

**SUPPLEMENTARY INFORMATION:** The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* Foreign Institution Reporting Requirements under the CARES Act.

*OMB Control Number:* 1845-0161.

*Type of Review:* An extension of an existing information collection.

*Respondents/Affected Public:* Private Sector; State, Local, and Tribal Governments.

*Total Estimated Number of Annual Responses:* 804.

*Total Estimated Number of Annual Burden Hours:* 402.

*Abstract:* Section 3510(a) of the CARES Act, Public Law 116-136 (March 27, 2020), authorizes the Secretary of Education ("Secretary") to permit a foreign institution, in the case of a public health emergency, major disaster or emergency, or national emergency declared by the applicable government authorities in the country in which the foreign institution is located, to provide any part of an otherwise eligible program to be offered via distance education for the duration of such emergency or disaster and the following payment period for purposes of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 *et seq.*). Additionally, under Section 3510(d) of the CARES Act, the Secretary may allow a foreign institution to enter into a written

arrangement with an institution of higher education located in the United States that participates in the Federal Direct Loan Program under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a *et seq.*) for the purpose of allowing a student of the foreign institution who is a borrower of a loan made under such part to take courses from the institution of higher education located in the United States.

Dated: June 5, 2020.

**Kate Mullan,**

*PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer.*

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## DEPARTMENT OF ENERGY

### National Nuclear Security Administration

#### Notice of Availability of the Report on the Secretary of Energy's Final Decision and Supporting Reasoning Regarding Defense Nuclear Facilities Safety Board Recommendation 2019-2, *Safety of the Savannah River Site Tritium Facilities*

**AGENCY:** National Nuclear Security Administration, Department of Energy.

**ACTION:** Notice of availability.

**SUMMARY:** The Department of Energy's National Nuclear Security Administration (NNSA) announces the availability of a Report on the Secretary of Energy's Final Decision and Supporting Reasoning Regarding Defense Nuclear Facilities Safety Board Recommendation 2019-2, *Safety of the Savannah River Site Tritium Facilities*. The Board issued Recommendation 2019-2 on June 11, 2019. The Recommendation focused on the Department of Energy (DOE) actions to improve the safety of the Tritium Facilities, upgrades to safety management programs, and the implementation of robust controls to prevent very high radiation doses, creating the potential for acute radiation sickness or fatality in a significant number of individuals. The Recommendation identified three specific sub-recommendations.

**DATES:** This notice will be published on June 11, 2020.

**ADDRESSES:** This report, together with its attachments, documents the Secretary of Energy's final decision and supporting reasoning regarding Defense Nuclear Facilities Safety Board (DNFSB or Board) Recommendation 2019-2,

*Safety of the Savannah River Site Tritium Facilities.*

**FOR FURTHER INFORMATION CONTACT:** For further information about this Notice, please contact Ms. Nicole Nelson-Jean, Manager of the Savannah River Field Office, U.S. Department of Energy, National Nuclear Security Administration, Savannah River Field Office, P.O. Box A, Aiken, South Carolina 29802; phone: 803-208-3689; email to: [Nicole.Nelson-Jean@nnsa.srs.gov](mailto:Nicole.Nelson-Jean@nnsa.srs.gov).

**SUPPLEMENTARY INFORMATION:** As explained in detail in the Department's September 10, 2019, response to the Recommendation (the text of which is included as Attachment 1 to this report), the Department of Energy's National Nuclear Security Administration (DOE/NNSA) Administrator stated that DOE/NNSA's safety programs and policies, and their effective implementation by its well trained workforce, provide reasonable assurance of adequate protection of public health and safety. In addition, focused ongoing actions at the Tritium Facilities adequately address DNFSB concerns outlined in Recommendation 2019-2 and make the need for additional actions in response to the DNFSB Recommendation unnecessarily duplicative of that effort, and would therefore, detract from our continued progress. The Administrator's response, on behalf of the Secretary of Energy, constituted a full non-acceptance of the Recommendation.

Per 42 United States Code Section 2286d paragraph (e), *Board Recommendations*, when the Secretary of Energy does not fully accept a Recommendation, the Board must either reaffirm or revise the recommendation, and the Secretary of Energy must then consider the Board's action and make a final decision on whether to implement all or part of the Board's recommendations. Subject to subsection (i) of the section, the Secretary shall publish the final decision and the reasoning for such decision in the **Federal Register** and shall transmit to the Committees on Armed Services, Appropriations, and Energy and Commerce of the House of Representatives and the Committees on Armed Services, Appropriations, and Energy and Natural Resources of the Senate a written report containing that decision and reasoning.

