

- Provide additional discussion and examples of the critical load method to estimate the likelihood of failure;
- Provide clarification and additional guidance on estimating consequences (e.g., life safety consequences, economic consequences, financial consequences for damage state potential failure modes, and environmental and other non-monetary consequences);
- Add a risk analysis matrix for incremental financial/damage state consequences; and
- Include background information on developing hydrologic hazard curves for semi-quantitative risk analyses.

All information related to “Chapter 18—Level 2 Risk Analysis,” including the draft chapter, all submitted comments, and the final chapter, can be found on the FERC website ([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., AD20–23). Be sure you have selected an appropriate date range. The Commission also 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 electronic notification of these filings and direct links to the documents. Go to the Commission’s website ([www.ferc.gov](http://www.ferc.gov)), select the FERC Online option from the left-hand column, and click on eSubscription. Users must be registered in order to use eSubscription.

The final version of Chapter 18 is also available on the Commission’s Division of Dam Safety and Inspections website at: Engineering Guidelines for the Evaluation of Hydropower Projects | Federal Energy Regulatory Commission ([ferc.gov](http://ferc.gov)).

**Information Collection Statement**

Chapter 18 includes information collection activities for which the Paperwork Reduction Act, 44 U.S.C. 3501–3521, requires approval by the Office of Management and Budget (OMB). The Commission has included the burden and cost estimates for information collection activities related to this chapter in the rulemaking document (Docket No. RM20–9–000, Order No. 880). The Commission has designated the information collection activities in the rule as FERC–517. Upon final approval of FERC–517, OMB will assign an OMB Control Number and expiration date.

Send written comments on FERC–517 to the Office of Management and Budget (OMB) through [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain), Attention: Federal Energy Regulatory Commission Desk Officer. Please identify the OMB control number (1902–TBD) in the subject line. Your comments should be sent within 30 days of publication of this notice in the **Federal Register**. OMB submissions must be formatted and filed in accordance with submission guidelines at [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Using the search function under the “Currently Under Review field,” select Federal Energy Regulatory Commission; click “submit” and select “comment” to the right of the subject collection.

For assistance with any of the Commission’s online systems, 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) 502–8258.

Dated: December 16, 2021.

**Kimberly D. Bose,**

*Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. CD22–2–000]

**Notice of Preliminary Determination of a Qualifying Conduit Hydropower Facility and Soliciting Comments and Motions To Intervene; City of Beaverton, Oregon**

On December 7, 2021, as supplemented on December 15, 2021, the City of Beaverton, Oregon filed a notice of intent to construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act (FPA). The proposed Sexton Mountain Pump Station Hydroelectric Project would have an installed capacity of up to 200 kilowatts (kW), and would be located along an existing 30-inch pipeline adjacent to the Sexton Mountain Pumping Station in the City of Beaverton, Washington County, Oregon.

*Applicant Contact:* Ronan Igloria, GSI Water Solutions, Inc., 55 SW Yamhill St., Suite 300, Portland, OR 97204, 971–200–8510, [rigloria@gsiws.com](mailto:rigloria@gsiws.com).

*FERC Contact:* Christopher Chaney, 202–502–6778, [christopher.chaney@ferc.gov](mailto:christopher.chaney@ferc.gov).

*Qualifying Conduit Hydropower Facility Description:* The proposed project would consist of: (1) One Francis turbine unit with a capacity of 100 kW, with a second up to 100-kW unit planned in the future; (2) intake and discharge pipes connecting to the 30-inch pipeline; and (3) appurtenant facilities. The proposed project would have an estimated annual generation of approximately 392 megawatt-hours during the first year of operation.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all the criteria shown in the table below.

**TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY**

Statutory provision	Description	Satisfies (Y/N)
FPA 30(a)(3)(A) .....	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i) .....	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii) .....	The facility has an installed capacity that does not exceed 40 megawatts .....	Y
FPA 30(a)(3)(C)(iii) .....	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

*Preliminary Determination:* The proposed Sexton Mountain Pump Station Hydroelectric Project will not

alter the primary purpose of the conduit, which is to transport water for municipal use. Therefore, based upon

the above criteria, Commission staff preliminarily determines that the proposal satisfies the requirements for a

qualifying conduit hydropower facility, which is not required to be licensed or exempted from licensing.

