

the pin number serves as a signature by the authorizing official. A certification form also may be printed from the Web site, and signed by the authorizing official and mailed to the Governments Division of the Bureau of the Census, at the address listed in the previous paragraph. This signed form must be mailed within five business days of Web form data submission.

Alternatively, SEAs may hand-deliver submissions by 4:00 p.m. (Eastern Time) to: Governments Division, Bureau of the Census, 4600 Silver Hill Road, Suitland, MD 20746.

If an SEA's submission is received by the Bureau of the Census after September 6, 2011, in order for the submission to be accepted the SEA must show one of the following as proof that the submission was mailed on or before the mandatory deadline date:

1. A legibly dated U.S. Postal Service postmark.
2. A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
3. A dated shipping label, invoice, or receipt from a commercial carrier.
4. Any other proof of mailing acceptable to the Secretary.

If the SEA mails ED Form 2447 through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

1. A private metered postmark.
2. A mail receipt that is not dated by the U.S. Postal Service.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an SEA should check with its local post office.

**FOR FURTHER INFORMATION CONTACT:** Ms. Terri Kennerly, Chief, Bureau of the Census, *Attention:* Governments Division, Washington, DC 20233-6800. *Telephone:* (301) 763-1559. If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities may obtain this document in an accessible format (*e.g.*, Braille, large print, audiotope, or computer diskette) on request to: Frank Johnson, National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education, Washington, DC 20208-5651. *Telephone:* (202) 502-7362.

**SUPPLEMENTARY INFORMATION:** Under the authority of section 153(a)(1)(I) of the Education Sciences Reform Act of 2002, 20 U.S.C. 9543, which authorizes NCES to gather data on the financing of education, NCES collects data annually from SEAs through ED Form 2447. The report from SEAs includes attendance, revenue, and expenditure data from

which NCES determines the average State per-pupil expenditure (SPPE) for elementary and secondary education, as defined in section 9101(2) of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (20 U.S.C. 7801(2)).

In addition to utilizing the SPPE data as general information on the financing of elementary and secondary education, the Secretary uses these data directly in calculating allocations for certain formula grant programs, including, but not limited to, Title I, Part A of the ESEA, Impact Aid, and Indian Education programs. Other programs, such as the Educational Technology State Grants program (Title II, Part D of the ESEA), the Education for Homeless Children and Youth Program under Title VII of the McKinney-Vento Homeless Assistance Act, and the Teacher Quality State Grants program (Title II, Part A of the ESEA), make use of SPPE data indirectly because their formulas are based, in whole or in part, on State Title I, Part A allocations.

In February 2011, the Bureau of the Census, acting as the data collection agent for NCES, will e-mail to SEAs ED Form 2447 with instructions and request that SEAs submit data to the Bureau of the Census on March 15, 2011, or as soon as possible thereafter. SEAs are urged to submit accurate and complete data on March 15, or as soon as possible thereafter, to facilitate timely processing. Submissions by SEAs to the Bureau of the Census will be checked for accuracy and returned to each SEA for verification. All data, including any revisions, must be submitted to the Bureau of the Census by an SEA not later than September 6, 2011.

Having accurate and consistent information on time is critical to an efficient and fair allocation process and to the NCES statistical process. To ensure timely distribution of Federal education funds based on the best, most accurate data available, NCES establishes, for allocation purposes, September 6, 2011, as the final date by which the NPEFS Web form or ED Form 2447 must be submitted. If an SEA submits revised data after the final deadline that result in a lower SPPE figure, its allocations may be adjusted downward or the Department may direct the SEA to return funds. SEAs should be aware that all of these data are subject to audit and that, if any inaccuracies are discovered in the audit process, the Department may seek recovery of overpayments for the applicable programs. If an SEA submits revised data after September 6, 2011, the data also may be received too late to be

included in the final NCES published dataset.

**Electronic Access to This Document:** You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

**Authority:** 20 U.S.C. 9543.

**Dated:** January 3, 2011.

**John Q. Easton,**  
*Director, Institute of Education Sciences.*

[FR Doc. 2011-27 Filed 1-5-11; 8:45 am]

**BILLING CODE 4000-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9249-1]

### Notice of Nationwide Waiver of Section 1605 (Buy American Requirement) of the American Recovery and Reinvestment Act of 2009 (ARRA) for the Use of Small Horsepower Vertical Hollow Shaft Electric Motors (Less Than 40 Horsepower) for Projects Financed Through the Clean or Drinking Water State Revolving Funds Using Assistance Provided Under ARRA

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

**ACTION:** Notice.

**SUMMARY:** The EPA is hereby granting a nationwide 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] for small-horsepower (HP) vertical hollow shaft (VHS) electric motors (less than 40 HP). This nationwide waiver applies to the use of the specified products and is applicable only for their purchase and installation for one-year subsequent to the effective date of the waiver. Based upon information gathered from multiple waiver request submittals and further research by its contractor, EPA has determined that

domestically manufactured small-HP VHS electric motors (less than 40 HP) are not reasonably available. The Assistant Administrator for the Office of Water is making this determination based on the review and recommendations of the Office of Ground Water and Drinking Water and the Office of Wastewater Management. 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 nationwide purchase and installation of non-domestic VHS electric motors less than 40 HP up to one-year subsequent to the effective date of the waiver. EPA reserves the right to withdraw or amend this nationwide waiver based on new developments or changes in the domestic manufacturing capacity for these items.

