

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. CP23–516–000]

East Tennessee Natural Gas, LLC; Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Ridgeline Expansion Project Request for Comments on Environmental Issues, and Schedule for Environmental Review

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental impact statement (EIS) that will discuss the environmental impacts of the Ridgeline Expansion Project (Project) involving construction and operation of facilities by East Tennessee Natural Gas, LLC (East Tennessee) in Trousdale, Smith, Jackson, Putnam, Overton, Fentress, Morgan, and Roane counties, Tennessee. The Commission will use this EIS in its decision-making process to determine whether the Project is in the public convenience and necessity. The schedule for preparation of the EIS is discussed in the *Schedule for Environmental Review* section of this notice.

As part of the National Environmental Policy Act (NEPA) review process, the Commission takes into account concerns the public may have about proposals and the environmental impacts that could result whenever it considers the issuance of a Certificate of Public Convenience and Necessity. This gathering of public input is referred to as “scoping.” By notice issued on July 22, 2022 in Docket No. PF22–7–000, the Commission opened a scoping period during East Tennessee’s planning process for the Project and prior to filing a formal application with the Commission, a process referred to as “pre-filing.” East Tennessee has now filed an application with the Commission, and staff intends to prepare an EIS that will address the concerns raised during the pre-filing scoping process and comments received in response to this notice. By this notice, the Commission requests public comments on the scope of issues to address in the environmental document, including comments on potential alternatives and impacts, and any relevant information, studies, or analyses of any kind concerning impacts affecting the quality of the human environment. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in

Washington, DC on or before 5:00 p.m. Eastern Time on October 18, 2023. Comments may be submitted in written form. Further details on how to submit comments are provided in the *Public Participation* section of this notice.

As mentioned above, during the pre-filing process, the Commission opened a scoping period which expired on October 20, 2022; however, Commission staff continued to accept comments during the entire pre-filing process. Staff also held three scoping sessions to take oral scoping comments. Those sessions were held in Kingston, Hartsville, and Cookeville, Tennessee on October 3, 4, and 5, 2022, respectively. All substantive written and oral comments provided during pre-filing will be addressed in the EIS. Therefore, if you submitted comments on this Project to the Commission during the pre-filing process in Docket No. PF22–7–000, you do not need to file those comments again.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable easement agreement. You are not required to enter into an agreement. However, if the Commission approves the Project, the Natural Gas Act conveys the right of eminent domain to the company. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with State law. The Commission does not grant, exercise, or oversee the exercise of eminent domain authority. The courts have exclusive authority to handle eminent domain cases; the Commission has no jurisdiction over these matters.

East Tennessee provided landowners with a fact sheet prepared by the FERC entitled “An Interstate Natural Gas Facility On My Land? What Do I Need To Know?” which addresses typically asked questions, including the use of eminent domain and how to participate in the Commission’s proceedings. This fact sheet along with other landowner topics of interest are available for viewing on the FERC website (www.ferc.gov) under the Natural Gas, Landowner Topics link.

Public Participation

There are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of

comments and has staff available to assist you at (866) 208–3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature, which is located on the Commission’s website (www.ferc.gov) under the link to FERC Online. Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature, which is located on the Commission’s website (www.ferc.gov) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on “eRegister.” You will be asked to select the type of filing you are making; a comment on a particular project is considered a “Comment on a Filing”; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP23–516–000) on your letter. 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.

Additionally, the Commission offers a free service called eSubscription. This service provides automatic notification of filings made to subscribed dockets, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

The Commission’s Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Summary of the Proposed Project, the Project Purpose and Need, and Expected Impacts

East Tennessee proposes to construct, modify, install, own, and operate 122 miles of 30- and 24-inch-diameter pipeline in Trousdale, Smith, Jackson, Putnam, Overton, Fentress, Morgan, and Roane counties, Tennessee to deliver natural gas to the site of Tennessee Valley Authority's (TVA) Kingston Fossil Plant (Kingston Plant). TVA is evaluating options to replace coal-fired generation with gas-fired generation at the Kingston Plant; including the option of constructing a single gas-fired combined cycle gas plant paired with 16 dual-fuel aeroderivative combustion turbines at the same site.¹ The Project would serve that option and provide about 300,000 dekatherms per day of new firm natural gas transportation capacity and up to 95,000 dekatherms of Customized Delivery Service (*i.e.*, parking capability) from multiple providers to TVA to meet fluctuating peaking power demands.

The Project would consist of the following facilities:

- 110 miles of 30-inch-diameter mainline pipeline and approximately 4 miles of 30-inch-diameter header pipeline (collectively referred to as the Mainline);
- 8 miles of 24-inch-diameter lateral pipeline (Lateral) to connect to the Kingston Plant;
- a new compressor station (Hartsville Compressor Station) consisting of two centrifugal compressor packages driven by electric motor drives rated to 7,300 horsepower (HP) for a total of 14,600 HP;
- a new meter and regulating (M&R) station to receive gas from Columbia Gulf Transmission, LLC (Columbia Gulf);
- modifications to two existing M&R stations to receive gas from Texas Eastern Transmission, LP (Texas Eastern) and Midwestern Gas Transmission Company (Midwestern Gas);
- a new delivery meter station to measure gas delivered to the Kingston Plant; and
- related appurtenances.

