

national source factors for electricity should decline over a 30-year period, or a projected value representing the 2030 or 2040 timeframe should be selected, or account for the increased prevalence of renewable energy on the utility grid.

*Response:* DOE acknowledges that the primary energy sources for electricity generation are changing and agrees in principle that renewable energy will likely result in lower site-source ratios in the future. However, DOE's determination methodology is based simply on a comparison of the first-year energy cost savings of the 2018 IECC (relative to the previous 2015 IECC). The calculation relies on current factors and does not make projections beyond the first year, as would be necessary to apply the site-source conversion factors suggested by the comment. The out-year approach would also further introduce risk associated with future uncertainties regarding fuel prices, the shares and distribution of heating fuels among new residences, the regional distribution of new residences, or the mix of primary energy sources for electricity generation. DOE therefore elects not to incorporate the suggested change, although it notes that declining factors may be appropriate for other forms of analysis where building energy code impacts are projected into the future or assessed relative to changing grid conditions.

### III. Determination Statement

Residential buildings meeting the 2018 IECC (compared to the previous 2015 IECC edition) are expected to incur the following savings on a weighted national average basis:

- 1.68 percent of annual *site energy*;
- 1.91 percent of annual *source energy*, and;
- 1.97 percent of annual *energy costs*.

DOE has rendered the conclusion that the 2018 IECC will improve energy efficiency in residential buildings, and, therefore, receives an affirmative determination under Section 304(a) of ECPA.

### IV. State Certification

Based on today's determination, each State is required to review the provisions of its residential building code regarding energy efficiency, and determine whether it is appropriate for such state to revise its building code to meet or exceed the energy efficiency provisions of the 2018 IECC. (42 U.S.C. 6833(a)(5)(B)) This action must be made not later than 2 years from the date of publication of a Notice of Determination, unless an extension is provided.

#### A. State Review and Update

The State determination must be: (1) Made after public notice and hearing; (2) in writing; (3) based upon findings and upon the evidence presented at the hearing; and (4) made available to the public. (42 U.S.C. 6833(a)(2)) States have discretion with regard to the hearing procedures they use, subject to providing an adequate opportunity for members of the public to be heard and to present relevant information. The Department recommends publication of any notice of public hearing through appropriate and prominent media outlets, such as in a newspaper of general circulation. States should also be aware that this determination does not apply to IECC chapters specific to nonresidential buildings,<sup>1</sup> as defined in the IECC. Therefore, States should certify their evaluations of their State building codes for residential buildings with respect to all provisions of the IECC, except for those chapters not affecting residential buildings. Because state codes are based on a variety of model code editions, DOE encourages States to consider the energy efficiency improvements of the 2018 IECC, as well as other recent editions of the IECC, which may also represent a significant energy and cost savings opportunity. DOE determinations regarding earlier editions of the IECC are available on the DOE Building Energy Codes Program website.<sup>2</sup> Further national and state analysis is also available.<sup>3</sup>

#### B. State Certification Statements

State certifications are to be sent to the address provided in the **ADDRESSES** section, or may be submitted to [BuildingEnergyCodes@ee.doe.gov](mailto:BuildingEnergyCodes@ee.doe.gov), and must be submitted in accordance with the deadline identified in the **DATES** section. If a State makes a determination that it is not appropriate to revise the energy efficiency provisions of its residential building code, the State must submit to the Secretary, in writing, the reasons for this determination, which shall be made available to the public. (42 U.S.C. 6833(a)(4))

The DOE Building Energy Codes Program tracks and reports State code adoption and certifications.<sup>4</sup> Once a State has adopted an updated residential code, DOE typically provides

<sup>1</sup> For information regarding nonresidential buildings based on ANSI/ASHRAE/IES Standard 90.1 see <https://www.energycodes.gov/development/determinations>.

<sup>2</sup> Available at <http://www.energycodes.gov/regulations/determinations/previous>.

<sup>3</sup> Available at [http://www.energycodes.gov/development/residential/iecc\\_analysis](http://www.energycodes.gov/development/residential/iecc_analysis).

<sup>4</sup> Available at <http://www.energycodes.gov/adoption/states>.

software, training, and support for the new code, as long as the new code is based on the national model code (*i.e.*, the 2018 IECC). DOE has issued previous guidance on how it intends to respond to technical assistance requests related to implementation resources, such as building energy code compliance software. (79 FR 15112) DOE also recognizes that some States develop their own codes that are only loosely related to the national model codes, and DOE does not typically provide technical support for those codes. DOE does not prescribe how each State adopts and enforces its energy codes.

#### Requests for Extensions

Section 304(c) of ECPA requires that the Secretary permit an extension of the deadline for complying with the certification requirements described above, if a State can demonstrate that it has made a good faith effort to comply with such requirements, and that it has made significant progress toward meeting its certification obligations. (42 U.S.C. 6833(c)) Such demonstrations could include one or both of the following: (1) A substantive plan for response to the requirements stated in Section 304; or (2) a statement that the State has appropriated or requested funds (within State funding procedures) to implement a plan that would respond to the requirements of Section 304 of ECPA. This list is not exhaustive.

Requests are to be sent to the address provided in the **ADDRESSES** section, or may be submitted to [BuildingEnergyCodes@ee.doe.gov](mailto:BuildingEnergyCodes@ee.doe.gov).

Signed in Washington, DC, on November 20, 2019.

