

Subsection 170t.(2) of the AEA requires that the Secretary adjust for inflation the amount of indemnification provided under an indemnification agreement pursuant to subsection 170d. at least once during each 5-year period following July 1, 2003, in accordance with the aggregate percentage change in the Consumer Price Index (CPI). The CPI is defined in subsection 170t.(3) to mean the CPI for all urban consumers published by the Secretary of Labor. DOE's initial adjustment increased the indemnification amount to \$11.961 billion. 74 FR 52793 (October 14, 2009). The second inflation adjustment, for the period following July 1, 2013, increased the indemnification amount to \$12,697,798,000. 78 FR 56868 (September 16, 2013). DOE made its most recent inflation adjustment to the indemnification amount to \$13,703,464,000 for the period following July 1, 2018. 83 FR 49375 (October 1, 2018).

This notice announces DOE's fourth periodic inflation adjustment for the 5-year period following July 1, 2023 based on the aggregate percentage change in the CPI between July 1, 2018 and July 1, 2023.

The CPI used to calculate the inflation adjustment for the period following July 1, 2018 was 251.989 (June 2018). The CPI used to calculate the inflation adjustment that is the subject of this Notice is 305.109 (June 2023). This difference represents an increase of approximately 21.08%. Application of this increase to the current DOE indemnification amount results in an inflation-adjusted indemnification amount rounded to the nearest thousand of \$16,592,154,000.

The inflation adjustment under AEA, subsection 170t., applies only to a nuclear incident within the United States. There is no corresponding inflation adjustment for a nuclear incident outside the United States. Accordingly, the indemnification amount for a nuclear incident outside the United States continues to be \$500 million.

This notice of adjusted indemnification amount is a "rule" as defined in the Administrative Procedure Act (APA) (5 U.S.C. 551(4)). However, the APA (5 U.S.C. 553(b)(B)) does not require an agency to seek comment on a proposed rule prior to publishing a final rule "when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest." In this instance, DOE has concluded that solicitation of

public comment is unnecessary. Congress has required DOE to adjust the amount of indemnification provided under an agreement of indemnification pursuant to section 170d. to reflect inflation in the initial and each subsequent 5-year period following July 1, 2003. The statute provides no discretion regarding the substance of the adjustment. DOE is required only to perform a ministerial computation to determine the relevant amount. On the same basis, DOE finds good cause, pursuant to 5 U.S.C. 553(d)(3) to waive the requirement for a 30-day delay in the effective date for this rule. As such, this rule is effective November 14, 2023.

DOE has determined that this notice of adjusted indemnification amount is the type of action that does not individually or cumulatively have a significant impact on the human environment as set forth in DOE's regulations implementing the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Specifically, the rule is covered under the categorical exclusion in paragraph A6 of appendix A to subpart D, 10 CFR part 1021, which applies to rulemakings that are strictly procedural. Accordingly, neither an environmental assessment nor an environmental impact statement is required.

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires preparation of an initial regulatory flexibility analysis for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by Executive Order 13272, "Proper Consideration of Small Entities in Agency Rulemaking," 67 FR 53461 (August 16, 2002), DOE published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the rulemaking process. 68 FR 7990. The Department has made its procedures and policies available on the Office of General Counsel's website: [www.energy.gov/gc/office-general-counsel](http://www.energy.gov/gc/office-general-counsel).

Because DOE, in this final rule, is performing only a ministerial computation to determine the relevant indemnification amount as required by Congress, a general notice of proposed rulemaking is not required, and the analytical requirements of the Regulatory Flexibility Act do not apply to this rulemaking.

#### Signing Authority

This document of the Department of Energy was signed on November 7,

2023, by Samuel Walsh General Counsel, 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 November 8, 2023.

