

the Applicant have been previously authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. See App at Exhibit C.

**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 FERC's 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).

Comments and other filings concerning Shell Energy's Application should be clearly marked with GDO Docket No. EA-339-C. Additional copies are to be provided directly to David L. Smith, Regulatory Advisor DF—Shell Energy, 1000 Main, Suite 1200, Houston, TX 77002-6336, (713) 767-5542, [dave.l.smith@shell.com](mailto:dave.l.smith@shell.com) and Catherine McCarthy, Partner—Bracewell LLP, 2001 M. Street NW, Suite 900, Washington, DC 20036-3310, (202) 828-5839, [Catherine.mccarthy@bracewell.com](mailto:Catherine.mccarthy@bracewell.com).

A final decision will be made on the requested authorization after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE evaluates whether the proposed action will have an adverse impact on the sufficiency of supply or reliability of the United States electric power supply system.

Copies of this Application will be made available, upon request, by accessing the program website at <https://www.energy.gov/gdo/pending-applications> or by emailing [Electricity.Exports@hq.doe.gov](mailto:Electricity.Exports@hq.doe.gov).

**Signing Authority:** This document of the Department of Energy was signed on March 13, 2023, by Maria Robinson, Director, Grid Deployment Office, 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 March 14, 2023.

**Treana V. Garrett,**

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

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## DEPARTMENT OF ENERGY

[GDO Docket No. EA-380-A]

### Application for Renewal of Authorization To Export Electric Energy; Freepoint Commodities LLC

**AGENCY:** Grid Deployment Office, Department of Energy.

**ACTION:** Notice of application.

**SUMMARY:** Freepoint Commodities LLC (the Applicant or Freepoint) 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 April 17, 2023.

**ADDRESSES:** Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to [Electricity.Exports@hq.doe.gov](mailto:Electricity.Exports@hq.doe.gov).

**FOR FURTHER INFORMATION CONTACT:** Steven Blazek, (240) 474-2780, [electricity.exports@hq.doe.gov](mailto:electricity.exports@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** The United States Department of Energy (DOE) regulates electricity exports from the United States to foreign countries in accordance with section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)) and regulations thereunder (10 CFR 205.300 *et seq.*). Sections 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. 7151(b) and 7172(f)) transferred this regulatory authority, previously exercised by the now-defunct Federal Power Commission, to DOE.

Section 202(e) of the FPA provides that an entity which seeks to export electricity must obtain an order from DOE authorizing that export. (16 U.S.C. 824a(e)). On June 13, 2022, the authority to issue such orders was delegated to the DOE's Grid Deployment Office (GDO) under Delegation Order No. S1-DEL-S3-2022-2 and Redelegation Order No. S3-DEL-GD1-2022.

On September 29, 2011, in Order No. EA-380, the DOE authorized Freepoint to export electricity from the United States to Canada as a power marketer for a period of ten years ending on September 29, 2021. On September 30, 2022, Freepoint filed an application with DOE (Application or App) for

renewal of their export authority for an additional ten-year term. App. at 1.

Freepoint acknowledged in its Application that it did not seek to renew its authorization to export electricity to Canada prior to the lapse of the authorization granted in Order No. EA-380. Since the expiration of that authorization, as indicated in its quarterly filings with the Department (which it continued to file, notwithstanding the expiration of the authorization), Freepoint has not exported any electricity from the United States. Freepoint seeks renewal of its authorization at this time because it anticipates entering one or more transactions that could involve exports of electricity to Canada. App at 1-2.

In its Application, the Applicant states that it "does not own or control any electric generation or transmission facilities, nor does it hold a franchise or service territory for the transmission, distribution, or sale of electric power." App at 3. Freepoint further states that it "has purchased, or will purchase, the power that may be exported to Canada from wholesale generators, electric utilities, federal power marketing agencies, and the markets administered by independent system operators (ISOs) and regional transmission organizations (RTOs)." *Id.*

Freepoint "plans to export electric power over authorized transmission interconnections between Canada and the United States. Transmission to the point of delivery will be arranged by Freepoint over any authorized existing international electric transmission facilities (including those set out in Attachment 1), and over any international transmission facilities that may be approved by the Department in the future." App at 4.

Therefore, "Freepoint's export of electric energy to Canada does not and will not impair the sufficiency of electric supply within the United States nor does it or will it impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Federal Energy Regulatory Commission (FERC)." App at 2.

The existing international transmission facilities to be utilized by the Applicant have been previously authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. See App at 4; Attachment 1.

