

Center, *Attn:* CEERD-OT (Ms. Bea Shahin), 2902 Newmark Drive, Champaign, IL 61822-1076.

**FOR FURTHER INFORMATION CONTACT:** Ms. Bea Shahin (217) 373-7234, FAX (217) 373-7210, *e-mail:* [Bea.S.Shahin@usace.army.mil](mailto:Bea.S.Shahin@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** This patent application claims a method by which a biologically-natural material can be produced in bioreactors and transformed for use as a dry solid. The resulting biopolymer material can be used in place of synthetic, petroleum-based polymers for soil amendment applications to achieve increased soil strength, reduced air transport, and decreased soil erosion. During processing, the biopolymer also can be functionalized to improve its adsorption of heavy metals.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 2010-22046 Filed 9-2-10; 8:45 am]

**BILLING CODE 3720-58-P**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

**Notice of Intent To Grant Partially Exclusive License of the United States Patent Application No. 12/243,084, Filed October 01, 2008, Entitled: Soluble Salt Produced From a Biopolymer and a Process for Producing the Salt**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice of intent.

**SUMMARY:** In accordance with 37 CFR 404.7(a)(1)(i), announcement is made of a prospective partially exclusive license of the following U.S. Patent Application 12/243,084, Filed October 01, 2008, to Green & Grow LLC for use in agricultural applications and products (to include crop preparation, cover crop, seed germination, seed coatings, side dressing, lawn application and starter ground cover) and applications in the fields of soil and slope stabilization, enhanced bioremediation, dust and runoff control, fly ash removal, emissions particulate removal, metal and inorganic chelation in soils and water, soil erosion, road stabilizer, and dust suppression.

**DATES:** Written objections must be filed not later than 15 days following publication of this announcement.

**ADDRESSES:** United States Army Engineer Research and Development Center, *Attn:* CEERD-OT (Ms. Bea

Shahin), 2902 Newmark Drive, Champaign, IL 6182-1076.

**FOR FURTHER INFORMATION CONTACT:** Ms. Bea Shahin (217) 373-7234, FAX (217) 373-7210, *e-mail:* [Bea.S.Shahin@usace.army.mil](mailto:Bea.S.Shahin@usace.army.mil).

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**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 2010-22047 Filed 9-2-10; 8:45 am]

**BILLING CODE 3720-58-P**

## DEPARTMENT OF ENERGY

[OE Docket No. EA-171-C]

### Application To Export Electric Energy; Powerex Corp

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Powerex Corp. (Powerex) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act (FPA).

**DATES:** Comments, protests, or requests to intervene must be submitted on or before October 4, 2010.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Electricity Delivery and Energy Reliability, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-586-8008).

**FOR FURTHER INFORMATION CONTACT:** Christopher Lawrence (Program Office) 202-586-5260 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C. 824a(e)).

On February 25, 1998, the DOE issued Order No. EA-171 which authorized Powerex to transmit electric energy from the United States to Canada for a two-year term as a power marketer using existing international transmission facilities. DOE renewed the Powerex export authorization on February 23, 2000, for a five-year term in Order No. EA-171-A, and again for five years on November 18, 2005, in Order No. EA-171-B. That Order will expire on November 18, 2010. On May 19, 2010, Powerex filed an application with DOE for renewal of the export authority contained in Order No. EA-171-B for an additional five-year term.

The electric energy that Powerex proposes to export to Canada would be surplus energy purchased from electric utilities, Federal power marketing agencies, and other entities within the United States. The existing international transmission facilities to be utilized by Powerex have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties.

*Procedural Matters:* Any person desiring to become a party to these proceedings or to be heard by filing comments or protests to this application should file a petition to intervene, comment, or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with DOE on or before the date listed above.

Comments on the Powerex application to export electric energy to Canada should be clearly marked with Docket No. EA-171-C. Additional copies are to be filed directly with Mike MacDougal and Karen McDonald, Powerex Corp., 666 Burrard Street, Suite 1400, Vancouver, British Columbia, Canada V6C 2X8 and Deanna E. King, Bracewell & Giuliani LLP, 111 Congress Avenue, Suite 2300, Austin, Texas 78701. A final decision will be made on this application after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR Part 1021) and after a determination is made by DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at <http://>

[www.oe.energy.gov/permits\\_pending.htm](http://www.oe.energy.gov/permits_pending.htm), or by e-mailing Odessa Hopkins at [Odessa.Hopkins@hq.doe.gov](mailto:Odessa.Hopkins@hq.doe.gov).

Issued in Washington, DC, on August 27, 2010.

**Anthony J. Como,**

Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.

