

qualifying conduit hydropower facility, which is not required to be licensed or exempted from licensing.

Comments and Motions to Intervene: Deadline for filing comments contesting whether the facility meets the qualifying criteria is 30 days from the issuance date of this notice. Deadline for filing motions to intervene is 30 days from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

Filing and Service of Responsive Documents: All filings must (1) bear in all capital letters the "COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY" or "MOTION TO INTERVENE," as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission's regulations.¹ All comments contesting Commission staff's preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may send a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in

the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Locations of Notice of Intent: The Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (i.e., CD23-7) in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. Copies of the notice of intent can be obtained directly from the applicant. For assistance, call toll-free 1-866-208-3676 or email FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659.

Dated: March 9, 2023.

Kimberly D. Bose,
Secretary.

[FR Doc. 2023-05290 Filed 3-14-23; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC23-61-000.

Applicants: Eligo Energy LLC, Phoenix Energy Group, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Phoenix Energy Group, LLC, et al.

Filed Date: 3/8/23.

Accession Number: 20230308-5165.

Comment Date: 5 p.m. ET 3/29/23.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10-2721-013.

Applicants: El Paso Electric Company.
Description: El Paso Electric Company submits Notice of Change in Status to Reflect Participation in California Independent System Operator Corporation's Energy Imbalance Market.

Filed Date: 9/9/22.

Accession Number: 20220909-5175.

Comment Date: 5 p.m. ET 3/23/23.

Docket Numbers: ER23-397-002.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Amendment to ISA and ICSA, SA Nos. 5564 and 5565; Queue No. AA2-161 (amend) to be effective 1/9/2023.

Filed Date: 3/9/23.

Accession Number: 20230309-5042.

Comment Date: 5 p.m. ET 3/30/23.

Docket Numbers: ER23-1272-000.

Applicants: Arizona Public Service Company.

Description: § 205(d) Rate Filing: Replacement Generation OATT Revisions to be effective 5/9/2023.

Filed Date: 3/9/23.

Accession Number: 20230309-5043.

Comment Date: 5 p.m. ET 3/30/23.

Docket Numbers: ER23-1273-000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2023-03-09_SA 4002 Ameren IL-Moraine Sands Wind FSA (GIA) (J1453) to be effective 5/9/2023.

Filed Date: 3/9/23.

Accession Number: 20230309-5072.

Comment Date: 5 p.m. ET 3/30/23.

Docket Numbers: ER23-1274-000.

Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.

Description: § 205(d) Rate Filing: Alabama Power Company submits tariff filing per 35.13(a)(2)(iii) Chilatchee 44 LGIA Filing to be effective 2/23/2023.

Filed Date: 3/9/23.

Accession Number: 20230309-5085.

Comment Date: 5 p.m. ET 3/30/23.

Docket Numbers: ER23-1275-000.

Applicants: Aron Energy Prepay 21 LLC.

Description: Baseline eTariff Filing: Baseline new to be effective 5/9/2023.

Filed Date: 3/9/23.

Accession Number: 20230309-5088.

Comment Date: 5 p.m. ET 3/30/23.

Docket Numbers: ER23-1276-000.

Applicants: Aron Energy Prepay 22 LLC.

Description: Baseline eTariff Filing: Baseline new to be effective 5/9/2023.

Filed Date: 3/9/23.

Accession Number: 20230309-5091.

Comment Date: 5 p.m. ET 3/30/23.

Docket Numbers: ER23-1277-000.

Applicants: Aron Energy Prepay 23 LLC.

Description: Baseline eTariff Filing: Baseline new to be effective 5/9/2023.

Filed Date: 3/9/23.

Accession Number: 20230309-5092.

Comment Date: 5 p.m. ET 3/30/23.

Docket Numbers: ER23-1278-000.

Applicants: Eastern Power & Gas LLC.
Description: Baseline eTariff Filing: Market-Based Rate Tariff Application to be effective 3/10/2023.

Filed Date: 3/9/23.

Accession Number: 20230309-5113.

Comment Date: 5 p.m. ET 3/30/23.

Take notice that the Commission received the following electric securities filings:

¹ 18 CFR 385.2001-2005 (2021).

Docket Numbers: ES23–37–000.

Applicants: New Hampshire Transmission, LLC.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of New Hampshire Transmission, LLC.