**DATES:** *Effective Date:* December 29, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Timothy Connor, Chemical Engineer, (202) 566-1059, Office of Wastewater Management (OWM) or Kirsten Kroner, Civil Engineer, (202) 564-3134, Office of Ground Water and Drinking Water (OGWDW), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** In accordance with ARRA Section 1605(c), the EPA hereby provides notice that it is granting a nationwide waiver of the requirements of Section 1605(a) of Public Law 111-5, Buy American requirements, for the purchase and installation of non-domestic vertical hollow shaft electric motors less than 40 horsepower for one-year subsequent to the effective date for projects financed through the Clean or Drinking Water State Revolving Funds (SRF) using assistance provided under ARRA.

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 assistance recipient by the head of the appropriate agency, here the 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.

As part of the implementation of the Buy American requirements of the ARRA, EPA reserved the right to issue national waivers that apply to particular categories of manufactured goods. A national categorical waiver may be developed based on the need to issue a waiver as discerned by the number of project specific waiver requests for a particular item that have been submitted by assistance recipients to one or more EPA region(s), and the detailed justifications for such requests. National waivers may be issued by EPA based on a determination that a particular item is not produced domestically in reasonably available quantities or of a sufficient quality. To date, no nationwide waivers for a particular category of manufactured goods have been issued by EPA.

During August through October 2010, seven applications have been presented to five Regions (3, 5, 6, 7, and 10) requesting waivers for small-horsepower vertical hollow shaft (VHS) electric motors. The specific VHS electric motors included in the waiver requests range in size from 15 HP to 30 HP. Detailed justifications provided by the applicants (and verified by EPA and its contractor, as described below) reveal that there are no VHS electric motors less than 40 HP that are produced domestically in reasonably available quantities. As a result of these waiver requests, EPA and its contractor reviewed current technical knowledge regarding availability and location of manufacturers of VHS electric motors less than 40 HP.

EPA found that currently, there are no known domestic manufacturers of VHS electric motors less than 40 HP. Waiver applicants and EPA's contractor identified and evaluated more than twenty electric motor manufacturers in the search for domestic sources. The waiver applicants and EPA's contractor conducted independent research and manufacturer outreach in order to possibly identify a domestic manufacturer of small VHS electric motors. EPA further contacted the Water and Wastewater Equipment Manufacturers Association (WWEMA), a national association. At least four foreign manufacturers produce and sell VHS electric motors less than 40 HP. Much of the current manufacturing capability for the VHS electric motor technology appears to be located in China with additional manufacturing capability located in Mexico and Taiwan. Currently, there are no known

manufacturers planning and/or considering offering VHS electric motors less than 40 HP that are/will be manufactured in the U.S. The only VHS electric motor manufacturer with manufacturing capability in the U.S., who does not manufacture nor intend to manufacture VHS electric motors less than 40 horsepower, estimates that a 1 year minimum timeframe would be required to set up manufacturing capability in their domestic manufacturing facility for small (*i.e.*, less than 40 HP) VHS electric motors. Those companies contacted with VHS electric motor manufacturing capability located overseas estimate that it would require between 2 and 3 years to construct and commission new production facilities in the U.S. to manufacture VHS electric motors in sizes less than 40 HP. While EPA did learn from the manufacturer's association that one-time, special-order VHS motors may be available from a domestic source, EPA's research revealed that current manufacturing capacity and availability do not exist and special orders could cause delay and displace the "shovel ready" status of projects. Based on the time constraints and current lack of manufacturing capacity, one-time special-order small VHS motors do not meet the standard of being produced in the U.S. in sufficient and reasonably available quantity.

It is critical to move forward with a national categorical waiver for these products because there is clearly domestic unavailability, and lack of a waiver is currently impeding the progress of several Recovery Act projects funded by both the Clean Water and Drinking Water State Revolving Funds. 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'" ("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." To curtail the speed with which construction is completed by requiring that assistance recipients place one-time special orders or request individual waivers, when it is known that domestic products are simply not reasonably available, would directly conflict with a fundamental economic purpose of ARRA, which is to create or retain jobs.

EPA has conducted a thorough review of the domestic manufacturing practices for small-HP VHS electric motors and

has determined that domestically manufactured goods are not currently available. The information provided is sufficient to meet the following criteria listed under Section 1605(b) of the ARRA and in the 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. Therefore, EPA has determined that a nationwide categorical waiver for this product is appropriate.

