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6450-01-P

DEPARTMENT OF ENERGY

[Certification Notice – 257]

Notice of Filing of Self-Certification of Coal Capability Under the Powerplant and Industrial Fuel Use Act

AGENCY: Office of Electricity, Energy (DOE).

ACTION: Notice of Filing.

SUMMARY: On August 20, 2020, Hill Top Energy Center LLC (HTEC), as owner and operator of a new baseload power plant, submitted a coal capability self-certification to the Department of Energy (DOE). The Powerplant and Industrial Fuel Use Act of 1978, as amended, and regulations thereunder require DOE to publish a notice of filing of self-certification in the *Federal Register*.

ADDRESSES: Copies of coal capability self-certification filings are available for public inspection, upon request, in the Office of Electricity, Mail Code OE-20, Room 8G-024, Forrestal Building, 1000 Independence Avenue SW, Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Christopher Lawrence at (202) 586-5260 or Christopher.lawrence@hq.doe.gov.

SUPPLEMENTARY INFORMATION: On August 20, 2020, HTEC, as owner and operator of a new baseload power plant, submitted a coal capability self-certification to DOE pursuant to section 201(d) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA), as amended (42 U.S.C. 8311(d)), and DOE regulations at 10 CFR 501.61(a). The FUA and regulations thereunder require DOE to publish a notice of filing of self-certification in the *Federal Register* within fifteen days. See 42 U.S.C. 8311(d)(1); 10 CFR 501.61(c). Section 201(a) of the FUA provides that “no new electric powerplant may be constructed or operated

as a base load powerplant without the capability to use coal or another alternate fuel as a primary energy source.” 42 U.S.C. 8311(a). Pursuant to section 201(d) of the FUA, in order to meet the requirement of coal capability, the owner or operator of such a facility proposing to use natural gas or petroleum as its primary energy source must certify to the Secretary of Energy (Secretary), prior to construction or prior to operation as a baseload powerplant, that such powerplant has the capability to use coal or another alternate fuel. *See* 42 U.S.C. 8311(d)(1). Such certification establishes compliance with FUA section 201(a) as of the date it is filed with the Secretary. *Id.*; 10 C.F.R. 501.61(b).

The following owner of a proposed new baseload electric generating powerplant has filed a self-certification of coal-capability with DOE pursuant to FUA section 201(d) and in accordance with DOE regulations at 10 CFR 501.61:

Owner: Hill Top Energy Center LLC.
Design Capacity: 620 megawatts (MW).
Plant Location: Carmichaels, PA 15320.
In-Service Date: May 2021.

Signed in Washington, D.C. on September 3, 2020.

Christopher Lawrence,
Program Management Analyst,
Office of Electricity.