Investment and Jobs Act of 2021 (Pub. L. 117–58) made further amendments to section 242.

Section 242 directs the Secretary to provide incentive payments to the owners or authorized operators of hydroelectric generation facilities in accordance with specific statutory instructions. The Secretary is directed to issue incentive payments, subject to the availability of appropriations, for hydroelectric energy generated and sold by a qualified hydroelectric facility during the incentive period. Incentive payments may only be made upon receipt by the Secretary of an incentive payment application that demonstrates that the applicant is eligible to receive such payment and satisfies other requirements as the Secretary deems necessary (42 U.S.C. 15881(a)) In FY 2021, Congress appropriated to DOE $7,000,000 for this purpose.

The Secretary may only issue payments for the electric energy generated and sold by a qualified hydroelectric facility that began operations during the period of 22 fiscal years beginning after the first fiscal year occurring after the program's enactment, August 8, 2005 (42 U.S.C. 15881(c)). A qualified hydroelectric facility may receive payments for a period of 10 consecutive fiscal years, known as the incentive period, which begins with the fiscal year that electric energy generated from the facility is first eligible for such payments (42 U.S.C. 15881(d)). Payments made by the Secretary are to be based on the number of kilowatt hours of hydroelectric energy generated by the facility during the incentive period. The amount of such payment shall be 1.8 cents per kilowatt hour (as adjusted by the Internal Revenue Code of 1986), subject to the availability of appropriations, except that no facility may receive more than $1,000,000 in one calendar year (42 U.S.C. 15881(e)). No payments will be made after the expiration of the period of 32 fiscal years beginning with the first full fiscal year occurring after August 8, 2005, and no payment may be made under this section to any such facility after a payment has been made with respect to such facility for a period of 10 fiscal years (42 U.S.C. 15881(f)). The Secretary is authorized to carry out the purposes of this program for each of the fiscal years of 2021 through 2036 (42 U.S.C. 15881(g)).

In section 242, Congress defines a qualified hydroelectric facility to mean ''a turbine or other generating device owned or solely operated by a non-Federal entity—(A) that generates hydroelectric energy for sale; and (B)(i) that is added to an existing dam or conduit; or (ii)(I) that has generating capacity of not more than 20 megawatts; (II) for which the non-Federal entity has received a construction authorization from the Federal Energy Regulatory Commission, if applicable; and (III) that is constructed in an area in which there is inadequate electric service, as determined by the Secretary, including by taking into consideration—(aa) access to the electric grid; (bb) the frequency of electric outages; or (cc) the affordability of electricity'' (42 U.S.C. 15881(b)(1)).

Additionally, Congress defined an existing dam or conduit to mean any dam or conduit constructed and completed before August 8, 2005 and does not require any construction or enlargement of impoundment or diversion structures, other than repair or reconstruction, in connection with the installation of a turbine or other generating device (42 U.S.C. 15881(b)(2)). The term conduit maintains the same meaning here as when used in section 30(a)(2) of the Federal Power Act (16 U.S.C. 823a(a)(3)(A)) (42 U.S.C. 15881(b)(3)).

Further, these defined terms apply without regard to the hydroelectric kilowatt capacity of the facility, without regard to whether the facility uses a dam owned by a governmental or nongovernmental entity, and without regard to whether the facility begins operation on or after the date August 8, 2005 (42 U.S.C. 15881(b)).

Recently DOE made updates to clarify its Guidance for the Energy Policy Act of 2005 section 242 program. The December 2021 Guidance is available at: *https://www.energy.gov/eere/water/water-power-funding-opportunities.* Each application will be reviewed based on the Guidance. The updates made to the Guidance involve edits to clarify the definition of existing and new terms, eligibility window and incentive period, incentive payment calculations, application content requirements, and the duration of payments available to generation facilities.

DOE notes that applicants that received incentive payments for prior calendar years must submit a new and complete application addressing all eligibility requirements for hydroelectricity generated and sold in calendar year 2020. DOE will not consider previously submitted application materials. Applications that refer to previous application materials or statements in lieu of submitting current information will not be considered. As authorized under section 242 of EPAct 2005, and as explained in the Guidance, DOE also notes that it will only accept applications from qualified hydroelectric facilities that began operations at an existing dam or conduit between October 1, 2005, and September 30, 2027.

When submitting information to DOE for the section 242 program, it is recommended that applicants carefully read and review the completed content of the Guidance for this process. When reviewing applications, DOE may corroborate the information provided with information that DOE finds through FERC e-filings, contact with power off-taker, and other due diligence measure carried out by reviewing officials. DOE may require the applicant to conduct and submit an independent audit at its own expense, or DOE may conduct an audit to verify the number of kilowatt-hours claimed to have been generated and sold by the qualified hydroelectric facility and for which an incentive payment has been requested or made.

Signing Authority

This document of the Department of Energy was signed on December 15, 2021, by Jennifer Garson, Acting Director, Water Power Technologies 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 December 20, 2021.

Treena V. Garrett,

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

[FR Doc. 2021–27915 Filed 12–23–21; 8:45 am]

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DEPARTMENT OF ENERGY

Request for Information (RFI) on Using a Consent-Based Siting Process To Identify Federal Interim Storage Facilities; Correction

AGENCY: Office of Spent Fuel and Waste Disposition, Office of Nuclear Energy, Department of Energy.

ACTION: Request for information; correction.

