

therefore, already NIMS-compliant should indicate that in the assurance form.

**Eligibility:** To be considered for an award under this competition, an applicant must be considered an IHE. An IHE, for the purposes of this competition, is defined as: an educational institution in any State that—

(1) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate or persons who meet the requirements of section 484(d)(3) of the Higher Education Act of 1965, as amended;

(2) Is legally authorized within such State to provide a program of education beyond secondary education;

(3) Provides an educational program for which the institution awards a bachelor's degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree or awards a degree that is acceptable for admission to a graduate or professional degree program, subject to review and approval by the Secretary;

(4) Is a public or other nonprofit institution; and

(5) Is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

**Final Priorities and Requirements:** We will announce the final priorities and requirements in a notice in the **Federal Register**. We will determine the final priorities and requirements after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

**Note:** This notice does *not* solicit applications. In any year in which we choose to use one or more of these priorities and requirements, we invite applications through a notice in the **Federal Register**.

**Executive Order 12866:** This notice has been reviewed in accordance with Executive Order 12866. Under the terms of the order, we have assessed the potential costs and benefits of this proposed regulatory action.

The potential costs associated with this proposed regulatory action are those resulting from statutory requirements and those we have determined as necessary for administering this program effectively and efficiently.

In assessing the potential costs and benefits—both quantitative and qualitative—of this proposed regulatory action, we have determined that the benefits of the proposed priorities and requirements justify the costs.

We have determined, also, that this proposed regulatory action does not unduly interfere with State, local, and Tribal governments in the exercise of their governmental functions.

**Discussion of Costs and Benefits:** The potential costs associated with the proposed priorities and requirements are minimal while the potential benefits are significant.

Grantees may anticipate costs in developing and/or disseminating written emergency management plans, implementing the NIMS requirements, and conducting training and drills of the improved emergency management plans. Grantees may also anticipate costs in achieving increased cross-campus collaboration and partnering with local and State community partners. Finally, grantees will experience costs when traveling to required grant administration training events sponsored by the Department. However, these costs may be included in the grant budget and, therefore, will have little or no financial impact on the applicant.

The benefit of the proposed priorities and requirements is that grantees will develop a comprehensive, all-hazards, campus-based, NIMS-compliant emergency management plan based on the four phases of emergency management. Training provided for staff and students will increase the IHE's overall preparedness efforts. Developing written plans for assessing and addressing the mental health needs of students and staff who may be at risk of causing harm to themselves or others on campus could help to prevent future tragedies on campuses. In addition, by having written plans designed to address infectious diseases with both short- and long-term impacts for the campus and the community, IHEs may be able to mitigate the adverse effects of these hazards, which in turn could result in significant savings in health care and other financial costs for the community. In summary, completing a comprehensive emergency management planning effort in advance of an emergency will allow IHEs to prepare to respond and recover from any type of

emergency that may occur. An ultimate goal of the EMHE program is to decrease the resulting costs to IHEs in terms of lost resources, facilities, time, and casualties that may result from an actual emergency.

**Intergovernmental Review:** This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

**Accessible Format:** Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**Electronic Access to this Document:** You can 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>.

Dated: December 1, 2009.

**Kevin Jennings,**

*Assistant Deputy Secretary for Safe and Drug-Free Schools.*

[FR Doc. E9-28994 Filed 12-3-09; 8:45 am]

**BILLING CODE 4000-01-P**

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC09-912-001]

#### Commission Information Collection Activities (FERC-912); Comment Request; Submitted for OMB Review

November 25, 2009.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of section 3507 of the

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Paperwork Reduction Act of 1995, 44 USC 3507, the Federal Energy Regulatory Commission (Commission or FERC) has submitted the information collection described below to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission received no comments in response to the **Federal Register** notice (74FR 47567, 9/16/2009) and has made this notation in its submission to OMB.