**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 FERC's 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).

Comments and other filings concerning Freepoint's Application should be clearly marked with GDO Docket No. EA-380-A. Additional copies are to be provided directly to Martin Ramirez, Head of Compliance, Freepoint Commodities, LLC, 58 Commerce Road, Stamford, CT 06902; (203) 542-6767; *MRamirez@freepoint.com* and Daniel E. Frank, Eversheds Sutherland (US) LLP, 700 Sixth St. NW, Suite 700, Washington, DC 20001-3980; (202) 383-0838; *DanielFrank@eversheds-sutherland.com*.

A final decision will be made on the requested authorization after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE evaluates whether the proposed action will have an adverse impact on the sufficiency of supply or reliability of the United States electric power supply system.

Copies of this Application will be made available, upon request, by accessing the program website at <https://www.energy.gov/gdo/pending-applications> or by emailing *Electricity.Exports@hq.doe.gov*.

**Signing Authority:** This document of the Department of Energy was signed on March 13, 2023, by Maria Robinson, Director, Grid Deployment Office, 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 March 14, 2023.

**Treena V. Garrett,**

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

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## DEPARTMENT OF ENERGY

### Update on Reimbursement for Costs of Remedial Action at Uranium and Thorium Processing Sites

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

**ACTION:** Notice of acceptance of title X claims during fiscal year (FY) 2023.

**SUMMARY:** This Notice announces the Department of Energy's (DOE) acceptance of claims in FY 2023 from eligible uranium and thorium processing site licensees for reimbursement under Title X of the Energy Policy Act of 1992. In FY 2022, DOE distributed \$16.155 million to licensees with approved claims from licensees in the Title X Uranium and Thorium Reimbursement Program.

**DATES:** The closing date for the submission of FY 2023 title X claims is July 14, 2023. The claims will be processed for payment together with any eligible unpaid approved claim balances from prior years, based on the availability of funds from congressional appropriations. If the total approved claim amounts exceed the available funding, the approved claim amounts will be reimbursed on a prorated basis. All reimbursements are subject to the availability of funds from congressional appropriations.

**ADDRESSES:** Claims must be submitted by certified or registered mail, return receipt requested, to Charlee Anne Boger, U.S. Department of Energy, Office of Legacy Management, 2597 Legacy Way, Grand Junction, Colorado 81503. Two copies of the claim should be included with each submission. In addition to the mailed hardcopies, claims may be submitted electronically to *Charlee.Boger@lm.doe.gov*.

**FOR FURTHER INFORMATION CONTACT:** Amie Robinson, Title X Program Lead at (202) 586-5000 or email: *Amie.Robinson@em.doe.gov*.

**SUPPLEMENTARY INFORMATION:** DOE published a final rule under 10 CFR part 765 in the **Federal Register** on May 23, 1994, (59 FR 26714) to carry out the requirements of title X of the Energy Policy Act of 1992 (sections 1001-1004 of Pub. L. 102-486, 42 U.S.C. 2296a *et seq.*) and to establish the procedures for eligible licensees to submit claims for reimbursement. DOE amended the final rule on June 3, 2003, (68 FR 32955) to adopt several technical and administrative amendments (*e.g.*, statutory increases in the reimbursement ceilings). Title X requires DOE to reimburse eligible uranium and thorium licensees for

certain costs of decontamination, decommissioning, reclamation, and other remedial action incurred by licensees at active uranium and thorium processing sites. The eligible licensees incurred these costs to remediate byproduct material, generated as an incident of sales to the United States Government of uranium or thorium that was extracted or concentrated from ores processed primarily for their source material contents. To be reimbursable, costs of remedial action must be for work that is necessary to comply with applicable requirements of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7901 *et seq.*), as amended, or where appropriate, with requirements established by a State pursuant to a discontinuance agreement under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021), as amended. Claims for reimbursement must be supported by reasonable documentation as determined by DOE in accordance with 10 CFR part 765. Funds for reimbursement will be provided from the Uranium Enrichment Decontamination and Decommissioning Fund established at the Department of Treasury pursuant to section 1801 of the Atomic Energy Act of 1954 (42 U.S.C. 2297g). Payment or obligation of funds shall be subject to the requirements of the Anti-Deficiency Act (31 U.S.C. 1341).

**Authority:** Section 1001-1004 of Pub. L. 102-486, 106 Stat. 2776 (42 U.S.C. 2296a *et seq.*).

### Signing Authority

This document of the Department of Energy was signed on March 14, 2023, by Amie Robinson, Office of Waste Disposal, Office of Environmental Management, 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 March 14, 2023.

**Treena V. Garrett,**

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

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