

Development Corporation. The waivers for each of these projects involve specific items that are not produced in the United States and deemed necessary for the construction of the project. MarAd has reached out to the steel industry and solicited public comments on the domestic availability of these items. No domestic manufacturers have been located.

DATES: The effective date of the waiver is November 9, 2010. Comments may be submitted up to 15 days after publication.

FOR FURTHER INFORMATION CONTACT:

Anthony Shuler Jr., Office of Infrastructure Development and Congestion Mitigation, Maritime Administration, MAR-510, 1200 New Jersey Ave., SE., Washington, DC 20590. Telephone: (202) 366-6639, or via e-mail at Anthony.L.Shuler@dot.gov. For legal questions, you may contact Murray Bloom, Chief, Division of Maritime Programs, Office of the Chief Counsel, Maritime Administration, MAR-222, 1200 New Jersey Ave., SE., Washington, DC 20590. Telephone: (202) 366-5320, or via e-mail at Murray.Bloom@dot.gov. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded from the **Federal Register's** home page at: <http://www.archives.gov/federal-register/> and at <http://www.regulations.gov>.

Background

Congress has enacted a Buy American provision which requires manufactured goods permanently incorporated into a project funded with Federal-aid funds to be produced in the United States. The application of Buy American is triggered by the obligation of Federal funds to a project. Once Federal-aid funds are obligated to a project, then all steel and iron incorporated into the project must be produced in the United States. The specific statutory requirement reads as follows:

Notwithstanding any other provision of law, the Secretary of Transportation shall not obligate any funds authorized to be appropriated to carry out the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424) or this title and administered by the Department of Transportation, unless steel, iron, and manufactured products used in such project are produced in the United States.

23 U.S.C. 313(a)

Under 23 U.S.C. 313(b), the Secretary may waive the Buy American

requirements for specific products on a Federal-aid construction project when, Buy American is inconsistent with the public interest; such materials and products are not produced in the United States in sufficient and reasonably available quantities and of satisfactory quality; or inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

The waiver process is initiated by a requesting organization when it believes that a waiver is Warranted pursuant to any of the three waiver provisions under 23 U.S.C. 313(b). Pursuant to Division A, Section 123 of the Consolidated Appropriations Act, 2010 (Pub. L. 111-117), MarAd is required to provide an informal public notice and comment opportunity for a period of 15 days for all waiver requests. MarAd complied with this informal public notice and comment requirement through the establishment of a dedicated Web site for Buy America waiver requests. The Web site MarAd established for this purpose is located at the following address: <http://www.marad.dot.gov>. The waiver notification postings solicited public comments on the intent to issue a waiver for a 15-day period, and all comments received within the 15 day comment period were evaluated and potential domestic sources were verified. During the 15-day comment period, MarAd conducted additional nationwide reviews by coordinating the waiver requests with appropriate industry associations and other potential domestic manufacturers. Following this comment period, and after MarAd's evaluation of the comments and coordination with the industry associations and potential manufacturers, MarAd developed findings and justifications for the waiver and publishes this decision in the **Federal Register**. MarAd's publication of its Buy American decision is required pursuant to the Buy American Act, 2 CFR 176.80(b)(2). The specific statutory requirement reads as follows:

The head of the Federal department or agency shall publish a notice in the **Federal Register** within two weeks after the determination is made, unless the item has already been determined to be domestically non-available. A list of items that are not domestically available is at 48 CFR 25.104(a). The **Federal Register** notice or information from the notice may be posted by OMB to Recovery.gov. The notice shall include — (i) The title “Buy American Exception under the American Recovery and Reinvestment Act of 2009”; (ii) The dollar value and brief description of the project; and (iii) A detailed written justification as to why the restriction is being waived.

2 CFR 176.80(b)(2)

Upon publication of this **Federal Register** notice, the public is afforded an opportunity to submit additional comments on this finding to MarAd's Web site for 15 days following the effective date of the finding.

Authority: 2 CFR 176.80(b)(2), 48 CFR 25.104(a).

Dated: November 2, 2010.

By Order of the Maritime Administrator
Murray Bloom,

Acting Secretary, Maritime Administration.

[FR Doc. 2010-28143 Filed 11-5-10; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: St. Louis County, MO

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for a proposed highway project generally from the vicinity of Laclede Station Road and Hanley Road southeastward to River Des Peres Boulevard and Lansdowne Avenue in St. Louis County, Missouri.

FOR FURTHER INFORMATION CONTACT: Ms. Peggy J. Casey, Program Development Team Leader, FHWA Division Office, 3220 West Edgewood, Suite H, Jefferson City, MO 65109, Telephone: (573) 636-7104; or Mr. Kevin Keith, Interim Director, Missouri Department of Transportation, P.O. Box 270, Jefferson City, MO 65102, Telephone: (573) 751-2803. Questions may also be directed to the Local Public Agency sponsor by contacting: Mr. John Hicks, Transportation Development Analyst, St. Louis County Department of Highways and Traffic, 121 S. Meramec Avenue, Clayton, Missouri 63105, Telephone: (314) 615-8532.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Missouri Department of Transportation (MoDOT) and St. Louis County Department of Highways and Traffic (County), will prepare an EIS for a proposed roadway project in St. Louis County, Missouri. The project corridor begins in the vicinity of Laclede Station Road and Hanley Road, extending from the vicinity of Laclede Station Road and Hanley Road, extending southeastward to River Des Peres Boulevard and Lansdowne Avenue near the

Shrewsbury MetroLink station. A location study will run concurrently with the preparation of the EIS and will provide definitive alternatives for evaluation in the EIS. The project is intended to provide additional access and improved connectivity between south St. Louis County and central St. Louis County, and to Interstates 44, 64, 55, and 170.

