

show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

The application filed by Eni USA is available for inspection and copying in the Office of Oil and Gas Global Security and Supply docket room, 3E-042, at the address listed in **ADDRESSES**. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The application and any filed protests, motions to intervene or notice of interventions, and comments will also be available electronically by going to the following DOE/FE Web address: <http://www.fe.doe.gov/programs/gasregulation/index.html>. In addition, any electronic comments filed will also be available at: <http://www.regulations.gov>.

Issued in Washington, DC, on January 5, 2011.

John A. Anderson,

Manager, Natural Gas Regulatory Activities, Office of Oil and Gas Global Security and Supply, Office of Fossil Energy.

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DEPARTMENT OF ENERGY

Notice of Public Scoping Meetings for the Hawai'i Interisland Renewable Energy Program: 'Wind Programmatic Environmental Impact Statement (DOE/EIS-0459)

AGENCY: Department of Energy (DOE).

ACTION: Notice of public scoping meetings and opportunity to comment.

SUMMARY: DOE will host four public meetings in the Hawaiian Islands to receive comments on the scope of the Hawai'i Interisland Renewable Energy Program: Wind Programmatic Environmental Impact Statement (hereinafter referred to as the Hawai'i Wind EIS or the EIS). The public scoping meetings will be conducted jointly with the State of Hawai'i Department of Business, Economic Development and Tourism (DBEDT), which is a co-lead agency with DOE in the preparation of the EIS. The EIS will assess the foreseeable environmental

impacts that may arise from wind energy development under the Hawai'i Interisland Renewable Energy Program (HIREP) and the range of reasonable alternatives.

On December 14, 2010, DOE and DBEDT announced in the **Federal Register** (75 FR 77859) their intention to prepare the EIS and opened a public scoping period which will close on March 1, 2011.

During the scoping period, DOE and DBEDT invite the public to submit written comments by any of the means listed in the **ADDRESSES** section. Oral as well as written comments may also be provided at the public scoping meetings to be held as listed under **SUPPLEMENTARY INFORMATION**.

DATES: DOE and DBEDT invite comments on the proposed scope of the EIS from all interested parties. The public scoping period began on December 14, 2010, and will close on March 1, 2011. Comments on the scope of the EIS should be submitted by March 1, 2011. Comments e-mailed or postmarked after that date will be considered to the extent practicable. DOE and DBEDT also invite members of the public to participate in public scoping meetings. Requests to speak at any of the public scoping meetings should be submitted to Allen Kam as indicated in the **ADDRESSES** section on or before January 28, 2011. Requests to speak also may be made at the scoping meetings; however, requests received by January 28, 2011, will be given priority in the speaking order. For interested parties wishing to speak with a DOE representative, see the **FOR FURTHER INFORMATION CONTACT** section of this announcement.

ADDRESSES: Requests to speak at the public scoping meetings and written comments on the proposed scope of the EIS may be submitted by any of the following means:

- By e-mail to comments@hirep-wind.com.
- By submitting electronic comments on the EIS web page at <http://www.hirep-wind.com>.
- By facsimile (fax) to 808-586-2536, Attention Allen G. Kam.
- By mail to Allen G. Kam, Esq., AICP, HIREP EIS Manager, State of Hawai'i, Department of Business, Economic Development and Tourism, Renewable Energy Branch, State Energy Office, P.O. Box 2359, Honolulu, HI 96804.

FOR FURTHER INFORMATION CONTACT: For information on DOE's proposed action, contact Anthony J. Como, DOE NEPA Document Manager, Office of Electricity Delivery and Energy Reliability (OE-20),

U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; or at 202-586-5935 or anthony.como@hq.doe.gov.

For general information about the DOE National Environmental Policy Act (NEPA) process, contact Carol Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; or at 800-472-2756 or askNEPA@hq.doe.gov.

For information on the Hawai'i Interisland Renewable Energy Program, contact Mr. Allen G. Kam, Esq., AICP, HIREP EIS Manager, State of Hawai'i, Department of Business, Economic Development and Tourism, Renewable Energy Branch, State Energy Office, P.O. Box 2359, Honolulu, HI 96804; or at 808-587-9023 or hirep@dbedt.hawaii.gov.

SUPPLEMENTARY INFORMATION: On December 14, 2010, DOE published a notice in the **Federal Register** (75 FR 77859) announcing its intention to prepare the Hawai'i Wind EIS jointly with the State of Hawai'i and opening a scoping period that will close on March 1, 2011. The EIS will be prepared pursuant to NEPA, as amended (42 U.S.C. 4321-4347), the Council on Environmental Quality NEPA regulations (40 CFR parts 1500-1508), the DOE NEPA implementing procedures (10 CFR part 1021), and the Hawai'i Environmental Policy Act (Hawai'i Revised Statutes (HRS) chapter 343). The EIS will assess the potential environmental impacts from the development of up to 400 megawatts of wind generation facilities on one or more of the Maui County islands of Maui, Lāna'i, and/or Moloka'i, the transmission of wind-generated energy to O'ahu via submarine transmission cables and the required improvements to the existing electric transmission infrastructure on O'ahu. In the December 14, 2010 notice, DOE and DBEDT also indicated that they would hold public scoping meetings and announce the dates and locations of them in a subsequent **Federal Register** notice.

DOE and DBEDT now announce that they will jointly host the following public scoping meetings:

- February 1, 2011—McKinley High School Cafeteria, 1039 South King Street, Honolulu, HI 96814, from 5:30 p.m. to 9 p.m.
- February 2, 2011—Pomaika'i Elementary Cafeteria, 4650 South Kamehameha Avenue, Kahului, HI 96732, from 5:30 p.m. to 9 p.m.

