

SEAs, with instructions, and will request that SEAs commence submitting FY 2015 data to the Census Bureau on Tuesday, February 2, 2016. SEAs are urged to submit accurate and complete data by Friday, March 18, 2016, to facilitate timely processing.

Submissions by SEAs to the Census Bureau will be analyzed for accuracy and returned to each SEA for verification. SEAs must submit all data, including any revisions to FY 2014 and FY 2015 data, to the Census Bureau no later than Monday, August 15, 2016. Any resubmissions of FY 2014 or FY 2015 data by SEAs in response to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau must be completed by Tuesday, September 6, 2016. Between August 15, 2016, and September 6, 2016, SEAs may also, on their own initiative, resubmit data to resolve issues not addressed in their final submission of NPEFS data by August 15, 2016. All outstanding data issues must be reconciled or resolved by the SEAs, NCES, and the Census Bureau as soon as possible, but no later than September 6, 2016.

In order to facilitate timely submission of data, the Census Bureau will send reminder notices to SEAs in May, June, and July of 2016.

Having accurate, consistent, and timely information is critical to an efficient and fair Department of Education (Department) allocation process and to the NCES statistical process. To ensure timely distribution of Federal education funds based on the best, most accurate data available, the Department establishes, for program funding allocation purposes, Monday, August 15, 2016, as the final date by which the SEAs must submit data using either the interactive survey form on the NPEFS data collection Web site at: <http://surveys.nces.ed.gov/ccdnpefs> or ED Form 2447.

Any resubmissions of FY 2014 or FY 2015 data by SEAs in response to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau must be completed through the interactive survey form on the NPEFS data collection Web site or ED Form 2447 by Tuesday, September 6, 2016. If an SEA submits revised data after the final deadline that result in a lower SPPE figure, the SEA's allocations may be adjusted downward, or the Department may direct the SEA to return funds. SEAs should be aware that all of these data are subject to audit and that, if any inaccuracies are discovered in the audit process, the Department may seek

recovery of overpayments for the applicable programs.

**Note:** The following are important dates in the data collection process for FY 2015:

February 2, 2016—SEAs can begin to submit accurate and complete data for FY 2015 and revisions to previously submitted data for FY 2014.

March 18, 2016—Date by which SEAs are urged to submit accurate and complete data for FY 2014 and FY 2015.

August 15, 2016—Mandatory final submission date for FY 2014 and FY 2015 data to be used for program funding allocation purposes.

September 6, 2016—Mandatory final deadline for responses by SEAs to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau. All data issues must be resolved.

If an SEA's submission is received by the Census Bureau after August 15, 2016, the SEA must show one of the following as proof that the submission was mailed on or before that date:

1. A legibly dated U.S. Postal Service postmark.
2. A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
3. A dated shipping label, invoice, or receipt from a commercial carrier.
4. Any other proof of mailing acceptable to the Secretary.

If the SEA mails ED Form 2447 through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

1. A private metered postmark.
2. A mail receipt that is not dated by the U.S. Postal Service.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an SEA should check with its local post office.

**Accessible Format:** Individuals with disabilities may obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to: Mr. Stephen Q. Cornman, NPEFS Project Director, National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education. Telephone: (202) 245-7753 or by email: [stephen.cornman@ed.gov](mailto:stephen.cornman@ed.gov).

**Electronic Access to This Document:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Authority:** 20 U.S.C. 9543.

Dated: December 18, 2015.

**Ruth Neild,**

*Deputy Director for Policy and Research  
Delegated the Duties of the Director for the  
Institute of Education Sciences.*

[FR Doc. 2015-32266 Filed 12-22-15; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Invitation for Public Comment To Inform the Design of a Consent-Based Siting Process for Nuclear Waste Storage and Disposal Facilities

**AGENCY:** Fuel Cycle Technologies, Office of Nuclear Energy, Department of Energy.

**ACTION:** Notice of Invitation for Public Comment (IPC).

**SUMMARY:** The U.S. Department of Energy (DOE) is implementing a consent-based siting process to establish an integrated waste management system to transport, store, and dispose of commercial spent nuclear fuel and high level defense radioactive waste. In a consent-based siting approach, DOE will work with communities, tribal governments and states across the country that express interest in hosting any of the facilities identified as part of an integrated waste management system. As part of this process, the Department wants public input on implementing this system. In order to solicit public feedback, DOE is submitting this Invitation for Public Comment (IPC). Through this IPC, we are requesting feedback from communities, states, Tribes, and other interested stakeholders on how to design a consent-based siting process. In addition, the Department intends to host a series of public meetings to engage communities and discuss the development of a consent-based approach to managing our nation's nuclear waste.

**DATES:** Written comments will be accepted beginning December 23, 2015 through June 15, 2016. Separate announcements will be made for each public meeting.

