

This information collection request contains: (1) OMB No.: 1910-5166; (2) *Information Collection Request Title*: Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Commercialization Survey; (3) *Type of Request*: Three-year extension; (4) *Purpose*: The DOE needs this information to satisfy the program requirements of the Small Business Act, including requirements established in the SBIR program reauthorization legislation, Public Law 106-554 and Public Law 107-50. This data will be collected by the DOE and provided to the Small Business Administration (SBA) to maintain information about SBIR/STTR awards issued through the two programs. This data will be provided by DOE based on information collected from SBIR/STTR awardees. This data will be used by DOE, SBA, and Congress to assess the commercial impact of these two programs; (5) *Annual Estimated Number of Respondents*: 1,200; (6) *Annual Estimated Number of Total Responses*: 800; (7) *Annual Estimated Number of Burden Hours*: 1,200; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: \$60,000.

*Statutory Authority*: Section 9 of the Small Business Act, as amended, codified at 15 U.S.C. 638(g).

#### **Signing Authority**

This document of the Department of Energy was signed on May 18, 2021, by Manny Oliver, Director, Office of Small Business Innovation Research and Small Business Technology Transfer, 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 May 18, 2021.

**Trenea V. Garrett**,

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

[FR Doc. 2021-10854 Filed 5-21-21; 8:45 am]

**BILLING CODE 6450-01-P**

#### **DEPARTMENT OF ENERGY**

##### **Agency Information Collection Extension; Revision to Currently Approved Collection**

**AGENCY**: U.S. Department of Energy.

**ACTION**: Notice of request for comments.

**SUMMARY**: The Department of Energy (DOE), pursuant to the Paperwork Reduction Act of 1995, intends to extend for three years, an information collection request with the Office of Management and Budget (OMB).

**DATES**: Comments regarding this proposed information collection must be received on or before July 23, 2021. If you anticipate difficulty in submitting comments within that period, contact the person listed below as soon as possible.

**ADDRESSES**: Written comments may be sent to Jonathan Parthum, GC-62, U.S. Department of Energy, 1000 Independence Ave. SW, Washington, DC 20585, by fax at (202) 586-2805, or by email at [jonathan.parthum@hq.doe.gov](mailto:jonathan.parthum@hq.doe.gov).

**FOR FURTHER INFORMATION CONTACT**: Requests for additional information or copies of the information collection instrument and instructions should be directed by phone to Jonathan Parthum at (202) 586-5120 or by email at [jonathan.parthum@hq.doe.gov](mailto:jonathan.parthum@hq.doe.gov).

**SUPPLEMENTARY INFORMATION**: Comments are invited on: (a) Whether the extended collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden on respondents, including through the use of automated collection techniques or other forms of information technology.

This information collection request contains: (1) OMB No.: 1910-0800; (2) *Information Collection Request Title*: Legal Collections; (3) *Type of Review*: Renewal and Revision; (4) *Purpose*: To continue to maintain DOE oversight of responsibilities relating to DOE and Contractor invention reporting and related matters; (5) *Annual Estimated Number of Respondents*: 1525; (6) *Annual Estimated Number of Total Responses*: 1830; (7) *Annual Estimated Number of Burden Hours*: 4412.4; (8) *Annual Estimated Reporting and*

*Recordkeeping Cost Burden*: \$337,239.73.00.

The revision consists of updates to two documents: DOE F 482.2 and DOE F 2050.11. For DOE F 482.2, the form is modified to add a Patents Rights-Waiver Clause Including U.S. Competitiveness terms and conditions acceptance to the beginning of the document. As for DOE F 2050.11, this form is modified to add the appropriate Paperwork Reduction Act statement that is currently included in each of the other documents within the collection.

*Statutory Authority*: 42 U.S.C. 5908(a) (b) and (c); 37 CFR part 404; 10 CFR part 784.

*Signing Authority*: This document of the Department of Energy was signed on May 18, 2021, by Brian Lally, Assistant General Counsel for Technology Transfer and Intellectual Property, 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 on this document upon publication in the **Federal Register**.

Signed in Washington, DC, on May 18, 2021.

