

DOE's existing NEPA regulations provide for certain variances "soundly based on the interests of national security or the public health, safety, or welfare." (10 CFR 1021.343(c)) Any such variance must have the advance written approval of the General Counsel,<sup>1</sup> and DOE must publish a notice in the **Federal Register** specifying the variance granted and the reasons.

#### Variance

Pursuant to 10 CFR 1021.343(c), I have determined that granting a variance from the requirements of 10 CFR 1021.216(c) through (h) with respect to the Department's funding opportunity for the Electric Drive Vehicle Battery and Component Manufacturing Initiative (DE-FOA-0000026) is soundly based on the interests of public welfare. Expediting the award of funding to promising proposals will accelerate development and production of electric drive vehicles. In addition, it will facilitate the nation's economic recovery by creating and retaining jobs and by transforming the nation's industrial infrastructure.

I have concluded that the Department's process for making these funding awards will provide the selecting official with sufficient information regarding potential environmental impacts in the Merit Review Report, which will summarize the strengths and weaknesses of the proposals according to the merit review criteria, including but not limited to environmental impacts. This report also will provide certain other information called for in 10 CFR 1021.216(g).

This variance does not affect the requirements imposed by 10 CFR 1021.216(i). If projects selected for funding require preparation of an environmental assessment or environmental impact statement, these NEPA reviews will be completed before DOE takes any action that would have an adverse environmental impact or limit the choice of reasonable alternatives. In addition, consistent with the openness provisions of 10 CFR 1021.216(h), any such environmental assessment or environmental impact statement will describe the environmental factors noted in the Merit Review Report that are relevant to the proposal being analyzed.

<sup>1</sup> DOE's NEPA regulations state at 10 CFR 1021.343(c) that the Secretary of Energy must provide written approval of any variance under that section. However, this authority has been delegated to the General Counsel pursuant to *Department of Energy Delegation Order No. 00-015.00A to the General Counsel*.

Issued in Washington, DC, on June 22, 2009.

**Scott Blake Harris,**

*General Counsel.*

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**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Construction, Operation, and Maintenance of the Proposed Transmission Agency of Northern California Transmission Project, California

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Extension of scoping period.

**SUMMARY:** On February 23, 2009, Western Area Power Administration (Western), an agency of the Department of Energy (DOE), announced the Notice of Intent to prepare an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the construction, operation, and maintenance of the proposed Transmission Agency of Northern California (TANC) Transmission Project. In that notice, Western described the schedule for scoping meetings and advised the public that comments on the scope of the EIS/EIR were due by April 30, 2009. On May 8, 2009, Western published a notice in the **Federal Register** extending the comment period to May 31, 2009. By this notice, Western extends the due date for comments on the scope of the EIS/EIR to July 30, 2009.

**DATES:** The date to provide comments on the scope of the EIS/EIR is extended to July 30, 2009.

**ADDRESSES:** Written comments on the scope of the EIS/EIR should be addressed to Mr. David Young, National Environmental Policy Act (NEPA) Document Manager, Western Area Power Administration, Sierra Nevada Region, 114 Parkshore Drive, Folsom, CA 95630 or e-mail [TTPEIS@wapa.gov](mailto:TTPEIS@wapa.gov).

**FOR FURTHER INFORMATION CONTACT:** For further information, please contact Mr. David Young, NEPA Document Manager, Western Area Power Administration, Sierra Nevada Region, 114 Parkshore Drive, Folsom, CA 95630, telephone (916) 353-4777, fax (916) 353-4772, or e-mail [TTPEIS@wapa.gov](mailto:TTPEIS@wapa.gov). Additional information on the proposed Project can also be found and comments submitted at <http://www.wapa.gov/transmission/ttp.htm>. For general information on DOE's NEPA review procedures or status of a NEPA review,

contact Ms. Carol M. Borgstrom, Director of NEPA Policy and Compliance, GC-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, telephone (202) 586-4600 or (800) 472-2756.

**SUPPLEMENTARY INFORMATION:** On February 23, 2009, Western announced the Notice of Intent to prepare an EIS for the construction, operation, and maintenance of the proposed TANC Transmission Project (74 FR 8086). In that notice, Western described the schedule for scoping meetings for the EIS/EIR, and advised the public that comments regarding the scope of the EIS/EIR were due by April 30, 2009. Western held all public scoping meetings as scheduled. On May 8, 2009, Western published a notice in the **Federal Register** extending the comment period to May 31, 2009 (74 FR 21674). Western has received requests for more time to comment. By this notice, Western further extends the due date for comments on the scope of the EIS/EIR to July 30, 2009.

Dated: June 17, 2009.

**Harrison G. Pease,**

*Chief Financial Officer.*

[FR Doc. E9-15048 Filed 6-25-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Big Stone II Power Plant and Transmission Project Final Environmental Impact Statement (DOE/EIS-0377)

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of Availability.

**SUMMARY:** The Western Area Power Administration (Western) announces the availability of the Big Stone II Power Plant and Transmission Project (Project) Final Environmental Impact Statement (EIS). This Final EIS analyzes the environmental impacts of constructing and operating the proposed Project. Western is considering whether to grant a request to interconnect the proposed Project with Western's transmission system at Morris and Granite Falls substations in Minnesota, an action which requires Western to complete modifications to these substations to support the interconnection.<sup>1</sup> The U.S.

<sup>1</sup> As noted in Western's Notice of Intent to prepare a Big Stone II EIS, Western became the lead agency for preparation of the EIS because the construction of Big Stone II would incorporate a major new generation resource into Western's

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