



[6450-01-P]

**DEPARTMENT OF ENERGY**

**[Certification Notice – 255]**

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

**AGENCY:** Office of Electricity, DOE.

**ACTION:** Notice of filing.

**SUMMARY:** On April 1, 2019, Cricket Valley Energy Center, LLC (CVEC), as owner and operator of a new baseload power plant, the Cricket Valley Energy Project (Project), 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.

**SUPPLEMENTARY INFORMATION:** On April 1, 2019, CVEC, as owner and operator of a new baseload power plant, submitted a coal capability self-certification to the Department of Energy (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. 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: Cricket Valley Energy Center, LLC

DESIGN CAPACITY: 1,020 megawatts (MW)

PLANT LOCATION: Dover Plains, NY 12522

IN-SERVICE DATE: January 31, 2020

Signed in Washington, DC on April 10, 2019.

Christopher Lawrence,

Program Management Analyst,

Office of Electricity.

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