

Hanford tanks.<sup>1</sup> The proposed TBI Demonstration would demonstrate a potential supplemental LAW treatment approach.<sup>2</sup>

This Draft WIR Evaluation concerns approximately 2,000 gallons of waste from Hanford tank SY-101, which, under the proposed TBI Demonstration, will be pretreated at the Hanford Site to remove most key radionuclides, then solidified (grouted) offsite and disposed of at a licensed and permitted facility outside the State of Washington. This Draft WIR Evaluation evaluates whether the pretreated and solidified waste will be incidental to reprocessing of spent nuclear fuel, will not be HLW, and may be managed as LLW under the criteria in Section II.B.(2)(a) of the U.S. Department of Energy (DOE) Manual 435.1-1, *Radioactive Waste Management Manual*. This Draft WIR Evaluation demonstrates that the criteria in DOE Manual 435.1-1 will be satisfied.

For the proposed TBI Demonstration, about 2,000 gallons of Tank SY-101 supernate (the uppermost liquid layer of the tank waste that contains low levels of insoluble, long-lived radionuclides) will be pretreated using: In-tank settling, followed by decanting, filtering, and processing through ion exchange media. The decanting (pumping without disturbing the underlying saltcake layer), filtering and ion exchange pretreatment will take place within an In Tank Pretreatment System, installed in Tank SY-101. The pretreated liquid will be transferred into totes (Type A shipping packages). Trucks will transport the shipping packages to a commercial treatment facility, either Perma-Fix Northwest in Richland, Washington, *EnergySolutions*, near Clive, Utah, Perma-Fix Diversified Scientific Services Inc., in Kingston, Tennessee, or Waste Control Specialists LLC, near Andrews, Texas. At the offsite treatment facility, the waste will be solidified in a grout matrix. DOE plans to dispose of the treated and solidified waste as mixed LLW at either the *EnergySolutions* disposal facility near Clive, Utah or the Waste Control

Specialists Federal Waste Facility (WCS FWF), near Andrews, Texas. At this time, DOE has not selected the location of either the solidification facility or the disposal facility.

Section II.B.(2)(a) of DOE Manual 435.1-1 sets forth criteria for determining, based on an evaluation, whether waste is incidental to reprocessing, is not HLW, and may be managed as LLW. Those criteria, in relevant part, are that the wastes: “(1) have been processed, or will be processed, to remove key radionuclides to the maximum extent that is technically and economically practical; (2) will be managed to meet safety requirements comparable to the performance objectives, set out in 10 CFR part 61, subpart C, Performance Objectives; and (3) are to be managed, pursuant to DOE’s authority under the Atomic Energy Act of 1954, as amended, in accordance with the provisions in Chapter IV [of Manual 435.1-1], provided the waste will be incorporated into a solid physical form at a concentration that does not exceed the applicable concentration limits for Class C LLW, as set out in 10 CFR 61.55, Waste Classification.”

This Draft WIR Evaluation demonstrates that the criteria in Section II.B.(2)(a) of DOE Manual 435.1-1 will be met. As to the first criterion, key radionuclides will be removed to the maximum extent technically and economically practical. Pretreatment will remove approximately 98.8% of the key radionuclides (including cesium-137 and its daughter, barium-137m) from the approximately 2,000 gallons of tank SY-101 supernate. About 1.8 curies will remain in the pretreated waste. Regarding the second criterion, the solidified waste will meet the waste acceptance criteria for the *EnergySolutions* disposal facility or the WCS FWF, as applicable, which will ensure that the performance objectives, including doses, will be met for LLW disposal as set forth in the *Utah Administrative Code* and the *Texas Administrative Code*, respectively, which are comparable to the NRC performance objectives at 10 CFR part 61, subpart C. With respect to the third criterion, the pretreated and grouted waste will be in a solid physical form, will be well below the concentration limits for Class C LLW, and is expected to meet concentration limits for Class A LLW.

DOE is consulting with the NRC concerning this Draft WIR Evaluation. DOE is also making this Draft WIR Evaluation available for comments by States, Tribal Nations, stakeholders and the public.

After consultation with the NRC, carefully considering comments received from States, Tribal Nations, stakeholders and the public, and performing any necessary revisions of analyses and technical documents, DOE plans to prepare a final WIR Evaluation. Based on the final WIR Evaluation, DOE may determine (in a future WIR Determination) whether the waste is incidental to reprocessing, is not HLW, and may be managed as LLW. If DOE issues a Final WIR Evaluation and WIR Determination in the future, then the pretreated LAW discharged from the tank—from which key radionuclides will have been removed to the maximum extent technically and economically practical—will be managed as LLW, subject to the analysis and commitments in the Final WIR Evaluation and WIR Determination.<sup>3</sup>

### Signing Authority

This document of the Department of Energy was signed on October 29, 2021, by Mark A. Gilbertson, Associate Principal Deputy Assistant Secretary for Regulatory and Policy Affairs, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on November 2, 2021.

