

since there are no domestically manufactured products available that meet the project specifications. The Borough's subsequent research indicated that no other domestic manufactured 50 kW wind turbine generators that met project specifications were available. Accordingly, EPA will evaluate the request as a timely request.

The Borough is completing a wind power project to supply power to its water treatment plant. The project is funded in part by the New Jersey Clean Energy Initiative. To qualify for the state's rebate, the wind turbine generator cannot produce more power than the plant's power consumption for the last year. Based on that requirement, a 50 kW wind turbine generator was specified.

The Borough is requesting a waiver for the purchase of a 50 kW wind turbine generator, manufactured by Atlantic Orient Corporation, because according to the Borough, there are no domestic manufacturers that produce a wind turbine generator that meets the project design and performance specifications.

Based on the technical evaluation of the Borough's waiver request and supporting documentation conducted by EPA's national contractor, the Borough's claim that no domestic manufacturer can produce a 50 kW wind turbine generator that meets the project specifications is supported by the available evidence. In addition, the evaluation of the supporting documentation indicates that Atlantic Orient Corporation, who manufactures its wind turbine generators in Canada, can provide a 50 kW wind turbine generator that can meet project design and performance specifications.

The purpose of the ARRA is to stimulate economic recovery in part by funding current infrastructure construction, not to delay projects that are already "shovel ready" by requiring entities, such as the Borough, to revise their design standards and specifications 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 potentially the cancellation of this project as sited. The delay or cancellation of this construction would directly conflict with the fundamental economic purpose of ARRA, which is to create or retain jobs.

The April 28, 2009, EPA Headquarters Memorandum, "Implementation of Buy American provisions of Public Law 111-5, the 'American Recovery and

Reinvestment Act of 2009' " (Memorandum), defines: *reasonably available quantity* as "the quantity of iron, steel, or the 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," and *satisfactory quality* as "the quality of iron, steel, or the relevant manufactured good as specified in the project plans and designs."

The Region 2 State Revolving Fund Program Team has reviewed this waiver request and has determined that the supporting documentation provided by the Borough establishes both a proper basis to specify the particular good required and that the manufactured good is not available from a producer in the United States to meet the design specifications for the proposed project. The information provided is sufficient to meet the criteria listed under Section 1605(b) of ARRA, OMB regulations at 2 CFR 176.60-176.170, and in the EPA Headquarters April 28, 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 Borough's technical specifications, a waiver from the Buy American requirement is justified.

The Administrator's 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 Authority is hereby granted a waiver from the Buy American requirements of Section 1605(a) of Public Law 111-5 for the purchase of a 50 kW wind turbine generator, as specified in its June 6, 2011 waiver request. This supplementary information constitutes the detailed written justification required by Section 1605(c) for waivers "based on a finding under subsection (b)."

**Authority:** Public Law 111-5, Section 1605.

Dated: August 8, 2011.

**Judith A. Enck,**

*Regional Administrator, Environmental Protection Agency, Region 2.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Information Collection(s) Being Reviewed by the Federal Communications Commission Comments Requested

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

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**SUMMARY:** As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and (e) ways to further reduce the information burden for small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid OMB control number.

**DATES:** Written Paperwork Reduction Act (PRA) comments should be submitted on or before December 27, 2011. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

**ADDRESSES:** Submit your PRA comments to Nicholas A. Fraser, Office of

Management and Budget, via fax at 202-395-5167 or via Internet at [Nicholas.A.Fraser@omb.eop.gov](mailto:Nicholas.A.Fraser@omb.eop.gov) and to [Judith.B.Herman@fcc.gov](mailto:Judith.B.Herman@fcc.gov), Federal Communications Commission, via the Internet at [Judith-b.herman@fcc.gov](mailto:Judith-b.herman@fcc.gov). To submit your PRA comments by e-mail send them to: [PRA@fcc.gov](mailto:PRA@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** Judith B. Herman, Office of Managing Director, (202) 418-0214.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0813.

