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Dated: December 22, 2016.

**Nadya Chinoy Dabby,**

*Assistant Deputy Secretary for Innovation and Improvement.*

[FR Doc. 2016-31418 Filed 12-27-16; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### [Certification Notice—244]

#### Notice of Filing of Self-Certification of Coal Capability Under the Powerplant and Industrial Fuel Use Act

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

**ACTION:** Notice of filing.

**SUMMARY:** On December 6, 2016, Moxie Freedom LLC, as owner and operator of a new baseload electric generating powerplant, submitted a coal capability self-certification to the Department of Energy (DOE) pursuant to § 201(d) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA), as amended, and DOE regulations in 10 CFR 501.60, 61. The FUA and regulations thereunder require DOE to publish a notice of filing of self-certification in the **Federal Register**. 42 U.S.C. 8311(d) and 10 CFR 501.61(c).

**ADDRESSES:** Copies of coal capability self-certification filings are available for public inspection, upon request, in the Office of Electricity Delivery and Energy Reliability, Mail Code OE-20, Room 8G-024, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Christopher Lawrence at (202) 586-5260.

**SUPPLEMENTARY INFORMATION:** Title II of FUA, as amended (42 U.S.C. 8301 *et seq.*), provides that no new base load electric powerplant may be constructed or operated without the capability to use coal or another alternate fuel as a primary energy source. Pursuant to the FUA, in order to meet the requirement of coal capability, the owner or operator

of such a facility proposing to use natural gas or petroleum as its primary energy source shall certify to the Secretary of Energy (Secretary) prior to construction, or prior to operation as a base load electric powerplant, that such powerplant has the capability to use coal or another alternate fuel. Such certification establishes compliance with FUA section 201(a) as of the date it is filed with the Secretary. 42 U.S.C. 8311.

The following owner of a proposed new baseload electric generating powerplant has filed a self-certification of coal-capability with DOE pursuant to FUA section 201(d) and in accordance with DOE regulations in 10 CFR 501.60, 61:

OWNER: Moxie Freedom LLC  
CAPACITY: 1029 megawatts (MW)  
PLANT LOCATION: 237 Mingle Inn Road, Berwick, PA 18603  
IN-SERVICE DATE: May 2018

Issued in Washington, DC, on December 21, 2016.

**Christopher Lawrence,**

*Electricity Policy Analyst, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. 2016-31336 Filed 12-27-16; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP17-6-000]

#### Texas Eastern Transmission, LP; Notice of Intent To Prepare an Environmental Assessment for the Proposed Idle Line 1 Abandonment Project, and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Idle Line 1 Abandonment Project involving the abandonment of pipeline facilities by Texas Eastern Transmission, LP (Texas Eastern) in Fayette, Pickaway, Fairfield, Perry, Muskingum, Noble, and Monroe Counties, Ohio; Marshall County, West Virginia; and Greene County, Pennsylvania. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. You can make a difference by providing

us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before January 20, 2017.

If you sent comments on this project to the Commission before the opening of this docket on October 28, 2016, you will need to file those comments in Docket No. CP17-6-000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this 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 are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an agreement to conduct the abandonment activities. Texas Eastern 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?" This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC Web site ([www.ferc.gov](http://www.ferc.gov)).

#### Public Participation

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or [efiling@ferc.gov](mailto:efiling@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 on the Commission's Web site ([www.ferc.gov](http://www.ferc.gov)) under the link to *Documents and Filings*. This 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 on the Commission's Web site ([www.ferc.gov](http://www.ferc.gov)) under the link to *Documents and Filings*. 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.” If you are filing a comment on a particular project, please select “Comment on a Filing” as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (CP17-6-000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

### Summary of the Proposed Project

Texas Eastern proposes to abandon in place and by removal approximately 165 miles of existing, idle Line 1 pipeline that runs from Fayette County, Ohio, to Greene County, Pennsylvania. Specifically, Texas Eastern is proposing to abandon portions of the Line 1 pipeline that were placed into idle service in 1989 including three segments of 24-inch pipeline, associated lateral lines 10-L and 10-M, metering and regulating facilities 70054 and 70005, and other related aboveground facilities.

The project would eliminate the need for future operating and maintenance expenditures on facilities that have been removed from service for many years. Texas Eastern has stated that abandonment of these idle facilities would not impact certificated parameters on Texas Eastern’s system or affect service to existing customers of Texas Eastern. Texas Eastern has also stated that it has no current or reasonably foreseeable plans to use the Line 1 pipeline within the project areas following abandonment.

Texas Eastern would abandon in place the following facilities:

- 5.03 miles of Texas Eastern’s 24-inch-diameter Line 1 from milepost 837.05 in Fayette County, OH to milepost 842.08 in Pickaway County, OH (Segment 1);
- 155.37 miles of Texas Eastern’s 24-inch-diameter Line 1 from milepost 848.33 in Pickaway County, OH to milepost 1003.7 in Green County, PA (Segment 2);
- 5.48 miles of Texas Eastern’s 24-inch-diameter Line 1 from milepost 1004.35 to 1009.83 in Greene County, PA (Segment 3);
- 0.5 miles of Texas Eastern’s 8-inch Line 10-M in Marshall County, WV;
- 0.07 miles of Texas Eastern’s 4.5-inch Line 10-L in Greene County, PA; and
- Metering and Regulation facilities 70054 and 70005, and related launcher/receiver barrels, mainline valves, and

other appurtenances would also be removed.

