

performance test to be witnessed by the senior wastewater treatment plant operator and an independent engineer.

Between February and July of 2010, the City's engineering consultant conducted an extensive investigation into all possible sources for American made rotary screw compressors. Based on the investigation, several companies were found to manufacture these machines, but only one, Universal Blower Pac (UBP), claimed to be able to meet the required performance specifications. EPA's national contractor prepared a technical assessment report dated August 26, 2010, based on the submitted waiver request. The report indicated that UBP confirmed the EE-Pac compressor could comply with performance specification requirements, and the EPA contractor concluded that no other U.S. manufacturers produced rotary screw blowers that would meet the project specifications. Over the course of several months, the City and engineering consultant attempted to gather energy performance and independent engineering testing results from UBP to validate UBP's claim that the EE-Pac compressor would meet the project specifications. Responses from UBP have not included the required information to consider system energy loss and independent engineering testing as identified in the performance specifications. Therefore, UBP's claim to produce an acceptable compressor does not meet the project specifications. Thus, the City has demonstrated due diligence in their efforts and were ultimately unable to identify an available domestic product of satisfactory quality.

The April 28 memorandum 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. Based on additional research by the City and EPA's national contractor, and to the best of the Region's knowledge at this time, the City attempted without success, to meet the Buy American requirements. Furthermore, the purpose of the ARRA provisions was to stimulate economic recovery by funding current infrastructure construction, not to delay projects that are already shovel ready by requiring entities, like the City, to halt construction pending manufacture of domestically produced goods. To further delay construction is in direct conflict with the most fundamental economic purposes of ARRA; to create or retain jobs.

The Grants and Strategic Planning Unit has reviewed this waiver request and has determined that the supporting documentation provided by the City is sufficient to meet the following criteria listed under Section 1605(b) and in the April 28 memorandum:

Iron, Steel, and 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 U.S. production of rotary screw air compressors, in order to meet the City's design specifications and performance requirements. 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 City is hereby granted a waiver from the Buy American requirements of Section 1605(a) of Public Law 111-5 for the purchase and use of four rotary screw air compressors manufactured by Atlas Copco outside of the U.S. 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: October 20, 2010.

**Michelle L. Pirzadeh,**

*Acting Regional Administrator, EPA, Region 10.*

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## EXPORT-IMPORT BANK OF THE U.S.

[Public Notice 2010-0049]

### Agency Information Collection

#### Activities: Final Collection; Comment Request

**AGENCY:** Export-Import Bank of the U.S.

**ACTION:** Submission for OMB Review and Comments Request.

**Form Title:** EIB 10-01A Long Term Transaction Questionnaire; EIB 10-01B Oil and Gas Company Questionnaire.

**SUMMARY:** The Export-Import Bank of the United States ("Ex-Im Bank") is the official export credit agency of the United States. Its mission is to create

and sustain U.S. jobs by financing U.S. exports through direct loans, guarantees, insurance and working capital credit. The Consolidated Appropriations Act of 2010 (Pub. L. 111-117) ("the Act"), enacted December 16, 2009, provides for Ex-Im Bank's FY2010 budget authorization. As part of the U.S. government's efforts to strengthen sanctions against Iran, the Act contains language prohibiting Ex-Im Bank from:

Authoriz[ing] any new guarantee, insurance, or extension of credit for any project controlled by an energy producer or refiner that continues to: (A) Provide Iran with significant refined petroleum resources; (B) materially contribute to Iran's capability to import refined petroleum resources; or (C) allow Iran to maintain or expand, in any material respect, its domestic production of refined petroleum resources, including any assistance in refinery construction, modernization, or repair.

*See Sec. 7043 of the Act.*

The Act is effectively immediately and applies to all authorizations Ex-Im Bank may make with FY2010 funds.

**DATES:** Comments should be received on or before November 29, 2010 to be assured of consideration.

**ADDRESSES:** Comments maybe submitted electronically on <http://www.regulations.gov> or by mail to Office of Management & Budget, Office of Information and Regulatory Affairs, 725 17th Street, NW., Washington, DC 20038 attn: OMB 3048-0030.

### SUPPLEMENTARY INFORMATION:

**Titles and Form Number:** EIB 10-01A Long Term Transaction Questionnaire; EIB 10-01B Oil and Gas Company Questionnaire.

**OMB Number:** 3048-0030.

**Type of Review:** Regular.

**Need and Use:** This is a new collection to ensure compliance with the Consolidated Appropriations Act of 2010 (Pub. L. 111-117), enacted December 16, 2009.

**Sharon A. Whitt,**

*Agency Clearance Officer.*

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Update to Notice of Financial Institutions for Which the Federal Deposit Insurance Corporation Has Been Appointed Either Receiver, Liquidator, or Manager

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Update Listing of Financial Institutions in Liquidation.