

(4) Justify the necessity for, and the form of, the requested correction.

(C) A member of the public who files a request for correction under paragraph IV.A.2 has the burden of justification with respect to the necessity for correction as well as with respect to the type of correction requested.

(D) Requests from members of the public seeking correction of non-DOE information.

(1) DOE Elements may collect, use, and make available information from various sources and data owners. Elements must identify and highlight original sources of information when such information is used to create or modify influential information.

(2) If the Department receives a request for correction involving non-DOE controlled information, the following applies:

(a) The Department cannot correct or modify information that is owned or made available on behalf of the original data owner, such as a tribal nation.

(b) The Department will identify the specific information exempt from the correction process through a written response to the requester.

#### *B. How does DOE process requests for correction?*

1. *Incomplete requests.* If a request for correction is incomplete, DOE may seek clarification from the person submitting the request or return it without prejudice to resubmission.

2. *Public notice of a request for correction.* In selected cases, DOE may publish notice of the receipt of a request for correction and may invite public comment.

3. *Participation by other interested persons.* By letter, DOE may invite or allow other interested persons to comment on a request for correction.

4. *Initial decisions.* If the request for correction concerns information that does not involve a document subject to public comment, then the originating office of the DOE Element responsible for dissemination of the information should provide at least an initial decision within 60 days from the date of receipt. The response should contain a statement of reasons for the disposition. If an initial decision on a request for correction under this paragraph requires more than 60 days, then the DOE Element should inform the requestor that more time is required and indicate the reason why and an estimated decision date. The DOE Element's response should contain a point-by-point response to any data quality arguments contained in the RFC and should refer to any relevant peer review that directly considered the issue

being raised, if available. In responding to an RFC, the DOE Element should not opine on the requestor's or DOE's policy position.

5. *Administrative appeals.* In the event DOE initially denies a request for correction of information not subject to public comment and the person who submitted the request would like additional review, then that person must submit a request for review, including a statement of reasons for modifying or reversing the initial decision, no later than 30 days from the date of that decision. A request for review under this paragraph must be submitted by email to [DOEPRA@hq.doe.gov](mailto:DOEPRA@hq.doe.gov) or by regular mail to Office of the Chief Information Officer, Attention: DOE Quality Guidelines, U.S. Department of Energy, Forrestal Building—Room 8H-089, 1000 Independence Avenue SW, Washington, DC 20585, or via Fax to (202) 586-0262. The CIO will direct the request for review to the DOE Element which supervises the originating DOE program office, and the DOE Element, with the concurrence of the Office of the General Counsel, should issue a final decision for DOE (with a copy to the CIO) within 60 days from the date that the request for review is received. To ensure the integrity of the appeals process, the DOE Element should ensure that those individuals reviewing and responding to the appeals request were not involved in the review and initial response to the RFC. If a final decision on a request for correction under this paragraph requires more than 60 days, then the DOE Element should inform the requestor that more time is required and indicate the reason why and an estimated decision date.

6. *Any corrective action will be determined by the nature and timeliness of the information, the magnitude of the error, and the cost of undertaking a correction.* DOE Elements are not required to change, or in any way alter, the content or status of information simply based on the receipt of a request for correction. DOE Elements need not respond substantively to frivolous or repetitive requests for correction. Nor do DOE Elements have to respond substantively to requests that concern information not covered by the OMB or DOE Guidelines or from a person who has not justified the necessity for correction.

7. *Determination of merit.* If DOE determines that a request for correction of information not subject to public comment has merit, DOE may respond by correcting the information in question and without issuing a decision

explaining the reasons for accepting the request.

8. *Multiple requests for correction.* If DOE receives multiple requests for correction of information not subject to public comment, DOE may consolidate the requests and respond on a DOE website, or by notice in the **Federal Register**, or by issuing a correction in similar form and manner as the original information was issued.

9. *Applicability of the request for correction to the Guidelines.* If a member of the public complains about information set forth or referenced with endorsement in a DOE or DOE-sponsored document and does not request correction under the OMB and DOE guidelines, then the complaint is not subject to processing as a request for correction under those guidelines.

10. *Timeliness of the request for correction.* If a member of the public requests correction of information first disseminated more than one year prior to the request and the information does not have a continuing significant impact on DOE projects or policy decisions or on important private sector decisions, DOE may regard the information as stale for purposes of responding to the request.

11. *Additional procedures.* DOE may devise additional procedures on a case-by-case basis as may be appropriate to process requests for correction.

#### **V. IQA Reporting Requirements.**

On an annual basis, the Department will report to the Director of OMB on the requests for corrections received under these Guidelines through a process managed by OMB. The OCIO will serve as the Departmental lead for this report. DOE Elements must designate a reporting official, except as agreed otherwise between the DOE Element and the OCIO. The report will include the location of the Department's IQA web page, the number of complaints received for the previous fiscal year, and a detailed description of the nature of submitted complaints (e.g., request for deletion or correction) and the resolution of complaints (e.g., number corrected, denied, or pending review).

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#### **DEPARTMENT OF ENERGY**

##### **DOE/NSF Nuclear Science Advisory Committee**

**AGENCY:** Office of Science, Department of Energy.

**ACTION:** Notice of renewal.

Pursuant to the Federal Advisory Committee Act and following consultation with the Committee Management Secretariat, General Services Administration, notice is hereby given that the DOE/NSF Nuclear Science Advisory Committee (NSAC) has been renewed for a two-year period.

The NSAC will provide advice and recommendations to the Director, Office of Science (DOE), and the Assistant Director, Directorate for Mathematical and Physical Sciences (NSF), on scientific priorities within the field of basic nuclear science research.