This waiver expires one year from the day it takes effect. Furthermore, EPA reserves the right to withdraw or amend this nationwide waiver based on new developments or changes in the domestic manufacturing capacity for these items.

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

Dated: December 29, 2010.

**Michael H. Shapiro,**

*Acting Assistant Administrator for Water.*

[FR Doc. 2011–19 Filed 1–5–11; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–ORD–2009–0605; FRL–9248–4]

### Notice of Availability of the Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of 2,3,7,8–Tetrachlorodibenzo-p-dioxin and Dioxin-Like Compounds

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

**ACTION:** Notice of document availability.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is announcing the availability of the final “Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of 2,3,7,8–Tetrachlorodibenzo-p-dioxin and Dioxin-Like Compounds” (EPA/100/R–10/005). The purpose of this document is to assist EPA scientists in using the toxicity equivalence methodology to assess health risks from dioxins and dioxin-like compounds, as well as inform EPA decision makers, other agencies, and the public about this methodology. This guidance document summarizes the toxicity equivalence methodology, provides background information and assumptions on how the methodology has evolved, and recommends an approach for health risk assessors to use to apply the methodology. EPA’s Risk Assessment Forum (RAF) oversaw the development

of this document. Input was obtained from scientists throughout the Agency, from interested members of the public, and from external experts from a range of scientific disciplines via a contractor-led peer review.

**ADDRESSES:** The final document is available electronically through the EPA Office of the Science Advisor’s Web site at: <http://www.epa.gov/osa/raf/hhtefguidance/>. A limited number of paper copies will be available from EPA’s National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242; *telephone number:* 1–800–490–9198 or 513–489–8190; *facsimile number:* 301–604–3408; *e-mail:* NSCEP@bpa-lmit.com. Please provide your name, mailing address, and title of the requested publication.

**FOR FURTHER INFORMATION CONTACT:** Julie Fitzpatrick, Risk Assessment Forum Staff, Mail Code 8105R, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; *telephone number:* (202) 564–4212; *facsimile number:* (202) 564–2070; *e-mail:* fitzpatrick.julie@epa.gov.

**SUPPLEMENTARY INFORMATION:** Dioxin and dioxin-like compounds (DLCs), including polychlorinated dibenzodioxins (PCDDs), polychlorinated dibenzofurans (PCDFs), and polychlorinated biphenyls (PCBs), are structurally and toxicologically related halogenated dicyclic aromatic hydrocarbons. Dioxins and DLCs are released into the environment from several industrial sources, including chemical manufacturing, combustion, and metal processing. There is global contamination of air, soil and water with trace levels of these compounds. Typically, dioxins and DLCs occur in the environment as chemical mixtures. Dioxins and DLCs do not readily degrade; therefore, levels persist in the environment, build up in the food chain, and accumulate in the tissues of animals. Human exposures to these compounds occur primarily through eating contaminated foods. The health effects from exposures to dioxins and DLCs have been documented extensively in toxicological and epidemiological studies.

Risk assessments have relied on the dioxin toxicity equivalence factors (TEFs) approach. Various stakeholders, inside and outside the Agency, have called for a more comprehensive characterization of risks. Therefore, EPA’s RAF identified a need to examine the current recommended approach for application of the toxicity equivalence methodology in human health risk assessments. An RAF Technical Panel

developed the draft guidance document, “Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of 2,3,7,8–Tetrachlorodibenzo-p-dioxin and Dioxin-Like Compounds,” to assist EPA scientists in using this methodology to assess health risks from dioxins and dioxin-like compounds, and inform EPA decision makers, other agencies, and the public about this methodology.

An external expert peer review was conducted by both letter and an open, public teleconference in October 2009. The peer review panel was provided with the public comments received in the official public docket for this activity under docket ID number EPA–HQ–ORD–2009–0605. The peer review panel also had the opportunity to hear public comments provided during the peer review teleconference. In preparing the final document, EPA considered the public comments submitted to EPA’s docket during the public comment period and during the public teleconference, and the recommendations from the external peer reviewers provided in the peer review report and during the public teleconference.

EPA is currently addressing several issues related to dioxins and dioxin-like chemicals in the environment. More information on these activities is located at: <http://www.epa.gov/dioxin/scienceplan/>.

Dated: December 22, 2010.

**Paul T. Anastas,**

*EPA Science Advisor.*

[FR Doc. 2011–20 Filed 1–5–11; 8:45 am]

**BILLING CODE 6560–50–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Advisory Committee on Breast Cancer in Young Women (ACBCYW)

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Centers for Disease Control and Prevention (CDC), announces the following meeting of the aforementioned committee:

#### Times and Dates

9 a.m.–5 p.m., January 31, 2011.

8 a.m.–3 p.m., February 1, 2011.

*Place:* Emory Conference Center Hotel and Emory Inn, 1615 Clifton Road, NE., Atlanta, Georgia 30329.

*Status:* Open to the public, limited only by the space available.