The general location of the Project facilities is shown in appendix 1.²

¹ In its Kingston Fossil Plant Retirement Draft Environmental Impact Statement (88 FR 32215).

² The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at www.ferc.gov using the link called "eLibrary". For instructions on connecting to eLibrary, refer to the last page of this notice. At this time, the Commission has suspended access to the Commission's Public Reference Room.

Based on the environmental information provided by East Tennessee, construction of the proposed facilities would disturb about 2,514.5 acres of land for the pipelines and aboveground facilities. Following construction, East Tennessee would maintain about 755.7 acres for operation of the Project facilities; the remaining acreage would be restored and revert to former uses. About 91 percent of the proposed pipeline route parallels the existing East Tennessee's 3100 Line and an additional 1.8 miles of the proposed pipeline would be collocated with an existing power transmission right-of-way.

Based on an initial review of East Tennessee's proposal and public comments received during the pre-filing process, Commission staff have identified several expected impacts that deserve attention in the EIS. These include but are not limited to potential impacts on the Flynn Creek Impact Crater, Fort Blount, the Obed Wild & Scenic River and tributary crossings, socioeconomic and environmental justice concerns, water quality, threatened and endangered species, cultural resources, property values, safety concerns, and climate change.

The NEPA Process and the EIS

The EIS issued by the Commission will discuss impacts that could occur as a result of the construction and operation of the proposed Project under the relevant general resource areas:

- geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- threatened and endangered species;
- cultural resources;
- socioeconomics and environmental justice;
- land use;
- air quality and noise; and
- reliability and safety.

Commission staff will also make recommendations on how to lessen or avoid impacts on the various resource areas. Your comments will help Commission staff focus its analysis on the issues that may have a significant effect on the human environment.

The EIS will present Commission staff's independent analysis of the issues. The U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and National Park Service are cooperating agencies in the preparation of the EIS.³ Staff will

For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll free, (886) 208-3676 or TTY (202) 502-8659.

³ The Council on Environmental Quality regulations addressing cooperating agency

prepare a draft EIS which will be issued for public comment. Commission staff will consider all timely comments received during the comment period on the draft EIS and revise the document, as necessary, before issuing a final EIS. Any draft and final EIS will be available in electronic format in the public record through eLibrary⁴ and the Commission's natural gas environmental documents web page (<https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents>). If eSubscribed, you will receive instant email notification when the environmental document is issued.

Alternatives Under Consideration

The EIS will evaluate reasonable alternatives that are technically and economically feasible and meet the purpose and need for the proposed action.⁵ Alternatives currently under consideration include:

- the no-action alternative, meaning the Project is not implemented;
- existing natural gas transportation system alternatives;
- pipeline alternatives; and
- aboveground facility alternatives.

With this notice, the Commission requests specific comments regarding any additional potential alternatives to the proposed action or segments of the proposed action. Please focus your comments on reasonable alternatives (including alternative facility sites and pipeline routes) that meet the Project objectives, are technically and economically feasible, and avoid or lessen environmental impact.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate section 106 consultation with the applicable State Historic Preservation Office(s), and other government agencies, interested Indian tribes, and the public to solicit their views and concerns regarding the Project's potential effects on historic properties.⁶ The EIS will document findings on the impacts on historic

responsibilities are at Title 40 Code of Federal Regulations (CFR), Section 1501.8 (2021).

⁴ For instructions on connecting to eLibrary, refer to the last page of this notice.

⁵ 40 CFR 1508.1(z).

⁶ The Advisory Council on Historic Preservation's regulations are at Title 36 CFR part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

properties and summarize the status of consultations under section 106.

Schedule for Environmental Review

On July 28, 2023, the Commission issued its Notice of Application for the Project. Among other things, that notice alerted other agencies issuing Federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on the request for a Federal authorization within 90 days of the date of issuance of the Commission staff's final EIS for the Project. This notice identifies the Commission staff's planned schedule for

completion of the final EIS for the Project, which is based on an issuance of the draft EIS in February 2024. Issuance of Notice of Availability of the final EIS—September 20, 2024 90-day Federal Authorization Decision Deadline⁷—December 19, 2024

If a schedule change becomes necessary for the final EIS, an additional notice will be provided so that the relevant agencies are kept informed of the Project's progress.

