

Dated: February 2, 2010.

**John Moses,**

*Director, Collection Strategies Division.*

[FR Doc. 2010-2663 Filed 2-5-10; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9111-3]

### Notice of Open Meeting of the Environmental Financial Advisory Board (EFAB)

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The United States Environmental Protection Agency's (EPA) Environmental Financial Advisory Board (EFAB) will hold a full board meeting on March 16-17, 2010. EFAB is an EPA advisory committee chartered under the Federal Advisory Committee Act (FACA) to provide advice and recommendations to EPA on creative approaches to funding environmental programs, projects, and activities.

The purpose of the meeting is to hear from informed speakers on environmental finance issues, proposed legislation, Agency priorities and to discuss progress with work projects under EFAB's current Strategic Action Agenda.

Environmental Finance topics expected to be discussed include: Financial Assurance Mechanisms (Commercial Insurance & Cost Estimation); Financial Assurance and CO<sub>2</sub> Underground Injection Control/Carbon Capture and Sequestration; Water Loss Reduction; Innovative Financing Tools, and State Revolving Fund Investment Options.

The meeting is open to the public, however, seating is limited. All members of the public who wish to attend the meeting must register in advance, no later than Monday, March 8, 2010.

**DATES:** Full Board Meeting is scheduled for Tuesday, March 16, 2010 from 1:30 p.m.-5 p.m. and Wednesday, March 17, 2010 from 9 a.m.-5 p.m.:

**ADDRESSES:** Omni Shoreham Hotel, 2500 Calvert Street, NW., Washington, DC 20008.

Registration and Information Contact:

To register for this meeting or get further information please contact Sandra Keys, U.S. EPA, at (202) 564-4999 or [keys.sandra@epa.gov](mailto:keys.sandra@epa.gov). For information on access or services for individuals with disabilities, please

contact Sandra Keys. To request accommodations of a disability, contact Sandra Keys, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: February 1, 2010.

**Joshua Baylson,**

*Associate Chief Financial Officer.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9111-4]

### Notice of a Project Waiver of Section 1605 (Buy American Requirement) of the American Recovery and Reinvestment Act of 2009 (ARRA) to the Auburn, Indiana Department of Water Pollution Control (Auburn)

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The EPA is hereby granting a project 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 of a satisfactory quality] to Auburn for the purchase of a Hydrosel model HS40 flushing gate system. This is a project-specific waiver and only applies to the use of the specified product for the ARRA funded project being proposed. Any other ARRA project that may wish to use the same product must apply for a separate waiver based on project-specific circumstances. These flushing gates, which are supplied by Gabriel Novac & Associates Inc, are manufactured in Canada, and meet Auburn's performance specifications and requirements. The Acting Regional Administrator is making this determination based on the review and recommendations of EPA Region 5's Water Division. Auburn has provided sufficient documentation to support its request. The Assistant Administrator of the Office of Administration and Resources Management has concurred on this decision to make an exception to Section 1605 of ARRA. This action permits the purchase of a flushing gate system for Auburn's "Long Term Control Plan Store-Treat Facility Project" that may otherwise be prohibited under Section 1605(a) of the ARRA.

**DATES:** *Effective Date:* December 10, 2009

**FOR FURTHER INFORMATION CONTACT:** Julie Henning, SRF Financial Analyst (312)

886-4882, or Puja Lakhani, Regional Counsel, (312) 353-3190, U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60613.

**SUPPLEMENTARY INFORMATION:** In accordance with ARRA Section 1605(c) and pursuant to Section 1605(b)(2) of Public Law 111-5, Buy American requirements, EPA hereby provides notice that it is granting a project waiver to Auburn for the acquisition of a flushing gate system which is manufactured in Canada. The manufacturer is Gabriel Novac & Associates Inc.

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 public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States, or unless a waiver is provided to the recipient by the head of the appropriate agency, here EPA. A waiver may be provided 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.

Auburn proposes to construct a "Long Term Control Plan Store-Treat Facility Project" at the Auburn Water Pollution Control Facility on Wayne Street in Auburn. The project is part of Auburn's 20-year Long Term Control Plan to reduce combined sewer overflows (CSO's). This project will provide storage volume for excess combined sewer flows in a storage tank during rain events which would have previously discharged to Cedar Creek. After the rain event, the excess sewer flow will be treated at the Water Pollution Control Facility. Proper maintenance of the storage tank will require periodic cleaning, to remove solids that settle at the bottom of the tank. Auburn proposes to use a flushing gate system to remove settled solids from the tank. The flushing gate system holds sewer overflow water in reserve in compartments at the upstream end of the storage tank. This flush water, released by a patented mechanism, gives rise to a high celerity wave that effectively removes all accumulated debris in basins and interceptors over flushway lengths greater than any other available method. The use of sewer