**Trenea V. Garrett**,

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

[FR Doc. 2021-10823 Filed 5-21-21; 8:45 am]

**BILLING CODE 6450-01-P**

#### **DEPARTMENT OF ENERGY**

##### **Notice of Intent To Prepare a Supplemental Environmental Impact Statement for the Long-Term Management and Storage of Elemental Mercury**

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

**ACTION**: Notice of intent.

**SUMMARY**: As required by the *Mercury Export Ban Act of 2008*, as amended (MEBA), the U.S. Department of Energy (DOE) must identify a facility or facilities for the long-term management and storage of elemental mercury generated within the United States. To this end, DOE intends to prepare a supplemental environmental impact statement (DOE/EIS-0423-S2; SEIS-II) to supplement both the January 2011

*Environmental Impact Statement for the Long-Term Management and Storage of Elemental Mercury (DOE/EIS-0423; 2011 Mercury Storage EIS) and the September 2013 Supplemental*

*Environmental Impact Statement for the Long-Term Management and Storage of Elemental Mercury (DOE/EIS-0423-S1; 2013 Mercury Storage SEIS)* by updating these previous analyses of potential environmental impacts and analyzing additional alternatives, in accordance with the *National Environmental Policy Act* (NEPA).

**ADDRESSES:** Questions concerning the SEIS-II development or requests to be placed on the SEIS-II distribution list can be sent to: Mrs. Julia Donkin, NEPA Document Manager, Office of Environmental Management, U.S. Department of Energy, EM-4.22, 1000 Independence Avenue SW, Washington, DC 20585, [elementalmercury\\_nepa@em.doe.gov](mailto:elementalmercury_nepa@em.doe.gov) or (202) 586-5000. Questions related to DOE's elemental mercury program should be directed to Mr. David Haught, Mercury Program Manager, Office of Environmental Management, U.S. Department of Energy, EM-4.22, 1000 Independence Avenue SW, Washington, DC 20585, [David.Haught@hq.doe.gov](mailto:David.Haught@hq.doe.gov) or (202) 586-5000.

**FOR FURTHER INFORMATION CONTACT:** Additional information regarding the SEIS-II, the 2011 Mercury Storage EIS, 2013 Mercury Storage SEIS, other related documents, and the scope of DOE's elemental mercury program is available online at <https://www.energy.gov/nepa/doeeis-0423-long-term-management-and-storage-elemental-mercury>. For general information concerning DOE's Office of Environmental Management NEPA process, please contact Mr. William Ostrum, Office of Environmental Management NEPA Compliance Officer, U.S. Department of Energy, EM-4.31, 1000 Independence Avenue SW, Washington, DC 20585, [William.Ostrum@hq.doe.gov](mailto:William.Ostrum@hq.doe.gov) or (202) 586-2513.

#### SUPPLEMENTARY INFORMATION:

##### Background

The *Mercury Export Ban Act of 2008* (Pub. L. 110-414), as amended by the *Frank R. Lautenberg Chemical Safety for the 21st Century Act* (Pub. L. 114-182) (MEBA), amends the *Toxic Substances Control Act* (TSCA; 15 U.S.C. 2601-2629) to prohibit the sale, distribution, or transfer by Federal agencies to any other Federal agency, any state or local government agency, or any private individual or entity, of any elemental mercury under the control or

jurisdiction of a Federal agency (with certain limited exceptions). MEBA also amends TSCA to prohibit the export of elemental mercury from the United States (with certain limited exceptions). Section 5 of MEBA, "Long-Term Storage" (42 U.S.C. 6939f), is codified with the *Resource Conservation and Recovery Act* (RCRA; 42 U.S.C. 6901 *et seq.*) and directs DOE to designate a facility or facilities for the long-term management and storage of elemental mercury generated within the United States. MEBA also requires DOE to assess a fee based upon the pro rata costs of long-term management and storage of elemental mercury delivered to the facility or facilities.

The primary sources of elemental mercury in the United States include elemental mercury generated as a byproduct of the gold mining process and mercury reclaimed from recycling and waste recovery activities. In addition, DOE's National Nuclear Security Administration (NNSA) stores approximately 1,200 metric tons of elemental mercury at the Oak Ridge Reservation in Tennessee, which was generated in support of NNSA's mission.