- February 3, 2011—Mitchell Pauole Community Center, 90 Ainoa Street, Kaunakakai, Moloka'i, HI 96748, from 5:30 p.m. to 9 p.m.
- February 5, 2011—Lāna'i High & Elementary School Cafeteria, 555 Fraser Avenue, Lāna'i City, HI 96763, from 9:30 a.m. to 3 p.m.

Each scoping meeting will be conducted in two parts: An informal "workshop" discussion period that will not be recorded, and a formal commenting session that will be transcribed by a court stenographer. Meeting participants may also have their comments entered into the record during the informal portion of the meetings, on request. Those who do not arrange in advance to speak may register at a meeting (preferably at the beginning of the meeting) and may speak after previously scheduled speakers. The presiding officer will establish procedures to ensure that everyone who wishes to speak has an opportunity to do so. Depending on the number of speakers, the presiding officer may limit all speakers to a set amount of time initially and provide additional opportunities to speak as time permits. Speakers may also provide written materials to supplement their presentations, and such additional information may be submitted in writing by the date listed in the **DATES** section. Both oral and written comments will be considered and given equal weight by DOE and DBEDT.

The formal commenting session will begin with an overview of the proposed Wind Phase of the Hawai'i Interisland Renewable Energy Program and a description of the State and Federal environmental review processes. The presiding officer will establish the order of speakers and provide any additional procedures necessary to conduct the formal commenting session. Speakers may be asked questions to help ensure that DOE and DBEDT fully understand all suggestions and comments.

Issued in Washington, DC, on January 7, 2011.

Patricia A. Hoffman,

Assistant Secretary, Office of Electricity Delivery and Energy Reliability.

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DEPARTMENT OF ENERGY

Record of Decision for the Environmental Impact Statement for the Proposed Abengoa Biorefinery Project Near Hugoton, Stevens County, KS (DOE/EIS-0407)

AGENCY: Department of Energy, Office of Energy Efficiency and Renewable Energy.

ACTION: Record of Decision.

SUMMARY: The U.S. Department of Energy (DOE or the Department) prepared an environmental impact statement (EIS) (DOE/EIS-0407) to assess the potential environmental impacts associated with the proposed action of providing Federal financial assistance to Abengoa Bioenergy Biomass of Kansas, LLC (Abengoa Bioenergy) to support the design, construction, and startup of a commercial-scale integrated biorefinery to be located near the city of Hugoton in Stevens County, southwestern Kansas (the Project). The integrated biorefinery would use a combination of biomass feedstocks, such as corn stover and wheat straw, to produce ethanol and to generate sufficient electricity to power the facility and supply excess electricity to the regional power grid. The Project site comprises approximately 810 acres of row-cropped agricultural land. The biorefinery facilities would be developed on 385 acres of the Project site, and the remaining 425 acres would remain agricultural and act as a buffer between the biorefinery and the city of Hugoton.

After careful consideration of the potential environmental impacts and other factors such as program goals and objectives, DOE has decided that it will provide Federal funding under Section 932 of the *Energy Policy Act of 2005* (EPA 2005) of up to \$71 million (2009 dollars), subject to annual appropriations, to Abengoa Bioenergy for the Project. A separate decision will be made regarding a potential loan guarantee; and if DOE decides to proceed to consider the loan guarantee, DOE would consider using the Final Abengoa Biorefinery EIS to comply with NEPA review requirements for the loan guarantee. If DOE determines that the Final Biorefinery EIS sufficiently addresses all activities covered by the loan guarantee, DOE could either issue a Record of Decision (ROD) deciding to issue a loan guarantee, or amend this ROD.

ADDRESSES: The Final EIS is available on the DOE *National Environmental Policy Act* (NEPA) Web site at: <http://nepa.energy.gov/> and on the Abengoa

Biorefinery Project Web site at: <http://www.biorefineryprojecteis-abengoa.com>. This ROD also is available on these Web sites. Copies of the Final EIS and this ROD may be obtained from Ms. Kristin Kerwin, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, Golden Field Office, 1617 Cole Blvd., Golden, CO 80401; telephone: 720-356-1564; or fax: 720-356-1650.

FOR FURTHER INFORMATION CONTACT: To obtain additional information about this Project, the EIS or the ROD, contact Ms. Kristin Kerwin by the means specified above under **ADDRESSES**. For general information on the DOE NEPA process, contact Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; telephone: 202-586-4600; fax: 202-586-7031; or leave a toll-free message at: 1-800-472-2756.

SUPPLEMENTARY INFORMATION: DOE prepared this ROD pursuant to the Council on Environmental Quality regulations for implementing the procedural provisions of NEPA [40 *Code of Federal Regulations* (CFR) Parts 1500-1508] and the DOE NEPA regulations (10 CFR Part 1021). This ROD is based in part on DOE's Final EIS for the Proposed Abengoa Biorefinery Project (DOE/EIS-0407, August 2010).

Background

Under EPA 2005, Congress directed DOE to carry out a program to demonstrate the commercial application of integrated biorefineries for the production of biofuels, in particular ethanol, from lignocellulosic feedstocks. Federal funding for cellulosic ethanol production facilities is intended to further the government's goal of rendering ethanol cost-competitive with gasoline by 2012, and along with increased automobile fuel efficiency, reducing gasoline consumption in the United States by 20 percent within 10 years.

To implement its responsibilities under EPA 2005, DOE issued a funding opportunity announcement in February 2006 for the design, construction, and startup of commercial-scale integrated biorefineries. In February 2007, the Department selected Abengoa Bioenergy and five other applicants for negotiation of award. Abengoa Bioenergy proposed an innovative approach to biorefinery operations that would involve production of biofuel and energy in the form of steam that could be used to meet energy needs and displace fossil fuels, such as coal and natural gas. The