**Treena V. Garrett,**

*Federal Register Liaison Officer, U.S. Department of Energy.*

[FR Doc. 2021-24213 Filed 11-4-21; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

[Docket No. 21-99-LNG]

### **Carib Energy (USA) LLC; Application for Blanket Authorization To Export Previously Imported Liquefied Natural Gas to Non-Free Trade Agreement Countries on a Short-Term Basis**

**AGENCY:** Office of Fossil Energy and Carbon Management, Department of Energy.

<sup>3</sup> It follows that such LLW will be appropriately stored, transported, solidified, and disposed of as LLW.

<sup>1</sup> See *Record of Decision for the Final Tank Closure and Waste Management Environmental Impact Statement for the Hanford Site, Richland, Washington*. 78 FR 75913 (Dec. 13, 2013).

<sup>2</sup> Implementation of the proposed TBI Demonstration is contingent upon completion of analysis and documentation required pursuant to the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321, *et seq.* (NEPA). DOE prepared a Draft Environmental Assessment for the proposed TBI Demonstration, *Draft Environmental Assessment of the Test Bed Initiative Demonstration* (DOE/EA-2086) and provided it to the host and affected States and Indian Tribes, for a 14-day comment period, on August 17, 2021.

**ACTION:** Notice of application.

**SUMMARY:** The Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) gives notice (Notice) of receipt of an application (Application), filed on September 14, 2021, by Carib Energy (USA) LLC (Carib Energy). Carib Energy requests blanket authorization to export liquefied natural gas (LNG) previously imported into the United States by vessel from foreign sources in a volume equivalent to 0.48 billion cubic feet per year (Bcf/yr) of natural gas on a cumulative basis over a two-year period. Carib Energy filed the Application under the Natural Gas Act (NGA).

**DATES:** Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed electronically as detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, December 6, 2021.

**ADDRESSES:**

*Electronic Filing by email: fergas@hq.doe.gov.*

Although DOE has routinely accepted public comment submissions through a variety of mechanisms, including postal mail and hand delivery/courier, DOE has found it necessary to make temporary modifications to the comment submission process in light of the ongoing Covid-19 pandemic. DOE is currently accepting only electronic submissions at this time. If a commenter finds that this change poses an undue hardship, please contact Office of Resource Sustainability staff at (202) 586-2627 or (202) 586-4749 to discuss the need for alternative arrangements. Once the Covid-19 pandemic health emergency is resolved, DOE anticipates resuming all of its regular options for public comment submission, including postal mail and hand delivery/courier.

**FOR FURTHER INFORMATION CONTACT:**

Beverly Howard or Jennifer Wade, U.S. Department of Energy (FE-34) Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability, Office of Fossil Energy and Carbon Management,<sup>1</sup> Forrestal Building, Room 3E-042, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-9387 or (202) 586-4749, *beverly.howard@hq.doe.gov* or *jennifer.wade@hq.doe.gov*.

Cassandra Bernstein, U.S. Department of Energy (GC-76) Office of the Assistant General Counsel for Electricity and

Fossil Energy, Forrestal Building, Room 6D-033, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-9793, *cassandra.bernstein@hq.doe.gov*.

**SUPPLEMENTARY INFORMATION:** Carib Energy requests a blanket authorization to export LNG that has been previously imported into the United States from foreign sources for a two-year period. Carib Energy states that it will purchase the LNG primarily from the Crowley LNG Puerto Rico Truck Loading Facility (Crowley Facility), located in Peñuelas, Puerto Rico.<sup>2</sup> Carib Energy states that the Crowley Facility will receive LNG that has been imported into Puerto Rico from locations outside the United States via the EcoElectrica LNG Terminal. Carib Energy proposes to export the LNG from the Crowley Facility by use of approved IM07/TVAC-ASME LNG containers (ISO containers) transported on ocean-going container vessels to any country within Central America, South America, or the Caribbean with which trade is not prohibited by U.S. law or policy.<sup>3</sup> This includes both countries with which the United States has entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries) and all other countries (non-FTA countries). This Notice applies only to the portion of the Application requesting authority to export the previously imported LNG to non-FTA countries pursuant to section 3(a) of the NGA, 15 U.S.C. 717b(a).

Carib Energy requests that the authorization commence on the earlier of either the first date of re-export of LNG, or five years from the date on which DOE issues an order granting the requested authorization. Carib Energy further requests this authorization on its own behalf and as agent for other parties who hold title to the LNG at the time of export. Additional details can be found in Carib Energy's Application, posted on the DOE website at: *www.energy.gov/sites/default/files/2021-09/21-99-LNG.pdf*.

**DOE Evaluation**

In reviewing Carib Energy's Application, DOE will consider any issues required by law or policy. DOE will consider domestic need for the gas,

<sup>2</sup> Carib Energy states that it is a wholly-owned subsidiary of Crowley Shipping, Inc. Carib Energy further states that Crowley LNG Puerto Rico constructed the Crowley Facility and owns and controls the site on which the Crowley Facility is located.