The needs for the proposed action include: (1) Roadway connectivity, (2) congestion, (3) roadway capacity, and (4) safety. The project study area is generally bounded by Manchester Road to the north, Hanley Road and Laclede Station Road to I-44 to the west, Murdoch Avenue and Watson Road to the south, and Big Bend Boulevard and River Des Peres on the east. The corridor is centered on the intersection of Laclede Station Road and Hanley Road. The corridor extends southeastward, generally parallel to Deer Creek, to River Des Peres Boulevard in the vicinity of Lansdowne Avenue in the City of St. Louis and in close proximity to the Shrewsbury MetroLink station. The study area is approximately two miles in length and one-half mile in width.

Alternatives under consideration include (1) Taking no action; (2) implementing transportation system management options; and (3) build alternatives. The evaluation of build alternatives will include a full interchange between the proposed build alternatives and Interstate 44, as applicable.

As part of the project scoping process, interagency coordination meeting(s) will be held with all appropriate Federal, State, and local agencies having jurisdiction or having specific expertise with respect to any environmental impacts associated with the proposed improvements. Agencies with jurisdiction by law will be asked to become cooperating agencies. Other agencies with interest in the project will be invited to become participating agencies. In addition, an open house public scoping meeting (the initial public meeting) will be held to solicit input from the public and to identify issues to be addressed in the EIS. The public scoping meeting is scheduled for Thursday, December 9, 2010 from 3 p.m. until 7 p.m. at the Affton White-Rodgers Community Center, located at 9801 Mackenzie Road, St. Louis, Missouri 63123. Coordination will continue throughout the study as an ongoing process, including public information meetings and further meetings with community officials to solicit public and agency input.

A location public hearing will be held to present the findings of the draft EIS

(DEIS). Public notice will be given announcing the time and place of all public meetings and the public hearing. The DEIS will be available for public and agency review and comment prior to the public hearing. To ensure that the full range of issues related to this proposed action is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA or MoDOT at the addresses provided above. Concerns in the study are primarily related to potential impacts to residences, cultural resources, and neighborhoods in the study area.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: November 2, 2010.

Peggy J. Casey,

Program Development Team Leader, Jefferson City.

[FR Doc. 2010-28159 Filed 11-5-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2010-0150]

Federal Motor Vehicle Safety Standards; Rear Impact Guards; Rear Impact Protection; Technical Report, on the Effectiveness of Underride Guards for Heavy Trailers

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Request for comments on technical report.

SUMMARY: This notice announces NHTSA's publication of a Technical Report, its existing Safety Standard 223, *Rear Impact Guards and Safety Standard 224, Rear Impact Protection*. The report's title is: *The Effectiveness of Underride Guards for Heavy Trailers*.

DATES: Comments must be received no later than March 8, 2011.

ADDRESSES:

Report: The technical report is available on the Internet for viewing in PDF format at <http://www-nrd.nhtsa.dot.gov/Pubs/811375.pdf>. You may obtain a copy of the report free of charge by sending a self-addressed

mailing label to Charles J. Kahane (NVS-431), National Highway Traffic Safety Administration, Room W53-312, 1200 New Jersey Avenue, SE., Washington, DC 20590.

Comments: You may submit comments [identified by Docket Number NHTSA-2010-0150] by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Fax:** 1-202-493-2251.

- **Mail:** Docket Management Facility, M-30, U.S. Department of Transportation, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- **Hand Delivery:** West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.

You may call Docket Management at 202-366-9826.

Instructions: For detailed instructions on submitting comments, see the Procedural Matters section of this document. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Charles J. Kahane, Chief, Evaluation Division, NVS-431, National Center for Statistics and Analysis, National Highway Traffic Safety Administration, Room W53-312, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-2560. E-mail: chuck.kahane@dot.gov.

For information about NHTSA's evaluations of the effectiveness of existing regulations and programs: You may see a list of published evaluation reports at <http://www-nrd.nhtsa.dot.gov/cats/listpublications.aspx?Id=226&ShowBy=Category> and if you click on any report you will be able to view it in PDF format.

SUPPLEMENTARY INFORMATION: Safety Standards 223 (49 CFR 571.223) and 224 (49 CFR 571.224) require underride guards meeting a strength test on trailers with a GVWR of 10,000 pounds or greater manufactured on or after January 24, 1998. Safety Standard 224 defines the size requirements for the guards, while Safety Standard 223 describes strength testing and energy absorption requirements for DOT-compliant guards. This report is a statistical analysis of crash data aimed at determining the effectiveness of standard-compliant underride guards at preventing fatalities and serious injuries in crashes where a passenger vehicle impacts the rear of a