

**DEPARTMENT OF ENERGY****[OE Docket No. EA-380]****Application to Export Electric Energy; Freepoint Commodities, LLC****AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.**ACTION:** Notice of application.**SUMMARY:** Freepoint Commodities, LLC has requested 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 to DOE and received on or before July 28, 2011.**ADDRESSES:** Comments, protests, or requests to intervene should be addressed to: Lamont Jackson, Office of Electricity Delivery and Energy Reliability, *Mail Code:* OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to [Lamont.Jackson@hq.doe.gov](mailto:Lamont.Jackson@hq.doe.gov), or by facsimile to 202-586-8008.**FOR FURTHER INFORMATION CONTACT:** Lamont Jackson (Program Office) 202-586-0808.**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 April 15, 2011, DOE received an application from Freepoint Commodities requesting authority to transmit electric energy from the United States to Canada for ten years as a power marketer. Freepoint Commodities proposes to use existing authorized international electric transmission facilities that are appropriate for open access by third parties, including facilities that have been authorized but not yet constructed and placed into operation. Neither Freepoint Commodities nor any of its affiliates owns, controls or operates any electric transmission facilities in the United States.

The electric energy that Freepoint Commodities proposes to export to Canada would be surplus energy purchased from electric utilities and Federal power marketing agencies within the United States. The existing international transmission facilities to

be utilized by Freepoint Commodities 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 and must be received on or before the date listed above.

Comments on the Freepoint Commodities application to export electric energy to Canada should be clearly marked with OE Docket No. EA-380. An additional copy is to be filed directly with Daniel M. Hecht, General Counsel, Freepoint Commodities, LLC, 1281 E. Main Street, Third floor, Stamford, CT 06902 and Margaret A. Moore, Vincenzo Franco, and Julia Wood, Van Ness Feldman, P.C., 1050 Thomas Jefferson St., NW., seventh floor, Washington, DC 20007. 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 have an adverse 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 June 21, 2011.

**Anthony J. Como,***Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. 2011-16146 Filed 6-27-11; 8:45 am]

**BILLING CODE 6450-01-P****DEPARTMENT OF ENERGY****[OE Docket No. EA-379]****Application to Export Electric Energy; Freepoint Commodities, LLC****AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.**ACTION:** Notice of application.**SUMMARY:** Freepoint Commodities, LLC has requested authority to transmit electric energy from the United States to Mexico pursuant to section 202(e) of the Federal Power Act (FPA).**DATES:** Comments, protests, or requests to intervene must be submitted to DOE and received on or before July 28, 2011.**ADDRESSES:** Comments, protests, or requests to intervene should be addressed to: Lamont Jackson, Office of Electricity Delivery and Energy Reliability, *Mail Code:* OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to [Lamont.Jackson@hq.doe.gov](mailto:Lamont.Jackson@hq.doe.gov), or by facsimile to 202-586-8008.**FOR FURTHER INFORMATION CONTACT:** Lamont Jackson (Program Office) 202-586-0808.**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 April 15, 2011, DOE received an application from Freepoint Commodities requesting authority to transmit electric energy from the United States to Mexico for ten years as a power marketer. Freepoint Commodities proposes to use existing authorized international electric transmission facilities that are appropriate for open access by third parties, including facilities that have been authorized but not yet constructed and placed into operation. Neither Freepoint Commodities nor any of its affiliates owns, controls or operates any electric transmission facilities in the United States.

The electric energy that Freepoint Commodities proposes to export to Mexico would be surplus energy purchased from electric utilities and Federal power marketing agencies within the United States. The existing international transmission facilities to be utilized by Freepoint Commodities 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 and must be received on or before the date listed above.

Comments on the Freepoint Commodities application to export electric energy to Mexico should be clearly marked with OE Docket No.EA-379. An additional copy is to be filed directly with Daniel M. Hecht, General Counsel, Freepoint Commodities, LLC, 1281 E. Main Street, Third floor, Stamford, CT 06902 and Margaret A. Moore, Vincenzo Franco, and Julia Wood, Van Ness Feldman, P.C., 1050 Thomas Jefferson St., NW., seventh floor, Washington, DC 20007. 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 have an adverse 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 June 21, 2011.