Filed Date: 3/8/23.

Accession Number: 20230308–5168.

Comment Date: 5 p.m. ET 3/29/23.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 9, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023–05301 Filed 3–14–23; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA–OAR–2023–0139; FRL–10755–01–R7]

Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Cargill, Inc., Blair Facility

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final Order on Petition for objection to Clean Air Act title V operating permit.

SUMMARY: The Environmental Protection Agency (EPA) Administrator signed an Order dated February 16, 2023, granting in part and denying in part a Petition dated August 8, 2022 from Cargill, Inc. The Petition requested that the EPA object to a Clean Air Act (CAA) title V operating permit issued by the Nebraska Department of Environment and Energy (NDEE) to Cargill, Incorporated—Blair Facility for its corn wet milling facility located in Blair, Washington County, Nebraska.

ADDRESSES: The EPA requests that you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view copies of the final Order, the Petition, and other supporting information. You may review copies of the final Order, the Petition, and other supporting information at the EPA Region 7 Office, 11201 Renner Boulevard, Lenexa, Kansas 66219. You may view the hard copies Monday through Friday, from 9 a.m. to 3 p.m., excluding federal holidays. If you wish to examine these documents, you should make an appointment at least 24 hours before the visiting day.

Additionally, the final Order and Petition are available electronically at: <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>.

FOR FURTHER INFORMATION CONTACT:

Ward Burns, EPA Region 7, telephone number: (913) 551–7960, email address: burns.ward@epa.gov.

SUPPLEMENTARY INFORMATION: The CAA affords the EPA a 45-day period to review and object to, as appropriate, operating permits proposed by state permitting authorities under title V of the CAA. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of the EPA's 45-day review period if the EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or unless the grounds for the issues arose after this period.

The EPA received the Petition from Adam M. Kushner, Partner, Hogan Lovells US, LLP, on behalf of Cargill, Incorporated dated August 8, 2022, requesting that the EPA object to the issuance of operating permit no. OP96S1–001, issued by NDEE to Cargill, Incorporated—Blair Facility in Blair, Washington County, Nebraska. The Petition alleged that:

Claim A: The Permit is not in compliance with the CAA because NDEE exceeds its authority under the CAA and with 40 CFR part 70 in imposing new scrubber liquid temperature control and monitoring requirements that are not necessary to assure compliance;

Claim B: The permit is not in compliance with title V because NDEE exceeds its authority under the CAA and part 70 in imposing new substantive requirements in the form of

scrubber liquid temperature control requirements, and NDEE's decision to do so is arbitrary and capricious and unsupported in the record;

Claim C: The permit is not in compliance with the title V because NDEE exceeds its authority under the CAA in imposing new substantive requirements in the form of "alternative" VOC/HAPs inlet testing and compliance demonstration requirements, and NDEE's decision to do so is arbitrary and capricious and unsupported in the record;

Claim D: NDEE's rationales for imposing additional requirements despite the terms agreed-upon in the consent decree are arbitrary and capricious and lack support in the record;

Claim E: NDEE fails to identify sources of authority that would justify the imposition of new substantive requirements and NDEE does not satisfy the threshold requirement for imposing supplemental monitoring requirements;

Claim F: NDEE improperly seeks to use the title V permitting process to circumvent rulemaking requirements;

Claim G: NDEE improperly relies on 'guidance' that is procedurally and substantively flawed;

Claim H: NDEE's procedure for issuing the permit was flawed because NDEE fails to respond to all significant comments and thus did not comply with title V or its regulations;

Claim I: Errata: NDEE's inconsistent language regarding Compliance Assurance Monitoring ("CAM") plans creates regulatory uncertainty;

Claim J: EPA's review of the permit in response to the Petition is . . . Distinct From its Prior Review During the Comment Period.

On February 16, 2023, the EPA Administrator issued an Order granting in part and denying in part the Petition. The Order explains the basis for the EPA's decision.

Sections 307(b) and 505(b)(2) of the CAA provide that a petitioner may request judicial review of those portions of an order that deny issues in a petition. Any petition for review shall be filed in the United States Court of Appeals for the appropriate circuit no later than May 15, 2023.

Dated: March 9, 2023.

Meghan A. McCollister,

Regional Administrator, Region 7.

[FR Doc. 2023–05276 Filed 3–14–23; 8:45 am]

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