[FR Doc. 2010-22064 Filed 9-2-10; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

[Docket No. EERE-2006-BC-0132]

RIN 1904-AC18

### Building Energy Standards Program: Preliminary Determination Regarding Energy Efficiency Improvements in the Energy Standard for Buildings, Except Low-Rise Residential Buildings, ANSI/ASHRAE/IESNA Standard 90.1-2007

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy

**ACTION:** Notice of preliminary determination.

**SUMMARY:** The Department of Energy (DOE) has preliminarily determined that the 2007 edition of the *Energy Standard for Buildings, Except Low-Rise Residential Buildings*, American National Standards Institute (ANSI)/ American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Illuminating Engineering Society of North America (IESNA) Standard 90.1-2007, (Standard 90.1-2007) would achieve greater energy efficiency in buildings subject to the code, than the 2004 edition (Standard 90.1-2004 or the 2004 edition). Also, DOE has preliminarily determined that the quantitative analysis of the energy consumption of buildings built to Standard 90.1-2007, as compared with buildings built to Standard 90.1-2004, indicates national source energy savings of approximately 3.7 percent of commercial building energy consumption. Additionally, DOE has preliminarily determined site energy savings are estimated to be approximately 4.4 percent. If these determinations are finalized, States would be required to certify that they have reviewed the provisions of their commercial building code regarding energy efficiency, and as necessary, updated their code to meet or exceed Standard 90.1-2007. Additionally, this Notice provides guidance to States on Certifications, and Requests for Extensions of Deadlines for Certification

Statements, should the preliminary determination be adopted as final.

**DATES:** Comments on the preliminary determination must be provided by October 4, 2010.

**ADDRESSES:** You may submit comments, identified by any of the following methods:

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

- *E-mail:* [ronald.majette@ee.doe.gov](mailto:ronald.majette@ee.doe.gov). Include RIN 1904-AC18 in the subject line of the message.

- *Postal Mail:* Mr. Ronald B. Majette, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Forrestal Building, Mail Station EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121, Please submit one signed paper original.
- *Hand Delivery/Courier:* Mr. Ronald B. Majette, U.S. Department of Energy, Building Technologies Program, Room 6003, 1000 Independence Avenue, SW., Washington, DC 20585-0121.

*Instructions:* All submissions must include the agency name, Department of Energy, and docket number, EERE-2006-BC-0132, or Regulatory Information Number (RIN), 1904-AC18, for this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ronald B. Majette, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Forrestal Building, Mail Station EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121, 202-586-7935. For legal issues contact Kavita Patel, U.S. Department of Energy, Office of the General Counsel, Forrestal Building, GC-71, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-0669, e-mail: [Kavita.Patel@hq.doe.gov](mailto:Kavita.Patel@hq.doe.gov).

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## I. Introduction

### A. Statutory Requirements

Title III of the Energy Conservation and Production Act, as amended (ECPA), establishes requirements for the Building Energy Efficiency Standards Program. (42 U.S.C. 6831 *et seq.*) Section 304(b), as amended, of ECPA provides that whenever the ANSI/ASHRAE/IESNA Standard 90.1-1989 (Standard 90.1-1989 or 1989 edition), or any successor to that code, is revised, the Secretary must make a determination, not later than 12 months after such revision, whether the revised code would improve energy efficiency in commercial buildings and must publish notice of such determination in the **Federal Register**. (42 U.S.C. 6833 (b)(2)(A)) The Secretary may determine that the revision of Standard 90.1-1989 or any successor thereof, improves the level of energy efficiency in commercial buildings. If so, then not later than two years after the date of the publication of such affirmative determination, each State is required to certify that it has reviewed and updated the provisions of its commercial building code regarding energy efficiency with respect to the revised or successor code. (42 U.S.C. 6833(b)(2)(B)(i)) The State must include in its certification a demonstration that the provisions of its commercial building code, regarding energy efficiency, meet or exceed the revised standard. (42 U.S.C. 6833(b)(2)(B)(ii))

If the Secretary makes a determination that the revised standard will not improve energy efficiency in commercial buildings, State commercial codes shall meet or exceed the last revised standard for which the Secretary has made a positive determination. (42 U.S.C. 6833(b)(2)(B)(ii)). On December 30, 2008, the Secretary published a determination in the **Federal Register** updating the reference code to Standard 90.1-2004. 73 FR 79868.

ECPA also requires the Secretary to permit extensions of the deadlines for the State certification if a State can demonstrate that it has made a good faith effort to comply with the requirements of Section 304(c) of ECPA and that it has made significant progress in doing so. (42 U.S.C. 6833(c))