

minimum release equivalent to the 95 percent exceedance flow (approximately 30 cubic feet per second). Additionally, the licensee provided a mitigation plan in its application for potentially stranded organisms, including mussels, for all bottomlands exposed during the drawdown, as well as proposed measures to protect endangered species potentially occurring at the project, per resource agency recommendations.

l. *Locations of the Application:* 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 excluding the last three digits 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. Agencies may obtain copies of the application directly from the applicant. For assistance, contact the Federal Energy Regulatory Commission at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll free, (866) 208-3676 or TTY, (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* All filings must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary

basis. 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 385.2010.

Dated: April 19, 2023.

**Debbie-Anne A. Reese,**  
*Deputy Secretary.*

[FR Doc. 2023-08739 Filed 4-25-23; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. RM16-17-001, ER21-331-000, ER21-330-000]

#### Data Collection for Analytics and Surveillance and Market-Based Rate Purposes, DDP Specialty Electronic Materials US, Inc., MC (US) 3, LLC; Order on Intent To Revoke Market-Based Rate Authority

1. Section 205 of the Federal Power Act (FPA), 16 U.S.C. 824d, and 18 CFR part 35 (2022), require, among other things, that all rates, terms, and conditions for jurisdictional services be filed with the Commission. In Order No. 697 and its progeny,<sup>1</sup> the Commission established certain requirements with which sellers<sup>2</sup> must comply in order to obtain and retain market-based rate authority.<sup>3</sup>

In Order No. 860,<sup>4</sup> the Commission revised certain aspects of the substance and format of the ownership information sellers must submit in order to obtain or retain market-based rate authority. Specifically, Order No. 860 requires that, as part of its market-based rate application or baseline submission, a seller must identify its ultimate

<sup>1</sup> *Mkt.-Based Rates for Wholesale Sales of Elec. Energy, Capacity & Ancillary Servs. by Pub. Utils.*, Order No. 697, 119 FERC ¶ 61,295 *clarified*, 121 FERC ¶ 61,260 (2007), *order on reh'g*, Order No. 697-A, 123 FERC ¶ 61,055, *clarified*, 124 FERC ¶ 61,055, *order on reh'g*, Order No. 697-B, 125 FERC ¶ 61,326 (2008), *order on reh'g*, Order No. 697-C, 127 FERC ¶ 61,284 (2009), *order on reh'g*, Order No. 697-D, 130 FERC ¶ 61,206 (2010), *aff'd sub nom. Mont. Consumer Counsel v. FERC*, 659 F.3d 910 (9th Cir. 2011).

<sup>2</sup> A "seller" is defined as any person that has authorization to or seeks authorization to engage in sales for resale of electric energy, capacity or ancillary services at market-based rates under section 205 of the FPA. 18 CFR 35.36(a)(1) (2022); 16 U.S.C. 824d. Each seller is a public utility under section 205 of the FPA. 16 U.S.C. 824.

<sup>3</sup> Order No. 697, 119 FERC ¶ 61,295 at n.258.

<sup>4</sup> *Data Collection for Analytics & Surveillance and Mkt.-Based Rate Purposes*, Order No. 860, 168 FERC ¶ 61,039 (2019), *order on reh'g*, Order No. 860-A, 170 FERC ¶ 61,129 (2020).

upstream affiliate(s) through a new relational database.<sup>5</sup>

2. In accordance with Order No. 860, as modified by Order No. 860-A, the Order Adopting Revisions to Information Collection,<sup>6</sup> and the Notice of Extension of Time,<sup>7</sup> each seller with a market-based rate tariff on file with the Commission was required to make a baseline submission to the market-based rate relational database by February 1, 2022.<sup>8</sup> Commission staff's review of the baseline submissions to the market-based rate relational database indicates that the sellers with market-based rate authorization listed in the caption of this order failed to file their baseline submissions. This order notifies these sellers that their market-based rate authorizations will be revoked unless they comply with the Commission's requirements within 15 days of the date of issuance of this order.<sup>9</sup>

3. To comply with the Commission's requirements, the above-captioned sellers must file their baseline submissions to the market-based rate relational database consistent with the procedures set forth in Order Nos. 860, 860-A, and the Order Adopting Revisions to Information Collection.

4. In the event any of the above-captioned sellers have already submitted their baseline submissions in compliance with the Commission's requirements, their inclusion herein is inadvertent. Such sellers are directed to make a filing with the Commission, within 15 days of the date of issuance of this order, to identify themselves and provide details about their prior submissions to establish that they

<sup>5</sup> Order No. 860, 168 FERC ¶ 61,039 at P 121.

<sup>6</sup> *Data Collection for Analytics & Surveillance and Mkt.-Based Rate Purposes*, 176 FERC ¶ 61,109 (2021) (Order Adopting Revisions to Information Collection).

<sup>7</sup> *Data Collection for Analytics and Surveillance and Mkt.-Based Rate Purposes*, Notice of Extension of Time, Docket No. RM16-17-000 (Oct. 22, 2021).

<sup>8</sup> A baseline submission consists of "market-based rate information," which includes (a) seller category status for each region in which the seller has market-based rate authority, (b) each market in which the seller is authorized to sell ancillary services at market-based rates, (c) mitigation, if any, and (d) whether the seller has limited the regions in which it has market-based rate authority. A baseline submission also consists of "market-based rate ownership information," which includes ultimate upstream affiliates; and affiliate owners with franchised service areas, market-based rate authority, or that directly own or control generation; transmission, intrastate natural gas transportation, storage or distribution facilities, physical coal supply sources or ownership of or control over who may access transportation of coal supplies, and asset appendix information. Order No. 860, 168 FERC ¶ 61,039 at P 185.