The 2011 Mercury Storage EIS evaluated seven candidate locations for the elemental mercury storage facility, as well as a No Action Alternative. The locations included new facility construction, use of existing facilities, or both. The candidate locations were: DOE Grand Junction Disposal site near Grand Junction, Colorado (new construction); DOE Hanford Site near Richland, Washington (new construction); Hawthorne Army Depot near Hawthorne, Nevada (existing facility); DOE Idaho National Laboratory near Idaho Falls, Idaho (new construction and existing facility); Bannister Federal Complex in Kansas City, Missouri (existing facility); DOE Savannah River Site near Aiken, South Carolina (new construction); and the Waste Control Specialists LLC (WCS) site near Andrews, Texas (new construction and existing facility).

The 2013 Mercury Storage SEIS evaluated three additional alternative locations, at and in the vicinity of the Waste Isolation Pilot Plant near Carlsbad, New Mexico (all new construction). The 2013 Mercury Storage SEIS also updated the analysis of the alternatives presented in the 2011 Mercury Storage EIS.

For the 2011 Mercury Storage EIS and the 2013 Mercury Storage SEIS, DOE estimated that up to approximately 10,000 metric tons of elemental mercury would need to be managed and stored

at the DOE facility during the 40-year period of analysis.

On December 6, 2019, DOE issued a Record of Decision (ROD) to document its designation of the WCS site near Andrews, Texas, for the management and storage of up to 6,800 metric tons of elemental mercury in leased portions of existing buildings, the Container Storage Building and Bin Storage Unit 1, at the WCS site (84 FR 66890). The ROD was supported by DOE's *Supplement Analysis of the Final Long-Term Management and Storage of Elemental Mercury Environmental Impact Statement* (DOE/EIS-0423-SA-1), which determined that the long-term management and storage of up to 6,800 metric tons of elemental mercury in existing buildings at the WCS facility would not constitute a substantial change from the proposal evaluated in the 2011 Mercury Storage EIS and updated in the 2013 Mercury Storage SEIS. On December 23, 2019, DOE published a final rule to establish the fee for long-term management and storage of elemental mercury (84 FR 70402; Fee Rule).

Two domestic generators of elemental mercury subsequently filed complaints in United States District Court challenging, among other things, the validity of the Fee Rule and the ROD (*Coeur Rochester, Inc. v. Brouillette et al.*, Case No. 1:19-cv-03860-RJL (D.D.C. filed December 31, 2019); *Nevada Gold Mines LLC v. Brouillette et al.*, Case No. 1:20-cv-00141-RJL (D.D.C filed January 17, 2020)). On August 21, 2020, DOE and Nevada Gold Mines, LLC (NGM) executed a settlement agreement intended to resolve NGM's complaint in its entirety. Consistent with that agreement, on September 3, 2020, DOE filed a motion in the District Court asking the Court to vacate and remand the Fee Rule. The District Court granted the motion to vacate and remand the Fee Rule on September 5, 2020. Given the rulemaking process required to establish a fee for the long-term management and storage of elemental mercury, and the expiration of DOE's current lease with WCS in June 2021, DOE also agreed in the settlement with NGM to withdraw the designation of WCS pursuant to MEBA Section 5(a)(1) as a facility of DOE for the purpose of long-term management and storage of elemental mercury. DOE subsequently withdrew the designation of WCS under MEBA in an amended ROD on October 6, 2020 (85 FR 63105). The District Court granted a joint stipulation to dismiss the litigation from *Coeur Rochester, Inc.* on April 23, 2021.

## Purpose and Need for Action

DOE must designate a facility for the long-term management and storage of elemental mercury generated within the United States, as required by MEBA. MEBA also requires DOE to assess and collect a fee to cover certain costs of long-term management and storage of elemental mercury.

MEBA establishes that by January 1, 2019, a DOE-designated facility shall be operational and accept custody, for the purpose of long-term management and storage, of elemental mercury generated within the United States. Fiscal Year 2021 Appropriations Act Explanatory Statements for Division D, Energy and Water Development and Related Agencies, includes the following statement, “The Department [DOE] is directed to finalize the Fee Rule for mercury storage as expeditiously as possible.”