Permits and Authorizations

The table below lists the anticipated permits and authorizations for the

Project required under Federal law. This list may not be all-inclusive and does not preclude any permit or authorization if it is not listed here. Agencies with jurisdiction by law and/or special expertise may formally cooperate in the preparation of the Commission's EIS and may adopt the EIS to satisfy its NEPA responsibilities related to this Project. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the *Public Participation* section of this notice.

| Agency | Permit |
|--|--|
| Federal Energy Regulatory Commission U.S. Army Corps of Engineers, Nashville District | Certificate of Public Convenience and Necessity under Section 7(c) of the NGA. Authorization under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act; Permission under Section 14 of the Rivers and Harbors Act (Section 408). |
| Tennessee Valley Authority U.S. Fish and Wildlife Service, Tennessee Field Office | Section 26a of the Tennessee Valley Authority Act Authorization. Consultation under Section 7 of the Endangered Species Act, Bald and Golden Eagle Protection Act, and Migratory Bird Treaty Act. |
| Tennessee Department of Environment and Conservation, Water Division. | Section 401 Water Quality Certification (Joint Application with U.S. Army Corps of Engineers). |
| Tennessee Historical Commission | National Historic Preservation Act, Section 106 Consultation. |

Environmental Mailing List

This notice is being sent to the Commission's current environmental mailing list for the Project which includes Federal, State, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for Project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the Project and includes a mailing address with their comments. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed

Project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please complete one of the following steps:

Send an email to GasProjectAddressChange@ferc.gov stating your request. You must include the docket number CP23-516-000 in your request. If you are requesting a change to your address, please be sure to include your name and the correct address. If you are requesting to delete your address from the mailing list, please include your name and address as it appeared on this notice. This email address is unable to accept comments.

OR

(1) Return the attached "Mailing List Update Form" (appendix 2).

Additional Information

Additional information about the Project is available from the

Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at www.ferc.gov using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number in the "Docket Number" field, excluding the last three digits (*i.e.*, CP23-516). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits will be posted on the Commission's calendar located at <https://www.ferc.gov/news-events/events> along with other related information.

Dated: September 18, 2023.

Kimberly D. Bose,
Secretary.

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Appendix 1

⁷ The Commission's deadline applies to the decisions of other Federal agencies, and state agencies acting under federally delegated authority,

that are responsible for Federal authorizations, permits, and other approvals necessary for proposed projects under the Natural Gas Act. Per

18 CFR 157.22(a), the Commission's deadline for other agency's decisions applies unless a schedule is otherwise established by Federal law.

Appendix 2

Docket No. CP23-516-000

Appendix 2

MAILING LIST UPDATE FORM

Ridgeline Expansion Project

Name _____

Agency _____

Address _____

City _____ State _____ Zip Code _____

Please update the mailing list

Please remove my name from the mailing list

FROM _____

ATTN: OEP - Gas 2, PJ - 11.2
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Docket No. CP23-516-000
Ridgeline Expansion Project

Staple or Tape Here

[FR Doc. 2023-20571 Filed 9-21-23; 8:45 am]
BILLING CODE 6717-01-C

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2003-0004; FRL-11389-01-OCSPP]

Access to Confidential Business Information by Eastern Research Group (ERG) and Its Subcontractors

AGENCY: Environmental Protection Agency (EPA).
ACTION: Notice.

SUMMARY: EPA has authorized the following contractor and subcontractors to access information which has been submitted to EPA under all sections of the Toxic Substances Control Act (TSCA), some of which may be claimed or determined to be confidential business information (CBI): Eastern Research Group Inc. (ERG) of Lexington, MA/Chantilly, VA and its subcontractors as listed in Unit III.

DATES: Access will occur no sooner than September 29, 2023.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2003-0004, is available at <https://www.regulations.gov>. Additional instructions on accessing the docket, along with more information about

dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Colby Lintner, Program Management and Operations Division (7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-8182; email address: lintner.colby@epa.gov or Adam Schwoerer; telephone number: (202) 564-4767; email address: schwoerer.adam@epa.gov.

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this action apply to me?

This action is directed to the public in general. This action may, however, be of interest to all who manufacture, process, or distribute industrial chemicals. Because other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

II. What is the Agency's authority for taking this action?

This notice is provided pursuant to section 14 of the Toxic Substances

Control Act (TSCA), 15 U.S.C. 2601 *et seq.*, and EPA implementing regulations in 40 CFR part 2.

III. What action is the Agency taking?

Under EPA contract number 68HERC23D0006, Eastern Research Group (ERG) and its subcontractors as identified in this unit will provide support for Chemical Screening, Review, and Evaluation of New, Existing, and Safer Choice Chemical Substances in accordance with the Performance Work Statement which are vital to Agency personnel to make informed decisions on environmental issues and other information that maybe claimed as TSCA CBI in accordance with the TSCA Security Manual.

In accordance with 40 CFR 2.306(j), EPA has determined that to perform successfully the duties specified under EPA contract number 68HERC23D0006, the contractor and its subcontractors will require access to information that may contain CBI submitted under all sections of TSCA. As such, personnel of the contractor and its subcontractors will be given access to information that may be claimed or determined to be CBI information submitted to EPA under all sections of TSCA.

EPA is issuing this notice to inform all submitters of information under all sections of TSCA that EPA will provide the herein identified contractor and its subcontractors with access to the CBI