**Anthony J. Como,**

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

[FR Doc. 2011-16145 Filed 6-27-11; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### **DOE Response to Recommendation 2010-2 of the Defense Nuclear Facilities Safety Board, Pulse Jet Mixing at the Waste Treatment and Immobilization Plant**

**AGENCY:** Department of Energy.

**ACTION:** Notice.

**SUMMARY:** On May 20, 2011, the Defense Nuclear Facilities Safety Board reaffirmed their Recommendation 2010-2, concerning *Pulse Jet Mixing at the Waste Treatment and Immobilization*

*Plant*, to the Department of Energy. In accordance with section 315(b) of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2286d(d), The following represents the Secretary of Energy's final decision on the recommendation and the reasoning for his decision.

**ADDRESSES:** Send comments, data, views, or arguments concerning the Secretary's response to: Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steven Petras, Nuclear Engineer, Departmental Representative to the Defense Nuclear Facilities Safety Board, Office of Health, Safety and Security, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

Issued in Washington, DC on June 20, 2011.

**Mari-Josette Campagnone,**

*Departmental Representative to the Defense Nuclear Facilities Safety Board, Office of Health, Safety and Security.*

June 20, 2011

The Honorable Peter S. Winokur, Chairman, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901.

Dear Mr. Chairman:

This letter responds to your May 20, 2011, letter which reaffirmed the Defense Nuclear Facilities Safety Board (Board) Recommendation 2010-2, *Pulse Jet Mixing (PJM) at the Waste Treatment and Immobilization Plant (WTP)*.

Your reaffirmation letter interpreted the Department of Energy's (DOE) February 10, 2011, response to Recommendation 2010-2 as a rejection of sub-recommendations 3 and 4. The intent of our response was not to reject any of the sub-recommendations, but to clarify the actions being taken to validate the design, operation, and safety of the WTP PJM and transfer systems.

Our response explained that we agreed with both the intent of your Recommendation and that more testing and analyses should be conducted to provide additional confidence that the WTP PJM and transfer systems will achieve design and operating requirements. Since then, we have worked closely to ensure a mutual understanding of your Recommendation. The enclosure to this letter documents the significant progress we have collectively made in achieving the necessary clarification and a path forward for implementing your Recommendation. DOE is encouraged by the level of clarity achieved to date, and confident we have established the foundational premises needed to bring each of the remaining issues to closure, using the Implementation Plan (IP) as the vehicle for documenting a final technical approach that can be mutually endorsed.

This clarification serves to restate my decision to accept your Recommendation

2010-02. We believe our IP will meet the underlying safety improvement objectives of your Recommendation. Pursuant to 42 U.S.C. § 2286e, an IP for this Recommendation will be prepared and delivered to the Board no later than 90 days after publication of this response in the *Federal Register*.

We look forward to further working with the Board and your staff to reach final closure on the intent and scope of deliverables while maintaining our obligations to address Hanford's environmental liabilities. We are confident that the IP for Recommendation 2010-2 is being developed, such that the WTP Project completes its design and construction activities with full assurance of nuclear safety for the life of WTP operations.

Mr. Dale Knutson is the responsible manager for Recommendation 2010-02. If you have any further questions, please contact me or Dr. Inés R. Triay, Assistant Secretary for Environmental Management, at (202) 586-7709.

Sincerely,

Steven Chu

Enclosure

### **Enclosure to 2010-2 Reaffirmation Response**

DOE has taken, and continues to take, steps to increase confidence that the pulse jet-mixed vessels will comply with operating requirements. Your reaffirmation letter highlights several primary elements of the Recommendation, and we believe our shared concerns regarding pulse jet mixing at the Waste Treatment Plant (WTP) will be adequately addressed by the Department of Energy's (DOE) current direction related to resolving pulse jet mixing and transfer system uncertainty. The project will rely on preventing nuclear criticality safety hazards by establishing and implementing waste acceptance criteria (WAC) for any waste transferred to WTP. A large scale test program will be used to determine the performance limits of the mixing, sampling, and transfer systems and its results will be used to confirm the WAC are implemented with due consideration for uncertainties and margins.

Significant progress has been made on achieving the clarifications needed to further develop, and ultimately complete the implementation plan for Defense Nuclear Facilities Safety Board's (Board) Recommendation 2010-2. The Board's May 20, 2011, letter which reaffirmed the Defense Nuclear Facilities Safety Board Recommendation 2010-2, *Pulse Jet Mixing at the Waste Treatment and Immobilization Plant*, identified the following residual concerns; progress in achieving clarification on each of those concerns is provided:

- *Testing must be done at the proper scale to demonstrate the limits of*