<sup>9</sup> Commission staff contacted or attempted to contact the sellers to remind them of their regulatory obligations. Despite these reminders, however, the sellers listed in the caption of this order have not met these obligations.

complied with the Commission's market-based rate relational database filing requirements.

5. If any of the above-captioned sellers do not wish to continue having market-based rate authority, they may file a notice of cancellation of their market-based rate tariffs with the Commission pursuant to section 205 of the FPA.

*The Commission orders:*

(A) Within 15 days of the date of issuance of this order, each seller listed in the caption of this order shall file with the Commission its delinquent baseline submission to the market-based rate relational database. If a seller subject to this order fails to make the filings required in this order, the Commission intends to revoke that seller's market-based rate authorization and intends to terminate its electric market-based rate tariff. The Secretary is hereby directed, upon expiration of the filing deadline in this order, to promptly issue a notice, effective on the date of issuance, listing the sellers whose tariffs have been revoked for failure to comply with the requirements of this order and the Commission's market-based rate relational database requirements.

(B) The Secretary is hereby directed to publish this order in the **Federal Register**.

By the Commission.

Issued April 20, 2023.

**Debbie-Anne A. Reese,**

*Deputy Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-10906-01-OA]

### Public Meetings of the Science Advisory Board BenMAP and Benefits Methods Panel

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office is announcing two public meetings of the Science Advisory Board (SAB) BenMAP and Benefits Methods Panel. The purpose of the meetings is to discuss the panel's draft report on the BenMAP model and benefits methods.

**DATES:**

*Public Meetings:* The SAB BenMAP and Benefits Methods Panel will meet on the following dates. All times listed are in Eastern time.

1. Tuesday, May 16, 2023, from 10:00 a.m. to 1:00 p.m. Eastern time.

2. Thursday, June 15, 2023, from 10:00 a.m. to 1:00 p.m. Eastern time.

*Comments:* See the section titled "Procedures for Providing Public Input" under **SUPPLEMENTARY INFORMATION** for instructions and deadlines.

**ADDRESSES:** The May 16, 2023, and June 15, 2023, meetings will be conducted virtually. Please refer to the SAB website at <https://sab.epa.gov> for information on how to attend the meeting.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public who wants further information concerning this notice may contact Dr. Holly Stallworth, Designated Federal Officer (DFO), via telephone (202) 564-2073, or email at [stallworth.holly@epa.gov](mailto:stallworth.holly@epa.gov). General information about the SAB, as well as any updates concerning the meetings announced in this notice, can be found on the SAB website at <https://sab.epa.gov>.

**SUPPLEMENTARY INFORMATION:**

*Background:* The SAB was established pursuant to the Environmental Research, Development, and Demonstration Authorization Act (ERDDAA), codified at 42 U.S.C. 4365, to provide independent scientific and technical advice to the EPA Administrator on the scientific and technical basis for agency positions and regulations. The SAB is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies. Pursuant to FACA and EPA policy, notice is hereby given that the SAB BenMAP and Benefits Methods Panel will hold two public meetings to discuss their draft report reviewing the BenMAP model and EPA's Technical Support Document entitled *Estimating PM<sub>2.5</sub>- and Ozone-Attributable Health Benefits (2023)*.

*Availability of Meeting Materials:* All meeting materials, including the agenda, will be available on the SAB website at <https://sab.epa.gov> by clicking on the meeting date under Meetings and Events. This web page will have a link to panel's draft report, the BenMAP model, the BenMAP User's Manual, the Technical Support Document (cited above), and the Agency Charge Questions.

*Procedures for Providing Public Input:* Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process

for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office. Federal advisory committees and panels, including scientific advisory committees, provide independent advice to the EPA. Members of the public can submit relevant comments pertaining to the committee's charge or meeting materials. Input from the public to the SAB will have the most impact if it provides specific scientific or technical information or analysis for the SAB to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should follow the instruction below to submit comments.

*Oral Statements:* In general, individuals or groups requesting an oral presentation at a meeting conducted by video will be limited to three minutes. Each person making an oral statement should consider providing written comments as well as their oral statement so that the points presented orally can be expanded upon in writing. Persons interested in providing oral statements should contact the DFO, in writing (preferably via email) at the contact information noted above by May 9, 2023, to be placed on the list of registered speakers.

*Written Statements:* Written statements will be accepted throughout the advisory process; however, for timely consideration by SAB members, statements should be submitted to the DFO by May 9, 2023, for consideration at the May 16 meeting. Written statements should be supplied to the DFO at the contact information above via email. Submitters are requested to provide an unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its websites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the SAB website. Copyrighted material will not be posted without the explicit permission of the copyright holder.

*Accessibility:* For information on access or services for individuals with disabilities, please contact the DFO, at the contact information noted above, preferably at least ten days prior to the meeting, to give the EPA as much time as possible to process your request.

*Meeting cancellation:* The June 15, 2023, meeting may be cancelled if the Panel concludes its business on May 16, 2023. If the June 15, 2023, meeting is cancelled, notice will be provided