**ADDRESSES:** You may submit questions or comments by any of the following methods:

*Email:* Responses may be provided by email to [consentbasedsiting@hq.doe.gov](mailto:consentbasedsiting@hq.doe.gov). Please include "Response to IPC" in the subject line.

*Mail:* Responses may be provided by mail to the following address: U.S. Department of Energy, Office of Nuclear Energy, Response to IPC, 1000 Independence Ave SW., Washington, DC 20585.

*Fax:* Responses may be faxed to 202-586-0544. Please include "Response to IPC" on the fax cover page.

*Online:* Responses will be accepted online at [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:**

Requests for further information should be sent to [consentbasedsiting@hq.doe.gov](mailto:consentbasedsiting@hq.doe.gov). Please include "Question on IPC" in the subject line.

**SUPPLEMENTARY INFORMATION:**

**Background**

Electricity generated by nuclear energy has powered homes, schools, and industry in the United States since the 1950s. Nuclear material is used to power naval vessels and was used to build the U.S. nuclear weapon stockpile during the Cold War. These activities have generated spent nuclear fuel (SNF) and high-level radioactive waste (HLW).

Isolating and containing this radioactive waste is necessary to ensure the long-term safety and security of the public and environment. Though the Cold War ended a quarter century ago and commercial nuclear power has been generated for over half a century, the country still lacks a permanent disposal solution for SNF and HLW. Instead, commercial SNF is stored at operating and shutdown reactor sites around the country while HLW from defense activities resides at Department of Energy sites. Previous attempts to develop long-term solutions for storage and disposal of this waste have resulted in controversy, litigation, protracted delays, and ultimately a failure to address the problem.<sup>1</sup>

Failure to dispose of nuclear waste has proven costly for energy ratepayers and taxpayers who are paying for the inability of the government to meet federal waste management commitments. States, Tribes, and others in the public carry the undue burden of hosting radioactive waste they were promised was only temporary.<sup>2</sup> Collectively, we have the responsibility to dispose of waste using a process that

is fair to present and future generations. We must live up to our obligations and develop a lasting solution.

**Purpose**

The purpose of this IPC is to seek input on the elements that the Department of Energy should consider in the development of a consent-based siting process. As reflected in the Administration's *Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Waste* (Strategy),<sup>3</sup> the Department concurs with the recommendation from the Blue Ribbon Commission on America's Nuclear Future that a phased, adaptive, consent-based siting process is the best approach to gain the public trust and confidence needed to site nuclear waste facilities. As the Department begins to consider a process for consent-based siting, we want to hear from all interested parties.

The Administration's Strategy envisioned the implementation of an integrated waste management system consisting of a range of nuclear waste facilities, each serving a specific role, to address the challenges facing the U.S. These nuclear waste facilities could include:

- A pilot interim storage facility with limited capacity capable of accepting used nuclear fuel and high-level radioactive waste and initially focused on serving shut-down reactor sites;
- A larger, consolidated interim storage facility, potentially co-located with the pilot facility and/or with a geologic repository, that provides the needed flexibility in the waste management system and allows for important near-term progress in implementing the federal commitment;
- Deep borehole disposal, which could be an option for disposal of smaller and more compact waste forms currently stored at Department of Energy sites;
- A permanent geologic repository for the disposal of defense high-level waste and, potentially, some DOE-managed spent nuclear fuel, which would be generally less radioactive, cooler, and easier to handle, enabling a simpler design and earlier availability; and
- A permanent geologic repository for the disposal of commercial spent nuclear fuel.

In early to mid-2016, the Department of Energy will host a series of public meetings to receive input for the design of a consent-based siting process. This

IPC announces the Department's intention to hold meetings and to request input about what considerations are important when designing a fair and effective process for consent-based siting. Written input as well as feedback from public meetings will enable the Department to draft the initial steps on a proposal for a phased, adaptive, consent-based process for selecting sites.

Moving forward, the Department of Energy will draw upon extensive experience in storage, transportation, siting, policy, legislative, and regulatory issues both in the U.S. and elsewhere. A top priority is to build upon and improve existing relationships with states, Tribes, communities, and stakeholders to help identify important considerations, challenges, and opportunities for discussion.

*Questions for Input*

*(1) How can the Department of Energy ensure that the process for selecting a site is fair?*

Consent based siting seeks to ensure fairness in the distribution of costs, benefits, risks and responsibilities now and in future generations. How, in your view, can fairness be best assured by the process for selecting a site?

*(2) What models and experience should the Department of Energy use in designing the process?*

The challenges and opportunities of site selection drive us to continue to learn from previous or ongoing examples. From your perspective, what experience and models do you think are the most relevant to consider and draw from in designing the process for selecting a site?

*(3) Who should be involved in the process for selecting a site, and what is their role?*

The Department believes that there may be a wide range of communities who will want to learn more and be involved in selecting a site. Participation in the process for selecting a site carries important responsibilities. What are your views on who should be involved and the roles participants should have?