Additionally, the renewal of the NSAC has been determined to be essential to conduct business of the Department of Energy and the National Science Foundation, and to be in the public interest in connection with the performance of duties imposed upon DOE and NSF, by law and agreement. The Committee will continue to operate in accordance with the provisions of the Federal Advisory Committee Act, and the rules and regulations in implementation of that Act.

**FOR FURTHER INFORMATION CONTACT:** Dr. Timothy Hallman at (301) 903-3613 or email at: [timothy.hallman@science.doe.gov](mailto:timothy.hallman@science.doe.gov).

Signed in Washington, DC, on September 27, 2019.

**Rachael J. Beitler,**

*Committee Management Officer.*

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## DEPARTMENT OF ENERGY

### National Nuclear Security Administration

#### Amended Record of Decision for the Continued Interim Operation of the Y-12 National Security Complex

**AGENCY:** National Nuclear Security Administration, Department of Energy.

**ACTION:** Amended record of decision.

**SUMMARY:** The National Nuclear Security Administration (NNSA), a separately organized agency within the U.S. Department of Energy (DOE), is amending its July 2011 Record of Decision for the Continued Operation of the Y-12 National Security Complex (2011 ROD) to reflect its decision to continue to implement on an interim basis a revised approach for meeting enriched uranium requirements (while addressing issues related to seismic analysis), by upgrading existing enriched uranium (EU) processing buildings and constructing a new Uranium Processing Facility (UPF).

Additionally, NNSA has decided to separate the single-structure UPF design concept into a new design consisting of multiple buildings, with each constructed to safety and security requirements appropriate to the building's function. This revised approach is combining elements of the two alternatives previously analyzed in the Final Site-Wide Environmental Impact Statement for the Y-12 National Security Complex, DOE/EIS-0387 (Y-12 SWEIS).

**FOR FURTHER INFORMATION CONTACT:** For further information on this Amended Record of Decision (ROD), contact: Ms. Terri Slack, Field Counsel, U.S. Department of Energy, National Nuclear Security Administration, NNSA Production Office, P.O. Box 2050, Oak Ridge, TN 37831, (865) 576-1722. For information on the DOE National Environmental Policy Act (NEPA) process, contact: Mr. Brian Costner, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-4600, or leave a message at (800) 472-2756. This Amended ROD and related NEPA documents are available on the DOE NEPA website at [www.nepa.energy.gov](http://www.nepa.energy.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Y-12 is NNSA's primary site for uranium operations, including EU processing and storage, and is one of the primary manufacturing facilities for maintaining the U.S. nuclear weapons stockpile. Y-12 is unique in that it is the only source of secondaries, cases, and other nuclear weapons components for the NNSA nuclear security mission.

In the Y-12 SWEIS, NNSA analyzed the potential environmental impacts of ongoing and future operations and activities at Y-12. Five alternatives were analyzed in the Y-12 SWEIS: (1) No Action Alternative (maintain the status quo), (2) UPF Alternative, (3) Upgrade in-Place Alternative (4) Capability-sized UPF Alternative, and (5) No Net Production/Capability-sized UPF Alternative. In the 2011 ROD (July 20, 2011, 76 FR 43319), NNSA decided to implement the Capability-sized UPF Alternative and to construct and operate a single-structure Capability-sized UPF at Y-12 as a replacement for certain existing buildings. Subsequent to the publication of the 2011 ROD, concerns about UPF cost and schedule growth prompted NNSA to reevaluate its strategy for meeting EU requirements, including the UPF design approach.

Under the updated strategy, previously approved in a July 12, 2016, Amended Record of Decision (2016 AROD), NNSA would meet enriched uranium requirements using a revised approach of upgrading existing enriched uranium processing buildings and constructing a smaller-scale UPF facility implementing a new multiple building design approach. The updated strategy is consistent with recommendations from a project peer review of the UPF ["Final Report of the Committee to Recommend Alternatives to the Uranium Processing Facility Plan in Meeting the Nation's Enriched Uranium Strategy"] conducted in 2014. In the new UPF design approach, the single-structure UPF concept would be separated into multiple buildings, each being constructed to safety and security requirements appropriate to the building's function.

#### NEPA Process for Amending the ROD and Subsequent Litigation

The Y-12 SWEIS evaluated the potential impacts of the reasonable range of alternatives for continuing enriched uranium processing operations at Y-12 and provided a basis for the 2011 ROD. As discussed above, NNSA's new strategy of upgrading existing enriched uranium buildings and constructing UPF with multiple buildings, previously approved in the 2016 AROD, is different from the Capability-sized UPF that NNSA selected in the 2011 ROD. Instead it is a hybrid approach that combines elements of the Capability-sized UPF Alternative and certain elements of the Upgrade in Place Alternative. Consequently, NNSA prepared a Supplement Analysis (DOE/EIS-0387-SA-01) in accordance with CEQ and DOE regulations implementing NEPA (40 CFR 1502.9(c) and 10 CFR 1021.314(c)) to determine (1) if there are potential environmental impacts that differ from those analyzed in the Y-12 SWEIS that would be expected to result from NNSA's new strategy and (2), if so, if the impacts would be considered significant in the context of NEPA (40 CFR 1508.27), which would require preparation of a new or Supplemental Environmental Impact Statement (EIS). On July 12, 2016, NNSA issued the 2016 AROD, determining that because the action was a hybrid of two alternatives reviewed in the 2011 SWEIS and its environmental impacts would not be significantly different or significantly greater than those reviewed in the prior analysis, it need not prepare a new or supplemental environmental impact statement (EIS). NNSA again updated this environmental analysis under