SUMMARY: On December 1, 2021, the Office of Nuclear Energy, Department of Energy, published a request for information in the **Federal Register** on how to site federal facilities for the temporary, consolidated storage of spent nuclear fuel using a consent-based approach. This document corrects broken hyperlinks to the Invitation for Public Comment and to the 2017 Draft Consent-Based Siting Process for Consolidated Storage and Disposal Facilities for Spent Nuclear Fuel and High-Level Radioactive Waste.

FOR FURTHER INFORMATION CONTACT: Please send any questions to *consentbasedsiting@hq.doe.gov,* or to Alisa Trunzo at 301–903–9600.

Correction

In the **Federal Register** of December 1, 2021, FR Doc. 2021–25724, (86 FR 68244) under the **SUPPLEMENTARY INFORMATION** section, the following corrections are made:

(1) First column, first paragraph, lines 9 thru 11, the weblink is corrected as follows:

https://www.energy.gov/sites/prod/files/2016/12/f34/Summary%20of%20Public%20Input%20Report%20FINAL.pdf.

(2) First column, first paragraph, lines 22 thru 25, the weblink is corrected as follows:

https://www.energy.gov/sites/prod/files/2017/01/f34/Draft%20Consent-Based%20Siting%20Process%20and%20Siting%20Considerations.pdf.

(3) First column, fourth paragraph, under the heading, Questions for Input, lines 9 thru 11, the weblink is corrected as follows:

https://www.energy.gov/sites/prod/files/2017/01/f34/Draft%20Consent-Based%20Siting%20Process%20and%20Siting%20Considerations.pdf.

(4) Second column, under the heading, Area 1: Consent-Based Siting Process, paragraph 7, the weblink is corrected as follows:

https://www.energy.gov/sites/prod/files/2017/01/f34/Draft%20Consent-Based%20Siting%20Process%20and%20Siting%20Considerations.pdf.

Reason for Correction: The change aims to fix the standard hyperlink format accepted by the FRN template.

Signing Authority

This document of the Department of Energy was signed on December 15, 2021, by Dr. Kathryn Huff, Principal Deputy Assistant Secretary for the Office of Nuclear Energy, 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 December 21, 2021.

Treena V. Garrett,

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

[FR Doc. 2021–28009 Filed 12–23–21; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

National Nuclear Security Administration

Exports of U.S.-Origin Highly Enriched Uranium (HEU) for Medical Isotope Production: Certification of Sufficient Supplies of Non-HEU-based Molybdenum-99 (Mo-99) To Meet Needs of Patients in the United States

AGENCY: National Nuclear Security Administration (NNSA), Department of Energy (DOE).

ACTION: Notice.

SUMMARY: DOE and Department of Health and Human Services (HHS), in accordance with the American Medical Isotopes Production Act of 2012 (AMIPA), have issued a joint Secretarial certification that there is a sufficient global supply of Mo-99 produced without the use of HEU available to meet the needs of patients in the United States and that it is not necessary to export United States-origin HEU for the purposes of medical isotope production in order to meet United States patient needs. This certification is effective as of January 2, 2022.

FOR FURTHER INFORMATION CONTACT: Requests for additional information may be sent to Max Postman in the Office of Conversion *OfficeofConversion@nnsa.doe.gov* or 202–586–9114.

SUPPLEMENTARY INFORMATION:

Authority and Background:

The American Medical Isotopes Production Act of 2012 (AMIPA) (subtitle F, Title XXXI of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112–139)), enacted on January 2, 2013, amended section 134 of the Atomic Energy Act of 1954 (42 U.S.C. 2160d) by striking subsection c. and inserting language that prohibits the Nuclear Regulatory Commission (NRC) from issuing a license for the export of HEU from the United States for the purposes of medical isotope production, effective seven years after enactment of AMIPA, subject to a certification regarding the sufficiency of Mo-99 supply in the United States.

AMIPA requires the Secretary of Energy to either jointly certify, with the Secretary of Health and Human Services, that there is a sufficient supply of Mo-99 produced without the use of HEU available to meet U.S. patient needs, and that it is not necessary to export U.S.-origin HEU for the purposes of medical isotope production in order to meet U.S. patient needs, or to unilaterally certify that there is insufficient supply of Mo-99 produced without the use of HEU available to satisfy the domestic market and that the export of U.S.-origin HEU for the purposes of medical isotope production is the most effective temporary means to increase the supply of Mo-99 to the domestic U.S. market, thereby delaying the enactment of the export license ban for up to six years.

DOE published a **Federal Register** notice (85 FR 3362) on January 21, 2020 certifying that, at the time, there was an insufficient global supply of Mo-99 produced without the use of HEU and that the export of U.S.-origin HEU for the purposes of medical isotope production was the most effective temporary means to increase the supply of Mo-99 to the domestic U.S. market. This certification was effective for no more than two years from the effective date of January 2, 2020. The **Federal Register** notice stated that DOE would conduct periodic reviews of the domestic U.S. and global Mo-99 market and would work toward a certification to Congress, regarding the sufficiency of supply as soon as the statutory conditions are satisfied.

Based on an expert third party market analysis, as well as the assessment of subject matter experts in both agencies, the Secretary of Energy and the Secretary of Health and Human Services have jointly certified that there is a sufficient global supply of Mo-99 produced without the use of HEU available to meet the needs of patients in the United States. Furthermore, while there is the potential for future shortages of other medical isotopes, including iodine-131 and xenon-133, the export of HEU would not mitigate these risks. Therefore, the Secretaries also have jointly certified that it is not necessary to export United States-origin HEU for the purposes of medical isotope production in order to meet United States patient needs.