**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. CP23-542-000]

#### Golden Triangle Storage, L.L.C.; Notice of Schedule for the Preparation of an Environmental Assessment for the Golden Triangle Storage Expansion Project

On September 12, 2023, Golden Triangle Storage, L.L.C. (GTS) filed an application in Docket No. CP23-542-000 requesting a Certificate of Public Convenience and Necessity pursuant to section 7(c) of the Natural Gas Act to construct and operate certain natural gas storage facilities. The proposed project is known as the Golden Triangle Storage Expansion Project (Project) and would authorize GTS to construct additional storage caverns, compressor units, and appurtenant facilities at its existing storage facility in Jefferson County, Texas. According to GTS, the Project would add approximately 14.4 billion cubic feet of new natural gas storage capacity to meet market demand in the Gulf Coast Region and enhance operational capabilities at the existing storage facilities.

On September 20, 2023, the Federal Energy Regulatory Commission (Commission or FERC) issued its Notice of Application for the Project. Among other things, that notice alerted agencies issuing Federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on a request for a Federal authorization within 90 days of the date of issuance

of the Commission staff's environmental document for the Project.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) for the Project and the planned schedule for the completion of the environmental review.<sup>1</sup>

#### Schedule for Environmental Review

Issuance of EA—February 1, 2024  
90-day Federal Authorization Decision Deadline<sup>2</sup>—May 1, 2024

If a schedule change becomes necessary, additional notice will be provided so that the relevant agencies are kept informed of the Project's progress.

#### Project Description

GTS proposes to construct and operate two underground salt dome natural gas storage caverns at its existing storage site, six additional 5,500 horsepower compressor units at its existing compressor station, a new brine disposal well and brine pipeline, and appurtenant facilities, in Jefferson County, Texas. Construction of the proposed facilities would temporarily disturb about 31 acres of land. Following construction, GTS would maintain about 5.2 acres of land for permanent operation of the Project's facilities; the remaining acreage would be restored and revert to former uses.

#### Background

On September 21, 2023, the Commission issued a *Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Golden Triangle Storage Expansion Project* (Notice of Scoping). The Notice of Scoping was sent to affected landowners; Federal, State, and local government agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. In response to the Notice of Scoping, the Commission received comments from the Texas Parks and Wildlife Department, the Sierra Club, and U.S. Environmental Protection Agency. The primary issues raised by the commentors are construction procedures, flood risks, effects on threatened and endangered species, water quality, air quality,

hazardous waste management, and impacts to environmental justice communities. All substantive comments will be addressed in the EA.

#### Additional Information

In order to receive notification of the issuance of the EA and to keep track of formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription. This service provides automatic notification of filings made to subscribed dockets, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Additional information about the Project is available from the Commission's Office of External Affairs at (866) 208-FERC or on the FERC website ([www.ferc.gov](http://www.ferc.gov)). Using the "eLibrary" link, select "General Search" from the eLibrary menu, enter the selected date range and "Docket Number" excluding the last three digits (*i.e.*, CP23-542), and follow the instructions. For assistance with access to eLibrary, the helpline can be reached at (866) 208-3676, TTY (202) 502-8659, or at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). The eLibrary link on the FERC website also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rule makings.

Dated: November 7, 2023.

**Kimberly D. Bose,**

Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 943-142]

#### Public Utility District No. 1 of Chelan County, Washington; Notice of Application for Approval of Contract for the Sale of Power Under Section 22 of the Federal Power Act

Take notice that on May 16, 2023, Public Utility District No. 1 of Chelan County, Washington (Chelan PUD) filed with the Commission an application for approval of a contract for the sale of power from its licensed Rock Island Hydroelectric Project No. 943 for a period beyond the expiration of its existing license for the project. The project is located on the Columbia River in Chelan and Douglas Counties, Washington.

Section 22 of the Federal Power Act, 16 U.S.C. 815, provides that contracts for the sale and delivery of power for periods extending beyond the termination date of a license may be entered into upon the joint approval of the Commission and the appropriate state public service commission or other similar authority in the state in which the sale or delivery of power is made.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at <https://ferconline.ferc.gov/LogIn.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888

<sup>1</sup> 40 CFR 1501.10 (2020).

<sup>2</sup> The Commission's deadline applies to the decisions of other Federal agencies, and State agencies acting under federally delegated authority, that are responsible for Federal authorizations, permits, and other approvals necessary for proposed projects under the Natural Gas Act. Per 18 CFR 157.22(a), the Commission's deadline for other agency's decisions applies unless a schedule is otherwise established by Federal law.