**DATES:** Comments on the collection of information are due by January 4, 2010.

**ADDRESSES:** Address comments on the collection of information to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Federal Energy Regulatory Commission Desk Officer. Comments to OMB should be filed electronically, c/o *oira\_submission@omb.eop.gov* and include OMB Control Number 1902-0237 as a point of reference. The Desk Officer may be reached by telephone at 202-395-4638. A copy of the comments should also be sent to the Federal Energy Regulatory Commission and should refer to Docket No. IC09-912-001. Comments may be filed either electronically or in paper format. Those persons filing electronically do not need to make a paper filing. Documents filed electronically via the Internet must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines. Complete filing

instructions and acceptable filing formats are available at <http://www.ferc.gov/help/submission-guide.asp>. To file the document electronically, access the Commission's Web site and click on Documents & Filing, E-Filing (<http://www.ferc.gov/docs-filing/efiling.asp>), and then follow the instructions for each screen. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments.

For paper filings, an original and 2 copies of the comments should be submitted to the Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426, and should refer to Docket No. IC09-912-001.

All comments may be viewed, printed or downloaded remotely via the Internet through FERC's homepage using the "eLibrary" link. For user assistance, contact [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov) or toll-free at (866) 208-3676 or for TTY, contact (202) 502-8659.

**FOR FURTHER INFORMATION CONTACT:**

Ellen Brown may be reached by telephone at (202) 502-8663, by fax at (202) 273-0873, and by e-mail at [ellen.brown@ferc.gov](mailto:ellen.brown@ferc.gov).

**SUPPLEMENTARY INFORMATION:** FERC-912 ("Cogeneration and Small Power Production, PURPA Section 210(m) Regulations for Termination or Reinstatement of Obligation to Purchase or Sell," OMB Control No. 1902-0237) <sup>1</sup> covers the reporting requirements in 18 CFR Part 292.

On August 8, 2005, the Energy Policy Act of 2005 (EPA Act 2005, Pub. L. No. 109-58, 119 Stat. 594 (2005)) was signed into law. Section 1253(a) of EPA Act 2005 amends section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA) by adding subsection (m), that provides for the termination and reinstatement of an electric utility's obligation to purchase and sell energy and capacity. The implementing regulations in 18 CFR Part 292 (18 CFR 292.309-292.313) provide procedures for:

- An electric utility to file an application for the termination of its obligation to purchase energy from a Qualifying Facility (QF) (18 CFR 292.310);
- an affected entity or person to apply to the Commission for an order reinstating the electric utility's obligation to purchase energy from a QF (18 CFR 292.311);
- an electric utility to file an application for the termination of its obligation to sell energy and capacity to QFs (18 CFR 292.312);
- an affected entity or person to apply to the Commission for an order reinstating the electric utility's obligation to sell energy and capacity to QFs (18 CFR 292.313).

**ACTION:** The Commission is requesting a three-year extension of the current expiration date for the FERC-912, with no changes to the reporting requirements.

**Burden Statement:** The public reporting burden for this collection is estimated to be as follows:

FERC-912	Annual number of respondents	Average number of responses per respondent	Average burden hours per response	Total annual burden hours
	(1)	(2)	(3)	(1)×(2)×(3)
Termination of obligation to purchase in § 292.310 .....	4	1	12	48
Reinstatement of obligation to purchase in § 292.311 .....	1	1	13	13
Termination of obligation to sell in § 292.312 .....	1	1	12	12
Reinstatement of obligation to sell in § 292.313 .....	1	1	13	13
<b>Totals</b> .....				<b>86</b>

<sup>1</sup>During its history, "FERC-912" has been known by various 'names' and OMB control numbers. Originally, FERC had wanted to include FERC-912 requirements in the FERC-556 'umbrella' of requirements. Because FERC-556 ("Cogeneration and Small Power Production;" OMB Control No. 1902-0075) was pending OMB review of another rulemaking (in Docket No. RM05-36-000) prior to the issuance of the Notice of Proposed Rulemaking

(NOPR) in RM06-10, the Commission used a temporary identifier of "FERC-912". "FERC-912" was originally assigned the OMB Control No. 1902-0219 at the NOPR stage. However, prior to issuance of the final rule in Docket RM06-10, OMB Control No. 1902-0219 was eliminated from OMB's inventory. FERC-556 (OMB Control No. 1902-0075) was then approved in RM05-36, so FERC used the "FERC-912(556)" identifier in the Final Rule in

RM06-10. The Commission planned to transfer the hours associated with "FERC-912(556)" in RM06-10 to FERC-556. Page two of the OMB approval (dated 2/23/2007) for ICR Reference Number 200611-1902-003 listed OMB Control No. 1902-0237 as FERC-556. Currently FERC-556 (OMB Control No. 1902-0075) is pending OMB review, so this collection is being called "FERC-912" and is being submitted separately. FERC-556 is not a subject of this Notice.