## Proposed Action

DOE proposes to designate one or more facilities for the long-term management and storage of elemental mercury in accordance with MEBA. Facilities must comply with applicable requirements of Section 5(d) of MEBA, “Management Standards for a Facility,” including the requirements of the *Solid Waste Disposal Act* as amended by RCRA, and other state-specific permitting requirements. Consistent with the Supplement Analysis prepared in 2019 but updated to account for accumulation of elemental mercury since then, the SEIS-II will evaluate the potential environmental impacts of an estimated inventory of up to 7,000 metric tons of elemental mercury that could require management and storage during the 40-year period of analysis.

After completion of DOE’s Proposed Action, DOE would establish the fee for long-term management and storage of elemental mercury through rulemaking conducted pursuant to the Administrative Procedure Act (5 U.S.C. 551 *et seq.*). DOE would evaluate the potential environmental impacts of the rulemaking in accordance with NEPA implementing procedures at 10 CFR 1021.213.

## Proposed Alternatives

The 2011 Mercury Storage EIS and the 2013 Mercury Storage SEIS evaluated both new construction and the designation of existing facilities for management and storage of elemental mercury. In the SEIS-II, DOE’s range of reasonable alternatives includes existing facilities that could be designated with only minor modifications to meet the permitting requirements for elemental

mercury storage. Construction of new facilities would further negatively impact the schedule for DOE’s receipt of elemental mercury, which was required by MEBA to begin acceptance by January 2019.

Of the four existing facilities evaluated in the 2011 Mercury Storage EIS, two remain as reasonable alternatives. Since 2011, portions of the Bannister Federal Complex in Kansas City have been transferred from DOE to a private entity and rezoned as an urban redevelopment district. Therefore, this facility is no longer considered a reasonable alternative for the storage of elemental mercury. Additionally, the planning basis for the existing facilities at the Idaho National Laboratory Radioactive Waste Management Complex (RWMC) has changed and those facilities are no longer considered a reasonable alternative for storage of elemental mercury. DOE is planning to demolish these facilities and close the RWMC once its current radioactive waste mission is completed. Therefore, the SEIS-II will update the analysis for the Hawthorne Army Depot in Nevada and the WCS site in Texas.

In addition to the two sites identified previously, the SEIS-II will also evaluate other facilities that maintain or would be capable of maintaining a RCRA Part B permit for the long-term management and storage of elemental mercury. DOE used four methods to identify these additional facilities: (1) DOE contacted commercial facilities that had previously certified to DOE that they meet the requirements to accept and store elemental mercury at least until the DOE-designated facility opens (<https://www.energy.gov/em/downloads/permited-mercury-storage-facility-notifications>); (2) on December 3, 2020, DOE issued basic ordering agreements to companies to conduct nationwide waste management services, including ancillary services such as management and storage of elemental mercury; (3) on October 14, 2020, DOE issued a Sources Sought Synopsis/Request for Information to identify potential offerors to provide leased space and associated services for the management and storage of elemental mercury; and (4) DOE is re-evaluating existing facilities on DOE property that could be repurposed for management and storage of elemental mercury. Past and ongoing procurement actions were used only to assist in the identification of potential reasonable alternatives for consideration in the SEIS. They do not have a bearing on what future procurement actions that DOE would take to contract for services related to

long-term management and storage of elemental mercury.

Through these outreach efforts, DOE has identified the following additional reasonable alternative locations that will be evaluated in the SEIS-II (in addition to those previously evaluated as discussed previously):

- Bethlehem Apparatus in Bethlehem, Pennsylvania;
- Clean Harbors (facilities in Pecatonica, Illinois; Greenbrier, Tennessee; and Tooele, Utah);
- Veolia North America in Gum Springs, Arkansas; and
- Perma-Fix Diversified Scientific Services, Inc., in Kingston, Tennessee.

As part of the SEIS-II, DOE will update the analysis of the No-Action Alternative.

## Potential Areas of Environmental Analysis

DOE has tentatively identified the following resource areas for analysis in the SEIS-II. The following list is not intended to be comprehensive or to pre-determine the potential impacts to be analyzed: Land use and visual resources; geology and soils; water resources; air quality and noise; ecological resources; cultural and paleontological resources; infrastructure; waste management; occupational and public health and safety; socioeconomic; transportation; and environmental justice.