*(4) What information and resources do you think would facilitate your participation?*

The Department of Energy is committed to ensuring that people and communities have sufficient information and access to resources for engaging fully and effectively in siting. What information and resources would be essential to enable you to learn the most about and participate in the siting process?

*(5) What else should be considered?*

<sup>1</sup> Blue Ribbon Commission on America's Nuclear Future, Report to the Secretary of Energy, January 2012. <http://energy.gov/ne/downloads/blue-ribbon-commission-americas-nuclear-future-report-secretary-energy>.

<sup>2</sup> Ibid.

<sup>3</sup> Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Radioactive Waste, January 2013. <http://www.energy.gov/downloads/strategy-management-and-disposal-used-nuclear-fuel-and-high-level-radioactive-waste>.

The questions posed in this document are a starting point for discussion on the design of the process for consent-based siting of nuclear waste facilities, the Department of Energy would like to hear about and discuss any related questions, issues, and ideas that you think are important.

#### Next Steps

Written comments from this IPC, along with input from public meetings, will be documented in a draft report scheduled to be released in summer 2016. The Department is planning to solicit comments on the draft report in order to ensure the content accurately reflects input received.

If you are unable to attend a public meeting or would like to further discuss ideas for consent-based siting, please propose an opportunity for us to speak with you. The Department will do its best to accommodate requests and help arrange additional opportunities to engage. To learn more about nuclear energy, nuclear waste, and ongoing technical work please see [energy.gov/consentbasedsiting](http://energy.gov/consentbasedsiting).

#### Submitting Comments

*Instructions:* Submit comments via any of the mechanisms set forth in the **ADDRESSES** section above. Respondents are requested to provide the following information at the beginning of their response to this IPC:

State, tribal, community, organization, public or individual name;

State, tribal, community, organization, public or individual point of contact; and

Point of contact's address, phone number, and email address.

If an email or phone number is included, it will allow the DOE to contact the commenter if questions or clarifications arise. No responses will be provided to commenters in regards to the disposition of their comments. All comments will be officially recorded without change or edit, including any personal information provided. Personal information (other than name) will be protected from public disclosure upon request.

Please identify your answers by responding to a specific question or topic, if possible. Respondents may answer as many or as few questions as they wish. Any additional comments that do not address a particular question should be included at the end of your response to this IPC as "Additional Comments."

DOE would appreciate early input in order to identify initial interest and concerns, as well as any early opportunities. Amended or revised inputs from commenters are also

welcome throughout the comment period to help DOE develop this process. Comments received after the closing date will be considered as the planning process progresses; however, the DOE is only able to ensure consideration of comments received on or before the closing date as the initial phase of the consent based siting process is developed. Subsequent comments and input will also be welcome as DOE views this as a core component of a phased and adaptive consent-based siting process.

*Privacy Act:* Data collected via the mechanisms listed above will not be protected from the public view in any way.

Issued in Washington, DC, on December 15, 2015.

**Andrew Griffith,**

*Associate Deputy Assistant Secretary for Fuel Cycle Technologies, Office of Nuclear Energy, Department of Energy.*

[FR Doc. 2015-32346 Filed 12-22-15; 8:45 am]

**BILLING CODE 6450-01-P**

#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket No. NJ16-4-000]

##### City of Banning, California; Notice of Filing

Take notice that on December 15, 2015, City of Banning, California submitted its tariff filing: Filing 2016 Transmission Revenue Balancing Account Adjustment and Existing Transmission Contracts update, to be effective 1/1/2016.

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. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the

Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on January 5, 2016.

Dated: December 17, 2015.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2015-32270 Filed 12-22-15; 8:45 am]

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket No. IN16-2-000]

##### ETRACOM LLC; Michael Rosenberg; Notice of Designation of Commission Staff as Non-Decisional

December 16, 2015.

With respect to an order issued by the Commission on December 16, 2015 in the above-captioned docket, with the exceptions noted below, the staff of the Office of Enforcement are designated as non-decisional in deliberations by the Commission in this docket.<sup>1</sup>

Accordingly, pursuant to 18 CFR 385.2202 (2015), they will not serve as advisors to the Commission or take part in the Commission's review of any offer of settlement. Likewise, as non-decisional staff, pursuant to 18 CFR 385.2201 (2015), they are prohibited from communicating with advisory staff concerning any deliberations in this docket.

Exceptions to this designation as non-decisional are:

Larry Parkinson  
Lee Ann Watson  
Janel Burdick  
Maria Brun  
Sam Bonar  
Gabriel Sterling  
Carol Clayton  
Wesley Heath  
Seema Jain

<sup>1</sup> ETRACOM LLC and Michael Rosenberg, 153 FERC ¶ 61,314 (2015).