The total estimated annual cost burden to respondents is \$5,304.58 [(86 hours/2,080 hours<sup>2</sup> per year) × \$128,297<sup>3</sup> per year].

*The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including:* (1) Reviewing instructions; (2) developing, acquiring, installing, and utilizing technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

The estimate of cost for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

*Comments are invited on:* (1) Whether the proposed collections of information are necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden of the proposed collections of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-28919 Filed 12-3-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13509-000]

#### Turnagain Arm Tidal Energy Corporation; Notice of Amended Preliminary Permit Application Accepted for Filing, and Soliciting Comments, Motions To Intervene, and Competing Applications

November 25, 2009.

On August 31, 2009, Little Susitna Construction Company, Inc., filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Turnagain Arm Tidal Electric Generation Project (Turnagain Arm Project or project), located on the Turnagain Arm of Cook Inlet and adjacent lands of the Kenai Peninsula Borough and the Municipality of Anchorage, Alaska. On September 3, 2009, the Commission issued a Notice of Acceptance of the August 31, 2009 application and sent an acceptance letter to Little Susitna Construction Company, Inc. Subsequently, on November 17, 2009, Little Susitna Construction Company, Inc. amended its preliminary permit application to change its name to Turnagain Arm Tidal Energy Corporation.

Pursuant to 18 CFR 4.35, the September 3, 2009 Notice of Application and acceptance letter are rescinded, and the acceptance date for the application is now November 17, 2009.

The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

*The proposed project would consist of the following:* (1) Proposed 8-mile-long and 7.5-mile long tidal "fences" containing a total of 220 10-megawatt (MW) Davis Turbine tidal-to-electrical energy generating units (total installed capacity equal to 2,200 MW)—the 8-mile-long tidal fence would extend from just south of Fire Island to Kenai Peninsula Borough land at Possession Point and the 7.5-mile-long tidal fence would extend from a point about 5-7 miles south of Fire Island to a point offshore of Anchorage; (2) two proposed control buildings—one near the southwest end of the 8-mile-long tidal fence at Possession Point (Possession Point control building) and one in

Anchorage along Raspberry Road (Anchorage control building)—containing equipment for controlling the turbines and the inerties of the transmission lines to existing area electrical grids; (3) a pair of proposed 44-mile-long, 230-kilovolt (kV) transmission lines extending southwest from the Possession Point control building to a Homer Electric substation near the unincorporated community of Nikiski; (4) a proposed single, 17-mile-long, 230-kV above and below water transmission line extending from the Possession Point control building, across the 8-mile-long tidal fence, and to the Anchorage control building; (5) a pair of proposed 10-mile-long, 230-kV transmission lines extending from the Anchorage control building to a Chugach Electric substation in Anchorage; (6) a proposed 18-mile-long, 230-kV above and below water transmission line extending from the Possession Point control building, over the 7.5-mile-long tidal fence, and to the Anchorage control building; and (7) appurtenant facilities. The proposed project would have an estimated average annual generation of 11,560,000 megawatt-hours.

*Applicant Contact:* Dominic S.F. Lee, P.E., or Tamara L. Smith; Turnagain Arm Tidal Energy Corporation; 821 N St., Suite 201, Anchorage, AK 99501; Ph. (907) 274-7571.

*FERC Contact:* Nick Jayjack, 202-502-6073.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings, please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13509) in the docket number field to

<sup>2</sup> Number of hours an employee works each year.

<sup>3</sup> Estimated mean annual salary of a lawyer.