The Board reaffirmed the Recommendation in a letter to the Secretary of Energy on December 5, 2019. In the letter, the Board provided the following context to support the Board's Recommendation:

“In rejecting Recommendation 2019–2, DOE presented several actions and plans in its September 10, 2019, letter and during the briefing on October 28, 2019, as addressing our concerns. We acknowledge that these ongoing and planned actions are aimed at addressing issues identified in Recommendation 2019–2. However, we are concerned these actions will not, in the near term or long term, fully address the high consequences to workers. Further, we do not agree that ongoing actions and plans obviate the need for Recommendation 2019–2.”

The Board’s December 5, 2019, letter does not provide any new substantive information and reaffirms its original recommendation without changing it. The Board’s reaffirmation ignores the reasoning and analysis underlying the DOE/NNSA position and incorrectly asserts that the disagreement has to do with Board’s authority rather than the Board’s analysis.

In a letter dated January 3, 2020, the DOE/NNSA Administrator reaffirmed, on behalf of the Secretary, the Department’s September 10, 2019, response as the Secretary’s final decision regarding Recommendation 2019–2 (the text of which is included as Attachment 2 to the attached report).

The current Tritium Facilities’ documented safety analysis contains appropriate safety significant controls, along with continuous improvement efforts and a new documented safety analysis. These efforts are nearing completion and will strengthen the safety posture at the Tritium Facilities. The planned Tritium Finishing Facility, included in the President’s Fiscal Year 2020 Budget Request, will fundamentally improve safety at Savannah River Site (SRS), as DOE/NNSA moves from the H-Area Old Manufacturing (HAOM) Facility to this new seismically-qualified facility. Furthermore, the SRS Emergency Management Program has demonstrated steady and significant improvement over the past several years and continues to provide adequate protection to the workforce and the public surrounding the SRS.

DOE/NNSA has already initiated, and in some cases completed, the actions the DNFSB recommends; the SRS tritium operations are providing adequate protection of public and additionally, workforce safety. Many significant long-term projects to enhance safety in SRS tritium operations are nearing completion. Notably, the ongoing major construction project to replace the HAOM Tritium Facilities with new, modern, and robust facilities is being

supported by the Department and Congress.

These activities are significant and are the proper implementation of DOE/NNSA safety improvements at SRS. Therefore, DOE/NNSA concludes that the most efficient, effective, and quickest way to improve safety at the SRS Tritium Facilities is to continue with the current approach and path forward. As previously noted, DOE/NNSA actions and plans that would have responded to this recommendation are complete or underway and therefore, are considered to have met the issues highlighted in the recommendation.

#### Signing Authority

This document of the Department of Energy was signed on April 6, 2020, by Lisa E. Gordon-Hagerty, Under Secretary for Nuclear Security Administrator, National Nuclear Security Administration, 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 June 8, 2020.

**Treena V. Garrett,**

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP20–477–000]

#### Spire Storage West, LLC; Notice of Request Under Blanket Authorization

Take notice that on June 4, 2020, Spire Storage West, LLC (Spire Storage), 3773 Richmond Avenue, Suite 300, Houston, TX 77046, filed in the above referenced docket, a prior notice request pursuant to §§ 157.205 and 157.213(b) of the Commission’s regulations under the Natural Gas Act (NGA) and Spire Storage’s blanket certificate issued in Docket No. CP11–24–000, for authorization to install one compressor unit and related equipment; relocate one

natural gas liquids tank, two condensate tanks, and NGL and condensate truck load-out facilities and to replace two existing fuel supply tanks. The project, referred to as the Compression at Clear Creek Project, is located adjacent to Spire Storage’s existing central gas handling facility at its Clear Creek Storage Field in Uinta County, Wyoming. Details of Spire Storage’s Compression at Clear Creek Project is more fully set forth in the application which is on file with the Commission and open to public inspection. 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://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) 308–3676 or TTY, (202) 502–8659.

Any questions regarding this prior notice request should be directed to Sean P. Jamieson, General Counsel, Spire Storage West LLC, 3773 Richmond Avenue, Suite 300, Houston, TX 77046, phone: (346) 308–7555 or email: [StorageLegal@spireenergy.com](mailto:StorageLegal@spireenergy.com) or Damien R. Lyster, Vinson & Elkins LLP, 1001 Fannin Street, Suite 2500, Houston, TX 77002, phone: 713–758–2025 or email: [dlyster@velaw.com](mailto:dlyster@velaw.com).

Any person or the Commission’s staff may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission’s Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention. Any person filing to intervene, or the Commission’s staff may, pursuant to § 157.205 of the Commission’s Regulations under the NGA (18 CFR 157.205) file a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.