

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98–1–000]

**Records Governing Off-the-Record Communications; Public Notice**

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file

associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e) (1) (v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for electronic review at the Commission in the Public Reference Room or may be viewed on the Commission’s website at <http://www.ferc.gov> using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket No.	File date	Presenter or requester
Prohibited: EL16–49–000 .....	1–23–2020	The Hershey Company.
Exempt: P–199–205 .....	1–22–2020	National Oceanic and Atmospheric Administration.
EL16–49–000 .....	1–29–2020	U.S. Congress <sup>1</sup> .
CP19–491–000 .....	1–29–2020	FERC Staff <sup>2</sup> .
CP16–22–000 .....	2–4–2020	U.S. Senator Sherrod Brown.

Dated: February 6, 2020.  
**Nathaniel J. Davis, Sr.,**  
*Deputy Secretary.*  
 [FR Doc. 2020–02816 Filed 2–11–20; 8:45 am]  
**BILLING CODE 6717–01–P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL–10005–38–OAR]

**Allocations of Cross-State Air Pollution Rule Allowances From New Unit Set-Asides for 2019 Control Periods**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of data availability.

**SUMMARY:** The Environmental Protection Agency (EPA) is providing notice of the availability of data on emission

allowance allocations to certain units under the Cross-State Air Pollution Rule (CSAPR) trading programs. EPA has completed final calculations for the second round of allocations of allowances from the CSAPR new unit set-asides (NUSAs) for the 2019 control periods and has posted spreadsheets containing the calculations on EPA’s website. EPA has also completed calculations for allocations of the remaining 2019 NUSA allowances to existing units and has posted spreadsheets containing those calculations on EPA’s website as well.

**DATES:** February 12, 2020.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning this action should be addressed to Jason Kuhns at (202) 564–3236 or [kuhns.jason@epa.gov](mailto:kuhns.jason@epa.gov) or Andrew Reighart at (202) 564–0418 or [reighart.andrew@epa.gov](mailto:reighart.andrew@epa.gov).

**SUPPLEMENTARY INFORMATION:** Under each CSAPR trading program where EPA is responsible for determining emission allowance allocations, a portion of each state’s emissions budget for the program for each control period is reserved in a NUSA (and in an additional Indian country NUSA in the case of states with Indian country within their borders) for allocation to certain units that would not otherwise receive allowance allocations. The procedures for identifying the eligible units for each control period and for allocating allowances from the NUSAs and Indian country NUSAs to these units are set forth in the CSAPR trading program regulations at 40 CFR 97.411(b) and 97.412 (NO<sub>x</sub> Annual), 97.511(b) and 97.512 (NO<sub>x</sub> Ozone Season Group 1), 97.611(b) and 97.612 (SO<sub>2</sub> Group 1), 97.711(b) and 97.712 (SO<sub>2</sub> Group 2), and 97.811(b) and 97.812 (NO<sub>x</sub> Ozone

<sup>1</sup> Congressman Donald S. Beyer Jr., Congressman Mike Quigley, Congressman Matt Cartwright, Congressman Jared Huffman, Congressman Alan Lowenthal, Congresswoman Bonnie Watson Coleman, Congresswoman Jamie Raskin, Congresswoman Jan Schakowsky, Congresswoman Nanette Diaz Barragan, Congressman Sean Casten, Congresswoman Eleanor Holmes Norton, Congressman Gerald E. Connolly, Congressman

Mark Takano, Congressman Bill Foster, Congressman David E. Price, Congresswoman Cheri Bustos, Congresswoman Kathy Castor, Congresswoman Mary Gay Scanlon, Congressman Jose E. Serrano, Congressman Adriano Espaillat, Congressman Brendan F. Boyle, Congressman Danny K. Davis, Congressman Raul M. Grijalva, Congresswoman Yvette D. Clarke, Congresswoman Abigail D. Spanberger, Congressman David Trone,

Congressman Mike Doyle, Congresswoman Susan Wild, Congresswoman Pramila Jayapal, Congressman Darren Soto, Congresswoman Deb Haaland, Congressman Eliot L. Engel, Congressman John P. Sarbanes, Congressman Jusus G. “Chuy” Garcia, Congressman C.A. Dutch Ruppersberger, and Congressman Bobby L. Rush

<sup>2</sup> Forwarding email dated January 29, 2020 with U.S. Fish and Wildlife Service.