**Comments and Motions to Intervene:** Deadline for filing comments contesting whether the facility meets the qualifying criteria is 30 days from the issuance date of this notice.

Deadline for filing motions to intervene is 30 days from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

**Filing and Service of Responsive Documents:** All filings must (1) bear in all capital letters the "COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY" or "MOTION TO INTERVENE," as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission's regulations.<sup>1</sup> All comments contesting Commission staff's preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene 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, you may send a paper copy. 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, MD 20852. A copy of all other filings in reference to this application must be accompanied by

proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

**Locations of Notice of Intent:** 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 website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (*i.e.*, CD22-2) in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. Copies of the notice of intent can be obtained directly from the applicant. For assistance, call toll-free 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659.

Dated: December 16, 2021.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP15-554-009 and CP15-555-007]

#### Atlantic Coast Pipeline, LLC, Eastern Gas Transmission and Storage, Inc.; Notice of Availability of the Final Supplemental Environmental Impact Statement for the Proposed Atlantic Coast Pipeline Restoration Project and Supply Header Restoration Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a final supplemental environmental impact statement (sEIS) for the Atlantic Coast Pipeline, LLC's (Atlantic) Atlantic Coast Pipeline Restoration Project, and Eastern Gas Transmission and Storage, Inc.'s (EGTS) Supply Header Restoration Project (Restoration Projects), in the above-referenced dockets. Atlantic and EGTS request authorization to implement the Restoration Projects in order to stabilize lands affected by previous construction efforts for the Atlantic Coast Pipeline and Supply Header Project, respectively, and to facilitate cessation of all project-related activities. Implementation of the plans is proposed because Atlantic and EGTS have cancelled their respective projects and do not intend to complete them.

The final sEIS assesses the potential impacts that would result from the

Restoration Projects, in accordance with the requirements of the National Environmental Policy Act (NEPA).<sup>1</sup> The FERC staff concludes that the proposed actions, with the additional mitigation measures recommended in the sEIS, would continue to avoid or reduce impacts to less than significant levels, with the exception of climate change impacts, for which FERC staff is unable to determine significance.

The U.S. Department of Agriculture's Forest Service and the U.S. Department of the Interior's Fish and Wildlife Service participated as cooperating agencies in the preparation of the sEIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis.

The sEIS addresses the potential environmental effects of the following activities:

- Atlantic proposes to leave all installed pipeline in place (approximately 31.4 miles of the pipeline right-of-way), restore lands that were cleared and graded (approximately 82.7 miles of the pipeline right-of-way), and leave felled trees in place in areas where trees have not yet been cleared (approximately 25.2 miles of the pipeline right-of-way). For aboveground facilities, Atlantic proposes to restore the sites and manage the disposition of the materials and land through an investment recovery process. Workspace for these activities would occur in West Virginia, Virginia, and North Carolina.

- EGTS proposes to leave all installed pipeline in place (approximately 11.7 miles), leave approximately 0.13 mile of felled trees in place, and complete final restoration of approximately 9 miles of the pipeline right-of-way that EGTS previously cleared and/or graded. EGTS proposes to stabilize all aboveground facility sites and prepare assets for long term preservation. Workspace for these activities would occur in Pennsylvania and West Virginia.

The Commission mailed a copy of the *Notice of Availability* for the final sEIS to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project areas. The final sEIS is only available in electronic format. It may be

<sup>1</sup> The construction and operation impacts of the then-proposed Atlantic Coast Pipeline and Supply Header Project were evaluated in a final EIS, which was issued by the Commission on July 21, 2017, in Docket Nos. CP15-554-00, CP15-554-001; and CP15-555-000.

<sup>1</sup> 18 CFR 385.2001-2005 (2020).