The general location of the Project is shown in appendix 1.<sup>1</sup>

### Land Requirements for Construction

Project construction activities would result in temporary disturbance of about 130 acres of land. This would consist of 40.4 acres associated with activities related to abandonment in place, 71.3 acres for activities associated with abandonment by removal, and 9.7 acres associated with use of a construction wareyard. Land disturbed by abandonment activities would primarily occur within Texas Eastern’s existing, previously disturbed right-of-way.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>2</sup> to discover and address concerns the public may have about proposals. This process is referred to as “scoping.” The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the abandonment of the proposed project under these general headings:

- Geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife;
- endangered and threatened species;
- public safety; and
- cumulative impacts.

We will also evaluate reasonable alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. The EA will be

<sup>1</sup> The appendices referenced in this notice will not appear in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at [www.ferc.gov](http://www.ferc.gov) using the link called “eLibrary” or from the Commission’s Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

<sup>2</sup> “We,” “us,” and “our” refer to the environmental staff of the Commission’s Office of Energy Projects.

available in the public record through eLibrary. Depending on the comments received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before making our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate with us in the preparation of the EA.<sup>3</sup> 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.

### Consultations 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, we are using this notice to initiate consultation with the applicable State Historic Preservation Office(s) (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project’s potential effects on historic properties.<sup>4</sup> We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPO(s) as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

### Currently Identified Environmental Issues

We have already identified some issues that we think deserve attention based on a preliminary review of the

<sup>3</sup> The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

<sup>4</sup> The Advisory Council on Historic Preservation’s regulations are at Title 36, Code of Federal Regulations, 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.

proposed facilities and the environmental information provided by Texas Eastern. This preliminary list of issues may be changed based on your comments and our analysis.

- *Water Quality and Fisheries*—A number of pipeline sections would be removed from beneath stream beds by excavation.

- *PCB Contamination*—Portions of the pipeline to be abandoned may contain polychlorinated biphenyls (PCBs).

#### Environmental Mailing List

The environmental mailing list 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. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If we publish and distribute the EA, copies of the EA will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).

#### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an "intervenor" which is an official party to the Commission's proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the "Document-less Intervention Guide" under the "e-filing" link on the Commission's Web site. Motions to intervene are more fully described at <http://www.ferc.gov/resources/guides/how-to/intervene.asp>.

#### 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 Web site at [www.ferc.gov](http://www.ferc.gov) using the "eLibrary" link. Click on the eLibrary link, click on "General Search" and enter the docket number, excluding the last three digits in the Docket Number field (i.e., CP17-6-000). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to [www.ferc.gov/docs-filing/esubscription.asp](http://www.ferc.gov/docs-filing/esubscription.asp).

Finally, any public sessions or site visits will be posted on the Commission's calendar located at [www.ferc.gov/EventCalendar/EventsList.aspx](http://www.ferc.gov/EventCalendar/EventsList.aspx) along with other related information.

Dated: December 21, 2016.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2016-31341 Filed 12-27-16; 8:45 am]

**BILLING CODE 6717-01-P**

#### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

[Project No. 9543-012]

#### North Snake Ground Water District, Magic Valley Ground Water District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District and Southwest Irrigation District (Districts); Notice of Application Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- Type of Proceeding:* Surrender of Exemption (Conduit).
- Project No.:* 9543-012.
- Date Filed:* November 25, 2016.

- Exemptee:* North Snake Ground Water District, Magic Valley Ground Water District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District and Southwest Irrigation District (Districts).
- Name of Project:* Rim View Hydroelectric Project.

- Location:* The project is located At Rim View's fish hatchery in Gooding County, Idaho.

- Filed Pursuant to:* 18 CFR 4.95.

- Exemptee Contact:* Randall C. Budge, Joseph G. Ballstaedt, Racine Olson Nye Budge & Bailey, Chartered, 201 E. Center St./P.O. Box 1391, Pocatello, Idaho 83204, Telephone: (208) 232-6101, fax: (208) 232-6109, [rcb@racinelaw.net](mailto:rcb@racinelaw.net) and [jgb@racinelaw.net](mailto:jgb@racinelaw.net).

- FERC Contact:* Mr. M. Joseph Fayyad, (202) 502-8759, [mo.fayyad@ferc.gov](mailto:mo.fayyad@ferc.gov).

- Deadline for filing comments, interventions and protests is 30 days from the issuance date of this notice by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene, protests and comments using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P-9543-012.

- Description of Project Facilities:* The project consists of: (1) A penstock intake; (2) a 300-foot-long, 60-inch-diameter, buried steel penstock; (3) an 18-inch-diameter steel pipe connecting the downstream end of the overflow bypass structure to the penstock; and (4) a powerhouse containing one 250-kW generating unit emptying into an existing distribution ditch for fish ponds.

- Description of Proceeding:* The Districts state they want to surrender the conduit exemption because the inoperable project would not be economical to restore and operate. On March 14, 2011, the Districts purchased the project from Rim View LLC, and under the purchase and sale agreement, Rim View LLC continued to operate the hydropower plant until around