**Alexander N. Fitzsimmons,**

*Acting Deputy Assistant Secretary for Energy Efficiency, Office of Energy Efficiency and Renewable Energy.*

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## DEPARTMENT OF ENERGY

[OE Docket No. EA-480]

### Application To Export Electric Energy; Engelhart CTP (US) LLC

**AGENCY:** Office of Electricity, Department of Energy.

**ACTION:** Notice of application.

**SUMMARY:** Engelhart CTP (US) LLC (Applicant or ECTP) has applied for authorization to transmit electric energy from the United States to Canada pursuant to the Federal Power Act.

**DATES:** Comments, protests, or motions to intervene must be submitted on or before January 9, 2020.

**ADDRESSES:** Comments, protests, motions to intervene, or requests for more information should be addressed to: Office of Electricity, 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 [Electricity.Exports@hq.doe.gov](mailto:Electricity.Exports@hq.doe.gov), or by facsimile to (202) 586-8008.

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

On November 20, 2019, ECTP filed an application with DOE (Application or App.) to transmit electric energy from the United States to Canada. ECTP is a single-member limited liability company. ECTP has requested an electricity export authorization with a 5-year term using existing international transmission facilities.

In its application, the Applicant states that it is a power marketer that does not own or operate an integrated transmission or distributed system . . .". App. at 4. The electric energy that the Applicant proposes to export to Canada "would be surplus to the needs of the relevant transmission or distribution system..." App. at 4. The existing international transmission facilities to be utilized by the Applicant 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 be heard in this proceeding should file a comment or protest to the application at the address provided above. Protests should be filed in accordance with Rule 211 of the Federal Energy Regulatory Commission's (FERC) Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at the above address in accordance with FERC Rule 214 (18 CFR 385.214). Five (5) copies of such comments, protests, or motions to intervene should be sent to the address provided above on or before the date listed above.

Comments and other filings concerning ECTP's application to export electric energy to Canada should be clearly marked with OE Docket No. EA-480. An additional copy is to be provided directly to Changjae Lee, Engelhart CTP (US) LLC, 400 Atlantic St. 11th Floor, Stamford, CT 06901 and Jennifer Brough, Locke Lord LLP, 701 8th St. NW Suite 700, Washington, DC 20001.

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 DOE determines that the proposed action will not have an adverse impact on the sufficiency of supply or 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 website at <http://energy.gov/node/11845>, or by emailing Matthew Aronoff at [matthew.aronoff@hq.doe.gov](mailto:matthew.aronoff@hq.doe.gov).

Signed in Washington, DC, on December 2, 2019.

**Christopher Lawrence,**

*Management and Program Analyst,  
Transmission Permitting and Technical  
Assistance, Office of Electricity.*

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## DEPARTMENT OF ENERGY

### Draft Environmental Assessment for the Commercial Disposal of Defense Waste Processing Facility Recycle Wastewater From the Savannah River Site

**AGENCY:** Office of Environmental Management, U.S. Department of Energy.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Department of Energy (DOE) announces the availability of its *Draft Environmental Assessment for the Commercial Disposal of Defense Waste Processing Facility Recycle Wastewater from the Savannah River Site* (DOE/EA-2115) (Draft SRS DWPF Recycle Wastewater EA). The Draft SRS DWPF Recycle Wastewater EA evaluates the potential impacts from a proposed action to retrieve, stabilize, and dispose of up to 10,000 gallons of Defense Waste Processing Facility (DWPF) recycle wastewater from Savannah River Site (SRS) at a commercial low-level radioactive waste (LLW) disposal facility located outside of South Carolina, licensed by either the Nuclear

Regulatory Commission (NRC) or an Agreement State under NRC's regulations regarding licensing requirements for land disposal of radioactive waste. If implemented, this proposal would provide alternative treatment and disposal options for up to 10,000 gallons of DWPF recycle wastewater through the use of existing, permitted, off-site commercial facilities. DOE invites public comments on the Draft SRS DWPF Recycle Wastewater EA.

**DATES:** The 30-day public comment period extends from the date of publication of this notice in the **Federal Register** through January 9, 2020. Only comments received through one of the methods below will be accepted. DOE will consider all comments received or postmarked by January 9, 2020. DOE will hold an informational meeting to discuss the Draft SRS DWPF Recycle Wastewater EA on Tuesday, December 17, 2019 (5:00–6:30 p.m. ET) at the Augusta Marriott at the Convention Center, 2 Tenth Street, Augusta, Georgia, 30901. The meeting will consist of a poster session from 5:00 p.m. to 6:00 p.m. ET, followed by a presentation from 6:00 to 6:30 p.m. ET. DOE will also hold an informational WebEx on December 19, 2019 at 2 p.m. ET to provide an overview of the Draft SRS DWPF Recycle Wastewater EA. This WebEx can be accessed at: <https://doe.webex.com/doe/j.php?MTID=mde89cd8501ec09cb5732714dd60174fe>. The Draft SRS DWPF Recycle Wastewater EA is available at: <https://www.energy.gov/nepa/doe-environmental-assessments>.

**ADDRESSES:** To request a printed copy of the Draft SRS DWPF Recycle Wastewater EA, or to be placed on the SRS DWPF Recycle Wastewater EA mailing list, please submit your request to James Joyce, NEPA Document Manager, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585. Telephone: (301) 903-2151. Email: [DWPFEA@em.doe.gov](mailto:DWPFEA@em.doe.gov). DOE invites Federal agencies, state and local governments, Native American tribes, industry, non-governmental organizations, and members of the general public to submit comments on DOE's Draft SRS DWPF Recycle Wastewater EA. Please direct written comments on the Draft DWPF SRS Recycle Wastewater EA to:

(a) *Email:* [DWPFEA@em.doe.gov](mailto:DWPFEA@em.doe.gov). Please submit comments in Microsoft™ Word or PDF file format and avoid the use of encryption.

(b) *Mail:* James Joyce, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585.