## NEPA Process and Public Participation in the SEIS-II

DOE will prepare the SEIS-II in accordance with the Council on Environmental Quality (CEQ) regulations at 40 CFR parts 1500–1508<sup>1</sup> and DOE NEPA implementing procedures at 10 CFR part 1021. In accordance with 10 CFR 1021.311(f), a public scoping process is not required for a DOE-issued SEIS. DOE will issue a **Federal Register** notice detailing the release of the draft SEIS-II, dates of one or more internet-based public hearings, and directions on submitting public comments. DOE expects to issue the Draft SEIS-II in late 2021.

## Signing Authority

This document of the Department of Energy was signed on May 17, 2021, by Mark Gilbertson, Associate Principal Deputy Assistant Secretary for Regulatory and Policy Affairs, pursuant

<sup>1</sup> On July 16, 2020, the CEQ issued a final rule to update its regulations for Federal agencies to implement NEPA (85 FR 43304). The effective date for the new regulations is September 14, 2020. Because the SEIS-II was initiated after that effective date, it will be prepared in accordance with the new CEQ regulations.

to delegated authority from the Secretary of the Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with the 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 May 19, 2021.

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

[FR Doc. 2021-10905 Filed 5-21-21; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Energy Information Administration

#### Agency Information Collection Extension

**AGENCY:** Energy Information Administration (EIA), Department of Energy (DOE).

**ACTION:** Notice.

**SUMMARY:** EIA submitted an information collection request for extension as required by the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of its Form EIA-111 *Quarterly Electricity Imports and Exports Report*, OMB Control Number 1905-0208. Form EIA-111 collects information on U.S. imports and exports of electricity. Data are used to obtain estimates on the flows of electricity into and out of the United States.

**DATES:** Comments on this information collection must be received no later than June 23, 2021. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** If you need additional information, contact Tosha Beckford at (202) 287-6597 or by email at [tosha.beckford@eia.gov](mailto:tosha.beckford@eia.gov). The forms and instructions are available on EIA’s website at <http://www.eia.gov/survey/changes/electricity/>.

**SUPPLEMENTARY INFORMATION:** This information collection request contains

(1) OMB No.: 1905-0208;  
(2) *Information Collection Request Title*: Quarterly Electricity Imports and Exports Report;

(3) *Type of Request*: Three-year extension without change;

(4) *Purpose*: Form EIA-111 collects U.S. electricity import and export data on a quarterly basis. The data are used to measure the flow of electricity into and out of the United States. The import and export data are reported by U.S. purchasers, sellers and transmitters of wholesale electricity, including persons authorized by Order to export electric energy from the United States to foreign countries, persons authorized by Presidential Permit to construct, operate, maintain, or connect electric power transmission lines that cross the U.S. international border, and U.S. Balancing Authorities that are directly interconnected with foreign Balancing Authorities. Such entities report monthly flows of electric energy received or delivered across the border, the cost associated with the transactions, and actual and implemented interchange.

(4a) *Proposed Changes to Information Collection*: No changes;

(5) *Annual Estimated Number of Respondents*: 180;

(6) *Annual Estimated Number of Total Responses*: 720;

(7) *Annual Estimated Number of Burden Hours*: 1,080;

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: \$88,182 (1,080 burden hours times \$81.65 per hour). EIA estimates that respondents will have no additional costs associated with the surveys other than the burden hours and the maintenance of the information as part of the normal course of business.

*Comments are invited on whether or not:* (a) The proposed collection of information is necessary for the proper performance of agency functions, including whether the information will have a practical utility; (b) EIA’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used, is accurate; (c) EIA can improve the quality, utility, and clarity of the information it will collect; and (d) EIA can minimize the burden of the collection of information on respondents, such as automated collection techniques or other forms of information technology.

**Statutory Authority:** 15 U.S.C. 772(b), 42 U.S.C. 7101 *et seq.*

Signed in Washington, DC, on May 18, 2021.

**Samson A. Adeshiyan,**  
Director, Office of Statistical Methods and Research, U. S. Energy Information Administration.

[FR Doc. 2021-10884 Filed 5-21-21; 8:45 am]  
**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER21-1916-000]

### Assembly Solar III, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced Assembly Solar III, LLC’s application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant’s request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is June 7, 2021.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.