRA funds will now be used in the project as a whole (the project has a total cost of approximately \$2 million dollars), those funds will not be used to purchase the GE Jenbacher JMC 320 gas reciprocating engine or any other foreign goods.

The GE Jenbacher JMC 320 gas reciprocating engine is only one manufactured good being used in the GTR landfill gas to energy project. This project also includes an American manufactured treatment skid, valued at approximately \$470,000 dollars and the overall construction of the facility, valued at approximately \$700,000. All manufactured goods, iron and steel that will be used in the project, with the exception of the GE Jenbacher JMC 320 gas reciprocating engine, will remain subject to the Buy American Provisions of the Recovery Act. No ARRA funds will be used towards the purchase of the GE Jenbacher JMC 320 gas reciprocating engine.

In September of 2010, GTR entered into a Generation Partners Agreement (GPA) with the Tennessee Valley Authority (TVA) for a landfill gas to energy project. Generation Partners is a TVA renewable energy initiative that provides technical support and incentives for the installation of renewable generation facilities. This GPA pays GTR the retail price of local electricity plus \$0.03 per kilowatt-hour for renewable energy. This GPA was awarded as part of GTR's application

under the TVA Green Power Partners Program. This GPA is extremely aggressive for this region of the United States, where renewable energy projects are generally negotiated at avoided cost levels. As part of the TVA Green Power Partners Program GPA contract, GTR is required to have the renewable energy system operational within 12 months of the signed GPA.

In October of 2010, pursuant to the GPA with TVA, GTR selected and contracted with Nixon Energy in to purchase a GE Jenbacher JMC 320 gas reciprocating engine for approximately \$870,000. The contract language signed between GTR and Nixon Energy states that cancellation of the contract would require GTR to pay the entire price of the contract to Nixon Energy.

In December of 2010, the GTR landfill gas to energy project was targeted by the Mississippi Department of Environmental Quality and Mississippi Development Authority (MDA) as a potential project to fund with ARRA funds awarded under EERE EECBG Award EE0000763. On January 12th, 2011 a meeting was held, and the MDA determined that the GTR landfill gas to energy project was an appropriate use of award funds.

On January 28, 2011 the award recipient applied for a public interest waiver, to allow the use of the Austrian manufactured GE Jenbacher JMC 320 gas reciprocating engine.

EERE recognizes that there are US manufacturers of generator sets. Had GTR been identified as a potential grant recipient earlier in the procurement process, EERE would have worked with GTR to find a US manufactured generator set that met their needs. In a case where a grantee cannot identify a domestically manufactured good, EERE utilizes its internal experts and its MOU with NIST–MEP to communicate with potential manufacturers and facilitate discussions between grantees and domestic producers.

EERE believes the public interest is best served by supporting projects that create or support jobs in the domestic manufacturing and construction industries while supporting a renewable energy infrastructure. The GTR landfill gas to energy project, with a total value of over \$2 million dollars, furthers both of these goals. Because no ARRA funds will be used towards the purchase of the GE Jenbacher JMC 320 gas reciprocating engine, all ARRA funds in the project (\$310,000) will be used in a manner consistent with the purposes of the Buy American provisions. In addition, another \$860,000 in non-Recovery Act dollars will also be subject to the Buy American provisions, creating and