*Title:* Section 20.18, Enhanced 911 Emergency Calling Systems.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities; Federal Government; and State, Local, or Tribal Government.

*Number of Respondents:* 47,031 respondents; 47,031 responses.

*Estimated Time per Response:* 4.2142416 hours.

*Frequency of Response:* On occasion and annual reporting requirements and third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. Sections 151, 154(i), 303(f) and (r), 309, 316, and 332 of the Communications Act of 1934, as amended.

*Total Annual Burden:* 198,200 hours.

*Total Annual Cost:* N/A.

*Privacy Impact Assessment:* N/A.

*Needs and Uses:* The Commission is seeking an extension of this information collection in order to obtain the full three year approval from OMB. There are no changes in any of the reporting and/or third party disclosure requirements. There is no change to the Commission's previous burden estimates.

The notification requirement on Public Safety Answering Points (PSAPs) will be used by the carriers to verify that wireless E911 calls are referred to PSAPs who have the technical capability to use the data to the caller's benefit. TTY and dispatch notification requirements will be used to avoid customer confusion as to the capabilities of their handsets in reaching help in emergency situations, thus minimizing the possibility of critical delays in response time. The annual TTY reports will be used to monitor the progress of TTY technology and thus capability. Consultations on the specific meaning assigned to pseudo-Automatic Location Identification (ALI) are appropriate to ensure that all parties are working with the same information. Coordination between carriers and state

and local entities to determine the appropriate PSAPs to receive and respond to E911 calls is necessary because of the difficulty in assigning PSAPs based on the location of the wireless caller. The deployment schedule that must be submitted by carriers seeking a waiver of Phase I or Phase II deployment schedule will be used by the Commission to guarantee that the rules are enforced in as timely manner as possible within technological constraints. In addition, a wireless carrier must implement E911 service within the six-month period following the date of the PSAP's request. If the carrier challenges the validity of the request, the request will be deemed valid if the PSAP making the request provides the following information:

(a) *Cost Recovery:* The PSAP must demonstrate that a mechanism is in place by which the PSAP will recover its costs of the facilities and equipment necessary to receive and utilize the E911 data elements.

(b) *Necessary Equipment:* The PSAP must provide evidence that it has ordered the equipment necessary to receive and utilize the E911 data elements; and

(c) *Necessary Facilities:* The PSAP must demonstrate that it has made a timely request to the appropriate local exchange carrier (LEC) for the necessary trunking and other facilities to enable E911 data to be transmitted to the PSAP.

This collection is needed to ensure that they are ready to receive E911 Phase I or Phase II information at the time that wireless carrier's obligation to deliver that information becomes due. This will reduce the possibility of both carriers and PSAPs investing money before the PSAP is actually E911 capable.

*OMB Control Number:* 3060-1155.

*Title:* Sections 15.713, 15.714, 15.715 and 15.717, TV White Space Broadcast Bands.

*Form Number:* N/A.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents:* 2,000 respondents; 2,000 responses.

*Estimated Time per Response:* 2 hours.

*Frequency of Response:* On occasion reporting requirement, recordkeeping requirement and third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. Sections 154(i), 302, 303(c), 303(f) and 307 of the

Communications Act of 1934, as amended.

*Total Annual Burden:* 4,000 hours.

*Total Annual Cost:* 100,000.

*Privacy Impact Assessment:* N/A.

*Needs and Uses:* The Commission is seeking approval for a revision of this information collection in order to obtain the full three year approval from OMB. There is no change to the Commission's previous burden estimates.

The Commission is seeking a revision to add questions about prefill applications and the number of available channels, make clarifications for some existing questions to the on-line database screens. This is being done to make completion of the form easier for the respondents.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary, Office of Managing Director.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Information Collection(s) Being Submitted for Review to the Office of Management and Budget for Review and Approval

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Federal Communications Commission (FCC), as part of its continuing effort to reduce paperwork burdens, invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), Public Law 104-13. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; (e) ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.