<sup>3</sup> See also Email from Greg Buffington, Crowley Shipping, to DOE, Docket No. 21-99-LNG (Oct. 26, 2021) (stating that Carib Energy proposes to export this LNG via ISO containers only).

as well as any other issues determined to be appropriate, including whether the arrangement is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. Parties that may oppose this application should comment in their responses on these issues.

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its NEPA responsibilities.

**Public Comment Procedures**

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of intervention, as applicable. Interested parties will be provided 30 days from the date of publication of this Notice in which to submit comments, protests, motions to intervene, or notices of intervention.

Any person wishing to become a party to the proceeding must file a motion to intervene or notice of intervention. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by the regulations in 10 CFR part 590.

As noted, DOE is only accepting electronic submissions at this time. Please email the filing to *fergas@hq.doe.gov*. All filings must include a reference to "Docket No. 21-99-LNG" or "Carib Energy Application" in the title line.

*Please Note:* Please include all related documents and attachments (e.g., exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner. Any hardcopy filing submitted greater in length than 50 pages must also include, at the time of the filing, a digital copy on disk of the entire submission.

The Application and any filed protests, motions to intervene, notices of

<sup>1</sup> The Office of Fossil Energy changed its name to the Office of Fossil Energy and Carbon Management on July 4, 2021.

interventions, and comments will also be available electronically by going to the following DOE Web address: <https://www.energy.gov/fecm/division-natural-gas-regulation>.

A decisional record on the Application will be developed through responses to this Notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the Application and responses filed by parties pursuant to this Notice, in accordance with 10 CFR 590.316.

Signed in Washington, DC, on October 29, 2021.

**Amy Sweeney,**

*Director, Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability.*

[FR Doc. 2021-24214 Filed 11-4-21; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL22-4-000]

#### Tri-State Generation and Transmission Association, Inc.; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On October 29, 2021, the Commission issued an order in Docket No. EL22-4-000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation into whether Tri-State Generation and Transmission Association, Inc.'s methodology and procedures for determining a Contract Termination Payment is unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *Tri-State Generation and Transmission Association, Inc., LLC*, 177 FERC ¶ 61,059 (2021).

The refund effective date in Docket No. EL22-4-000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL22-4-000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and

Procedure, 18 CFR 385.214 (2020), within 21 days of the date of issuance of the order.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFile" link at <http://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Dated: November 1, 2021.

**Debbie-Anne A. Reese,**

*Deputy Secretary.*

[FR Doc. 2021-24260 Filed 11-4-21; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP19-193-000]

#### Columbia Gulf Transmission, LLC; Notice of Request for Extension of Time

Take notice that on October 26, 2021, Columbia Gulf Transmission, LLC (Columbia Gulf) requested that the Federal Energy Regulatory Commission (Commission) grant an extension of time, until November 15, 2022, in order to place the replacement facilities of the Mainline 100 and Mainline 200 Replacement Project (Project) into service, in Menifee and Montgomery

Counties, Kentucky, as authorized as part of Columbia Gulf's Project in the November 15, 2019 Order Granting Certificate and Approving Abandonment<sup>1</sup> (November 15 Order). The November 15 Order required Columbia Gulf to complete construction and make the facilities available for service within one year of the order date.

On July 7, 2020, Columbia Gulf requested an extension of time until November 15, 2021 to place the replacement facilities into service, to allow additional time for the U.S. Department of Transportation ("DOT") to reach a decision on Columbia Gulf's application for a special permit. The special permit would allow Columbia Gulf to operate the segments of Mainline 100 and 200 proposed for replacement as part of the Project at the current MAOP without pipe replacement work or further action to maintain compliance with DOT regulations. On August 6, 2020, the Commission granted Columbia Gulf an extension of time until November 15, 2021.

The special permit application Columbia Gulf submitted to DOT on October 15, 2019 has yet to receive a determination. In order to provide DOT with additional time necessary to make a determination on Columbia Gulf's special permit application, Columbia Gulf respectfully requests a further extension of time to and including November 15, 2022, to place the replacement facilities into service. Upon receipt of the special permit, Columbia Gulf would, pursuant to Rule 212 of the Rules of Practice and Procedures of the Commission, 18 CFR 385.212, Columbia Gulf would submit a Motion to Vacate the authorizations granted in the November 15 Order with respect to the Mainline 100 and Mainline 200 Replacement Project. If unsuccessful in obtaining the special permit, Columbia Gulf would notify the Commission of its intent to begin construction of the Project to comply with DOT requirements and submit a revision to its Implementation Plan reflecting an updated construction schedule.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on Columbia Gulf's request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene

<sup>1</sup> *Columbia Gulf Transmission, LLC*, 169 FERC ¶ 62,084 (2019).